

# **ARTICLE I: NONDISCRIMINATION POLICIES**

## **1.1 EQUAL EMPLOYMENT OPPORTUNITY POLICY**

It is the policy of CCS to insure, in compliance with and to the limits of federal and state laws, that all employment decisions and actions are made without regard to religion, gender, race, color, national origin, ancestry, place of birth, age, sexual orientation, marital/civil union status, veteran status, physical or mental disability, having a positive test result on an HIV related blood test or any other legally protected classification. If an individual with a disability requires a reasonable accommodation in order to perform the essential functions of his or her position or job for which he or she has applied, upon request, CCS will provide such accommodation in compliance with state and federal laws.

Any employee or applicant for employment with CCS who has a question, concern or complaint with respect to compliance with this policy should contact the Executive Director at Tel. No. (802) 655-0511.

## **1.2 PROTECTED CLASS/SEXUAL HARASSMENT POLICY**

CCS is committed, in compliance with and to the limits of state and federal law, to providing a work environment that is free from harassment on the basis of religion, gender, race, color, national origin, ancestry, place of birth, age, sexual orientation, marital/civil union status, veteran status, physical or mental disability, having a positive test result on an HIV related blood test or any other legally protected classification. Such conduct is not only inappropriate in a productive work environment, but is also unlawful and will not be tolerated when perpetrated by any employee, agent, contractor, visitor or other third party, e.g. family member of a consumer, of CCS. Any such person who engages in harassment on the basis of the protected classifications listed herein will be deemed in violation of this policy and appropriate disciplinary or corrective measures shall be taken, as set forth in the procedures implementing this policy.

Every employee has the personal right to work in an environment free from sexual harassment and harassment based on protected class. CCS therefore prohibits harassment which includes, by way of example and not limitation: comments, slurs, jokes, innuendoes, cartoons, pranks based on sex or protected class, unwelcome sexual advances, requests for sexual favors, and other unwelcome and inappropriate verbal, electronic or physical conduct of a sexual nature, or that is harassing on the basis of protected class which would result in an intimidating, hostile or offensive working environment, whether or not intended.

Employees and program participants have the right to be free from such harassment on the job from co-workers, supervisors, or managers. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is a violation of Title VII of the Civil Rights Act, which defines sexual harassment as a form of sex discrimination when:

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

## **1.3 IMPLEMENTATION OF PROTECTED CLASSIFICATION/SEXUAL HARASSMENT POLICY**

Each employee is expected and requested to report any apparent violation of this harassment policy to his or her Supervisor or the Executive Director. Supervisors who receive such a complaint or have knowledge of a situation involving possible harassment based on a protected class or sex must report the complaint or problem

to the Executive Director, whether or not the Supervisor is requested to do so by the affected employee. Complaints by employees against the Executive Director should be addressed to the Chair of the CCS Board of Directors.

The Executive Director may require the complainant to state his or her grievance in writing. In most instances, complaints should be brought forward by a complaining party within thirty (30) days of the underlying incident. However, older complaints may be accepted, as circumstances warrant, especially when the conduct in question is continuous in nature.

When the Executive Director receives a complaint or learns about a potential problem, he or she is authorized to take reasonable interim measures in order to safeguard the individuals involved.

The Executive Director, or manager to whom he or she delegates responsibility for managing the response to a particular complaint, shall investigate and attempt to resolve problems through a process of interviews with the complaining party, the alleged harasser and others with knowledge of the situation.

All matters involving harassment complaints and the resulting investigations shall remain confidential to the fullest extent possible.

A file will be maintained by the Agency for each complaint of harassment it receives. Those files may only be accessed by the Executive Director or designee, including any manager assigned to respond to a subsequent complaint of harassment, as determined appropriate by the Executive Director, as well as the Chair of the Board of Directors or the President of the Board's Personnel Committee, or as otherwise required by law.

After the conclusion of the investigation and determination, documents related to the complaint may be included in the personnel file(s) of the complaining party or the accused, as deemed appropriate by the Executive Director.

If the Executive Director makes a finding that harassment was perpetrated by an employee of the Agency, he or she can decide upon a course of action that may include one or more of the following processes:

- training or counseling required for the harasser;
- mediation required between harasser and victim; discipline, up to and including immediate termination; and
- ensuring the victim's interests and needs are addressed.

If the Executive Director makes a finding that harassment was perpetrated by a non-employee, he or she, or designee, may take measures as deemed appropriate by the Executive Director or designee to ensure the welfare of the victim and CCS employees. Complaints regarding sexual/protected class harassment should be made to:

Executive Director  
Champlain Community Services, Inc.  
512 Troy Avenue, Suite 1  
Colchester, VT 05446  
Tel. No. (802) 655-0511

A CCS employee who believes that he or she is a victim of sexual/protected class harassment is also entitled to file a complaint under state and federal discrimination laws, whether or not a complaint is filed with CCS.

Title VII of the Civil Rights Act is enforced by the federal Equal Employment Opportunity Commission. For additional information, contact:

The Equal Employment Opportunity Commission  
John F. Kennedy Federal Building  
Government Center  
4th Floor, Room 475  
Boston, MA 02203  
(617) 565-3200

The State Fair Employment Practices Act, 21 V.S.A. 495, is enforced by the Public Protection Division of the Vermont Attorney General's Office. For additional information, contact:

The Public Protection Division  
Attorney General's Office  
109 State Street  
Montpelier, VT 05602  
(802) 828-3171

## **NOTICE AND TRAINING**

This policy is provided to new employees upon being hired, and sexual harassment employee protections are the subject of a poster displayed on employee bulletin boards. Periodically, employees may be required to participate in training about this policy and procedure as they relate to the prohibition and prevention of protected class and sexual harassment.