



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Workplace Harassment and Discrimination Policy

The Town will not tolerate verbal, physical, or electronic conduct by any employee that discriminates against any co-workers, visitors, or others associated with the Town, on the basis of any legally protected status, or which harasses, disrupts or interferes with another's work performance or which creates an intimidating, offensive or hostile working environment.

Discrimination or harassment can take many forms. It may be, but is not limited to: words, conduct, adverse job action, signs, jokes, pranks, intimidation, physical contact, or violence. While all forms of discrimination and harassment based on an employee's legally protected status are prohibited, including but not limited to any adverse job action or intimidation based on race, color, age, religion, gender, national origin, disability status, marital status, veteran status, genetic information, gender identity/expression or sexual orientation, it is the Town's policy to emphasize that sexual harassment is illegal and prohibited by both state and federal law. Specifically, it is contrary to the Town's policies for any employee to sexually harass another employee by:

- A. Making unwelcome sexual conduct or requests for sexual favors a condition of an employee's continued employment; or
- B. Using an employee's submission or rejection of such conduct as the basis for making employment decisions (e.g., promotions, raises); or
- C. Creating a work environment in which conduct of a sexual nature substantially interferes with an individual's work performance or creates an atmosphere intimidating, hostile or offensive to employees.

Although not an inclusive list, the following are examples of the type of conduct prohibited by the policy against sexual harassment:

- A. Unwelcome sexual advances, propositions or flirtations;
- B. Unwelcome attention of a sexual nature such as degrading comments, suggestive or lewd remarks, propositions, jokes, tricks or noises;
- C. Unwanted hugs, touches, kisses or requests for sexual favors;
- D. The threat or suggestion that continued employment, advancement, assignment or earnings depend on whether or not the employee will submit to or tolerate harassment;
- E. Retaliation for complaining about sexual harassment.

All employees are further advised that sexually explicit or sexually offensive material has no place within the Town's facilities. Such material may not be posted, displayed, or even possessed within the facility. Possession of such material, even if it is not posted or publicly displayed, will be considered a violation of Town policy and will subject the individual to disciplinary action.

Any employee who believes that the actions or words of a supervisor or fellow employee or any outside party in the workplace constitute unwelcome harassment or unlawful discrimination has a responsibility to report

such conduct or immediately complain to his/her immediate supervisor should his/her direct requests that the conduct cease be ignored. If an employee is uncomfortable raising his/her complaint with someone to whom s/he reports, or if the complaint involves someone in his/her direct line of command, then that employee should bring a complaint to the First Selectman or any employee in the Human Resources Office (or, if necessary, to any other managerial representative of the Town).

Confidentiality at the time of reporting the incident will be preserved to the maximum extent possible. However, all allegations of unlawful harassment and discrimination must be investigated promptly. In this regard, the reporting employee, the alleged harasser or discriminator and any other employees aware of the incident are expected to treat this information in a confidential manner.

The Town will take prompt action upon the receipt of a complaint of unlawful harassment or discrimination. Any employee determined to have committed unlawful harassment or discrimination will be subject to appropriate disciplinary action, up to and including termination. Moreover, any individual who makes unwelcome advances, threatens, in any way discriminates, or harasses another employee based on a legally protected status may be personally liable for monetary damages for such actions and their consequences.

The Town will not tolerate the taking of any reprisal against an employee who, in good faith, files a complaint of unlawful harassment or discrimination.

Reasonable Accommodations

The Town will provide reasonable accommodations to a qualified individual with a disability, as defined under applicable law, who has made the Town aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the Town. Applicants or employees with a disability who believe that they need a reasonable accommodation to perform the essential functions of their job should contact their supervisor and/or the First Selectman.

On receipt of an accommodation request, the Town will review potential reasonable accommodation(s) that the Town may be able to make to enable employees to perform the essential functions of their job. As part of this process, an applicant or employee may be required to provide authorization to the Town to communicate with and obtain documentation from his or her doctor regarding the medical condition(s) for which reasonable accommodation is sought, and may further be required to be evaluated by a doctor of the Town's choice. All such medical information discussed and received will be treated as confidential to the extent required and permissible by law.

Reporting Legal / Ethical Violations

It is the philosophy of the Town of Colchester that every employee has the responsibility to take action to prevent problems and improve our operation. If employees observe possible unethical or illegal conduct, they are encouraged to report their concerns.

Employees and others may communicate suspected violations of law, policy, or other wrongdoing, as well as any concerns regarding questionable accounting or auditing matters (including deficiencies in internal controls) by contacting their supervisor, Human Resources, or the First Selectman.

We will treat all communications under this policy in a confidential manner, except to the extent necessary to conduct a complete and fair investigation, or for review of operations. All inquiries will be subject to Freedom of Information Act (FOIA) guidelines and regulations.

The Town prohibits any form of retaliation against any employee for filing a good faith complaint under this policy or for assisting in a complaint investigation.

Workplace Threats and Violence

The Town of Colchester regards the safety and security of its employees as critical. There is a zero tolerance policy towards any threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by employees on Town of Colchester property or in relation to employment with the Town. Violations of this policy will lead to disciplinary action up to and including dismissal. Depending on the severity of the violation of this policy, the Town reserves the right to seek the arrest and possible prosecution of the employee.

Any employee who threatens another employee (for example: harassment, intimidation, displaying a weapon, etc.), or engages in violent acts on Town property shall be removed from the premises as quickly as safety permits, and shall remain off Town premises pending the outcome of an investigation. The Town will initiate an appropriate response. This response may include, but not be limited to: reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the employee or employees involved.

All Town of Colchester personnel are responsible for notifying the management representative designated below of any threats, which they have witnessed, received, or have been told that another employee has witnessed or received. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a Town-controlled site or is connected to employment with the Town. Employees are responsible for making this report regardless of the relationship between the employee or persons who initiated the threat or threatening behavior and the employee or persons who were threatened or were the focus of the threatening behavior. If the designated management representative is not available, personnel should report the threat to their supervisor (or that individual's supervisor if the threat is made by the supervisor).

All individuals who apply for or obtain a protective or restraining order which lists Town locations as being protected areas, must provide to the designated management representative a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

The Town of Colchester understands the sensitivity of the information requested and has developed confidentiality procedures, which recognize and respect the privacy of the reporting employee(s).

The designated management representative is:

Title: First Selectman

Telephone: 537-7220

Location: Selectman's Office, Town Hall