



Town of Berlin

POLICY REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT IN THE WORKPLACE

It is the policy of the Town of Berlin to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex and free from discrimination based on sex. Verbal or physical conduct by a supervisor or co-worker relating to an employee's sex which has the effect of creating an intimidating, hostile or offensive work environment, unreasonably interfering with the employee's work performance, or adversely affecting the employee's employment opportunities is prohibited.

DISCRIMINATION

Sex discrimination is defined as when an employer refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to their compensation, terms, conditions, or privileges of employment on the basis of the individual's sex. Sex discrimination is also defined as when a person, because of their sex, is denied participation in, or the benefits of, a program that receives federal financial assistance.

HARASSMENT

Sexual harassment is a form of sex discrimination. While it is difficult to define sexual harassment precisely, it does include any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

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

- Unwelcome sexual advances from a co-worker or supervisor, such as unwanted hugs, touches, or kisses;
- Unwelcome attention of a sexual nature, such as degrading, suggestive or lewd remarks
- or noises;
- Dirty jokes, derogatory or pornographic posters, cartoons or drawings;
- The threat or suggestion that continued employment advancement, assignment or earnings depend on whether or not the employee will submit to or tolerate harassment;
- Circulating, showing, or exchanging emails, text messages, digital images or websites of a sexual nature;
- Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Any infraction of this policy by supervisors or co-workers should be reported immediately to the Director of Human Resources in accordance with the Town's sex discrimination and sexual harassment complaint procedure.

Retaliation against any employee for complaining about sex discrimination or sexual harassment is prohibited under this policy and illegal under state and federal law. Violations of this policy will not be permitted and may result in discipline up to and including discharge from employment. Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties.

COMPLAINT PROCEDURE

It is the express policy of the Town of Berlin to encourage victims of sexual discrimination or sexual harassment to promptly report such claims. Timely reporting of complaints facilitates the investigation and resolution of such complaints. Any employee who feels that they have been sexually harassed or otherwise discriminated against on the basis of sex should submit any such complaint to the Director of Human Resources. If the Director of Human Resources is the subject of the complaint, the complaint should be submitted to the Town Manager, who shall investigate or appoint a designee to do so.

Complaints will be investigated promptly and corrective action will be taken when allegations are verified. Confidentiality will be maintained by all persons involved in the investigation to the extent possible and reprisals or retaliation that occur as a result of the good faith reporting of charges of sex discrimination or sexual harassment will result in disciplinary action against the retaliator.

The Town will provide Sexual Harassment Prevention training for new supervisors and will publish its policy and complaint procedures for staff, in an effort to maintain an environment free of sex discrimination and sexual harassment.

Any employee who believes that they have been discriminated against or sexually harassed in the workplace in violation of this policy may also file a complaint with:

1. The Connecticut Commission on Human Rights and Opportunities, West Central Regional Office, Government Center, 55 W. Main Street, Suite 210, Waterbury, CT 06702-2004, (203) 805-6530, T DD (203) 805-6579, FAX (203) 805-6559; and/or
2. The Equal Employment Opportunity Commission, Boston Area Office, 475 Government Center, Boston, MA 02203 (617-565-3200).

Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within 180 days of the date when the alleged discrimination/harassment occurred.

Remedies for sex discrimination and sexual harassment include cease and desist orders, back pay, compensatory damages, hiring, promotion or reinstatement.

COMPLAINT FORM REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT

Name of the complainant: _____

Date of the complaint: _____

Date of the alleged discrimination/harassment: _____

Name or names of the discriminator(s) or harasser(s): _____

Location where such discrimination/harassment occurred: _____

Name(s) of any witness(es) to the discrimination/harassment: _____

Detailed statement of the circumstances constituting the alleged discrimination or harassment:

**SEXUAL HARASSMENT IS ILLEGAL
AND IS PROHIBITED BY
THE CONNECTICUT DISCRIMINATORY EMPLOYMENT PRACTICES ACT &
TITLE VII OF THE CIVIL RIGHTS ACT OF 1964**

Sexual harassment means any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of Sexual Harassment may include:

- Unwelcome sexual advances
- Suggestive or lewd remarks
- Unwanted hugs, touches, kisses
- Requests for sexual favors
- Derogatory or pornographic posters, cartoons, or drawings.

Remedies for Sexual Harassment may include:

- Cease and desist orders
- Back pay
- Compensatory damages
- Hiring, promotion, or reinstatement

Retaliation against any employee for complaining about sexual harassment is prohibited under this policy and illegal.

Violation of this policy is grounds for discipline, including discharge. Individuals who engage in acts of sexual harassment may also be subject to civil and criminal penalties.

An infraction of this policy by supervisors or co-workers should be reported immediately to Denise Parsons, Director of Human Resources, or Denise McNair, Town Manager if the Director of Human Resources is the subject of the complaint.

Confidentiality will be maintained to the extent possible.

Any employee who believes that he or she has been harassed or discriminated against in the workplace in violation of this policy may also contact:

**The Connecticut Commission on Human Rights and Opportunities
West Central Regional Office
Government Center
55 West Main Street, Suite 210
Waterbury, CT 06702-2004
(203) 805-6530
TDD (203) 805-6579
Fax (203) 805-6559**

And/ or:

**The Equal Employment Opportunity Commission
Boston Area Office
475 Government Center
Boston, MA 02203
Phone (617) 565-3200
(800) 669-4000**

Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within one hundred and eighty (180) days of the date when the alleged harassment/ discrimination occurred.