

THE GLOUCESTER CITY HOUSING AUTHORITY

SEXUAL HARASSMENT POLICY AND PROCEDURES

POLICY

It is the Authority's policy to maintain a working environment free from all forms of sexual harassment of any employee or applicant for employment. Sexual harassment in any manner or form is expressly prohibited and will not be tolerated. The Authority is committed to vigorously enforcing this policy against sexual harassment.

OBJECTIVE

To ensure every Authority employee with a professional and business-like environment clear of harassment on account of an employee's sex. In furtherance of this policy, the Authority does not condone and will not permit sexual harassment of any employee. Every employee must abide by this policy. Anyone who violates this policy will be subject to disciplinary action up to and including discharge.

DEFINITION OF SEXUAL HARASSMENT

The Federal Equal Employment Opportunity Commission ("EEOC") has issued guidelines on sexual harassment under Title VII of the 1964 Civil Rights Act. Sexual Harassment under the EEOC guidelines, Section 1604.11 (29 CFR Chapter XIV, part 1604) is defined below:

- (a) Harassment on the basis of sex is a violation of Sc. 703 of Title VII. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when [:]
- (1) Submission to such conduct is made explicitly or implicitly a condition of an individual's employment;
 - (2) Submission to or rejection of such conduct is used as a basic for employment decisions affecting such individual ; or
 - (3) Such conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating hostile, or offensive work environment.

EXAMPLES OF PROHIBITED CONDUCT

The Authority considers the following conduct to represent some of the types of action, which may violate the sexual harassment policy:

Unwanted physical contact, foul language, sexually oriented propositions, jokes or remarks, obscene gestures or the display of sexually explicit pictures, cartoons or other materials which may be considered offensive to another employee and thus, will not be permitted or tolerated.

The above list is not meant to be exhaustive but is included to provide examples of prohibited action.

COMPLAINT PROCEDURES

The purpose of this policy is to provide employees with a convenient, confidential and reliable method for reporting incidents of sexual harassment.

Any employee who believes that he or she has been or is being sexually harassed should tell or otherwise inform, if feasible, the harasser that the conduct is unwelcome and must stop. If this course of action is not feasible, or if it is not successful, then the employee should immediately report such incidents to the board of commissioners . All complaints of sexual harassment will be investigated in as discreet and confidential fashion as possible. No person will be adversely affected in employment with the Authority as a result of bringing a complaint of sexual harassment.

Disciplinary Action to be taken will be based upon the facts established during the investigation and may include written warnings, suspension or discharge.

DUTIES OF EMPLOYEES

All employees of the Authority are responsible for assuring that a workplace free of sexual harassment is maintained. Any employee may file a sexual harassment complaint regarding incidents experienced personally or incidents observed in the workplace. Do not assume that the Authority is aware of the problem. It is the employee’s responsibility to bring the complaints to the Authority, so that the Authority can help resolve them. The Authority strives to maintain a lawful, pleasant work environment where all employees are able to effectively perform their work without interference.

I, _____, acknowledge that I was furnished with a copy of this policy on the _____ day of _____ 1999, and that I have read same.

Signature

GLOUCESTER CITY HOUSING AUTHORITY

POLICY

SEXUAL HARASSMENT AND OTHER FORMS OF DISCRIMINATION

The Gloucester City Housing Authority is committed to maintaining a work environment that is free of discrimination. In keeping with this commitment, the Authority will not tolerate harassment of employees or others in the work place by anyone, including any supervisor, co-worker, vendor, or member of the public.

The law prohibits discrimination in employment or in the provision of public services based on a person's protected status, such as race, creed, color, national origin, ancestry, age, marital status, sexual orientation, sex, mental or physical disability, veteran status, or familial status.

Sexual harassment is a form of discrimination based on sex. Under federal law, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment 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 the 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 working environment.

Examples of sexual harassment include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or teasing, jokes about gender-specific traits, obscene, foul, or sexist printed or visual material, or unwelcome sexual touching.

Harassing conduct does not have to be sexual in nature. Harassing conduct that appears to be non-sexual will constitute sexual harassment if it occurs because of an employee's sex and it creates a hostile work environment or is made a term or condition of the individual's employment.

Discriminatory harassment is not limited to harassment based on sex. Harassing conduct based on a person's race, creed, color, national origin, ancestry, age, marital status, sexual orientation, mental or physical disability, veteran status, or familial status may constitute unlawful discrimination.

All employees of the Housing Authority are responsible for taking action to maintain a work environment that is free of harassment and other forms of discrimination.

An employee who believes that he or she has experienced or witnessed harassment is to promptly notify his or her immediate supervisor, the President of the PRD Management, or the Authority's Chairperson.

A supervisor receiving a verbal or written report of harassment shall notify the Authority's Chairperson and PRD Management and forward the written report to that official. If the report was verbal, the supervisor shall request the complainant to reduce it to writing. The supervisor shall also take immediate action to limit the involved employees from further work contact.

Upon receiving a report of harassment, the Housing Authority will inform the alleged harasser that a complaint has been filed against him or her, that the Authority prohibits retaliation against anyone who reports harassment or cooperates in the investigation of the complaint, and that he or she may submit a written response to the charges.

The Authority will authorize an investigation of the complaint in a thorough and expeditious manner. In the course of an investigation, all persons interviewed will be reminded that the parties involved in a charge are entitled to respect, and that any retaliation or reprisal against a complainant who cooperates in the investigation is prohibited.

At the conclusion of the investigation, a report of findings and recommendations will be furnished to the board commissioners. The authority shall determine whether corrective action, including disciplinary action, is warranted. He or she will inform the complainant and the alleged harasser of the outcome of the investigation. A written record of any action taken pursuant to this policy will be placed in the offending employee's personnel file. Any employee who violates any aspect of this policy shall be subject to immediate disciplinary action, including termination.

The Housing Authority forbids retaliation against anyone for reporting discriminatory harassment, assisting in making such a report, or cooperating in an investigation of such a report. The Authority and its agents will respect the confidentiality of the complainant and the alleged harasser consistent with the Authority's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action as warranted.

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SEXUAL HARASSMENT COMPLAINT FORM

The Gloucester City Housing Authority has maintained a policy that all of its employees must be free from harassment, including sexual harassment. As part of that policy, the Authority is committed to investigating claims of such harassment, and taking appropriate disciplinary or other actions when the facts show that harassment has occurred. In order that the Authority may conduct an investigation of your concerns, please complete the form below:

Date Received

(Use Date Stamp or Clock)

1. Employee's Name:

2. Title:

3. Department:

4. Supervisor:

5. I wish to complain about the following events:

(Use additional sheets of papers as required)

