



Town of Sullivan's Island

DISCRIMINATION AND HARASSMENT POLICY

The below language has been quoted directly from the Town of Sullivan's Island Personnel Handbook, reviewed by Labor Attorney on/before 05/25/2023, pages 8 & 9.

1.4 Discrimination/Harassment

The Town prohibits all unlawful discrimination against employees, vendors, or applicants for employment based on race, color, religion, gender, pregnancy, childbirth, or related medical conditions (including but not limited to lactation), national origin, disability, age, genetic information, veteran status, or any other status protected by federal, state, or local law. Harassment on the basis of a protected status is a form of discrimination. In addition to sexual harassment, other forms of harassment may occur when unwelcomed conduct unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment. If employees believe they have been discriminated against in violation of this policy, they should immediately contact their Department Head, the Human Resources Officer, or go directly to the Town Administrator.

Prohibited conduct includes but is not limited to: conduct on Town property, in Town vehicles, on Town communication systems, during Town-related events, and in connection with Town business. Any such harassment is against Town policy, may violate the law, and will not be tolerated. The Town expects cooperation from all employees including coordinators, supervisors, managers, and Department Heads to prevent harassment in the workplace.

Sexual Harassment

"Sexual harassment" is defined by law as unwanted sexual advances, requests for sexual favors, or visual, oral, or physical conduct of a sexual nature when:

- Submission to this conduct is made, either explicitly or implicitly, a term or condition of employment
- Submission to or rejection of this conduct is used as the basis for employment decisions that affect employees
- The conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment also may be in the form of nonsexual, offensive conduct that is directed at employees because of their gender. Sexual harassment is not limited to conduct motivated by sexual attraction. It may occur between members of the opposite sex or members of the same sex. Examples of prohibited sexual harassment include, but are not limited to:

- Written harassment: sexually suggestive or obscene letters, faxes, e-messages, notes, social network postings, or invitations
- Oral harassment: sexual comments, advances, propositions, derogatory comments, slurs, and jokes about an employee's body or appearance, including comments made on voicemail or another recording device
- Physical harassment: assault, stalking behaviors, sexually suggestive touching or bodily contact, or impeding or blocking movement
- Visual harassment: sexual gestures, leering, inappropriate display of sexually explicit objects, pictures, cartoons, or posters (in hard copy or electronically)

Reporting Harassment

When employees believe that they have been harassed or discriminated against or are aware of the harassment or discrimination of others, they must report it as soon as possible to one of the following: Department Head, Human Resources, or the Town Administrator. Supervisors who learn of or observe behavior that violates this policy or receive a complaint about this kind of behavior must immediately report it up their chain of command or to the Town Administrator. Complaints about the Town Administrator should be made to the Mayor.

The Town encourages employees who believe that they are being harassed to firmly and promptly tell the person, if they are comfortable doing so, that the behavior is offensive and that it must stop immediately. Once employees report harassment by contacting one of the resources above, a representative of the Town, in conjunction with the Town Administrator, will obtain all relevant information in a timely manner and will undertake or direct a reasonable and objective investigation of the discrimination allegations. Employees may be asked to submit to a polygraph (lie detector) examination.

Employees are required to cooperate fully in any fact-finding process initiated by the Town. Employees are also required to respect the confidentiality of the process. This does not mean, however, that employees may not complain to civil rights agencies.

The Town will take the action that it determines is appropriate based on its findings. However, information regarding the investigation, including any corrective action taken, generally will be shared only with those who have a need to know.

IMPORTANT: To avoid misunderstandings, complaints made to members of management are to require the completion of a complaint report, either by you or by the person to whom the complaint is made, summarizing the allegations and listing any witnesses to the alleged harassment. You should be sure to get a copy of this initial complaint report to confirm you have complied with this procedure.

These procedures have been established to enable you to get relief if you feel that you are the victim of harassment. The U.S. Supreme Court has said that as a general rule you may not sue the Town for a violation of your rights unless you first give us notice and an opportunity to end the harassment. The reporting procedures we have adopted are intended to establish a clear record of what has been reported.

All employees are protected from retaliation for reporting or providing information in good faith about an incident of alleged harassment or exercising other rights protected by law. Employees may not make allegations which are false and made with malicious intent.