

**RESOLUTION 2023-9  
RESOLUTION READOPTING  
THE ANTI-HARASSMENT POLICY  
OF THE BORDENTOWN SEWERAGE AUTHORITY**

WHEREAS, The Bordentown Sewerage Authority is unequivocally opposed to discrimination against, or harassment of, any individual that is based on race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy), marital status, domestic partnership or civil union status, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability, perceived disability, and AIDS and HIV status; and

WHEREAS, the Authority will not tolerate such discrimination or harassment in the workplace or outside of the workplace if it creates in the workplace a hostile, offensive or intimidating environment; and

WHEREAS, in an effort to prevent such discrimination or harassment, the Authority hereby readopts its "Anti-Harassment Policy and Procedure" in the form attached, which it shall enforce; and

WHEREAS, the Anti-Harassment Policy and Procedure shall be posted in prominent places throughout the workplace and shall be distributed to all employees; and

WHEREAS, the Authority shall require that all employees and supervisors receive periodic training concerning their rights and obligations under the Anti-Harassment Policy and Procedure.


NOW, THEREFORE, BE IT RESOLVED by The Bordentown Sewerage Authority this 17<sup>th</sup> day of January, 2023 that the Anti-Harassment Policy and Procedure be and the same is hereby readopted in the form attached to this resolution.

BE IT FURTHER RESOLVED that the Executive Director be and the same is hereby charged with the responsibility of posting copies in prominent places throughout the workplace, in distributing copies to all employees and in arranging training for all employees and supervisors concerning their rights and obligations under the Anti-Harassment Policy and Procedure.


BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

THE BORDENTOWN SEWERAGE AUTHORITY

By:

  
James E. Lynch, Jr., Chairman

Attest:

  
Aneka Miller, Secretary

## **THE BORDENTOWN SEWERAGE AUTHORITY ANTI-HARASSMENT POLICY**

The Bordentown Sewerage Authority has committed to a workplace free from harassment that is based on race, creed, color, religion, sex, gender identity or expression, national origin, ancestry, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, familial status, genetic information, disability (including perceived disability, physical, mental, and/or intellectual disabilities, AIDS or HIV infection), pregnancy, childbirth, breastfeeding, political affiliation (to the extent protected by law), atypical hereditary cellular or blood trait, or because of the liability for service in the Armed Forces of the United States, veteran status, citizenship status or any other group status protected by law. Any such harassment is a violation of federal and State anti-discrimination laws and will not be tolerated by the Employer. This policy applies to all employees as well as to any individuals who may come in contact with employees. Reprisals against anyone who makes a complaint under this policy will not be tolerated and violators of the policy will be subject to discipline, up to and including termination, and may be subject to any other liability authorized under applicable law.

Additionally, it is a violation of this policy to engage in sexual (or gender-based) harassment of any kind, including hostile work environment harassment, quid pro quo harassment, or same-sex harassment. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example,

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of prohibited behaviors that may constitute sexual harassment and are therefore a violation of this policy include, but are not limited to:

1. Generalized gender-based remarks and comments;
2. Unwanted physical contact such as intentional touching, grabbing, pinching, brushing against another's body or impeding or blocking movement;
3. Verbal, written or electronic sexually suggestive or obscene comments, jokes or propositions including letters, notes, e-mails, text messages, invitations, gestures or inappropriate comments about a person's clothing;
4. Visual contact, such as leering or staring at another's body; gesturing; displaying sexually suggestive objects, cartoons, posters, magazines or pictures of scantily-clad individuals; or displaying sexually suggestive material on a bulletin board, on a locker room wall, or on a screen saver;

5. Explicit or implicit suggestions of sex by a supervisor or manager in return for a favorable employment action such as hiring, compensation, promotion, or retention;
6. Suggesting or implying that failure to accept a request for a date or sex would result in an adverse employment consequence with respect to any employment practice such as performance evaluation or promotional opportunity; or
7. Continuing to engage in certain behaviors of a sexual nature after an objection has been raised by the target of such inappropriate behavior.

Any employee found to have violated any portion or portions of this policy may be subject to appropriate administrative and/or disciplinary action which may include, but which shall not be limited to: referral for training, referral for counseling, written or verbal reprimand, suspension, reassignment, demotion or termination of employment. Referral to another appropriate authority for review for possible violation of federal and State statutes may also be appropriate.

Employee Responsibilities – The Employer cannot address or correct harassing conduct that it is not aware of. Any employee who believes that he/she has been subjected to any form of prohibited discrimination/harassment, or who witnesses others being subjected to such discrimination/harassment, or otherwise has knowledge of others being subjected to such discrimination/harassment is expected to promptly report the incident(s) to a supervisor or directly to the Employer's Equal Employment Opportunity/Affirmative Action Officer or to any other persons designated by the Employer to receive workplace discrimination complaints. Specifically, employees are encouraged to utilize the attached Discrimination Complaint Processing Form.

All employees are expected to cooperate with investigations undertaken pursuant to this section. Failure to cooperate in an investigation may result in administrative and/or disciplinary action, up to and including termination of employment.

Supervisor Responsibilities – Supervisors shall make every effort to maintain a work environment that is free from any form of prohibited discrimination/harassment. Supervisors shall immediately refer allegations of prohibited discrimination/harassment to the Employer's Equal Employment Opportunity/Affirmative Action Officer, or any other individual designated by the Employer to receive complaints of workplace discrimination/harassment. A supervisor's failure to comply with these requirements may result in administrative and/or disciplinary action, up to and including termination of employment.

For purposes of this section, a "supervisor" is defined broadly to include any manager and/or other individual who has authority to control the work environment of any other staff member.

Investigation of Complaints – Any complaint made under this section shall be investigated by the Employer in a manner consistent with the New Jersey State Model Procedures for Internal Complaints Alleging Discrimination in the Workplace. Additionally, all complaints and investigations shall be handled, to the extent possible, in a manner that will protect the privacy interests of those involved. To the extent practical and appropriate under the circumstances, confidentiality shall be maintained throughout the investigatory process. In the course of an investigation, it may be necessary to

discuss the claims with the person(s) against whom the complaint was filed and other persons who may have relevant knowledge or who have a legitimate need to know about the matter. All persons interviewed, including witnesses, shall be directed not to discuss any aspect of the investigation with others in light of the important privacy interests of all concerned. Failure to comply with this confidentiality directive may result in administrative and/or disciplinary action, up to and including termination of employment.