

Kennebunkport Fire Department

Town of Kennebunkport Policy on Harassment

ARTICLE I POLICY ON HARASSMENT

It is the policy of the Town that all our employees should be able to work in an environment free from all forms of harassment. Harassment, both sexual and verbal, is illegal and prohibited. This policy will be vigorously enforced; the policy applies not only to supervisor-subordinate actions but also to actions between co-workers. Any complaints of harassment will be investigated promptly. There will be no intimidation, discrimination or retaliation against any employee who makes a report of harassment.

Derogatory or vulgar comments regarding a person's sex, religion, age, race or national origin, physical appearance, or the distribution of written or graphic material having such an effect, are prohibited. Any employee who believes he or she has been the subject of such harassment should report the alleged conduct to the Town Manager or other appropriate management. Management is any department head. In the Fire Service Department, management shall include the Fire Services Administrator. Any supervisor or employee who is found, after appropriate investigation, to have engaged in any harassment will be subject to discipline, which may include suspension or termination of employment.

ARTICLE II SEXUAL HARASSMENT POLICY

It is the policy of the Town of Kennebunkport that all employees have the right to work in an environment free of discrimination, which includes freedom from sexual harassment. The Town of Kennebunkport will not accept any form of sexual harassment by supervisors, co-workers, customers or suppliers. This policy is intended to prohibit offensive conduct, either physical or verbal, that threatens human dignity and employee morale, and which interferes with a positive and productive work environment.

Sexual harassment is illegal and, as outlined in the EEOC Sexual Discrimination Guidelines and the Maine Human Rights Act Regulations, includes:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (ii) submission to or rejection of such by an individual is used as the basis for employment decisions affecting such individual, (iii) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The following examples are common types of conduct that may constitute sexual harassment:

- slurs, jokes or degrading comments of a sexual nature;
- unwelcome sexual advances;
- suggestive or lewd remarks;
- unwelcome hugging, touching or kissing;
- requests for sexual favors;
- repeated offensive sexual flirtation or propositions;

the display of sexually suggestive pictures or objects; and repeated unwelcome physical contact or touching such as patting, pinching or constant brushing against another body.

Consistent with the above guidelines, this policy prohibits any overt or subtle pressure for sexual favors including implying or threatening that an applicant's or employee's cooperation of a sexual nature (or lack thereof) will have any effect on the person's employment, job assignment, wage, promotion, or any other condition of employment or future job opportunities. This policy also prohibits any conduct, which would tend to create an intimidating, hostile or offensive work environment.

Managers and supervisors are responsible for monitoring conduct, which can be construed to be harassment and for initiating necessary action to eliminate such behavior. Any employee who feels that he or she is the victim of sexual harassment should immediately report the matter to his or her supervisor or, if the employee would prefer, to the Town Manager. *(Note: Department Heads shall be considered managers or supervisors.)*

The Town of Kennebunkport will immediately investigate any complaints of sexual harassment and, where warranted, take disciplinary action against any employee engaging in sexual harassment. Depending on the circumstances, such disciplinary action may include suspension or termination of employment.

Any questions regarding this policy should be addressed to the Town Manager. Any employee who believes that he or she has been a victim of sexual harassment, or who has knowledge of that kind of behavior, is urged to report such conduct immediately. No employee will be retaliated against for complaining about sexual harassment.