

CITY OF GRANITE FALLS

RESOLUTION NO. 02-11

SEXUAL HARASSMENT POLICY AND PROCEDURES

Policy Against Sexual Harassment

It is the policy of the City of Granite Falls not to discriminate against any employee or applicant on the basis of sex. In keeping with that policy, the City of Granite Falls will not tolerate sexual harassment by any of its employees. The City of Granite Falls takes seriously its duty to provide a workplace free from such harassment. Sexual harassment is considered to be a major offense which can result in the suspension or discharge of the offender.

Definition of Sexual Harassment

Sexual harassment is unwelcome conduct, either sexual or non-sexual, that is directed toward a person because of that person's gender. Prohibited sexual harassment occurs when:

- submitting to the harasser's sexual demands is a stated or implied condition of employment;
- submission to or rejection of sexual demands is the basis of an employment decision affecting the employee; or
- unwelcome sexual or other gender-based conduct interferes with an employee's performance or creates an intimidating, hostile or offensive workplace.

Examples of Behavior That May Be Sexual Harassment Include Without Limitation:

- Demands for sexual favors in exchange for a promotion or raise
- Stating or implying that a person will be demoted, fired, or denied a promotion if she or he does not submit to a sexual request
- Demoting, firing, or denying a promotion to someone for refusing to submit to a sexual advance
- Making sexually suggestive remarks, gestures, or jokes, or remarks of a sexual nature about the victim's appearance
- Using derogatory sexual terms for women such as honey, baby, bitch
- Deliberate and unwelcome touching, pinching, brushing, or patting
- Displaying offensive sexual illustrations in the workplace
- Unwelcome pressuring for dates or sex

- Describing or asking about personal sexual experiences
- Hazing, pranks or other intimidating behavior directed toward the victim because of the victim's gender
- Sexual assault

Responsibilities

Every employee of the City of Granite Falls must be informed of this policy. Supervisors are responsible for helping to prevent and eliminate sexual harassment within the areas they oversee. If a supervisor knows sexual harassment is or may be occurring, he or she must take immediate steps to see that the matter is addressed even if the problem is not within their area of oversight. Supervisors must also ensure that no retaliation occurs against persons who complain of sexual harassment or who cooperate with sexual harassment investigations.

COMPLAINT PROCEDURE

Any employee who believes that she or he has been sexually harassed is encouraged to use this complaint procedure. A sexual harassment complaint should be filed as soon as possible after the incident(s). Complaints will be investigated promptly (within 48 hours). Every effort will be made to preserve confidentiality to the extent the investigative process allows.

The City of Granite Falls will in no way retaliate against or permit retaliation against a person who complains of sexual harassment or who cooperates with a sexual harassment investigation.

If illegal sexual harassment is not found, the City of Granite Falls may still determine that the conduct was inappropriate for the workplace and require that such conduct be stopped.

Informal Complaint Procedure

Employees may use an informal complaint procedure. This seeks to achieve a resolution that both the complainant and the alleged harasser agree upon.

An informal complaint may be oral or in writing. It should be brought to the employee's supervisor, City Attorney, or City Clerk. The complainant may be advised of ways to resolve the problem on his or her own. If that is unsuccessful or if the complainant does not wish to confront the alleged harasser, the City of Granite Falls will discuss the complaint

with the alleged harasser and an informal resolution may be proposed. The complainant may accept or reject the proposed resolution.

If the proposed resolution is accepted, the City of Granite Falls will keep a record of the complaint and its resolution. The City of Granite Falls will also follow up with the complainant to ensure that the problem has in fact been resolved. If the proposed resolution is rejected or the complaint cannot be resolved, the City of Granite Falls will investigate and resolve the case according the formal complaint procedure.

Formal Complaint Procedure


A complainant may file a formal complaint without first using the informal complaint procedure. A formal complaint should include: the alleged harasser's name and position; the times, dates, places, and circumstances surrounding the allegation of sexual harassment; and the names of any witnesses to the incident(s). Complaint forms are available from the City Clerk. The complaint should be filed with the complainant's supervisor, City Attorney, or City Clerk.

Formal complaints will be promptly investigated and resolved. The investigator will check personnel files and will interview the complainant, the alleged harasser, any witnesses, and appropriate supervisors. The investigator will keep notes of the interviews. After considering all the evidence, the investigator will determine if sexual harassment occurred. If illegal sexual harassment is found, management will determine the appropriate remedy for the complainant and appropriate disciplinary action against the harasser. The complainant will be informed immediately of the actions to be taken and the harasser will be informed of the disciplinary action to be taken.

Approved by the City Council of Granite Falls and signed by the Mayor on the 23 day of December, 2002.


Floyd H. DeRosia, Mayor

Attest:


City Clerk

City of Granite Falls
Sexual Harassment
Complaint Form

Please Print:

Name _____ Date _____

Address _____

Telephone _____ or number where you may be contacted
during the hours of _____

I wish to register a complaint against:

Name of person, title and department:

Specify your complaint by stating the problem as you see it. Describe the incident, participants, background to the incident, and any attempts you have made to resolve the problem. Please not relevant dates, times and places.

Over

Indicate if there are other people who could provide more information regarding your complaint.

Name	Address	Telephone No.
_____	_____	_____
_____	_____	_____
_____	_____	_____

Proposed Solution:

Indicate your opinion on how this problem might be resolved. Be as specific as possible.

I certify that there is no falsification of the above information and events are accurately depicted to the best of my knowledge.

Signature of Complainant

Date

Please return the original completed form to the City Clerk. A copy of this will be provided to the complainant.