



Adopted 4/5/99

SEXUAL HARASSMENT POLICY

Purpose: The purpose of this policy is to contribute to a quality work environment for all employees (including contractual staff) and to inform each person of their rights and their responsibilities in achieving that goal with respect to each person being free from intimidation, humiliation, insult, or from being subjected to offensive physical or verbal abuse or actions, direct or insinuated, based on a person's sex.

Policy: The Employer fully supports and complies with the laws which are enacted to protect and safeguard the rights and opportunities of all people to seek, obtain and hold employment without being subjected or exposed to illegal harassment or discrimination in the work place. It is our policy to provide all employees with an environment which is free of harassment based on one's sex.

Harassment Defined: Sexual Harassment is defined as unwelcome sexual advance, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (1) submission to such conduct is made either explicitly or implicitly as a term of employment.
- (2) submission to or a rejection of such conduct by an individual is used as a basis for employment decisions; such as discharge, promotion, transfer, work assignments, etc..
- (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Examples of Harassment: Any harassment that violates State or Federal law will be unacceptable. Examples of harassment include:

- (1) Making derogatory comments, insults, suggestive remarks or jokes based on a person's sex;
- (2) Display of photographs, cartoons or drawings that would be offensive to a reasonable person;
- (3) Conduct which when viewed by a reasonable person would have the purpose or effect of degrading or creating an intimidating, hostile or offensive work environment;
- (4) Propositions or requests for sexual favors;
- (5) Physical contact which is sexual in nature;
- (6) Stating or implying that deficient job performance is attributable to a person's gender;

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- (7) Possession (while on employer's property or while working) of materials of any kind, such as magazines, calendars, etc., which are degrading to an individual or group on the basis of sex (or any other protected characteristic); and
- (8) The giving of unsolicited or inappropriate personal gifts (lingerie, sex books, or any gift inappropriate in nature).

Complaint Procedures:

Any employee who believes he or she has been the subject of *any* harassment should report the incident *immediately* to his/her supervisor. The report should be made within three (3) days of the occurrence. The employee's supervisor shall then immediately notify the next level supervisor and/or Personnel Director about the complaint. A complaint may be filed by an employee who was not the target of harassment or retaliation.

Steps For Filing a Complaint:

Step 1: The employee shall register his/her complaint initially with his or her immediate supervisor. The immediate supervisor will investigate the complaint and prepare a written report of the investigation. The supervisor will give the employee a written response to the complaint within three (3) working days. A copy of the report will be given to the Human Resource Director and Department Head.

Step 2: Where the immediate supervisor was: (1) a participant in the prohibited activity; (2) condoned the activity; (3) failed to respond in writing within three days without good cause; or (4) the response is unsatisfactory, the employee may at his or her own choosing by-pass the immediate supervisor and submit a written complaint directly to the Human Resource Director or other such person designated by the employer to handle the complaint.

In those situations where a violation has been shown to have occurred, immediate action will be taken to remedy the situation. Further steps will be taken to discourage or prevent future reoccurrences.

All complaints and actions taken to resolve such complaints will be treated confidentially and will be disclosed only when necessary to the investigation and the resolution of the matter.

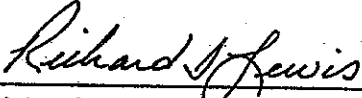
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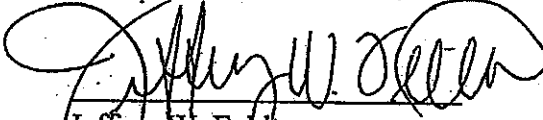
**Non
Retaliation
Policy:**

The above policy not only strictly prohibits harassment but also prohibits any act of retaliation against an employee who, in good faith, has filed a complaint pursuant to this policy. Any supervisor, agent or employee of the employer who is found to have taken actions determined to be retaliatory in nature against a complainant shall be subjected to immediate discipline up to and including immediate discharge. Any person who believes they were retaliated against for exercising his or her rights under this policy should immediately file a complaint.

Conclusion:

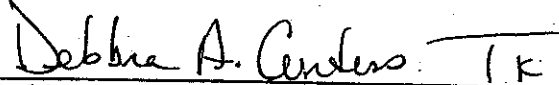
It is expected that all employees will fully cooperate and give their support to the policies and practices set forth above. Violations of this policy will not be permitted. Any employee or supervisor who violates this policy will be subject to discipline up to and including discharge.


Richard I. Lewis
City Manager


Jeffery W. Feldt
Executive Director, Light & Power

3-16-99
Date

I hereby certify that the above policy was adopted by the City Commission on the 5 day of April, 1999.


Debra A. Curtiss, City Clerk