

Town of Chelmsford Discrimination and Harassment Policy

It is the policy of the Town of Chelmsford to promote a workplace that is free of discrimination and harassment of any type, including sexual harassment. Discriminatory harassment consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law. This policy refers to, but is not limited to, discrimination or harassment in the following areas;

1. Age,
2. Race
3. Color,
4. National Origin
5. Ancestry
6. Maternity leave,
7. Genetics,
8. Sex,
9. Sexual Orientation,
10. Religion,
11. Criminal record (applications only),

Disability:

1. Active military status or
2. Any other basis prohibited under state or federal anti-discrimination statutes.

The Town will not tolerate harassing conduct that affects employment conditions, that interferes unreasonably with an individual's performance, or that creates an intimidating, hostile, or offensive work environment. Employees are expected to act in a positive manner and contribute to productive work environment that is free from harassing or disruptive activity.

Harassment includes, but is not limited to:

1. Display or circulation of written materials or pictures that are degrading to a person or group as previously described;
2. Verbal abuse, slurs, derogatory comments, or insults about, directed at, or made in the presence of an individual or group as previously described.

Harassment of employees occurring in the workplace, in connection with work-related travel, and/or work-sponsored events will not be tolerated. Further, any retaliation against an individual who has formally or informally complained about discrimination or has cooperated with an investigation of a discrimination complaint is prohibited.

This policy may also apply to discrimination (including harassment) that occurs between co-workers that takes place outside the workplace (including, but not limited to, online conduct or conduct utilizing the internet or other electronic media). When the conduct complained of occurs outside of the workplace, the Town may consider the following and other factors in assessing whether the conduct constitutes conduct in violation of this Policy:

- Whether the event at which the conduct occurred is linked to the workplace in any way, such as at a Town-sponsored function;
- Whether the conduct occurred during work hours;
- The severity of the alleged outside-of-work conduct;
- The work relationship of the complainant and alleged harasser, which includes whether the alleged harasser is a supervisor and whether the alleged harasser and complainant come into contact with one another on the job;
- Whether the conduct adversely affected the terms and conditions of the complainant's employment or impacted the complainant's work environment.

Please note that while this Policy sets forth the Town's goals of promoting a workplace that is free of discrimination and harassment, the Policy is not designed or intended to limit the Town's authority to discipline or take remedial action for workplace conduct which is deemed unacceptable, regardless of whether that conduct satisfies the legal definitions of discrimination or harassment. Because the Town takes allegations of harassment seriously, we will respond promptly to complaints of harassment. Where it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action is necessary, including disciplinary action where appropriate.

When an employee or persons having dealings with Town departments believes that he/she has been subjected to harassment, he/she must document, to the best of their ability, the exact circumstances of the alleged offense(s).

The employee should communicate these circumstances to Human Resources. Supervisors shall make all reasonable efforts to address complaints in a prompt and expeditious manner. The legal provision governing grievances concerning sexual harassment are outlined in Title VII of the 1964 Civil Rights Act. A copy of this Act is on file at the Town Manager's Office.

Harassment investigations will be conducted on a confidential basis, to the extent practicable, and retaliation against an employee for filing a complaint and/or participating in an investigation will not be tolerated under any circumstances and will result in disciplinary action, including termination.

Any behavior that is considered harassment is a serious offense and will result in disciplinary action up to and including termination against both the offender and any Department Head who fails to take appropriate actions to stop such activity when it is or should be known to him/her. The Department Head is responsible for all offensive conduct of which the Department Head has knowledge.

