

# HARASSMENT POLICY

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Effective Date: \_\_\_\_\_, 20\_\_\_\_

Last Updated: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_ [Company Name] is committed to providing a work environment free from harassment of any kind. We believe that everyone deserves to work in a respectful and inclusive workplace that fosters growth and productivity. \_\_\_\_\_ [Company Name] will not allow unlawful discrimination or harassment of any employee by any other employee, manager, or company official. To that end, we have developed this harassment policy to outline the behavior that we expect from all employees.

This policy covers all employees, managers, and company officials. Each employee is expected to comply with this policy and ensure that prohibited conduct does not occur. Appropriate disciplinary action up to and including termination will be taken against violators.

## Definitions of Harassment and Discrimination

\_\_\_\_\_ [Company Name], in compliance with all applicable Federal, state, and local anti-discrimination and anti-harassment laws, utilizes these definitions and guidelines in enforcing this policy:

### 1. Discrimination

Discrimination means treating another individual less favorably for reasons based on race, color, gender, religion, or other protected status. Discrimination can include, but is not limited to:

- Limiting job opportunities, privileges, or benefits
- Unequal working conditions
- Evaluations based on characteristics unrelated to work
- Harassment or permitting harassment
- \_\_\_\_\_ [Description of job duty]

Discrimination based on race, gender, disability, or other characteristics is a violation of federal law. Discrimination in violation of this policy will be subject to disciplinary action up to and including termination.

### 2. Harassment

\_\_\_\_\_ [Company Name] prohibits harassment of any kind, including sexual harassment, bullying, hazing, and stalking. \_\_\_\_\_ [Company Name] will take immediate and appropriate action in response to complaints or knowledge of violations of this policy.



For purposes of this policy, harassment is any verbal or physical conduct intended to [or which causes despite lack of intent] threaten, intimidate, coerce, or demean any employee, co-worker, or individual working for or with \_\_\_\_\_ [Company Name].

Harassment is any unwelcome behavior that creates a hostile or offensive work environment for another employee. Behavior becomes harassment when it is severe enough that a reasonable person would consider it intimidating, hostile, or abusive. The victim does not need to be the target of the harassment. Anyone who is affected by the conduct can be a victim of the harassment.

Harassing behavior can include, but is not limited to:

- Verbal harassment, such as offensive or unwelcome comments regarding a person's national origin, race, color, religion, gender, gender preference, disability, or other characteristics.
- Physical harassment includes any unwanted or unasked physical contact, such as hugging, touching, kissing, shoving, or pushing.
- Nonverbal harassment may include distribution or display of images belittling a protected class, intentional display of graphic or obscene material, staring or "staring down" a victim, and similar conduct.
- Bullying can include any or all of these behaviors when taken beyond harassing and used to threaten or intimidate the victim or to coerce them into acting in a certain way.
- Sexual harassment may include any of these behaviors, and especially when used to threaten, intimidate, or coerce the victim into performing sexual favors or sexual acts for the harasser. Sexual harassment becomes sexual assault when the victim is forced into performing sexual acts.

**3. Reporting Harassment.** Employees who experience or witness any behavior that they believe constitutes harassment or discrimination are encouraged to report it immediately. Employees who feel safe enough to do so should inform the harasser directly that the conduct is unwelcome and must stop.

Employees can report harassment to their supervisors, a human resources representative, or any member of management. Employees may also report harassment anonymously if they prefer \_\_\_\_\_ [Pipeline for anonymous reporting].

**4. Investigation and Response.** All reports of harassment will be taken seriously and investigated promptly. If it is determined that harassment has occurred, we will take appropriate action to address the situation, which may include disciplinary action up to and including termination of employment of the harassing individual.

All complaints are treated as confidential to the fullest extent possible, and information disclosed on a strictly "need-to-know" basis. Although the identity of the complainant may be revealed to the parties during the investigation, the \_\_\_\_\_ [Title of the individual responsible for investigating the report] will take reasonable steps to ensure the complainant is protected from retaliation during and after the investigation. All information pertaining to the complaint and investigation  will  will not be maintained by HR following the investigation's completion.

If necessary, the complaint will be referred to law enforcement for further investigation. (Optional)



## Protection for Harassment Reporting

\_\_\_\_\_ [Company Name] encourages any employee who has suffered discrimination or harassment to report such behavior immediately. Retaliation against any employee reporting harassment is prohibited by \_\_\_\_\_ [Company Name]. Any retaliation against an employee who reports harassment or discrimination will not be tolerated and will be investigated and appropriate action taken up to and including termination.

\_\_\_\_\_ [Company Name] understands that miscommunication happens and that comments can be misconstrued or misunderstood. \_\_\_\_\_ [Company Name] will investigate all complaints as bona fide complaints, and a bona fide complaint or a complaint reasonably believed to be genuine shall not be used against the reporting employee or have an adverse effect on the employee's status.

However, a baseless complaint (or a complaint filed with knowledge that the behavior was not intended to be discriminatory or harassing) will be considered a violation of this policy and malicious reporters will be subject to disciplinary action.

Reporters may be protected by state and federal laws under whistleblowers protection acts.

**5. Training.** All employees will receive training on this harassment policy and what constitutes appropriate workplace behavior. We are committed to ensuring that all employees are aware of their rights and responsibilities under this policy.

\_\_\_\_\_ [Company Name] is committed to maintaining a harassment-free workplace for all employees. We expect all employees to act with respect and professionalism at all times. Together, we can create a positive and inclusive work environment for everyone.

By signing below, I acknowledge that I have read, understood, and agreed to comply with \_\_\_\_\_ [Company Name]'s Harassment Policy.

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_, 20\_\_\_\_

