

# 107. SEXUAL HARASSMENT



## RICHFIELD POLICE DEPARTMENT POLICY

Effective Date:	04/18/89
No. of Pages:	2
Serial Number:	10-007
Authority:	Chief Jay Henthorne

*NOTE: This policy is for internal use only and does not enlarge an employee's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.*

### I. PURPOSE

The purpose of this Policy is to establish department policy concerning allegations of sexual harassment, describe reporting procedures, and define the term.

### II. POLICY

The Department's policy is to provide a professional, businesslike work environment free from all forms of employee discrimination including incidents of sexual harassment. No employee shall be subjected to unsolicited and unwelcomed sexual overtures or conduct either verbal or physical. Sexual harassment will be treated as misconduct with appropriate disciplinary sanctions.

### III. DEFINITIONS

**SEXUAL HARASSMENT:** Per Title VII of the Civil Rights Act of 1964, sexual harassment is defined as the deliberate or repeated behavior of a sexual nature by an employee to another that is unwelcomed, unasked for or rebuked by the other employee. The behavior can be verbal or physical.

### IV. PROCEDURE

*(Taken from the City of Richfield Employee Handbook personnel policy on Harassment, 2017)*


It is the City's policy that the work force environment and City employees will be free of sexual harassment and that all individuals will be treated with respect at all times.

City officials or employees **shall not** sexually harass any member of the public or any other City official or employee.

- 1) This Policy will apply to all officials and employees of the City of Richfield.
- 2) Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, and other verbal or physical conduct of a sexual nature when:
  - a) Submission to such conduct or communication is made either implicitly or explicitly a term or condition of an individual's employment;
  - b) Submission to or rejection of such conduct or communication by an individual is used as a basis for an employment decision affecting that individual's employment;
  - c) Such conduct or communication has a purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

- 3) Behavior which may constitute sexual harassment includes, but is not limited to:
  - a) Verbal harassment (e.g. requests for sexual favors or unwelcome sexual advances, repeated and/or offensive sexual flirtations, sexually oriented derogatory remarks or slurs, propositions, sexually oriented advances, use of offensive or sexually oriented language);
  - b) Physical harassment if based on a person's gender (e.g. touching gestures, assault, impeding or blocking movement or any physical interference with normal work or movement), and
  - c) Visual forms of harassment (derogatory posters, letters, graffiti, cartoons, drawings, or videos), and
  - d) Requests for sexual favors or unwelcome sexual advances.
- 4) Any employee who feels he or she is being subjected to sexual harassment in any form, or who believes he or she has witnessed sexual harassment in any form, **shall** immediately contact either:
  - a) His or her supervisor.
  - b) The person assigned to supervise personnel matters.
  - c) The Director of Public Safety.
  - d) The City Manager.
- 5) All supervisors **shall** report immediately any allegations to the person assigned to supervise personnel matters or the Director of Public Safety.
  - a) Information about investigations will be shared with individuals making complaints, with individuals against whom the complaints are made and with other Supervisors on a need to know basis. The amount of information disclosed will depend on the particular complaint.
- 6) Any complaints which are made will be investigated confidentially and in a timely fashion. All officials and employees **shall** cooperate in any investigation of such a complaint. If the facts support the allegations, the perpetrator of the sexual harassment will be subject to disciplinary action. Any official or employee found to have made a false complaint of sexual harassment or found to have given knowingly false information during an investigation of such a complaint may also be subject to disciplinary action. "Discipline," as used in this paragraph, shall mean any of the courses of action described in the city Personnel Policy on Harassment, including dismissal.

By Order Of:

  
\_\_\_\_\_  
Chief of Police

9 1 1