

**MERIDIAN TOWNSHIP POLICE DEPARTMENT
GENERAL ORDER**

Subject: WORKPLACE HARRASMENT AND DISCRIMINATION	General Order: 203
Effective Date: February 3, 2005 Revision Date: December 5, 2022	Distribution: All Employees

I. PURPOSE

Revised This department is committed to non-discriminatory employment practices and a working environment where all employees and applicants are treated with respect and dignity. This policy outlines the procedure for reporting, investigating and resolving reports of harassment and discrimination in the workplace.

II. POLICY

Revised The objective in implementing and enforcing the policy is to define workplace harassment, prohibit it in all forms, provide procedures for reporting complaints, investigate claims of unlawful harassment and discrimination and carry out appropriate disciplinary measures. All employees shall conduct themselves in a manner conducive to a work environment free of coercion, intimidation, harassment, retaliation, or discrimination, which will assure compliance with the State, Federal and local laws.

This department will take appropriate action to prevent any offensive, unwanted conduct from occurring in places and situations that are under its control. All alleged incidents will be investigated in a fair and expeditious manner.

Revised Every employee is responsible for assuring that the workplace is free from unlawful harassment and discrimination against any employee, including sexual harassment and harassment based on their protected characteristics. Consistent with the Township's Personnel Policy of Equal Opportunity, harassment or discrimination in the workplace based on a race, color, ancestry, religion, sex, sexual orientation, national origin, age, physical or mental disability, citizenship status, veteran status, gender identity or expression or any other characteristic protected by applicable law will not be tolerated.

New III. DEFINITIONS

1. Harassment is any physical, verbal or visual conduct that creates a pervasive, intimidating, offensive or hostile work environment.
2. Sexual harassment is unwelcome conduct of a sexual nature that is sufficiently persistent or offensive to unreasonably interfere with an employee's job performance or creates an intimidating, hostile or offensive working environment. The Equal Employment Opportunity Commission Guidelines defines sexual harassment as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when for example:

- a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- c. such conduct has the purpose or effect of unreasonably interfering with and individual's work performance or creating an intimidating, hostile or offensive work environment.

Under Title VII of the Civil Rights Act of 1964, there are two types of sexual harassment:

- a) quid pro quo
- b) hostile work environment.

Examples of Prohibited Conduct

Some examples of prohibited conduct include the following whether or not the incidents of harassment occur on Township premises and whether or not the incidents occur during work hours.

1. Verbal conduct such as epithets, derogatory jokes or comments, slurs, invitations, preferential treatment or promises of such for submitting to sexual conduct;
2. Visual or discriminatory displays such as derogatory cartoons, clothing, drawings, posters, photographs or sexually oriented gestures or digital or electronic images or publications anywhere in the workplace;
3. Transmitting sexually suggestive, derogatory or offensive materials via computers (E-mail), including accessing such information on the Internet while at work, or other electronic means (Mobile Data Terminals, radios, or cellular phones, text messages);
4. Physical conduct such as assault, rape, sexual battery, molestation, or an attempt to commit these assaults and intentional physical conduct that is sexual such as unwanted touching, pinching, patting, grabbing, brushing up against another's body or poking another person's body;
5. Retaliation for harassment complaints.. Anti-discrimination laws also prohibit harassment for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

IV. PROCEDURES

Revised A. Reporting Harassment

1. Any reporting of harassment may be done verbally or in written form.
2. Employees are encouraged to inform the harasser directly that the conduct is unwelcome and must stop. However, if the employee is uncomfortable or unwilling to confront the harasser directly, the employee shall report the incident to his/her immediate supervisor.
3. An employee who believes he/she has been subjected any unwanted conduct shall report the incident as soon as possible after the alleged occurrence, to any supervisor, command officer or the Human Resources Director.

- Revised
4. An employee who believes he/she has witnessed sexual or unwanted conduct, even if they are not one of the actors, shall report the incident immediately after the alleged occurrence, to any supervisor, command officer or the Human Resources Director.
 5. All supervisory personnel shall be responsible for immediately reporting any occurrence that they may witness or become knowledgeable of to a Division Commander or the Chief of Police and the Human Resources Director.
 6. If at all possible, immediate action shall be taken by supervisory personnel to eliminate and restrict, during the investigation of a sexual harassment or unwanted conduct, any work assignments or contact between the employee making the report and the employee against whom the report is made.

- Revised
7. If the harassment complaint is directly related to the employee's supervisor or if there is a conflict of interest between the employee and the harasser, the employee shall report the incident to another supervisor, a Division Commander, the Human Resources Director, or the Chief of Police.
 8. In cases involving the Chief of Police, employees shall report any incident to the Human Resources Director or the Township Manager.
 9. The complainant should provide as much of the following information as is possible when reporting harassment:
 - a. Name, department and position of the person or persons allegedly engaging the harassment.

- b. A description of the incident(s), including date(s), time(s), and location(s) when the incident(s) took place.
- c. Names(s) of anyone (witnesses) present during each incident.
- d. The effect of the incident(s) on the complainant's ability to perform his/her job, or on other terms or conditions of her/her employment.
- e. The names of other individuals who might have been subject to the same or similar harassment.
- f. Names of other individuals with whom you the complainant has discussed the incident(s).
- e. Any physical evidence or any other information the complainant believes to be relevant to the harassment complaint.

New

B. Investigation

1. The Chief of Police or his designee shall ensure that the conduct is immediately reported to the Human Resources Director or Human Resources Department so that a prompt investigation can occur. The Human Resources Department will conduct the investigation.
2. Supervisors who knowingly allow and tolerate unlawful harassment or retaliation, including the failure to immediately report such conduct to Human Resources are in violation of this policy and subject to disciplinary action up to and including termination.
3. The Human Resources Director is responsible for the investigation of the allegation of harassment in accordance with the Meridian Township Personnel Policy and Federal and Michigan law.
4. In an effort to protect the interests of all involved, confidentiality will be maintained to the extent practicable and deemed appropriate by the Township. All the information pertaining to a harassment complaint or investigation is maintained by the Human Resources Director.

New

C. Retaliation

1. Any evidence of retaliation shall be considered a separate violation of this policy. Retaliation will be considered a serious violation subject to disciplinary actions up to and including termination from employment.
2. Monitoring to ensure that retaliation does not occur is a responsibility shared by all employees including supervisors, management and the Chief of Police.

D. Officers Assigned to Other Agencies

Officers of this department assigned to or assisting other law enforcement agencies will be guided by this policy.

V. CANCELLATIONS

None

Authorized by:



Ken Plaga, Chief of Police

Index as:

Sexual Harassment

Workplace Harassment

Standard 1.5.5

Application: This directive constitutes department policy, and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims insofar as the employer's or employee's legal duty as imposed by law.