



**TOWN OF NORTH HEMPSTEAD
EQUAL EMPLOYMENT OPPORTUNITY POLICY**

AUTHORITY AND PURPOSE

The Town of North Hempstead Equal Employment Opportunity Policy is adopted pursuant to Town Code § 23-17.8 in order to ensure that all employees are informed of the Town's policy on discrimination, harassment and retaliation, to assist employees who complain of prohibited conduct and to maintain in each office a working environment free from discrimination, harassment and retaliation.

ANTI-DISCRIMINATION POLICY

The Town of North Hempstead (the “Town”) is an equal opportunity employer and is committed to making all employment decisions and conducting all business without regard to age, race, creed, religion, color, sex, national origin, disability, marital status, ancestry, citizenship, pregnancy, sexual orientation, veteran status, or any other status protected by federal, state or local law, including the Town Code. Anyone who believes that he or she has been unlawfully discriminated against on the basis of any of these characteristics, or who believes she/he has been retaliated against for making a complaint of discrimination, or participating truthfully in an investigation of such a complaint must immediately report the incident as set forth in the Town’s complaint procedure.

ANTI- HARASSMENT POLICY

Unlawful Harassment

It is the policy of the Town that all employees and applicants, as well as everyone with whom the Town does business (*e.g.*, outside vendors, consultants, members of the public, contractors), should be able to enjoy a work environment free from harassment based on age, race, creed, religion, color, sex, national origin, disability, marital status, ancestry, citizenship, pregnancy, sexual orientation, veteran status, or any other basis protected by federal, state or local law, including the Town Code. Harassment which violates this policy will not be tolerated.

Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or visual, verbal or physical conduct of a sexual nature when:

- Submission to the conduct is made either explicitly or implicitly a term or condition of an individual’s employment; or
- Submission to, or rejection of, such conduct is used as the basis for employment decisions affecting such individuals; or
- Such conduct has the purpose or effect of interfering unreasonably with the individual’s work performance or creating an intimidating, hostile or offensive work environment that is, or would be, offensive to a person of reasonable sensitivity and sensibilities.

This definition includes many forms of offensive behavior. It makes no difference if the harassment is “just joking” or “teasing” or “playful.” The following is a partial list of examples of sexually harassing conduct:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct such as leering; making sexual gestures; or displaying sexually suggestive or degrading objects, pictures, cartoons, posters, or computer or television broadcasts;
- Verbal conduct such as making or using derogatory comments; sexual propositions, sexually explicit jokes or jokes concerning gender-specific traits; sexually explicit comments about an individual’s body or clothing; comments about an individual’s sexual desirability; sexually degrading words to describe an individual; suggestive or obscene letters, notes or invitations; or playing radio or television broadcasts in the workplace that contain sexually suggestive or degrading conversation; or
- Physical conduct such as touching, petting, pinching, impeding or blocking movements, or assault.

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment on the job is unlawful, whether it involves co-worker harassment, harassment by a supervisor or member of management, or harassment by persons doing business with or for the Town.

Other Forms of Harassment

Prohibited harassment on the basis of other protected class status, includes behavior similar to sexual harassment. It makes no difference if the harassment is “just joking” or “teasing” or “playful.” Following is a partial list of examples of harassing conduct:

- Visual conduct based on membership in a protected class, such as derogatory posters, photographs, cartoons, drawings, gestures, or computer or television broadcasts;
- Verbal conduct based on membership in a protected class, such as racial, ethnic or religious jokes, or derogatory comments, slurs, innuendoes, epithets or threats (including those uttered over radio or television broadcasts); or
- Physical conduct such as touching, blocking movements or assault because of membership in a protected class.

RETALIATION

Retaliation of any kind against a complaining individual who makes a good-faith report of unlawful harassment or discrimination or who participates truthfully in an investigation into an harassment or discrimination complaint is strictly prohibited. Follow-up interview(s) with the complainant will be conducted for an appropriate period of time, to ensure that the unlawful harassment or discrimination has not resumed and that no retaliatory action has been taken.

COMPLAINT PROCEDURE

The Town's complaint procedure provides for an immediate, thorough and objective investigation of any claim of unlawful harassment, discrimination or retaliation and, appropriate disciplinary action against anyone found to have engaged in such conduct.

Each employee, supervisor and manager is responsible for maintaining a workplace free from unlawful harassment, discrimination and retaliation. Accordingly, any individual who believes the actions or words of a co-worker, supervisor, manager or individual with whom the Town is doing business constitute unlawful harassment, discrimination or retaliation should take the following actions and/or be advised of the following:

- If possible, tell the harasser that his or her actions are not welcome and must stop.
- Promptly report the incident to your department head, or in writing to the Town Attorney or his/her designee. Complaints must be made within one year after occurrence of the alleged prohibited conduct.
- Complainants are encouraged to consult initially with their respective department heads to attempt informal resolution, but failure to do so will in no way limit the right to utilize the Town grievance procedure initially or thereafter if resolution cannot be accomplished through the department head. Complaints made initially to the department head which are not informally resolved to the satisfaction of the complainant shall be referred to the Town Attorney.
- It is strongly encouraged that the complaining individual files a written complaint using Form A attached hereto. The complaint should be as detailed as possible and include the names of the individuals involved, witnesses, direct quotes and or evidence (*e.g.*, notes, e-mails, etc.).
- Supervisors and managerial personnel must take timely and appropriate corrective action when instances of unlawful harassment, discrimination or retaliation come to their attention. Anyone accused of such conduct shall be afforded an opportunity to present his or her version of events in the presence of their attorney and/or other representative. All individuals are hereby directed and required to cooperate with the Town in fulfilling its investigative function.
- All complaints of unlawful discrimination, harassment or retaliation and information and proceedings relating thereto shall be kept in strict confidence except as otherwise specified in the Town Code.
- All claims of unlawful harassment, discrimination or retaliation will be expeditiously investigated and handled in accordance with the provisions set forth in Town Code § 23-17.7.
- Conduct which is found to violate the Town's Anti-Discrimination shall be deemed a serious violation of Town policy and shall be the basis for disciplinary action as set forth herein.

**COMPLAINT FORM FOR VIOLATIONS OF THE TOWN OF NORTH HEMPSTEAD
EQUAL EMPLOYMENT OPPORTUNITY POLICY – (FORM A)**

Complaint of Discrimination, Harassment or Retaliation

Date of Complaint: _____

Date of Incident: _____

Complainant: _____

Charged Person(s) _____

Description of Incident: (Attach additional sheets if necessary)

Name(s) of witness(es), if any: _____

Has the incident been reported before: _____

If yes, when, to whom, and what was the resolution?: _____

Complainant

Complaint Received by: _____

**TOWN OF NORTH HEMPSTEAD
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ACKNOWLEDGMENT FORM**

To all employees:

Attached please find a copy of the Town of North Hempstead Equal Employment Opportunity Policy. Please read, sign and date where indicated and return this sheet to the Finance Department, acknowledging your receipt of this policy. This is applicable to all full and part time employees.

Acknowledgement

I have received and read the EEO Policy issued by the Town of North Hempstead.

Name (Print): _____

Signature: _____

Date: _____

Department: _____