



*Board of Selectmen*

# SEXUAL HARASSMENT

96-02

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## I. PURPOSE AND SCOPE

It is the goal of the Town of Groton to promote a workplace which is professional and which treats all of those who work for the Town with dignity and respect. Sexual harassment occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by the Town of Groton. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will also not be tolerated.

## II. POLICY

Because the Town of Groton takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is demonstrated to our satisfaction that such harassment occurred, we will act promptly to eliminate the harassment and impose such corrective action as is necessary, including disciplinary action where appropriate.

### A. Definition of Sexual Harassment

In Massachusetts, the legal definition for sexual harassment is:

“Sexual harassment” means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

1. 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,
2. 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.

These definitions are broad and include any sexually oriented conduct, whether it is intended or not, by supervisors, employees and, in some instances, third parties, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers.

Adopted by the Board of Selectmen: June 27, 1995

Revised: November 4, 1996

Prohibited conduct also extends to any function or activity that is officially sponsored by the Town of Groton. While it is not possible for the Town of Groton to list all those circumstances that we would consider to be sexual harassment, the following are some examples:

- B. Unwelcome sexual advances – whether they involve physical touching or not;
- C. Requests for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment; and/or
- D. Assault or coerced sexual acts.
- E. The following conduct may also constitute sexual harassment in certain circumstances:
- F. Use of 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;
- G. Displaying sexually suggestive objects, pictures, cartoons;
- H. Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- I. Inquiries into one's sexual experiences;
- J. Discussion of one's sexual activities; and
- K. Comments regarding gender stereotypes that demean, embarrass or humiliate employees.

### **III. Private Counseling Option**

An employee that believes he/she is the victim of sexual harassment, in addition to the right to file a complaint, may also seek advice from the Personnel Manager. This person is available to discuss any concerns that an employee may have and to provide information about our policy on sexual harassment and our complaint process. If an employee desires, this individual will work with the employee to find a way of resolving their concerns in an informal manner acceptable to the employee and in a manner which would offer the employee as much privacy and confidentiality as is possible. If this option does not resolve the complaint, the employee may proceed through our complaint procedure set forth in Section IV below.

### **IV. Complaints of Sexual Harassment**

If any Town employee believes that they have been subjected to sexual harassment, it is our policy to provide the employee with the right to file a complaint with the Town of Groton. This may be done in writing or orally to the Personnel Manager. Upon receipt of the complaint, the Personnel Manager will then investigate the allegation in a fair and expeditious manner. The investigation would include a private interview with the person filing the complaint and with any witnesses. The Personnel Manager will also interview the person alleged to have committed sexual harassment. If necessary, a request for written

statements may be made in addition to private interviews. If the Personnel Manager is unable to resolve the complaint, he/she will report the investigative findings to the Chairman of the Board of Selectmen for disposition.

- A. If the investigation reveals that sexual harassment did occur, the Town will act promptly to eliminate the offending conduct, and where it is appropriate, the Town will also impose disciplinary action, which could include termination from employment. In addition, when the investigation is completed through formal or informal procedures, the Town will inform the person filing the complaint and the alleged harasser of the results of that investigation, including allegations that have not been sustained.

## **V. Disciplinary Action**

If sexual harassment has been committed by a Town employee, the Town will take such action as is appropriate under the circumstances. Such actions may include: counseling, informal or formal reprimands, written or verbal warnings, suspension, reduction in pay, reduction in duties, transfers, and other formal sanctions including termination from employment, or request resignation in the case of an elected official depending upon the circumstances.

## **VI. State and Federal Remedies**

In addition to the above, if an employee believes he/she has been subjected to sexual harassment, a formal complaint may be filed with either or both of the following government agencies:

- A. The United States Equal Employment Opportunity Commission  
1 Congress Street, 10<sup>th</sup> Floor, Rm. 1001  
Boston, MA 02114  
(617) 565-3200
- B. The Massachusetts Commission Against Discrimination  
  
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

**SEXUAL HARASSMENT POLICY – ADOPTED JUNE 27, 1995**

Amended November 4, 1996; April 9, 2007

I have received a copy of and read the Sexual Harassment Policy of the Town of Groton  
Adopted by the Board of Selectmen November 4, 1996.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
(please print)

Affiliation: \_\_\_\_\_ Date: \_\_\_\_\_

2007 ANNUAL DISTRIBUTION

Adopted by the Board of Selectmen: June 27, 1995  
Amended November 4, 1996, April 9, 2007