

Section Name: Employee Relations                      Effective Date: January 11, 1993  
Section Number: 400    Date of Revision: December 4, 2017  
Policy Number: 25  
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Subject: Non-discrimination and Anti-harassment

1. Purpose: The City of Monroe is committed to 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 unlawful discriminatory practices, including harassment.

2. Definitions:

2.1 **Equal Employment Opportunity** is defined as freedom from discrimination on the basis of protected classes such as an individual's age, race, color, gender, sex, sexual orientation, genetic information, gender identity or expression, height, weight, national origin, religion, marital status, domestic partner relationship, physical characteristics, veteran status, disability, or other protected characteristic under applicable federal, state or local laws or ordinances.

The City will make reasonable efforts to accommodate the known disabilities of employees who are otherwise qualified to perform the essential functions of the jobs involved.

Every individual involved with personnel actions, including management, supervision, recruiting, compensation, benefits, promotions, work assignments and training, must ensure that these activities are administered consistent with the City's goal of furthering the principle of equal employment opportunity.

2.2 **Discrimination** is defined as treating, or proposing to treat, someone unfavorably because of a personal characteristic as protected by law. Prohibited discrimination is defined in Sections 2.1, 3.1, and 3.2.

2.3 **Harassment** is defined as any verbal or physical conduct designed to threaten, intimidate or coerce an employee, co-worker or any person working for or on behalf of the City of Monroe. Harassment becomes unlawful where:

- enduring the offensive conduct becomes a condition of continued employment; or
- the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

2.4 **Sexual harassment** is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when

submission to or rejection of such conduct is used as the basis for employment decisions or such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment."

Prohibited harassment may take different forms including, but not limited to:

- Verbal harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets and Internet postings; or other form of communication that is sexual in nature and offensive.
- Physical harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling and forced sexual intercourse or assault.

3. Statement of Policy:

- 3.1 It is the policy of the City of Monroe that all applicants and employees shall not be discriminated against or harassed on the basis of an individual's age, race, color, gender, sex, sexual orientation, gender identity or expression, height, weight, national origin, religion, marital status, domestic partner relationship, physical characteristics, veteran status, disability, or other protected characteristic under applicable federal, state or local laws or ordinances.
- 3.2 For purposes of this policy, prohibited discrimination and harassment includes any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct relating to any individual's age, race, color, gender, sex, sexual orientation, gender identity or expression, height, weight, national origin, religion, marital status, domestic partner relationship, physical characteristics, veteran status, disability, or other protected characteristic under applicable federal, state or local laws or ordinances when:
  - submission to the conduct is made either an explicit or implicit condition of employment;

- submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee; or
  - the harassment substantially interferes with an employee's work performance; creates an intimidating, hostile, offensive or abusive work environment; or otherwise adversely affects an individual's employment.
4. Applications: This policy shall apply to all employees (including full-time, temporary or part-time), applicants, visitors, customers and/or contractors as referenced in this policy.
  5. Responsibility: The City Manager and/or his designee shall be responsible for implementing and overseeing this policy.
  6. Administrative Procedures:  

In order to permit the City to take appropriate action to enforce this policy, employees are encouraged to immediately bring complaints of discrimination or harassment to the attention of the Director of Human Resources. Once made aware of the complaint, the City is committed to commencing a prompt investigation of the allegations. If after the completion of the investigation the City determines that an individual has engaged in discriminatory or harassing behavior, appropriate remedial action will be taken.
  7. Legislative History of Authority for Creation or Revision:

Adopted pursuant to action of the Monroe City Council, dated January 11, 1993.

Revised pursuant to action of the Monroe City Council, dated December 4, 2017.