Anti-Discrimination

Policy Statement

Macomb Township is committed to maintaining a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment.

In keeping with this commitment, Macomb Township will not tolerate discrimination of employees by anyone in the workplace, including supervisors, co-workers, or non-employees. Disciplinary action, up to and including termination of employment or other appropriate action, will be taken against any individual engaging in discrimination. Furthermore, any supervisor or manager who has knowledge of such conduct, yet takes no action to end it, may also be subject to disciplinary action.

Any employee who feels he or she is the victim of discrimination (or who has reason to believe that someone else has been the subject of discrimination) has an obligation to report the situation or incident to Macomb Township management, as detailed in the Procedure section of this policy.

It is the policy of Macomb Township to investigate all discrimination complaints thoroughly and promptly. All individuals are expected to be truthful, accurate, and cooperative during any discrimination investigation by the Township. To the fullest extent possible, Macomb Township will maintain the confidentiality of individuals involved in the incident or investigation.

Retaliation or adverse treatment of any employee reporting discrimination based upon a truthful perception of events or providing information related to any such complaint will not be tolerated.

Given the serious nature of discrimination allegations, Macomb Township recognizes that false accusations can have serious effects on innocent individuals. False and malicious accusations of discrimination or retaliation will be subject to disciplinary action, up to and including termination of employment.

The Macomb Township discrimination policy applies to all applicants and employees and prohibits discrimination and/or retaliation whether engaged in by fellow employees, by a supervisor or manager or by non-employees (e.g. an outside vendor, consultant or contractor).

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Definitions

a. **Discrimination:** Discrimination consists of treating an individual or similarly situated individual(s) differently in any aspect of employment based upon unlawful considerations of any characteristic protected by law; such as race, color, religion, sex, national origin,

age, marital status, disability, citizenship, or any other characteristic protected by law. Discriminatory practices under federal, state and local laws also include:

b. Harassment: Harassment constitutes discrimination and is illegal under federal, state and local laws. Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, national origin, age, marital status, disability, citizenship, protected activity or any other characteristic protected by law, and that

- has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- has the purpose or effect of unreasonably interfering with an individual's work performance, or
- otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group.

c. Sexual Harassment: For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to, or rejection of, this conduct explicitly or implicitly affects an individual's employment,
- unreasonably interferes with an individual's work performance,
- or creates an intimidating, hostile or offensive work environment.

Based on these criteria, sexual harassment typically is categorized into two types:

- **Quid Pro Quo** is an exchange of something between two parties. Examples of quid pro quo include, but are not limited to, demands for sexual favors accompanied by threats concerning an individual's employment status; or demands for sexual favors accompanied by promises of preferential treatment concerning an individual's employment status.
- **Hostile Environment** involves subjecting an individual to verbal or physical conduct or communication which creates an intimidating, hostile or offensive working environment. Examples include, but are not limited to, unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects, pictures, photographs, electronic displays or messages.

Various types of behavior that constitute sexual harassment are:

Physical Harassment including, but not limited to, any form of inappropriate or unwelcome physical contact such as hugging, touching or kissing;

Verbal Harassment including, but not limited to, sexual propositions, sexual or gender jokes, obscene language or a comment regarding an individual's physical attributes; and

Nonverbal Harassment including, but not limited to, staring, sexually suggestive or obscene gestures or noises, electronic messages, printed or graphic materials.

Procedure

Any employee of Macomb Township who believes that discrimination, including harassment or sexual harassment, has occurred should report the incident or incidents immediately to his or her supervisor (verbally or in writing). In the event an employee is uncomfortable reporting the incident(s) to his or her supervisor or is not satisfied with the supervisor's resolution, he or she should report the incident (verbally or in writing) to the Human Resources Director.

The availability of the discrimination reporting procedure does not preclude individuals who believe they are subjected to discriminatory conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be immediately discontinued.

All allegations of discrimination will be promptly and thoroughly investigated. The Human Resources Director is responsible for directing all aspects of the investigation. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. To the fullest extent possible, Macomb Township will maintain the confidentiality of individuals involved in the incident or investigation.

Should it be determined that a complaint has merit, prompt and remedial action (including any required disciplinary action) will be taken. Any disciplinary action resulting in termination of employment will be approved by the Macomb Township Board of Trustees. No details about the nature or extent of disciplinary action will be disclosed to the complainant(s) and/or witness(es) unless there is a compelling reason (e.g. personal safety).

The Human Resources Director will meet, on a need-to-know basis, with the individual's involved and any members of management with a legitimate need to know regarding a final determination and resolution. Appropriate follow-up meetings will be held with those involved by the Human Resources Director to verify that the issue has been resolved.

If an employee making a complaint does not agree with its resolution, he or she may appeal (in writing) to the Macomb Township Supervisor.

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