

POLICY:

Chatham Area Transit Authority (CAT) respects the rights and opportunities of all people to seek, obtain and hold employment without being subjected to or confronted with unlawful harassment or discrimination of any kind in the workplace. Specifically, unlawful harassment or inappropriate conduct is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of that person's (or that person's relatives', friends' or associates') race, religion, gender, national origin, ancestry, veteran's status, marital status, age, disability, sexual orientation and/or any other legally protected status as described in the federal, state or city statutes.

Unlawful harassment or inappropriate conduct that has the purpose or effect of creating an intimidating, hostile or offensive work environment and/or has the purpose or effect of unreasonably interfering with the individual's work performance, and/or otherwise adversely affects the individual's employment opportunities also constitutes unlawful harassment or discrimination.

Unlawful harassment of an employee by any company employee or person working with or associated with the company (i.e. vendor, customer, passenger, supplier, contractor, etc.) will not be tolerated.

Sexual harassment or inappropriate conduct may be overt or subtle. Some behavior, which is appropriate in a social setting, may not be appropriate in the workplace. Regardless of the form it takes, verbal, non-verbal or physical sexual harassment or inappropriate conduct is insulting and demeaning to the recipient and is unacceptable at work.

This Policy and the accompanying Complaint Procedure may be altered, revised or amended at any time by CAT with or without prior notice.

COMPLAINT PROCEDURE

General:

Unlawful harassment or inappropriate conduct can take many forms, some overt and some subtle. The practice of "if in doubt, don't" is good advice to follow with regard to whether conduct is appropriate in the work environment. Some examples of prohibited conduct, based on the above mentioned protected status, which may be considered unlawful harassment include, but are not limited to:

- Verbal conduct such as derogatory comments, epithets, slurs, innuendos, sexual jokes, graphic verbal commentaries, degrading words used to describe an individual
- Threatening behavior
- Displaying of offensive objects, pictures, cartoons or posters
- Physical conduct such as unwanted, suggestive or offensive touching, assault, impeding or blocking movement

- Making an adverse employment decision based on the employee's membership in one of the protected classes

Sexual Harassment or Inappropriate Conduct:

Sexual harassment or inappropriate conduct includes unwelcome sexual advances or visual, verbal or physical conduct of a sexual nature and is prohibited in all work settings including the office, on vehicles and/or at work related social events. This definition encompasses many forms of offensive behavior, including gender-based harassment of a person of the same sex as the harasser, conduct of a sexual nature that creates an offensive, intimidating or hostile work environment and coerced sexual conduct by a person in a position of authority in the workplace.

It cannot be stated often enough that, if behavior or actions are questionable in an individual's mind, it is appropriate to refrain from that behavior.

Examples of prohibited unlawful harassment or inappropriate conduct include, but are not limited to the following:

- Unwelcome sexual flirtation or advances
- Offering employment, promotions or other benefits in exchange for sexual favors
- Threatening or making reprisals for refusing sexual advances
- Visual conduct such as leering, making sexual gestures, displaying sexually suggestive objects, pictures, cartoons or posters, suggestive or obscene letters, notes or invitations, including internet or other electronic formats
- Verbal conduct such as derogatory comments, epithets, slurs, sexual innuendo, sexual jokes, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual
- Physical conduct such as unwanted, suggestive or offensive touching, assault, impeding or blocking movement

Management

All managers and supervisors are specifically responsible for the implementation of this policy and for ensuring that all employees, agents and contractors are aware of and understand the policy.

Employees

All employees are responsible for reporting unlawful and harassing behavior they witness, and will be held accountable for avoiding or eliminating prohibited conduct. Employees may concurrently file complaints with Chatham Area Transit Authority as well as with federal or state agencies. Reporting and Complaint Procedure Guidelines are located on the following pages.

Civil Rights Officer

- a. The Civil Rights Officer is responsible for administering this policy, including exercising his/her authority to receive and investigate complaints of potential violations and recommending to management the appropriate disciplinary action(s) specific to violations.
- b. The Civil Rights Officer shall provide information to managers and supervisors on the seriousness of unacceptable behavior and the procedures to be used if an unlawful harassment or inappropriate conduct allegation occurs.

REPORTING AND COMPLAINT PROCEDURE:

1. Any employee who believes he/she has been offended or is aware of alleged unlawful harassment or inappropriate conduct should immediately report the alleged behavior to the Civil Rights Officer or any senior management of CAT who will in turn report the alleged behavior to the Civil Rights Officer. The Civil Rights Officer can be reached at 1(912) 629-3919.
2. If the alleged behavior or incident involves a supervisor or manager, the complaint should be reported to the Civil Rights Officer or any senior management of CAT who will in turn report the alleged behavior to the Civil Rights Officer. The Civil Rights Officer can be reached at 1(912) 629-3919.
 - a. The investigation will begin as soon as possible following notification of a complaint.
 - b. Investigation of a complaint will normally include conferring with the parties involved and any named apparent witnesses. All parties involved as well as any named witnesses are expected to cooperate fully when an investigation is being conducted. An attempt should be made to get written statements from all individuals that are interviewed or involved, particularly the primary parties involved. A thorough investigation must still be completed even if the person making the allegation refuses to complete the "Incident Investigation" form or any other written statement.
 - c. If the preliminary investigation suggests that the allegation may have merit, a prompt, thorough and effective investigation will be conducted and the alleged harasser will be notified of the complaint.
 - d. The alleged harasser will be interviewed and provided opportunity to refute the allegation(s).
 - e. If the rebuttal is not successful, prompt action, including disciplinary action(s) will be taken to stop the unlawful harassment or inappropriate conduct and prevent recurrence.
3. All complaints will be handled in a timely and confidential manner. The confidentiality of the employee who files a complaint and the reputation of any employee wrongfully accused of unlawful harassment or inappropriate conduct will both be protected to the extent possible throughout the investigation.
 - a. Information concerning a complaint will not be released by the Company to third parties, or to anyone in the Company not involved with the investigation unless required by law.
 - b. All individuals involved will be advised against discussing the investigation.

- All employees shall be protected from retaliation, coercion, intimidation, interference or discrimination because they filed a complaint or assisted in an investigation. Any employee who believes that he or she received retaliation for making a complaint or report of harassment or discrimination, or for participation in an investigation of such a complaint, should immediately report the same to the Civil Rights Officer or any senior management of CAT.

Disciplinary Action:

Any employee who has been found to have violated Chatham Area Transit's policy against unlawful harassment or has exhibited inappropriate conduct will be subject to appropriate disciplinary action. Disciplinary action may include verbal or written reprimands, suspension or termination. False accusations may result in disciplinary action, up to and including termination of the accuser. Unlawful harassment or inappropriate conduct can have serious effects on innocent individuals. Any employee who knowingly makes a false claim of harassment, discrimination or retaliation will be subject to corrective action, up to and including termination. All employees are encouraged to act responsibly in establishing and maintaining a pleasant working environment that is free of discrimination for all individuals.

Recognition of Circumstances:

The question of whether a particular action or incident is unlawful harassment or inappropriate conduct can be subjective. The Company will apply a "reasonable person" standard when evaluating and investigating any complaint taking into account the perspective of the complainant and not stereotypical notions of acceptable behavior.

Conclusion:

CAT has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination and retaliation. CAT will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment.

The law and the policies of Chatham Area Transit prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.



Unlawful Harassment

Effective Date: July 1, 2014

APPLIES TO:

All employees of Chatham Area Transit Authority.

Approved:

Executive Director

Date:

Acknowledgement of employee:

Employee Signature

Date