

CITY OF BRANSON, MISSOURI
ADMINISTRATIVE RULES

RULE NUMBER 14 REFERENCING ARTICLE 23 OF THE HUMAN RESOURCES MANUAL
AMENDED 7-10-2012

A RULE PERTAINING TO **ANTI-HARASSMENT POLICY**

Section 1. Purpose

The City of Branson's position is that sexual and other types of harassment are a form of misconduct that undermines the integrity of the employment relationship. Employees are expected to act in a positive manner and contribute to a productive work environment that is free from harassing and disruptive activity. All employees have the right to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive, including sexual harassment.

Section 2. Definition of Harassment

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual based on race, color, religion, sex, national origin, age, pregnancy, disability, military status (including veterans), and current employees for complaining of discrimination or participating in an investigation or complaint proceedings, or any other status protected by law. Harassment can also occur if conduct is directed toward a person's relatives, friends, or associates. Harassment does one or more of the following:

- A. Has the purpose or effect of creating an intimidating, hostile or offensive work environment.
- B. Has the purpose or effect of unreasonably interfering with an individual's work performance.
- C. Otherwise adversely affects an individual's employment opportunities.

Section 3. Definition of Sexual Harassment

The City of Branson has adopted the definition of sexual harassment set forth by the Equal Employment Opportunity Commission (EEOC). The EEOC defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of your employment.

- B. Submission to or rejection of such conduct by you is used as the basis for employment decisions affecting you.
- C. Such conduct has the purpose or effect of unreasonably interfering with your work performance or creating an intimidating, hostile or offensive working environment.

Section 4. Harassing Conduct

In order to avoid misunderstandings about what types of conduct might constitute or lead to harassment, the City provides you with the following examples of prohibited conduct. Please note that these are examples only, and that harassment is not limited to only those types of conduct listed below.

- A. Epithets, slurs, negative stereotyping and threatening, intimidating, or hostile acts that relate to race, color, religion, gender, national origin, age, or disability (including jokes, cartoons or pranks that are sexually suggestive, hostile or demeaning with regard to race, color, religion, gender, national origin, age, or disability; and
- B. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, or disability and that is displayed on walls, bulletin boards, through the computer, or any other locations or circulated in the workplace; and
- C. Unwanted social invitations, touching, hugging, patting, sexual gestures, offensive body movements.

Section 5. City's Responsibility

The City believes that all employees are entitled to a workplace free of harassment, and expects that all employees will treat each other and our customers with courtesy, dignity, and respect. We take our obligation to maintain a workplace free of harassment very seriously. All employees have the responsibility to maintain the workplace free from any form of harassment. No form of harassment will be tolerated. Sexual and other types of harassment are a form of misconduct which constitutes a serious offense and subjects offenders to disciplinary action, up to and including discharge.

- A. All employees will receive a copy of the City's anti-harassment policy, and the City will conduct annual training for all employees on this topic. In addition, all new employees will receive a copy of the City's anti-harassment policy upon employment. If at any time employees would like another copy of the policy, they should contact their supervisor or the Human Resources Office. If the City should amend or modify our anti-harassment policy, all employees will receive an updated copy of the amended or modified policy.

Section 6. Complaint Procedure

- A. Employees who experience or witness any type of harassment or prohibited conduct in the workplace must report it immediately to their supervisor, director, or the Human Resources Director. You may also report it to any member of management.
- B. All allegations of harassment or prohibited conduct will be quickly and fully investigated. To the extent possible, the employee's confidentiality and that of any witness and the alleged harasser will be protected against unnecessary disclosure. Employees are required to cooperate in any investigation. When the investigation is completed, the parties involved will be informed of the outcome of the investigation.
- C. The City will permit no employment-based retaliation against anyone who brings a complaint of harassment or prohibited conduct or who speaks as a witness in the investigation of a complaint of harassment or prohibited conduct. Initiation of, or participation in any act of retaliation shall be cause for disciplinary action, up to and including discharge.