

OFFICIAL

BOROUGH OF AVALON

RESOLUTION NO. 916

RESOLUTION OF THE BOROUGH OF AVALON, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING A SEXUAL HARASSMENT POLICY AND PROMULGATING GUIDELINES TO BE FOLLOWED BY BOROUGH EMPLOYEES.

WHEREAS, Avalon Borough Council wishes to promote a productive work environment that is free of conduct that harasses, disrupts, or interferes with work performance, and

WHEREAS, Avalon Borough Council wishes to create a work environment that is not intimidating, offensive or hostile, and

WHEREAS, the protection and welfare of the employees of the Borough of Avalon is a fundamental and primary goal of the Borough Council, and

WHEREAS, Avalon Borough Council establishes guidelines to be followed by all Borough employees regarding sexual harassment complaints,

NOW THEREFORE, BE IT RESOLVED that the Borough of Avalon hereby adopts the attached Sexual Harassment Policy for the benefit of all Borough employees.

THIS RESOLUTION adopted this 20<sup>th</sup> day of APRIL, 1999.

ATTEST:

BOROUGH OF AVALON

  
Joan A. Welsh  
Secretary

  
Harry W. Dilmore, President  
BOROUGH OF AVALON

APPROVED this 20<sup>th</sup> day of April, 1999.

  
Mayor

## **SEXUAL HARASSMENT POLICY**

### **BOROUGH OF AVALON**

It is the policy of Avalon Borough to promote a productive work environment that is free of conduct that harasses, disrupts, or interferes with work performance or that creates an intimidating, offensive, or hostile work environment.

**Policy: No form of sexual harassment will be tolerated.**

**Sexual Harassment:** any unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature which is requested as conditions of employment. This request may be implicit or explicit and may be directed to the opposite sex or same sex employee. Sexual harassment also includes unwelcome sexual flirtations, propositions, offensive touching, commenting on a person's physical characteristics; verbal abuse of a sexual nature, repetitive use of offensive words of some sexual nature describing body parts or the sexual act, telling suggestive (dirty) stories; displaying in the workplace sexually suggestive objects, pictures, pornographic magazines, or representations of any action or subject sexual in nature which can be perceived as offensive; and retaliation against employees for complaining about sexually harassing behavior.

**Hostile Work Environment:** the atmosphere of unwelcome conduct unreasonably interferes with the individual's job performance or creates an intimidating, hostile or offensive work environment.

Avalon Borough is committed to vigorously enforcing this Sexual Harassment Policy at all levels within all municipal departments. For purposes of this Policy, "employees" shall mean employees of the Borough of Avalon, elected and appointed officials of the Borough, vendors and any volunteers offering or providing services to the Borough of Avalon.

Upon adoption of this Policy, it shall be unlawful for any person to retaliate, attempt to retaliate, or attempt to take reprisals of any matter whatsoever, whether direct or indirect, against any person who has articulated any concern about sexual harassment or other discrimination, whether that concern relates to harassment of or discrimination against the individual raising the concern or against another individual.

Any employee who suspects sexual harassment or a hostile work environment will report the harassment and follow the reporting procedures or they may lose the right to sue before the Equal Employment Opportunity Commission.

Procedures:

1. The employee who perceives an incident of sexual harassment will notify the harasser that his behavior is inappropriate, offensive, and unwelcome. Failure to do so will not prevent the employee from filing a complaint.
2. All complaints shall be in writing as soon as possible after the occurrence. All pertinent information shall be included. The Personnel Committee shall investigate all complaints of sexual harassment and retaliation.
3. If a complaint has been filed only the following personnel will be privy to the name of the complainant and the alleged incident or incidents of sexual harassment; the complainant, or the person subject to the harassment, the alleged violator and his or her legal counsel, the Personnel Committee, the Borough Secretary and the Borough Solicitor, if necessary.
4. The complainant or the alleged violator may call any witnesses.
5. The Personnel Committee shall notify an alleged violator within (15) business days that a complaint has been lodged against him or her.
6. A hearing will be held within sixty (60) days of the notification. The alleged violator may be represented by counsel at any hearing.
7. The alleged violator may terminate the investigation by resigning prior to the hearing. The resignation will be effective immediately. All proceedings will cease upon receipt and acceptance of the resignation.
8. All participants will be notified that they are to be treated with respect, and no retaliation will be tolerated for individuals who provide testimony.
9. The penalties for violating the sexual harassment policy will be based on the severity of the harassment and may include, but not be limited to a verbal reprimand, a written reprimand, suspension for a time with or without pay, compulsory attendance at sensitivity training, dismissal, or any combination thereof.

Any Borough employee who makes an allegation of a violation of this Policy knowing that such allegation is false shall be subject to immediate dismissal.

Any Borough employee who refuses to cooperate in a sexual harassment investigation or who fails to report an incident shall be subject to disciplinary action.