

TOWN OF NORTH BRENTWOOD

RESOLUTION NO. 2016-03

Introduced by: Councilmember Baynes
Seconded by: Councilmember Wiley
Date of Introduction: July 26, 2016

A Resolution of the Mayor and Council of the Town of North Brentwood (the "Town") adopting and approving a personnel policy regarding sexual harassment

WHEREAS, pursuant to Section 904 of the Charter of the Town of North Brentwood (the "Charter"), the Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other State law and to operate the Town government; and

WHEREAS, pursuant to Section 504 of the Charter, all office, department, and agency heads and all subordinate officers and employees of the offices, departments and agencies of the Town government shall be appointed and removed by the Mayor with approval of the Council in accordance with any rules and regulations in any merit system which may be adopted by the Council; and

WHEREAS, pursuant to Section 905 of the Charter, the Council may adopt such rules and regulations governing the operation of a merit system as it deems desirable or necessary; and

WHEREAS, the Council finds that it is in the best interest of the Town to approve a policy regarding sexual harassment.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves, and authorizes the following personnel policy;

**Town of North Brentwood
Sexual Harassment Policy & Procedures**

A. The Town of North Brentwood will not tolerate sexual harassment of employees at the workplace or in any work-related situation. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitute sexual harassment when they are made the basis of an employment decision, interfere with an employee's work performance, or create an offensive work environment.

B. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's employment (quid-pro-quo),
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.

C. All employees shall be responsible for compliance with the Town's policy on sexual harassment. Any employee found in violation of this sexual harassment policy shall be subject to disciplinary action up to and including termination.

Harassment Complaint Procedure

D. Supervisors are responsible for insuring compliance with this policy, both in their own actions and in the actions of those who report to them. The Town of North Brentwood encourages prompt reporting of complaints so that a rapid response may be made and appropriate action taken. If you believe that you have been the subject of harassment or discrimination on any of the bases enumerated above, or that you have observed actual or perceived harassment or discrimination, you should:

1. Be clear and direct in communicating to the harasser that his/her advances are unwelcome or his/her behavior is offensive or demeaning, and request for the behavior to stop;
2. Immediately contact the Mayor to report any sexual harassment complaint. If you feel harassed by the Mayor, please contact the Vice Mayor instead by telephone or in person;
3. Keep records of the date, time, place, people involved, witnesses, and who said what to whom.
4. The Town recommends that the attached complaint form be completed and provided to the Mayor or Vice Mayor.

E. All allegations of harassment will be taken seriously and will be treated with respect for the privacy of all concerned. The Town will not in any way retaliate against an individual who makes a report of harassment, nor permit any employee to do so. Retaliation is a serious violation of this policy and should be reported immediately. Any person found to have retaliated against another individual for reporting harassment or serving as a witness will be subject to the same disciplinary action provided for harassment offenders.

F. After receiving the complaint, the Mayor will promptly conduct a fair and impartial fact-finding investigation to determine if the complaint has substance. In most cases, the Mayor conducts the investigation. However, the Town might appoint a qualified representative or an independent outside investigator to lead the investigation, if necessary, to expedite the resolution of a complaint or resolve any potential conflict of interest. In any case, a second person should accompany the primary investigator during all interviews with the complainant, respondent, and witnesses, so that information obtained during the interviews can be corroborated.

THIS RESOLUTION IS ADOPTED BY THE COUNCIL OF THE TOWN OF NORTH BRENTWOOD THIS 26th DAY OF July, 2016 AND SHALL BE EFFECTIVE IMMEDIATELY UPON PASSAGE.

Aye: 3
Nay: 0
Absent: 0
Abstain: 0

ATTEST:



Petrella Robinson, Mayor

Date: 7/26/2016
Agenda 9/6/2016

**Town of North Brentwood
Acknowledgement**

Employee Name (print) _____

Employee signature

Date _____

This is acknowledgment that the above employee has read and understands the the sexual harassment policy of the Town of North Brentwood. This form after signage will be placed in personnel folder.