



Town of Barrington

Human Resource Department

Harassment Prevention Policy

The Town of Barrington is committed to maintaining a work environment that is free of unlawful discrimination. In keeping with this commitment, the Town of Barrington will not tolerate harassment of its employees by anyone, including any supervisor, co-worker, or vendor.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based on characteristics of the victim such as sex, sexual orientation, gender identity or expression, color, race, ancestry, religion, national origin, age, physical or mental disability, marital status, military status, citizenship status, or other protected group status. The Town of Barrington will not tolerate harassing conduct, especially when it affects tangible job benefits, interferes unreasonably with an individual's work performance, or creates an intimidating, hostile, or offensive working environment.

Harassment not only can have a devastating effect on its victims, it can destroy the morale of the entire organization. It reduces productivity, invites substantial legal costs and holds an organization up to public censure and ridicule. Those who practice harassment on their employer's time are stealing from their employer. Thus, harassment cannot be engaged in by any supervisor, employee, or agent of the Town of Barrington. Harassment is always contrary to the interests of the Town of Barrington and is beyond the scope of authority granted by the Town.

Scope

This policy applies to all employees of the Town of Barrington.

Responsibility

The Human Resource Manager has overall responsibility for this Harassment Policy. The Human Resource Manager is responsible for the implementation and daily administration of this policy. Supervisory employees at all levels are responsible for implementing and enforcing this policy, and for assisting in investigating and processing employee complaints with the utmost priority and consideration for the rights of all concerned. Every employee is responsible for reporting to his/her supervisor or The Human Resource Manager any incident of harassment of which he/she learns or witnesses. The Human Resource Manager will maintain the highest degree of confidentiality possible with respect to such reports, consistent with its obligation to investigate thoroughly all such reports.

Sexual harassment deserves special mention. It is the Town's policy to maintain a working environment that is entirely free of sexual harassment in any form. Supervisors and managers and all other employees are absolutely prohibited from engaging in sexual harassment of the Town's employees, visitors, and members of the general public. Sexual harassment is unlawful. Because sexual harassment can be destructive to employee morale as well as to the Town's reputation and because it can be extremely costly to the Town in terms of lost productivity, lost employees, and out-of-pocket expense, no act of sexual harassment can serve the Town's interests. Thus, any act or pattern of sexual harassment by any Town of Barrington employee is beyond the scope of his or her authority as an employee, agent, supervisor or servant of the Town and will subject the employee to discipline up to and including discharge.

Definition and Examples of Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other physical or verbal 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 such individual; **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.

Some examples of employee conduct towards other employees prohibited by this policy include:

- A.** Physical assaults of a sexual nature, such as:
 - (1)** Assault, rape, sexual battery, molestation or threats or attempts to commit these acts; or
 - (2)** Unwelcome intentional physical conduct, or threats of such conduct, which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another person's body, or poking another person's body.
- B.** Unwanted sexual advances, propositions or other sexual comments, such as:
 - (1)** Sexually-oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience;
 - (2)** Giving rewards or promises of rewards for submitting to sexual conduct, or reprisals or threats of reprisal for refusal to submit to sexual conduct;
- C.** Sexual or discriminating displays in the workplace such as:
 - (1)** Displaying or otherwise publicizing in the work environment materials that are sexually revealing, suggestive, demeaning or pornographic; or
 - (2)** Displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace (other than rest rooms and similar semi-private lockers/changing rooms).
- D.** Retaliation against an employee for making a complaint under this policy or for assisting or cooperating in an investigation of a complaint under this policy;
- E.** Failure to cooperate fully with investigation of harassment complaints.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, display of sexually-oriented printed or visual material, and physical contact such as patting, pinching, or brushing against another's body. Whether or not harassment has occurred is determined from the perspective of the potential victim, and not from that of the potential harasser.

The Human Resource Manager is responsible for posting a bulletin board notice to all employees at the time that this policy is adopted by **Town Council**. The notice will emphasize the importance of the policy to the **Town**, the obligation of every employee to report any incident of sexual harassment, the availability of supervisors and administrative staff to receive such reports and the confidentiality with which these reports will be treated.

Employee Report and Investigation Procedure

The Town encourages employees to complain about sexual harassment in accordance with this policy and to ask questions about this policy or conduct which concerns them. Employees may complain even before behavior becomes bad enough to be illegal. Employees should complain as promptly as possible but there is no specific deadline for filing a complaint with the Town.

Employees should feel free to ask the person acting contrary to this policy to stop the unwelcome or offensive conduct. Sometimes, the person does not realize that his or her conduct is unwelcome and offensive and a simple request to stop will suffice. This policy does not mandate, however, that employees confront the person before otherwise complaining or in any way restrict employees from both confronting the person and otherwise complaining.

Employees may report sexual harassment to any supervisor or manager, or directly to The Human Resource Manager, or, if The Human Resource Manager is involved in the allegation of sexual harassment, to The Town Manager. The supervisor or manager will promptly provide any report of sexual harassment to either the Human Resource Manager, or, if the Human Resource Manager is involved in the allegation of sexual harassment, to The Town Manager.

The **Human Resource Manager** is:

The **Town Manager** is:

Name: MariAnn Oliveira

Name: James J. Cunha

Title: Human Resource Manager

Title: Town Manager

Address: 283 County St. Barrington, RI

Address: 283 County Street, Barrington, RI

Telephone Number: 401-247-1900 x327

Telephone Number: 401-247-1900 x 308

EMAIL Address: moliveira@barrington.ri.gov

EMAIL Address: jcunha@barrington.ri.gov

The Human Resource Manager or Town Manager will thoroughly investigate the report of sexual or other harassment as promptly as possible, keeping the matter as confidential as is practicable. After investigation, he or she will take whatever action is necessary to remedy any harm done by a proven instance of harassment. If an investigation confirms that harassment has occurred, the **Town** will take appropriate corrective action, up to and including discharge.

It is the responsibility of every employee to cooperate fully with any investigation under this policy.

Statement of Range of Consequences

A. Harassment

- (1)** Employees are subject to discipline, up to and including discharge, for any act of harassment which is proven to the satisfaction of the **Town of Barrington**.

- (2) The appropriate measure of discipline will be determined on the basis of the **Town's** assessment of the nature and severity of the misconduct, along with any other relevant factors.

B. Retaliation

It is unlawful to retaliate in any way against an individual who has complained of harassment or cooperated in an investigation of a complaint of harassment. An employee may be disciplined, up to and including discharge, for any such act of retaliation. The appropriate measure of discipline will be determined on the basis of the **Town of Barrington's** assessment of the nature and extent of the retaliation and any other relevant factors brought to the attention of the **Town**.

Responsibility of Supervisors

Each Town of Barrington employee with individuals under his or her supervision has a duty to maintain a workplace free of Harassment, to assure that each individual under his or her supervision is aware of the Town's policy on Harassment and the policy's procedure to resolve complaints, and to assure such individuals that they need not endure insulting, degrading or exploitative treatment based on sex, sexual orientation, gender identity or expression, race, color, religious creed, military status, national origin, ancestry, age, disability or membership in any other protected class. Any supervisor who learns of or suspects violations of this policy must promptly bring the matter to the attention of their Supervisor or Human Resource Manager, or, if the allegation involves The Human Resource Manager to The Town Manager.

Enforcement Agencies

State and federal employment discrimination agencies are: the Rhode Island Commission for Human Rights, which may be contacted at 180 Westminster Street, 3rd Floor, Providence, RI, 02903 and the Equal Employment Opportunity Commission, which may be contacted at the Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203.

ACKNOWLEDGEMENT STATEMENT

This is to certify that I have read and agree to abide by the guidelines set forth within the Town's Harassment Policy. As an employee of the Town of Barrington, I fully intend to comply with this policy.

Signature

Print Name

Department

Date