

Non-Discrimination/Anti-Harassment Policy

I. Policy

The Charter Township of Clinton ("Township") is committed to creating and maintaining a work environment free of discrimination and harassment for all township employees. All individuals have the right to work in a professional atmosphere that promotes respect, dignity, and prohibits unlawful discriminatory practices.

In support of this commitment, the Township prohibits unlawful discrimination, including harassment and retaliation, based on a protected classification, including race, color, religion, sex, national origin, citizenship, age, disability, height, weight, veteran status, marital status, sexual orientation, gender identity, gender expression, genetic information or any other characteristic protected by law.

II. Scope

These policies apply to:

All Township employees in all aspects of their employment relationship with the Township.

All Township appointees to Township committees, commissions, and boards.

All vendors, consultants, or contractors in all aspects of their relationship with the Township.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, Township meetings and township-related social events.

III. Prohibited Conduct, Including Harassment and Retaliation

For the purposes of determining whether a particular course of conduct constitutes discrimination or harassment under this policy, the following definition will be used:

Conduct that is based upon an individual's race, color, religion, sex, national origin, citizenship, age, disability, height, weight, veteran status, marital status, sexual orientation, gender identity, gender expression, genetic information or any other characteristic protected by law that:

- A. adversely affects a term or condition of an individual's employment;
- B. is used as the basis for or a factor in decisions affecting that individual's employment;
- C. has the purpose or effect of unreasonably interfering with an individual's employment performance or creating an intimidating, hostile, offensive, or abusive environment for that individual's employment.

Some examples of conduct that may constitute prohibited discrimination may include, but are not limited to:

- A. Denying a person access to employment based on that person's race, color, religion, sex, national origin, citizenship, age, disability, height, weight, veteran status, marital status, sexual orientation, gender identity, gender expression, or genetic information.
- B. Denying raises, benefits, or promotions on the basis of a person's race, color, religion, sex, national origin, citizenship, age, disability, height, weight, veteran status, marital status, sexual orientation, gender identity, gender expression, or genetic information.
- C. Preventing any person from using a township facility or service because of a person's race, color, religion, sex, national origin, citizenship, age, disability, height, weight, veteran status, marital status, sexual orientation, gender identity, gender expression, or genetic information.
- D. Instigating or allowing an environment that is unwelcoming or hostile based on a person's race, color, religion, sex, national origin, citizenship, age, disability, height, weight, veteran status, marital status, sexual orientation, gender identity, gender expression, or genetic information.

Harassment

"Harassment" is a specific form of discrimination. It is unwelcome behavior, based on a protected classification, that a reasonable person would perceive to be sufficiently severe or pervasive to create an intimidating, hostile, or offensive environment for employment.

Harassing conduct may take many forms, including verbal acts and name calling, as well as nonverbal behavior, such as graphic, electronic, and written statements, or conduct that is physically offensive, harmful, or threatening.

Additionally, "Sexual Harassment," whether between individuals of the same or different sex, includes unwelcome conduct of a sexual nature that is made, either explicitly or implicitly, a condition of an individual's employment and/or when the submission to or rejection of such conduct is a factor in affecting that individual's employment work environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Retaliation

"Retaliation" is any conduct that has the purpose or effect of harassing an employee in response to that employee's: (a) rejection of a sexual or improper social advance; (b) expression of disapproval for harassment; (c) informing a supervisor or any management employee of perceived harassment; (d) filing any type of harassment complaint; and/or participating in a harassment or discrimination investigation or proceeding.

IV. Responsibilities

Employees

Any employee who experiences or witnesses conduct that violates this policy has a responsibility to report the incident immediately to a supervisor or department head.

Absent extenuating circumstances that prevent it, the employee who has received the unwanted attention or who feels is being subjected to a hostile work environment has an obligation to inform the person accused of committing the offense that the action(s) is not wanted ("unwelcome") or to report it to someone else who lets the offending individual know so that the intent of any further action is clearly understood to be against the employee's wishes.

All employees are expected to cooperate with any investigation. Failure to cooperate in an investigation may result in disciplinary action up to and including discharge.

Department Heads and Supervisors

All department heads and supervisors are responsible for ensuring that no harassment of any kind occurs or persists in the workplace. It is the responsibility of management to create an atmosphere free of discrimination and harassment, sexual or otherwise, and to implement this policy.

The Township, departments and supervisors have a legal obligation to respond appropriately to any suspected or identified harassment. This duty exists even if: (a) no employee registers a complaint; (b) the employee reporting harassment requests that no investigation occur; (c) the employee reporting harassment was not a direct or intended target of the of the harassment; (d) the employee reporting harassment is not their direct report; or (e) the employee situation giving rise to the harassment complaint has been resolved.

V. Reporting, Complaint & Resolution Procedure

As a first step, the Township encourages individuals who believe they are being subjected to discriminatory or harassing conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action will resolve the problem. The Township recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

An individual who believes that they have been subjected to or witnessed discrimination, harassment, or retaliation in violation of this policy should report the matter immediately to his or her department head (verbally or in writing). In the event an individual is uncomfortable reporting the incident(s) to the department head or is not satisfied with the department head's resolution, the individual should report the incident (verbally or in writing) to the Human Resources Director.


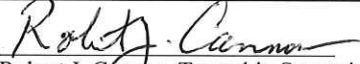
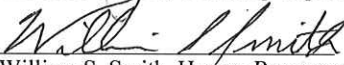
Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. The Township will maintain confidentiality throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling or disciplinary action such as a warning, reprimand, temporary suspension without pay, or termination, as appropriate under the circumstances.

Because of the nature of discrimination, harassment, or retaliation complaints, allegations often cannot be substantiated by direct evidence other than the complaining individual's own statement. Lack of corroborating evidence should not discourage individuals from seeking relief under this policy. No adverse action will be taken against an individual who makes a good faith allegation of discrimination, harassment, or retaliation under this policy, even if an investigation fails to substantiate the allegation. However, a person who knowingly and intentionally files a false complaint under this policy may be subject to discipline.

Any employee who has questions or concerns about these policies should contact the Director of Human Resources.

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| Approval Date: August 15, 2022 | Policy Number: P - 02 |
| Effective Date: August 15, 2022 | |
| Policy Title: Non-Discrimination/Anti-Harassment Policy | |
| Supersedes: Policy Against Harassment effective September 20, 1999 | |
|  |  Robert J. Cannon, Township Supervisor |
| |  William S. Smith, Human Resources Director |