



DISCRIMINATION AND HARASSMENT PREVENTION POLICY POLICY NO: 237-P

- Applies To: All employees, appointed and elected officials, volunteers, contractors, vendors, interns, and any individual conducting business with the City of Traverse City.
- Effective Date: 02/01/2026
- Associated References: None

Purpose:

The City of Traverse City strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The environment of the City should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Employees should be able to work, learn, and serve the public in a safe atmosphere. The City of Traverse City shall not tolerate unlawful discrimination or harassment of any kind.

The City is committed to protecting its employees from prohibited conduct by vendors and other third parties, even though it does not have direct authority over outside vendors. This policy applies to all employees, regardless of position, who are expected to comply fully and take appropriate steps to help ensure that prohibited conduct does not occur. Appropriate corrective or disciplinary action will be taken against any employee, vendor, contractor, or other individual doing business with the City who violates this policy, and depending on the severity of the offense, discipline may include measures up to and including termination of employment or business relationships.

Further, any retaliation against an individual who has complained about discrimination, harassment, or retaliation against individuals for cooperating with an investigation of a discrimination or harassment complaint, is similarly unlawful and shall also not be tolerated. Any employee found to have engaged in retaliation will be subject to disciplinary action, up to and including discharge.

Because the City takes all allegations of discrimination and harassment seriously, the City will respond promptly to complaints of discrimination or harassment. If it is determined that inappropriate conduct has occurred, the City will act without delay to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate, up to and including discharge.

It is important to note that while this policy sets forth the City's goals of promoting a workplace that is free of discrimination and harassment, the policy is not designed or intended to limit the City's authority to discipline or take remedial action for workplace conduct which the City deems unacceptable, regardless of whether that conduct satisfies the definition of discrimination or harassment. It should be noted as well that elected and appointed officials are expected to refrain from all forms of discrimination, abuse and harassment and, as appropriate, the standards of conduct and disciplinary provisions of this policy shall also apply to elected and appointed officials.

Additional Authority:

Michigan Department of Civil Rights (MDCR), Elliott-Larsen Civil Rights Act (ELCRA), Persons with Disabilities Civil Rights Act, Michigan's CROWN Act, and Equal Employment Opportunity Commission (EEOC), City Ordinance Chapter 605

Scope:

This policy applies to all employees, appointed and elected officials, volunteers, contractors, vendors, interns, and any individual conducting business with the City of Traverse City. The policy applies to conduct occurring in the workplace, during work-related activities, or in any setting where an individual is representing the City.

Responsibility:

The City Manager, through the Human Resource Department, is responsible for the development and implementation of this policy. The HR Department shall regularly review and update this policy to reflect changes in laws, regulations, or organizational needs.

Prohibited Conduct:

The City of Traverse City, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

Discrimination: It is a violation of the City of Traverse City's policy to engage in any form of discrimination. This includes discrimination in employment opportunities, promotions, disciplinary actions, benefits, or any other employment-related decisions. It also includes creating discriminatory working conditions or using discriminatory evaluative standards.

Discriminatory treatment is prohibited if it is based, in whole or in part, on an individual's sex, race, color, national origin, age, religion, disability status, sexual orientation, gender identity or expression, genetic information, marital status, familial status, height, weight, hair texture, protective hairstyles (e.g., braids, locks, twists), or membership in any other protected category.

Such conduct is prohibited under applicable federal, state, and local laws, including but not limited to Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, the Elliott-Larsen Civil Rights Act, and the Michigan Persons with Disabilities Civil Rights Act. This section is intended to ensure compliance with all applicable anti-discrimination laws.

Retaliation against any individual who reports discrimination or participates in an investigation is strictly prohibited.

Anti-discrimination laws apply to all aspects of employment, including hiring, compensation and benefits, promotions, transfers, discipline, and layoffs. Discrimination may include, but is not limited to, disparate treatment, harassment (sexual or non-sexual), and failure to provide reasonable accommodation based on disability or religion.

Depending on the circumstances, including severity and pervasiveness, examples of discrimination or discriminatory harassment may include verbal abuse, the use of degrading or derogatory language, or jokes and comments related to a protected class.

All employees are protected from unlawful discrimination by anyone in the workplace, including Elected Officials, Visitors, and Volunteers. The term “workplace” is broadly defined to include employer-sponsored events, off-site meetings, off-site construction sites, after-hours gatherings, and any off-duty conduct that may impact the work environment.

Any employee found to be in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

Harassment: The City of Traverse City prohibits harassment based on protected status of any kind, including sexual harassment, and will take appropriate and timely action in response to complaints or knowledge of violations of this policy. Workplace Harassment is a form of offensive treatment or behavior (verbal or physical), which to a reasonable person creates an intimidating, hostile or abusive work environment or has the purpose or effect of unreasonably interfering with an individual’s work performance based on an individual’s sex, race, color, national origin, age, religion, disability status, sexual orientation, gender identity or expression, genetic information, marital status, familial status, height, weight, hair texture, protective hairstyles (e.g., braids, locks, twists), or membership in any other protected category. Workplace harassment may also encompass other forms of hostile, abusive, “bullying”, intimidating, threatening, humiliating, and/or violent behavior which are prohibited by this policy. Verbal taunting (including racial and ethnic slurs) that impairs an employee’s ability to perform the employee’s job is included in the definition of harassment.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes demeaning or hostile verbal communications, including comments, epithets, jokes, slurs or negative stereotyping directed at any individual because of or regarding that individual's national origin, race, color, religion, gender, sexual orientation, gender identity, age, weight, or disability or hostile, intimidating or threatening conduct directed at an individual because of that individual’s protected status.

- Nonverbal harassment includes distribution, display or discussion of any written or graphic material, including emails, photos, texts, or videos, that ridicule, denigrates, insults, belittles or shows hostility, aversion or disrespect toward another person or group of national origin, race, color, religion, gender, sexual orientation, gender identity, age, weight, or disability or hostile, intimidating or threatening conduct directed at an individual because of that individual's protected status.

Sexual harassment: Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under the City of Traverse City Discrimination and Harassment Prevention Policy. The definition of sexual harassment includes many forms of offensive behavior and can include gender-based harassment of a person of the same sex as the harasser. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for employment decisions or such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.”

There are two types of sexual harassment:

- **Quid Pro Quo Harassment:** Occurs when submission to or rejection of unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature is used as the basis for employment decisions. This includes situations where promotions, raises, work assignments, or continued employment are directly conditioned on an employee's submission to such conduct.
- **Hostile Work Environment:** Occurs when unwelcome conduct is so severe or pervasive that it creates an intimidating, hostile, or offensive work environment, or unreasonably interferes with an employee's work performance. This can include inappropriate comments, jokes, gestures, or other conduct that a reasonable person would find offensive.

The legal definition for sexual harassment is: “sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or
- Such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.”

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guideline and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or “kidding” that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.

- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, social media, and internet postings; or other form of communication that is sexual in nature and offensive.
- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling and forced sexual intercourse or assault.

Responsibilities of Employees and Managers

The City of Traverse City encourages individuals who feel they are being, or have been harassed in violation of this policy, to communicate to the offending party that such conduct is harassing and to ask that the conduct stop. However, employees are not required to do so.

Any employee or applicant who believes he or she has suffered discrimination or harassment, or who has reason to believe that another employee or applicant may have suffered discrimination or harassment, shall report the incident (s), in writing if possible, to their immediate supervisor or Department Head; the Human Resources Director; the Deputy City Manager, the City Manager (if the complaint involves Human Resources, City Attorney or a Department Head); or the City Attorney (if the complaint involves Human Resources, City Manager or a Department Head).

Management has additional responsibilities to prevent discrimination and harassment in the workplace. If any individual in management witnesses or is notified of an actual or suspected violation of this policy, he or she must immediately report this to the Human Resources Director; the Deputy City Manager, the City Manager, or the City Attorney. Failure of supervisory employees to report such conduct may result in will be subject to corrective or disciplinary action, up to and including termination of employment.

Confidentiality

During the complaint and investigation process, the confidentiality of the information received, the privacy of the individuals involved and the wishes of the complaining person will be protected to as great a degree as is possible. The expressed wishes of the complaining person for confidentiality will be considered in the context of the City's legal obligation to act on the charge and the right of the charged party to obtain information. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential to the extent possible and according to any existing state or federal law.

Complaint Procedure

The City has the responsibility to investigate and resolve complaints of discrimination and harassment. In determining whether the alleged conduct constitutes discrimination or harassment in violation of this policy, the totality of the circumstances, the nature of the discrimination or harassment and the context in which the alleged incident(s) occurred will be investigated. If the complaint is substantiated, prompt and effective remedial action will be taken as warranted. This may include a verbal or written warning, suspension, or termination of employment. When the investigation is complete, the complaining party will be advised that the investigation is complete; however, due to privacy concerns, the City may not be able to

provide the complaining party information regarding the corrective action taken. The accused will also be advised that the investigation has been completed.

The City considers discrimination or harassment on the basis of religion, race, color, national origin, age, sex, sexual orientation, gender identity, height, weight, marital status or disability to be a major offense which may result in disciplinary action against the offender, regardless of the offender's position with the City.

Investigation Process

- The City will promptly and thoroughly investigate all complaints.
- Investigations may include interviews, review of documents, and other relevant evidence.
- Both the complainant and the respondent will have an opportunity to present information.
- The City will take appropriate corrective or disciplinary action if a policy violation is substantiated.

Protection from Retaliation

The City of Traverse City prohibits retaliation against any individual for:

- Filing or responding in good faith to complaints of discrimination or harassment.
- Appearing as a witness or otherwise providing information in the investigation of a complaint.
- Serving as an investigator of a complaint.

Retaliation may include any adverse employment action that is caused by the employee's complaint or participation in an investigation. For example, this anti-retaliation policy may prohibit a supervisor from disciplining, demoting or discharging an employee for making a good faith complaint of harassment or discrimination. Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process is a violation of this policy. Any person who believes that he or she has been subject to retaliation for making a good faith complaint of harassment or discrimination or providing information about such a complaint should bring this to the immediate attention of the Deputy City Manager, Human Resource Director, City Manager, or City Attorney. All such complaints of retaliation will be promptly and fairly investigated. Any person found to have retaliated against an employee for making a good faith complaint of harassment or discrimination or providing information during an investigation will be subject to corrective or disciplinary action, up to and including termination of employment.

False or Malicious Complaints

While the City expects all employees to report concerns in good faith, knowingly making a false or malicious complaint may result in disciplinary action.

State and Federal Remedies

In addition to the above, if an employee believes that he or she has been subjected to harassment, he or she may file a formal complaint with either or both of the government agencies listed below.

[Elliott-Larsen Civil Rights Act \(ELCRA\)](#): This state law prohibits discrimination and harassment based on protected characteristics such as race, religion, sex, national origin, age, disability, and more.


[Michigan Department of Civil Rights \(MDCR\)](#): The MDCR investigates workplace discrimination and harassment complaints and has a work-sharing agreement with the federal EEOC. You must generally file a complaint with the MDCR within 180 days of the incident.

[Title VII of the Civil Rights Act](#): This federal law prohibits employment discrimination based on race, color, religion, sex, and national origin.

[Age Discrimination in Employment Act \(ADEA\)](#): Prohibits discrimination against individuals 40 years of age or older.

[Americans with Disabilities Act \(ADA\)](#): Prohibits discrimination against qualified individuals with disabilities.

The United States Equal Employment Opportunity Commission (EEOC): This federal agency enforces federal anti-discrimination laws and handles complaints regarding workplace discrimination. You must generally file a complaint with the EEOC within 300 days of the incident.

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| <p>Approved By: Benjamin Marentette on 01/29/2026</p> <p>Signature: </p> | <p>HISTORY: Created: 01/29/2026</p> |
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Discrimination and Harassment Prevention Policy Acknowledgment Form

I acknowledge that I have received, read, and understand the City of Traverse City Discrimination and Harassment Prevention Policy and provided the opportunity to ask questions about its content. I understand that:

- It is my responsibility to comply with the standards and procedures outlined in the policy.
- I am encouraged to report any incidents of harassment, discrimination, or retaliation promptly.
- The City will investigate all complaints and take appropriate corrective action when violations occur.
- Retaliation against any individual for reporting a concern or participating in an investigation is strictly prohibited.

I understand that failure to comply with this policy may result in disciplinary action, up to and including termination of employment, in accordance with City policies, procedures, and applicable collective bargaining agreements.

This acknowledgment will be placed in my personnel file as confirmation of my receipt and understanding of the policy.

Employee Name (Print): _____

Employee Signature: _____

Date: _____

Copy of this page to Personnel file on _____
Date