

RESOLUTION #113-07
TOWN OF DUANESBURG
Sexual Harassment Policy

Council-member Frisbee motioned, seconded by Council-member Potter:

It is the policy of the Town of Duanesburg (the ATown@) for all individuals to enjoy a work atmosphere free from sexual harassment. Sexual harassment infringes on an individual=s right to a comfortable work environment, and serves to undermine the integrity of the employment relationship. No individual B male or female B should be subject to unsolicited or unwelcome sexual advances or harassing conduct, either verbal or physical. Sexual harassment in the workplace is also a form of employment discrimination and is prohibited by law.

Sexual harassment refers to unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature. Sexual harassment can also include vulgar and crude comments, gestures, and behavior. Physical contact is not a necessary element of sexual harassment.

Under the law, sexual harassment generally takes on one of two forms. Under the first type of sexual harassment, either submission to unwelcome requests for sexual favors is made explicitly or implicitly a term or condition of an individual=s employment or the submission to or rejection of such conduct by an individual is used as the basis for employment decisions. The second type of sexual harassment occurs when inappropriate, unwelcome comments, ranging from jokes to propositions of a sexual nature, or other, similar conduct, such as the display of posters or photos of sexual nature, have the purpose or effect of unreasonably interfering with an individual=s work performance or has the effect of unreasonably creating an intimidating, hostile or offensive working environment.

All questions, complaints or allegations concerning sexual harassment should be brought to the attention of The Town Supervisor and the Town Board. The Town Supervisor and the Town Board will undertake an investigation of all allegations of sexual harassment in as prompt and confidential manner as possible and will take appropriate corrective action, where warranted.

The Town will take disciplinary action against the person found to have engaged in sexual harassment. Such action may include probation or discharge. The complainant will be informed of the ultimate disposition of the investigation.

Retaliation in any form against the complainant who exercises his or her right to make a complaint under this policy, or against a witness who participates in an investigation is strictly prohibited, and will itself be cause for appropriate disciplinary action, including termination. Failure to participate fully and truthfully in the investigation can also result in disciplinary action, including termination.

Motion carried 5 ayes, Council-members Frisbee, Potter, Carlson, White and Supervisor Merrihew.