

TOWNSHIP OF SOUTH PARK
Harassment Policy

I. STATEMENT OF POLICY.

It is the policy of the Township of South Park to make personnel decisions without regard to age, race, sex, color, creed, national origin, religion, or non-job-related disability, and the Township of South Park endeavors to provide employees with a workplace free of harassment. To help ensure a workplace free of all types of harassment, employees are responsible for reporting incidents of harassment.

It is also unlawful to retaliate or take reprisal in any way against anyone who has articulated any concern about harassment or discrimination, whether that concern relates to harassment of or discrimination against the individual raising the concern or against another individual. Examples of conduct that would be considered sexual harassment, discrimination, or related retaliation are set forth herein below. These examples are provided to illustrate the kind of conduct prescribed by this policy; the list is not exhaustive.

Sexual harassment and discrimination are unlawful, and such prohibited conduct exposes not only the Township of South Park as an employer, but also individuals involved in such conduct, to significant liability under the law. Employees at all times should treat other employees respectfully and with dignity in a manner so as not to offend the sensibilities of a coworker. Accordingly, the Township of South Park is committed to vigorously enforcing its sexual harassment and discrimination policy at all levels within the Township departments.

1. **SEXUAL HARASSMENT.** Unlawful sexual harassment occurs where:

Job benefits are granted based on an employee's agreement or acquiescence to sexual demands or advances;

Job benefits are withheld based on an employee's refusal to agree to sexual advances or demands.

Where the working environment is oppressive to employees of one sex because of the actions of coworkers, supervisors, or vendors.

Sexual harassment includes, among other things:

A. Threats or insinuations by a supervisor that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancements, assigned duties, work schedules, or any other condition of employment or career development.

B. Sexual relations or conduct with a supervisor or coworker that an employee does not want and to which the employee has not freely agreed, including unnecessary touching, patting or pinching, the constant brushing against another person's body, and physical assault.

C. Verbal harassment or abuse of a sexual nature, such as degrading comments, proposition, including offensive and unwelcome sexual flirtations and advances, jokes, tricks, and persistent remarks about another person's clothing, body, or sexual activities.

Sexual or discriminatory displays or publications in the workplace, such as:

A. Displaying pictures, posters, calendar, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning, or pornographic.

B. Displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace, other than restrooms and similar semi-private lockers/changing rooms.

1. Retaliation for sexual harassment complaints, such as:

1. Disciplining, changing work assignments of, providing inaccurate work information to, or refusing to cooperate or discuss work-related matters with any employee because that employee has complained about, or resisted harassment, discrimination, or retaliation; and

(2) Intentionally pressuring, falsely denying, lying about, or otherwise covering up or attempting to cover up conduct such as that described in the item above.

1. **Other acts:**

(1) The above is not to be construed as an all-inclusive list of prohibited acts under this policy.

(2) Sexual harassment is unlawful and hurts other employees. Any of the prohibited conduct described here is sexual harassment of anyone at whom it is directed or who is otherwise subjected to it. Each incident of harassment, moreover, contributes to a general atmosphere in which all persons who share the victim's sex suffer the consequences. Sexually oriented acts or sex-based conduct have no legitimate business purpose; accordingly, the employee who engages in such conduct should be and will be made to bear the full responsibility for such unlawful conduct.

Sexual harassment of any Township employees in any form is prohibited. Such harassment will result in appropriate action, including disciplinary measures up to and including termination, against the offending employee, when brought to the attention of the employee's immediate supervisor or any member of the Township's Management staff in a timely manner.

1. **OTHER UNLAWFUL HARASSMENT OR DISCRIMINATION.** Pennsylvania and federal anti-discrimination laws also prohibit harassment based on age, race, disability, religious creed, and national origin.

It is the policy of the Township of South Park to make all personnel decisions without regard to these protected factors, and it is this Township's intent to provide employees with a workplace free of unlawful harassment. Employees are responsible for immediately reporting any incidents of any unlawful harassment to the employee's immediate supervisor or any member of the Township's Management staff.

Other unlawful harassment or discrimination includes derogatory remarks, slurs, or actions motivated by an employee's age, race, national origin, color, religion, disability, or otherwise which create a hostile, intimidating, or offensive working environment.

Unlawful harassment or discrimination of any employee of the Township of South Park in any form is prohibited. Such harassment will result in appropriate action, including disciplinary measures up to and including termination, against the offending employee, when brought to the attention of the employee's immediate supervisor or any member of the Township's Management staff in a timely manner.

1. REPORTING HARASSMENT.

1.) If an employee, in good faith, believes to have encountered any such harassment from supervisors, fellow employees, or others, that employee should report the harassment promptly to the employee's immediate supervisor or any member of the Township's Management staff. In the event that it would be inappropriate to report such concerns to one's immediate supervisors, the report should be made to the Board of Supervisors. In the event that a female employee would prefer to report a concern about sexual discrimination or harassment to another female,

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Another female employee of the Township is designated as the proper person to receive such communications.

B. Only those who have an immediate need to know, including the person to whom a report was made, the alleged target of harassment or retaliation, the alleged harasser or retaliator, and any witnesses will or may find out the identity of the complainant. All parties contacted in the course of an investigation will be advised that all parties involved in a charge are entitled to respect and that any retaliation or reprisal against an individual who is an alleged target of harassment or retaliation, who has provided evidence in connection with a complaint, is a separate actionable offense and subject to discipline under this policy.

All complaints, investigations, hearings, appeals, etc., associated with sexual harassment or any form of harassment or discrimination charges will be forwarded to the Township Solicitor for review and recommendations on an ongoing basis.

V. COOPERATION. An effective sexual harassment or discrimination policy requires the support and example of personnel in positions of authority. Township of South Park agents or employees who engage in sexual harassment, discrimination, or retaliation or who fail to cooperate with Township-sponsored investigations of sexual harassment, discrimination, or retaliation may be severely sanctioned by suspension or dismissal. By the same token, officials who refuse to implement remedial measures, obstruct the remedial efforts of other Township employees, and/or retaliate against sexual harassment or discrimination complainants or witnesses may be immediately censured.

VI. DISCIPLINE.

If the claim is substantiated, appropriate action against the individual will be taken, including discipline and possibly termination.

To protect those employees reporting harassment, any employee (including management) who discusses confidential reports of harassment with individuals who are not involved with the investigation or discipline process is subject to disciplinary action, up to and including termination.

Any questions regarding this policy should be directed to the Township Manager.