

Town of Butternuts

Anti-Harassment Policy

Adopted as amended, March 2024

This Anti-Harassment Policy affirms the Town's commitment to prohibit sexual and non-sexual harassment in the Town's work environment.

Sexual and/or non-sexual harassment (a form of discrimination) based on a prohibited basis of race, color, national origin, gender, religion, marital or familial status, genetic information, and reprisal (retaliation) for prior Equal Opportunity activity is prohibited by the Town.

For the purpose of this policy, harassment is defined as verbal or physical conduct, comment, or display which demeans, disparages, aggravates, intimidates, or causes humiliation or embarrassment to another person. Harassment is an unwelcome offense and serves no legitimate work purpose. Harassment occurs based on any of the above protected characteristics when:

- A. The behavior can reasonably be considered to adversely affect the work environment (create an intimidating, hostile, or offensive work environment);
- B. An employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct;
- C. Unreasonable interference with an individual's work performance, and
- D. An individual's employment opportunities are affected.

Harassing conduct includes, but is not limited to:

Physical – Actual or threatened assault including hitting, tripping, kicking, punching, or unwanted touching; malicious or insulting gestures.

Verbal – Unwelcome remarks, jokes, innuendos, or taunts causing offense or embarrassment; name calling, swearing, bullying, expressed or insinuating threats, incessant teasing, wolf whistling or spreading rumors.

Psychological – Shunning or ostracizing, stalking, gesturing, preventing someone from joining in an activity; hiding, damaging, or taking another's property; displaying objectionable materials, graffiti, or pictures.

Intimidation – Use of physical or organizational power to coerce a person to perform a particular action, or to instill a feeling of humiliation or intimidation. Intimidation does not include the exercise of ordinary supervisory authority.

The Town of Butternuts is committed to providing equal opportunities to all individuals without regard to race, color, religion, age, disability, marital status, sexual orientation, or any other characteristic prohibited by law.

The Town of Butternuts will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. Employees with a disability for which reasonable accommodation is needed should contact their supervisor to discuss possible accommodations. Employees with questions or concerns about discrimination are encouraged to bring these issues to the attention of their supervisor or the Town Board without fear of reprisal.

The Town of Butternuts strictly prohibits the use of abuse of authority or position to intimidate, coerce or harass employees. Supervisory personnel are subject to disciplinary action or adverse action for tolerating harassment and failing to take appropriate action when harassment is reported.

Personnel actions that a supervisor or manager takes for valid reasons do not constitute harassment in the workplace. Please note that this notice does not limit the supervisor's right to manage effectively. All employees must be proactive in preventing harassment and promoting a discrimination-free workplace.

Any employee who is subject to, witnesses conduct which is unwelcome and perceived to be harassment, or receives a report of an alleged harassment should immediately report the incident to an official. If an informal attempt at a resolution fails or is impractical, employees may seek relief from harassment based on one or more of the above cited prohibited basis by contacting the New York State Office of the Attorney General at 800-881-7755 within 45 days of the incident. All incidents of harassment (non-discriminatory) may be reported to the immediate supervisor, the Town Supervisor, or any Town Board member, who will immediately bring it to the attention of the entire Town Board.

All Town officials and employees must remain cognizant of this policy and refrain from acts of harassment. This is a zero-tolerance policy.

Any part of this policy may be superseded by the union contract as it is in place.