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SEXUAL HARASSMENT

April 2024

Pursuant to Title VII of the Civil Rights Act of 1964, Windsor Township (the “Township”) does not permit or allow sexual harassment to occur in its workplace or at any activity sponsored by or related to it. To make this “zero-tolerance” policy clear to all employees, contractors, volunteers and board members, we have adopted mandatory procedures that employees, volunteers, contractors, board members, individuals and victims must follow when they learn of or witness sexual harassment. Those reasonably suspected or believed to have committed sexual harassment will be appropriately disciplined, up to and including termination of employment, as well as criminally prosecuted. No employee, volunteer, board member or other person, regardless of his or her title or position has the authority to commit or allow sexual harassment. Sexual harassment, according to the Federal Equal Employment Opportunity Commission (EEOC), consists of unwelcome sexual advances, requests for sexual favors or other verbal or physical acts of a sexual or sex-based nature where:

- (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- (2) An employment decision is based on an individual's acceptance or rejection of such conduct; or
- (3) Such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Prohibited Conduct

The Township considers the following conduct to represent *some* of the types of acts which violate the sexual harassment policy:

- (1) Physical assaults of a sexual nature, such as:
 - a. Rape, sexual battery, molestation or attempts to commit these assaults;
 - b. Intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body or poking another employee's body.
- (2) Unwanted sexual advances, propositions or other sexual comments, such as:
 - a. A pattern of sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience directed at or made in the presence of any employee who indicates or has indicated in any way that such conduct in his or her presence is unwelcome.

- b. Preferential treatment or promise of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward.
 - c. Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex.
- (3) Sexual or discriminatory displays or publications in the workplace, such as:
- a. Displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials or other materials that are sexually suggestive, sexually demeaning or pornographic.
 - b. Displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace, other than rest rooms and similar semiprivate lockers/changing rooms.
- (4) Retaliation for sexual harassment complaints, such as:
- a. Disciplining, changing the work assignments of, providing inaccurate work information to or refusing to cooperate or discuss work-related matters with any employee because that employee has complained about or resisted harassment, discrimination or retaliation.
 - b. Intentionally pressuring, falsely denying, lying about or otherwise covering up or attempting to cover up conduct such as that described in the item above.
- (5) Others acts.
- a. The above is not to be construed as an all-inclusive list of prohibited acts under this policy.
 - b. Sexual harassment is unlawful and hurts other employees. Any of the prohibited conduct described here is sexual harassment of anyone at whom it is directed or who is otherwise subjected to it. Each incident of harassment, moreover, contributes to a general atmosphere in which all persons who share the victim's sex suffer the consequences. Sexually oriented acts or sex-based conduct have no legitimate business purpose; accordingly, the employee who engages in such conduct should be and will be made to bear the full responsibility for such unlawful conduct.

Reporting Procedure

Immediately report suspected sexual harassment to Christopher Shaffer, Recreation Director at recdirector@windsorrec.com or 717-244-3512 or Jennifer Gunnet, Township Manager at jgunnet@windsortwp.com or 717-244-3512 or. In the event that either of the above-referenced individuals are involved in the alleged conduct, immediately report the conduct to a member of the Windsor Township Board of Supervisors.

It is not required to directly confront the person who is the source of the report, question or complaint before notifying either of the individuals listed above. The Township will take every reasonable measure to ensure that those named in the complaint of misconduct or are closely associated with those involved in the complaint will not be part of the investigative team.

Investigation & Follow Up

The Township will take all allegations of sexual harassment seriously and will promptly, thoroughly, and equitably investigate whether misconduct has taken place. The Township may utilize an outside third party to conduct an investigation of the misconduct. The Township will cooperate fully with any investigation conducted by law enforcement or other investigative agencies. To the fullest extent possible, but consistent with our legal obligation to report suspected sexual harassment to appropriate authorities, we will endeavor to keep the identities of the alleged victims and investigation subject confidential.

If the investigation substantiates the allegation, our policy provides for disciplinary penalties, including but not limited to termination of the actor’s relationship with the Township.

Retaliation Prohibited

The Township prohibits any retaliation against anyone, including an employee, volunteer, board member, student or individual, who in good faith reports sexual harassment, alleges that it is being committed or participates in the investigation. Intentionally false or malicious accusations of sexual harassment are prohibited.

Anyone who improperly retaliates against someone who has made a good faith allegation of sexual harassment, or intentionally provides false information to that effect, will be subject to discipline, up to and including termination.

Reporting to Law Enforcement or Appropriate Child or Adult Protective Services

The Township is committed to following the state and federal legal requirements for reporting allegations or incidents of sexual harassment or misconduct to appropriate law enforcement and child or adult protective services organizations.

It is the policy of the Township not to attempt to investigate or assess the validity or credibility of an allegation of sexual harassment as a condition before reporting the allegation to proper law enforcement authorities or protective services organizations.

Approved this 15th day of April, 2024.

Jennifer L. Gunnet, Secretary

Katherine A. Kerchner, Chairperson

Kim E. Moyer, Vice-Chairperson

Rodney L. Sechrist