

TOWN OF MAIDSTONE, VERMONT SEXUAL HARASSMENT POLICY, REV I

Sexual harassment in the workplace is illegal under federal and Vermont law and is strictly prohibited. The Town is committed to providing a workplace free from this unlawful conduct. All employees have the right to work without being subjected to insulting, degrading or exploitative treatment based on their gender. It is against the policies of the Town for any individual, male or female, to sexually harass another individual in the workplace. In accordance with 21 V.S.A. § 495h, the Town has adopted the following sexual harassment policy. All employees are required to read this policy before signing the employee acknowledgement form.

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- submission to that conduct is made either explicitly or implicitly a term or condition of employment;
- submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- the conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Examples of sexual harassment include, but are not limited to the following, when such instances or behavior come within one of the above definitions:

- either explicitly or implicitly conditioning any term of employment (e.g., continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors;
- touching or grabbing a sexual part of an individual's body;
- touching or grabbing any part of an individual's body after that party has indicated, or it is known, that such physical contact was unwelcome;
- continuing to ask an individual to socialize on or off-duty when that person has indicated they are not interested;
- displaying or transmitting sexually suggestive pictures, objects, cartoons or posters if it is known or should be known that the behavior is unwelcome;
- continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior;
- referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior;
- regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior;
- retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g., ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work environment, etc.);

Sexual Harassment Policy

- derogatory or provoking remarks about or relating to an employee's sex;
- harassing acts or behavior directed against a person based on their sex;
- off-duty conduct which falls within the above definition and affects the work environment.

It is also unlawful to retaliate against employees for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

Any individual who believes that they have been the target of sexual harassment, or who believes they have been subjected to retaliation for having brought or supported a complaint or harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop.

Employees who are found to have engaged in sexual harassment may face disciplinary action up to and including termination.

Any employee who wishes to report sexual harassment should file a complaint with:

Town Clerk
Town of Maidstone
PO Box 118
Guildhall VT 05905
(802) 676-3210

or

Selectboard Chair
Town of Maidstone
PO Box 118
Guildhall VT 05905
(802) 676-3210

Once the Town receives a complaint of sexual harassment, it will take all necessary steps to ensure that the matter is promptly investigated and addressed. If sexual harassment is found to have occurred, the Town will take appropriate action, ranging from a verbal warning up to and including dismissal/demanding resignation.

Complaints of sexual harassment or retaliation may also be filed with the following agencies:

Vermont Attorney General's Office
Civil Rights Unit
109 State Street
Montpelier VT 05609-1001
(802) 828-3171

Equal Employment Opportunity Commission
1 Congress St
Boston MA 02114
(617) 565-3200

These agencies may conduct impartial investigations, facilitate conciliation, and, if they find that there is probable cause or reasonable grounds to believe sexual harassment occurred, may take a case to court.

In addition, a complainant also has the right to hire a private attorney and to pursue a private legal action in state court within 3 or 6 years, depending on the type of claims raised.

A copy of this policy will be provided to every employee and extra copies will be available in the Maidstone Town Office.

This policy was adopted on January 14, 2020.

This policy will be reviewed annually and updated as appropriate.

Sexual Harassment Policy

Reviewed, Revised, and Readopted by the Selectboard on: April 3, 2023

Scott Lovell

Scott Lovell, Chairman

4-11-23

Date

Bruno McKenzie

Bruno McKenzie

Date

Brad McVetty

Brad McVetty

4-11-23

Date