



# Northeastern Connecticut Transit District

*Public Transportation for EVERYONE*

## Workplace Harassment Policy

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NECTD depends upon a work environment of tolerance and respect. Workplace harassment including, but not limited to, verbal slurs, negative stereotyping, overt hostility and the distribution of written or graphic material intended to attack someone based on their race, color, sex, age, disability, religion, national origin, ancestry, citizenship status, marital status, or sexual orientation is prohibited.

NECTD will respond promptly to complaints of workplace harassment and where it is determined that inappropriate conduct has occurred, we will act promptly to put an end to the conduct and take any action necessary, including discipline where appropriate.

While this policy sets forth our goals of having a workplace that is free of any form of harassment, the policy is not designed or intended to limit our authority to take disciplinary or remedial action for workplace conduct that we consider unacceptable, regardless of whether that conduct satisfies the definition of workplace harassment.

### 1. Sexual Harassment:

Sexual harassment is a form of workplace harassment which adversely affects the employment relationship. Sexual harassment of employees occurring in the workplace or in other settings in which individuals of NECTD may find themselves is prohibited by state and federal law. The law also prohibits sexual or other forms of harassment by or against any vendor, customer or member of the general public.

Definition of Sexual Harassment Sexual harassment refers to behavior that is not welcome by the individual, is personally offensive to him/her and interferes with the ability of the individual to work effectively. The following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Verbal abuse of a sexual nature;
- Use of sexually degrading words;
- Jokes or language of a sexual nature;
- Conversation or gossip with sexual overtones;
- Obscene or suggestive gestures or sounds;
- Sexually-oriented teasing;
- Inquiries into one's sexual experiences;
- Verbal comments of a sexual nature about an individual's appearance or sexual terms used to describe an individual;
- Discussion of one's sexual activities;

- Comments, jokes or threats directed at a person because of his/her sexual preference;
- Unwelcome and repeated invitations (for lunch, dinner, drinks, dates, sexual relations);
- Physical contact such as touching, hugging, kissing, stroking, fondling, patting, pinching or repeated brushing up against another's body;
- Demands or requests for sexual favors accompanied by implied or overt threats concerning an individual's employment status or promises of preferential treatment;
- Deliberate bumping, cornering, mauling, grabbing;
- Assaults, molestations or coerced sexual acts;
- Posting or distributing sexually suggestive objects, pictures, cartoons or other materials;
- Sexually-oriented letters or notes;
- Sending offensive or discriminatory messages or materials through the use of electronic communications (e.g., electronic mail, including the Internet, voice mail and facsimile) which contain overt sexual language, sexual implications or innuendo, or comments that offensively address someone's sexual orientation;
- Staring at parts of a person's body;
- Sexually suggestive gestures, leering; and

Keep in mind that:

- A man and/or a woman may be either the victim of sexual harassment and/or the harasser;
- The harasser does not have to be the victim's supervisor;
- The victim does not have to be of the opposite sex from the harasser; and
- The victim does not have to be the person at whom the unwelcome sexual conduct is directed. The victim may be someone who is affected by the conduct, even when it is directed toward a third person, if the conduct creates an intimidating, hostile, or offensive working environment for the person or interferes with the person's work performance.

**The Rule: It is against the policies of NECTD for any individual, male or female, to harass another individual sexually, by making unwelcome sexual advances, requests for sexual favors, or other uninvited verbal or physical conduct of a sexual nature.**

## 2. Individual Responsibilities for Preventing Workplace Harassment

Each individual of NECTD is personally responsible for:

- Ensuring that his/her conduct does not harass any other person with whom he/she comes in contact on the job, such as a vendor, customer, or member of the general public;
- Cooperating in any investigation of alleged harassment by providing any information he/she possesses concerning the matter being investigated;

- Actively participating in efforts to prevent and eliminate harassment and to maintain a working environment free from such discrimination;
- Ensuring that an individual who files a harassment claim or cooperates in an investigation may do so without fear of retaliation or reprisal;

Any individual who believes he/she has been the subject of any form of harassment may object directly to the individual about the offensive nature of the conduct or action or bring the alleged incident or situation to the attention of EEO Grievance Officer or the alternate Grievance Officer.

3. Violation of Policy

Retaliation against an individual for filing a complaint of workplace harassment or cooperating in an investigation of a complaint is against the law. NECTD will take appropriate disciplinary action, up to and including termination, against employees who retaliate against those who object to or report harassment or participate in an investigation.

4. Procedures for Complaints

- a. NECTD has designated the Executive Director and/or his/her designee (Finance Director) as the EEO Grievance Officer. If any employee believes he/she has been subjected to workplace harassment, the individual should initiate a complaint by contacting the EEO Grievance Officer as soon as possible. The individual should file the complaint promptly following any incident of alleged harassment. The longer the period of time between the event giving rise to the complaint and the filing, the more difficult it will be for NECTD to reconstruct what occurred. The individual may be requested to write out his/her complaint to document the charge.

If the individual is uncomfortable contacting the EEO Grievance Officer for any reason, the individual may contact the Chair of NECTD.

- b. Upon receipt of the complaint, the EEO Grievance Officer or the alternate EEO Grievance Officer will promptly conduct an investigation into the matter. The charged individual will be asked to respond to the complaint. Additional investigation will be made to the extent appropriate in each case. If, after the completion of this investigation, it is determined that there is reasonable cause for finding a violation of this policy, NECTD will notify the complainant and the charged individual of the finding verbally. This process will be confidential to the extent consistent with an effective investigation, subject to the business needs of NECTD.
- c. After the investigation has been concluded, NECTD will make a final decision. If NECTD finds that the investigation substantiates the allegations in the complaint, NECTD will discipline the charged individual. Disciplinary action will be appropriate to the offense and may include termination. The complainant may be notified in writing of the disposition of the investigation.

**ANY QUESTIONS ON THIS POLICY SHOULD BE REFERRED TO THE EEO GRIEVANCE OFFICER  
OR THE ALTERNATE EEO GRIEVANCE OFFICER**