


<b>TOWN OF WOODFIN – POLICY STATEMENT</b>		Policy #:	
Department: Administration / Finance		Issuing Date:	06/20/2017
	Policy Title:	Unlawful Workplace Harassment Policy	
	Effective Date:	06/16/2021	
	Revised Date:	06/20/2017	
	Prepared By:	Jason Young, Town Administrator	
	Approved By & Date:	Board of Commissioners 06/20/2017	

**PURPOSE:** Town of Woodfin is committed to a work environment that is free from harassment and discrimination.

- POLICY:**
- A. Harassment based on an individual's race, color, religion, sex, national origin, political affiliation, physical or mental disability, age, veteran status, genetic information, sexual orientation, gender identity or any other legally protected class under federal or NC State law will not be tolerated.
  - B. All employees, including Supervisor and management personnel, are expected, and required to refrain from any activity or action that contributes to harassment in the workplace.
  - C. Harassment of employees by Supervisors or co-workers is forbidden in any form.

**DEFINITIONS:** **Unlawful Workplace Harassment** – Unwelcome or unsolicited speech or conduct based upon race, color, religion, sex, national origin, political affiliation, physical or mental disability, age, veteran status, genetic information, sexual orientation, gender identity or any other legally protected class under federal or NC State law that creates a hostile work environment or circumstances involving quid pro quo.

**Hostile Work Environment** – harassment includes, but is not limited to, unwelcome statements or actions as a result of the individual being a member of a legally protected class that are sufficiently severe or pervasive as to unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive work environment.

- In determining whether a hostile work environment exists, you consider both whether a reasonable person would find the harassment hostile or abusive and whether the particular person who is the object of the harassment perceives it to be hostile or abusive.
- Hostile work environment is determined by looking at all of the circumstances, including the frequency of the allegedly harassing conduct, its severity, whether it is physically threatening or humiliating, and whether it unreasonably interferes with an employee's performance.
- Use of the employer's computer system for the purpose of viewing, displaying, or disseminating material that is sexual in nature also may constitute harassing behavior. See Appendix J: Town of Woodfin IT Acceptable Usage Policy.

**Quid Pro Quo Harassment** – consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct when:

- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, or;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

**Sexual Harassment** – is defined by federal guidelines as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when one or more of the following occur:

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

**REPORTING PROCEDURES:**

- A. Employees who believe they have been harassed in violation of this policy should make an immediate report. Employees may make a report in any of the following ways:
- a. The employee may notify his or her immediate Supervisor of the situation. The immediate Supervisor is responsible for notifying Town Administrator and or the Mayor within twenty-four hours of becoming aware of the situation and working with the Administration Department to investigate the situation and taking corrective action when appropriate.
  - b. If the complaint of harassment is against the immediate Supervisor, the immediate Supervisor is not available, or the employee is otherwise uncomfortable reporting to his/her immediate Supervisor, the employee may report the situation to the Department Head. The Department Head is responsible for notifying Town Administrator and or the Mayor within twenty-four hours of becoming aware of the situation and working with Administration Department to investigate the situation and taking corrective action when appropriate.
  - c. If the allegation is against the Department Head, the Department Head is unavailable or the employee is otherwise uncomfortable reporting to the Department Head, the complaint may be reported to the Town Administrator who shall then assume responsibility for investigating the situation and recommending appropriate corrective action.
  - d. If at any point in the process the employee prefers to do so, he/she may report the situation directly to the Board of Commissioners who shall then assume immediate responsibility for investigating the situation and recommending appropriate corrective action to the Town Administrator.
  - e. If the allegation of harassment is against the Town Administrator or an elected official, the complaint should be filed with the Mayor or Vice Mayor, who shall personally investigate the complaint, or designate a representative to conduct the investigation and advise the employee and Board of Commissioners on the outcome of the investigation.
- B. All complaints of harassment will be promptly investigated and appropriate corrective action where necessary based upon the findings of the investigation. Substantiated claims of harassment may result in disciplinary action, up to and including termination.

**SCOPE:** This policy applies to all employees of the Town of Woodfin.

**COMMENTS:** Policy should be reviewed annually and updated, as necessary.

**POLICY AUTHORITY:** Please contact the Town Administrator at 828-253-4887 with any questions pertaining to this policy.