

SEXUAL HARASSMENT POLICY OF FRAMINGHAM HOUSING AUTHORITY

I. Policy Overview and Purpose

It is the goal of Framingham Housing Authority to promote a workplace that is free of sexual harassment. Sexual harassment of employees in the workplace or work-related settings is unlawful and will not be tolerated by this organization. It is also unlawful to retaliate against individuals who complain about sexual harassment or cooperate with sexual harassment investigations. This, too, will not be tolerated by Framingham Housing Authority. The goal of this policy is to provide a workplace free from sexual harassment. Improper sexual conduct will be dealt with swiftly and decisively in accordance with the procedures described here. Corrective action that may include discipline or termination are potential penalties for those who violate the proscriptions of this policy.

While this policy sets forth our goal of promoting a workplace that is free of sexual harassment, it is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

II. Definition of Sexual Harassment

The legal definition for sexual harassment is this:

sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or
- (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under this definition, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad. In addition to the above examples, other sexually oriented conduct, whether intentional or not, that is unwelcome and creates a hostile, offensive, intimidating, or humiliating workplace environment for male or female workers may also constitute sexual harassment.

It is not possible to list all circumstances that constitute sexual harassment. What follows are a

few examples of conduct that, if unwelcome, could constitute sexual harassment. In determining whether conduct is sexually improper, the Housing Authority will consider its severity, pervasiveness, and all other relevant circumstances.

Examples of Improper Sexual Conduct

1. Unwelcome sexual advances, whether they involve physical touching or not. This does not mean that two consenting adults who happen to work for the Framingham Housing Authority cannot see each other socially outside the workplace. It does mean that all employees must respect each other sexually and physically. Repeated sexual advances after initial rejection is one example of disrespect that will violate this policy. ANY non-consensual touching of another is also improper. In short, any unwelcome sexual advance or physical conduct is improper. When in doubt, err on the side of avoiding questionable conduct.
2. Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies, or prowess. Any and all of this conduct is improper in ALL circumstances. It will not be tolerated by
3. Displays of sexually suggestive objects, pictures, cartoons and the like.
4. Unwelcome leering, whistling, brushing against the body, sexual gestures, and suggestive or insulting comments of a sexual nature.
5. Inquiries into a person's sexual experiences.
6. Discussion of or inquiry into a person's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

III. Complaints of Sexual Harassment

Anyone who believes he/she was or is subjected to sexual harassment at Framingham Housing Authority has the right to file a complaint with our organization. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting your direct supervisor. In the event that your supervisor is not an appropriate person or if you simply do not feel comfortable reporting improper conduct to your supervisor, you may report to Beth O'Grady. Ms. O'Grady is also available to discuss any concerns you may have on this subject and to provide information to you about our policy on sexual harassment and our complaint investigation process.

IV. Sexual Harassment Investigations

When we receive a complaint under this policy, we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person or persons alleged to have committed sexual harassment. When we complete our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If Framingham Housing Authority determines that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct. Where appropriate, we will impose disciplinary action.

V. Disciplinary Action

In appropriate circumstances, Framingham Housing Authority will take disciplinary action as we deem proper and necessary to correct or redress any instance of sexual harassment. Potential action ranges from counseling to termination from employment and could include other forms of discipline. Framingham Housing Authority will assess each situation as it arises and will mete out discipline as we see fit.

VI. State and Federal Remedies

In addition to following internal procedures, employees who have been or are being subjected to sexual harassment may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim. All claims must be filed within six months of the offensive conduct.

1. The United States Equal Employment Opportunity Commission ("EEOC")
1 Congress Street, 10th Floor
Boston, MA 02114
(617) 565-3200

2. The Massachusetts Commission Against Discrimination ("MCAD")

Boston Office:
One Ashburton Place, Rm 601
Boston, MA 02108
(617) 727-3990

Springfield Office:
424 Dwight Street, Rm 220
Springfield, MA 01103
(413) 739-2145