

 <p>THE TOWN OF <b>Holly</b> <b>Springs</b></p> <p>Administrative Rules Manual</p>	<p>Administrative Rule Number: HR 5.1</p> <p>Title: Unlawful Harassment Policy</p>									
	<table border="1"> <tr> <td>Prepared By: Name – Department --</td> <td>Erika Phillips Human Resources</td> </tr> <tr> <td>Supersedes: Old Effective Date:</td> <td>HR 5 10/1/01</td> </tr> <tr> <td>Effective Date:</td> <td>11/1/07</td> </tr> <tr> <td colspan="2">Date Approved by Manager:</td> </tr> </table>		Prepared By: Name – Department --	Erika Phillips Human Resources	Supersedes: Old Effective Date:	HR 5 10/1/01	Effective Date:	11/1/07	Date Approved by Manager:	
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**UNLOCK THIS FORM TO CONTINUE**

**Introduction:**

It is the goal of the Town of Holly Springs to promote a workplace that is free of harassment and sexual harassment. The Town prohibits, and will not tolerate, sexual harassment or harassment on the basis of sex, race, color, religion, national origin, age, gender, disability, or active military/veteran status. Because the Town takes allegations of sexual harassment or harassment seriously, we will respond promptly to complaints and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action up to and including termination where appropriate. Please note that while this policy sets forth our goals of promoting a workplace that is free of sexual harassment/harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment or harassment.

**Scope/Coverage:**

This policy applies to all employees of the Town of Holly Springs including regular and temporary, full and part-time.

**Definitions:**

**Sexual harassment**

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual, (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

While it is not possible to list all those circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness: unwelcome sexual advances; repeated offensive sexual

flirtations; displaying sexually suggestive objects and/or pictures in the workplace; unwelcome leering, whistling, brushing against the body.

### **Harassment**

Harassment other than sexual, is verbal or physical conduct that denigrates or shows hostility or aversion towards an individual because of race, color, religion, gender, national origin, age or disability, which has the purpose or effect of creating an intimidating, hostile or offensive work environment or otherwise adversely impacts an individual's employment opportunities.

### **Complaints of Sexual Harassment**

All employees of the Town of Holly Springs are responsible for helping to ensure that we avoid unlawful harassment. If you feel that you are being harassed by another employee, it is important to understand that the first step in many cases is to tell the person or the persons that the behavior is offensive and should stop. The Town encourages you to do so since conduct that may offend some individuals is often not intended as harassment and may not be offensive to other individuals. By telling the individual(s) that the conduct is offensive and should stop, you will often resolve the problem. You are therefore encouraged to take that first step.

Any employee who feels harassed or who knows of or suspects the occurrence of forbidden harassment is responsible for informing the Human Resources Director or the Town Manager of the facts regarding such harassment so that management may promptly and thoroughly conduct an investigation. This may be done orally or in writing.

Any supervisor and/or Department Head who witnesses or receives a harassment complaint shall promptly report it to Human Resources. Failure to appropriately report such harassment complaints or suspected acts of harassment shall be considered a violation of this policy.

### **Sexual Harassment Investigation**

Reports or complaints under this Policy shall be investigated by the Town Manager or his/her designee and resolved as promptly as practicable after the complaint or report is made. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Investigations will include a private interview with the person filing the complaint, witnesses, and with the person alleged to have committed sexual harassment. The employee filing the complaint should be prepared to provide the following information: (1) the name of the person committing the harassment (2) the specific nature of the harassment, its duration, and any employment action (demotion, failure to promote, dismissal, etc.) taken against the employee as a result of the harassment, or any threats made against the employee as a result of the harassment; (3) any witnesses to the harassment (4) whether the employee has previously reported such harassment and, if so, when and to whom.

When the investigation is complete, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate the Town will also impose disciplinary action.

If after investigating a complaint it is determined that the complaint was not made in good faith and/or that the employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the improper complaint or who gave the false information.

It shall be a violation of this policy for any employee to take retaliatory action against a complainant or any person involved in a harassment complaint. Any incidents of retaliation should be reported to the Human Resources Director or Town Manager immediately.

### **Conclusion**

The Town of Holly Springs has developed this policy to ensure that all employees can work in an environment free from harassment. The Town will make every effort to ensure that all personnel are familiar with the policy and know that any complaint received will be thoroughly investigated and appropriately resolved.

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Carl G. Dean, Town Manager

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Date