

067

Town of Milton, Vermont Harassment Policy and Complaint Procedure

It is against the policies of the Town of Milton, and illegal under State of Vermont and Federal Law, for any employee, male or female, to harass another employee or other persons. The Town of Milton is committed to providing a workplace free from this unlawful conduct. It is a violation of this Policy for an employee to engage in any form of harassment.

It is the policy of Town of Milton to provide a work environment that is pleasant, professional, and free from intimidation, hostility or other offenses that might interfere with work performance. Harassment of any sort - verbal, physical, and visual - will not be tolerated, particularly against employees in protected classes. These classes include, but are not necessarily limited to race, ancestry, religion, gender, age, marital or civil union status, national origin, sexual orientation, place of birth, citizenship, veteran status, or disability, or any other protected status defined by law.

What is "harassment"?

Workplace harassment can take many forms. It may be, but is not limited to, words, signs, offensive jokes, cartoons, pictures, posters, pranks, intimidation, physical assaults or contact, or violence that substantially interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment. Harassment is not necessarily sexual in nature. It may also take the form of other activity, including derogatory statements, not directed to the targeted employee but observed by the affected employee. Other prohibited conduct includes, but is not limited to, written material such as notes, photographs, cartoons, articles of a harassing or offensive nature, and taking retaliatory action against an employee for discussing or making a harassment complaint.

All Town of Milton employees, and particularly Department and Division Heads, have a responsibility for keeping our work environment free of harassment. Any employee, who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it or when a member of the Town of Milton management becomes aware of the existence of harassment must report it to Town Manager (who has been designated to receive such complaints and/or reports).

While the Town of Milton encourages you to communicate directly with the alleged harasser, and make it clear that the harassers' behavior is unacceptable, offensive or inappropriate, it is not required that you do so. Any incidents of harassment must be immediately reported and it is essential to notify the Town Manager (who has been designated to receive such complaints and/or reports)

immediately even if you are not sure the offending behavior is considered harassment.

Appropriate investigation and disciplinary action will be taken. All complaints and/or reports will be promptly investigated with due regard for the privacy of everyone involved. However, confidentiality cannot be guaranteed. Any employee found to have harassed a fellow employee or subordinate would be subject to severe disciplinary action up to and including termination. The Town of Milton will also take any additional action necessary to appropriately remedy the situation. Retaliation of any sort will not be permitted. No adverse employment action will be taken against any employee who makes a good faith report of alleged harassment and/or who participates in the investigation of such a complaint.

What you should do if you believe you have been harassed?

- Any employee who believes that she or he has been the target of harassment, or who believes she or he has been subjected to retaliation for having brought or supported a complaint of harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop. If the employee does not wish to communicate directly with the alleged harasser(s), or if direct communication has been ineffective, then the person with the complaint is encouraged to report the situation as soon as possible to the Town Manager (who has been designated to receive such complaints and/or reports). It is helpful to an investigation if the employee keeps a diary of events with dates and the names of the people who witnessed or were told of the harassment, if possible.

If the complainant is dissatisfied with the Town Manager's level of action or the complaint is against the Town Manager, she or he shall file a complaint in writing to the Chairperson of the Milton Selectboard.

If the complainant is dissatisfied with the Milton Selectboard's action she or he may file a complaint by writing or calling any of the following State or Federal agencies:

1. **Vermont Attorney General's Office**, Civil Rights Unit, 109 State Street, Montpelier, VT 05609 – Telephone (802) 828-3171 (voice/TDD). Complaints should be filed within 300 days of the adverse action.
2. **Equal Employment Opportunity Commission**, 1 Congress Street, Boston, MA 02114 – Telephone (617) 565-3200 (voice) (617) 565-3204 (TDD). Complaints must be filed within 300 days of the adverse action.

3. **Vermont Human Rights Commission**, 133 State Street, Montpelier, VT 05633-6301, Telephone (802) 828-2480 (voice/TDD). **(Only if you are employed by a Vermont State agency.)** Complaints must be filed within 360 days of the adverse action.

Each of these agencies can conduct impartial investigations, facilitate conciliation, and if it finds that there is probable cause or reasonable grounds to believe harassment occurred, it may take the case to court. Although employees are encouraged to file their complaint of harassment through this Policy, an employee is not required to do so before filing a charge with these agencies.

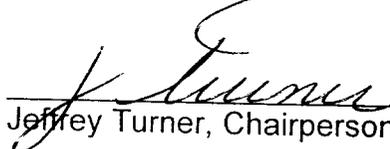
In addition, a complainant also has the right to hire a private attorney, and to pursue a private legal action in State court within 3 or 6 years, depending on the type of claims raised.

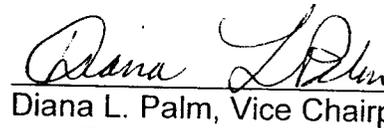
Where can I get copies of this Policy?

A copy of this Policy will be provided to every employee, and extra copies will be available from the Human Resources Coordinator in the Town Manager's Office. Reasonable accommodations will be provided by the Town for persons with disabilities who need assistance in filing or pursuing a complaint of harassment, upon advance request.

Any questions about this Policy should be directed to Town Manager (who has been designated to receive such complaints and/or reports).

Dated at Milton, Vermont this 19th day of May 2008.


Jeffrey Turner, Chairperson


Diana L. Palm, Vice Chairperson

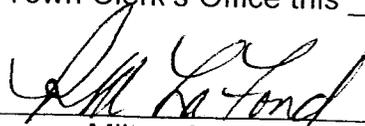
Louis H. Mossey III, Clerk


Randall Barrows

James V. Manley

Filed with the Milton Town Clerk's Office this 20 day of May 2008.

ATTEST:



Milton Assistant Town Clerk

RECEIVED

MAY 20 2008

TOWN CLERK'S OFFICE
MILTON, VERMONT

Resolution

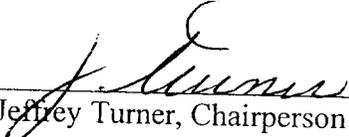
Harassment Policy and Complaint Procedure

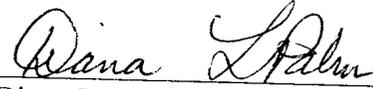
WHEREAS, Sanford I. Miller – Milton Town Manager has reviewed said Policy and Procedure dated May 19, 2008 and recommends the Policy and Procedure which is attached hereto.

NOW THEREFORE BE IT RESOLVED, the Selectboard hereby adopts the Harassment Policy and Complaint Procedure dated May 19, 2008.

Dated at Milton, Vermont this 19th day of May 2008.

Milton Selectboard


Jeffrey Turner, Chairperson


Diana L. Palm, Vice Chairperson

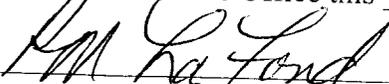
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ATTEST:



Milton Assistant Town Clerk