

SOMERVILLE HOUSING AUTHORITY SEXUAL HARASSMENT POLICY

I. SEXUAL HARASSMENT POLICY

It is the policy of Somerville Housing Authority (“SHA”) that all persons have the right to a work environment that is free of sexual harassment. SHA will not tolerate sexual harassment of any kind by persons who work at SHA involving other persons who work at SHA or third parties, including residents.

SHA will endeavor to insure that all employees are familiar with this policy and know that any report or complaint received will be thoroughly investigated and appropriately resolved.

It is contrary to the policies of SHA for any person to sexually harass another. Sexual harassment includes unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s continued employment;
- Submission to or reject of such conduct is used as the basis for employment decisions affecting the 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 work environment.

Examples of conduct which may be considered to be sexual harassment include verbal flirtations of a sexual nature, physical conduct including hugging, stroking and touching, verbal abuse of a sexual nature, verbal abuse which is not of a sexual nature but which is motivated by gender, graphic verbal commentaries about an individual’s body or clothing, sexually degrading words used to describe an individual and displays of sexually suggestive objects or pictures. These examples are not intended to be exhaustive. There are many types of behavior which may be sufficient to constitute sexual harassment. It is important that all persons be aware of and sensitive to the impact that their words and conduct may have upon another person.

Any employee of the SHA, who, after an appropriate investigation, is found to have engaged in sexual harassment of another person will be subject to disciplinary action, up to and including termination.

An employee may not be denied employment opportunities or benefits in retaliation for submitting a sexual harassment complaint to the SHA.

II. COMPLAINT AND INVESTIGATION PROCEDURE

All complaints of sexual harassment are serious and shall be investigated promptly by SHA. SHA encourages employees to report all incidents of sexual harassment regardless of who the offender may be or where the incident occurred.

A. Reporting An Incident of Sexual Harassment to SHA

Anyone who believes that he or she has been subjected to sexual harassment is urged to report the incident promptly to his or her immediate supervisor or the Executive Director. Anyone who knows or has reason to believe that another person is or has been subjected to sexual harassment should report the matter promptly to his or her supervisor or the Executive Director.

When a supervisor receives a report of sexual harassment from an employee, or when a supervisor knows or has reason to believe that another person is or has been subjected to sexual harassment, the supervisor must promptly report the incident or matter to the Executive Director.

B. Investigation of Reports or Complaints of Sexual Harassment

All reported incidents or complaint of sexual harassment will be investigated and, where appropriate, steps will be taken to remedy the situation. Each reported incident or complaint will be handled with due consideration for the nature of the matter and the situation of the person reporting the matter.

An investigating officer designated by the Executive Director will conduct investigations. The investigating officer shall work under the direct supervision of the Executive Director.

The investigating officer will initiate the investigation within three (3) business days after an incident or complaint is reported to the Executive Director. The investigating officer shall complete the investigation and report to the Executive Director within fourteen (14) business days after the investigation is initiated. To ensure that the investigation is complete, thorough and fair to the parties involved, the Executive Director may allow the investigating officer additional time to complete the investigation.

The Executive Director may in the exercise of his or her discretion invite the parties involved in the investigation to participate in mediation to seek a fair and prompt resolution of the matter. Participation in mediation is voluntary.

Within seven (7) business days after the investigating officer reports the results of the investigation to the Executive Director, the Executive Director will report the results of the investigation and make a recommendation to the SHA Board of Commissioners for its consideration. The Board of Commissioners will determine what if any action shall be taken to resolve the report or complaint. The parties involved will be promptly notified by the Executive Director of the decision of the Board of Commissioners.

III. REMEDIES

If the SHA determines that an employee has engaged in conduct constituting sexual harassment, the employee will be subject to disciplinary action up to and including termination of his or her employment with SHA. Any retaliatory action, including intimidation, threats, or coercion, taken against a person because the person complains of sexual harassment or assists in an investigation of sexual harassment will also result in disciplinary action up to and including termination of his or her employment with SHA.

IV. LEGAL RIGHTS OF EMPLOYEES

The procedures and remedies set forth in this policy are subject to rights that may be guaranteed to employees under the provisions of collective bargaining agreements, laws, regulations and provisions of the constitutions of the Commonwealth of Massachusetts and the United States.

A report or complaint of sexual harassment submitted to SHA pursuant to the SHA Sexual Harassment Policy is not the same as filing a discrimination complaint with city, state or federal agencies empowered to enforce anti-discrimination laws. Employees who believe they have been subjected to sexual harassment may pursue all rights and remedies available to them under city, state and federal law.

Adopted by a vote of the Board of Commissioners on _____ 1999.

Herbert F. Foster, Jr., Chairman