

# **MURRAY CITY NONDISCRIMINATION & ANTI-HARASSMENT POLICY**

## **General Policy**

Murray City 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 opportunity and prohibits discriminatory practices, including harassment.

It is the policy of Murray City to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, genetic information, or any other legally protected status. The city prohibits any such discrimination or harassment. This policy applies to all terms and conditions of employment, including, but not limited to, recruiting, hiring, training, promotion, discipline, compensation, benefits, and termination of employment.

Misconduct identified in this policy is unacceptable behavior and is prohibited. The city will make reasonable efforts to prevent the conduct identified in this policy and will promptly investigate all complaints of violation of this policy. Appropriate disciplinary action will be taken against any employee who violates this policy, up to and including termination. Supervisors who knowingly allow or tolerate discrimination, harassment, or retaliation, including the failure to report such misconduct, are in violation of this policy and subject to discipline.

## **Prohibited Conduct**

The city prohibits conduct that includes, but is not limited to:

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
  - Submission to such conduct is made either explicitly or implicitly a term of the condition of an individual's employment;
  - Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or
  - Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Other inappropriate conduct, such as:

- Derogatory comments, insults, suggestive remarks, or jokes involving sexual activity, or a person's race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, genetic information, or any other legally protected status;
- Display of photographs, drawings, cartoons, written material, objects, or use of electronic communication devices that would offend a reasonable person;
- Inappropriate physical contact, such as patting or pinching;
- Intentionally brushing against another person's body;
- Stating, implying, or joking that an individual's job performance is attributable to that person's race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, genetic information, or any other legally

- protected status;
- Giving of unsolicited or inappropriate gifts of a personal and private nature; or
- Sexual assault of any kind.

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

### **Complaint Procedure**

Where possible, the city encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. The city recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

Anyone who feels that they, or anyone else, has been wrongfully discriminated against or harassed should report such incidents to any one, or all of the following: the employee's supervisor, the employee's division director, the employee's department head, the city attorney, the human resource director, or the mayor.

All complaints of violations of this policy (and all violations that are observed, but for which no complaint has been filed) will be investigated promptly, thoroughly, and impartially. The person or persons who received the complaint shall notify the human resource director and the city attorney to determine how the investigation should proceed.

### **Confidentiality**

The confidentiality of persons reporting violations will be respected to the greatest extent practicable in conducting the investigation of such complaints. All information pertaining to a complaint or investigation under this policy will be maintained in secure files within the human resources department.

### **Retaliation**

No hardship, loss, benefit or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment even if such underlying complaint is determined to be unfounded.
- Appearing as a witness in the investigation of a complaint.
- Serving as an investigator of a complaint.

Any person who is found to have violated this aspect of the policy will be subject to discipline, up to and including termination.