



CITY OF PROVIDENCE

Angel Taveras, Mayor

SEXUAL HARASSMENT POLICY

City of Providence employees are entitled to work in an environment free from sexual harassment and a hostile or offensive working environment. The City of Providence recognizes sexual harassment as unlawful discrimination, just as it recognizes conduct that belittles or demeans a person on the basis of his or her race, color, religion, gender, national origin, sexual orientation, gender identity, disability or age (over-40).

POLICY: Sexual harassment, both in general and as defined in this policy, is unlawful conduct that will not be tolerated by the City of Providence. Offensive or inappropriate sexual behavior at work, including, but not limited to, unwelcome sexual advances, request for sexual favors or other verbal or physical acts of a sexual nature, where (a) submission to such conduct is made as a term or condition of an individual's employment and/or (b) conduct that interferes with a person's work performance or creates an intimidating, hostile or offensive working environment, is conduct which the City of Providence considers to be sexual harassment. Sexual harassment is strictly prohibited.

DEFINITION: Sexual Harassment is sexually-oriented behavior that is *unwelcome* or *unwanted*, by the recipient. It includes any unwelcome sexual advance, requests for sexual favors, or 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 an individual's employment,
or
- B. Submission to or rejection of such conduct is used as the basis for decisions affecting that individual with regard to employment (raises, work assignments, disciplinary action, etc.) **(Quid pro Quo)**
Or
- C. Where such conduct has the effect of causing a Hostile Work Environment.

Hostile Work Environment: Where conduct has the effect of unreasonably interfering with an individual's work performance, or creates an intimidating, hostile, humiliating or (sexually) offensive work environment.

HUMAN RESOURCES | EQUAL EMPLOYMENT OPPORTUNITY OFFICE

Providence City Hall | 25 Dorrance Street, Room 401, Providence, Rhode Island 02903

401 421 7740 ph | 401 273 9510 fax

www.providenceri.com



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Sexual harassment may involve the behavior of a person of either sex against a person of the opposite or same sex, and occurs when such behavior constitutes unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal or physical behavior of a sexual nature.

The City of Providence considers the following identified conduct to represent some, but not all, of the types of acts that violate the City's Sexual Harassment Policy:

- Unwelcome and inappropriate touching, patting, pinching, or obscene gestures;
- Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities;
- The use of sexually degrading language, jokes or innuendoes, suggestive or insulting sounds or whistles, obscene phone calls;
- Sexually suggestive objects, pictures, videotapes, audio recordings, computer communications, or literature placed in the work area;
- Inquires into one's sexual orientation, sexual experiences or sexual preferences;
- Gossip about a person's personal sex life.
- Sexual displays or publications anywhere in the workplace by employees such as: displaying pictures, posters, calendars, graffiti, objects, written or reading materials or any other material that is sexually suggestive, sexually demeaning or pornographic, or possessing in the work environment any of these materials.

RETALIATION PROHIBITED: It is the policy of the City of Providence that there shall be no retaliation against an employee who makes a report of sexual harassment. Retaliation is a serious violation of this sexual harassment policy and it should be reported immediately. Retaliation constitutes a separate actionable offense for which penalties may be implemented under this Policy. Any person found to have retaliated against another individual for reporting harassment (sexual or otherwise) will be subject to disciplinary action, up to and including termination.

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COMPLAINT PROCEDURE:

If you have a complaint of sexual harassment and/or retaliations, please contact Ms. Olayinka Y. Oredugba in the Human Resources, EEO Office at (401) 421-7740, Ext. 250. Complaints of sexual harassment and/or retaliation are accepted in writing. Complaint forms are accessible online at www.providenceri.com/hr or you may request that Ms. Oredugba send you a form directly (ooredugba@providenceri.com).

An employee who believes that he/she has been a victim of sexual harassment has a legal right to contact the Rhode Island Commission for Human Rights, 180 Westminster Street, Providence, Rhode Island, (401) 222-2661 or the Equal Employment Opportunity Commission, One Congress Street, Boston, Massachusetts, (617) 565-3200 either by phone, sending a written complaint or by going to either Agency in person.

SCHEDULE OF PENALTIES:

If the investigation leads to a determination that the allegations of harassment are true, the City of Providence will apply the following disciplinary consequences: 1.) An employee may be discharged for a proven act or acts of sexual harassment. 2.) Acts of sexual harassment that are proven to be non-pervasive will generally result in a warning and/or suspension upon the first offense and may result in termination proceedings upon the second offense. In determining the ultimate penalty in cases of sexual harassment, the nature and severity of the claimed misconduct, along with any other relevant factors will be reviewed by management and it is within management's discretion to enact a more severe penalty against an accused harasser than as set forth in this Schedule of Penalties.

COOPERATION:

An effective sexual harassment policy requires the support of all the City of Providence's personnel. Anyone who engages in sexual harassment and/or retaliation or who fails to cooperate with any City of Providence sponsored investigation may be disciplined by suspension or termination from employment.

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CERTIFICATION OF POLICY REVIEW

I, _____, hereby certify that I have read the City of Providence
PRINT NAME

Sexual Harassment Policy. I attest to the fact that I have had the opportunity to seek clarification on any aspect(s) of the policy as written. I agree to abide by said policy.

Signature of Recipient

Date