

City of Hickory  
Anti-harassment Policy and Procedure

1. Policy

The City of Hickory is committed to a work environment in which all individuals are treated with dignity and respect. The City prohibits any form of harassment of coworkers and applicants based on religion, age, creed, sex, national origin, color, race, disability, or any other affiliation as defined by law.

2. Definitions

- A. Harassment: Any type of behavior which is based on religion, age, creed, sex, national origin, color, race, disability, or any other affiliation as defined by law, that is so severe or pervasive that it interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment
- B. Sexual harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting such individual, or (3) 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.

3. Responsibilities

- A. City Manager: The City Manager is responsible for providing direction and support in monitoring and enforcing this policy.
- B. Human Resources Director: The Human Resources Director is responsible for communicating the sexual harassment policy, coordinating training for coworkers, and initiating investigation of harassment complaints.
- C. Department heads and supervisors: Department heads and all levels of supervisors are responsible for maintaining a work environment free of harassment and for reporting all allegations of harassment regardless of the source of the complaint.
- D. Coworkers: Coworkers are responsible for treating others with respect and consideration, for establishing the parameters of their own social behavior, and, when necessary, informing other coworkers of behavior which is not acceptable and which must be stopped.

4. Procedures/Rules

- A. Any coworker who feels he/she has been harassed should notify his/her supervisor, department head, or the Human Resources director as early as it is practical. Normally, this report of harassment should be made no later than two weeks after the offense. Harassment reported later than 180 days after offenses occur will be investigated at the discretion of the City Manager. If the complaint is against a department head, the coworker should notify either the Human Resources Director or the City Manager. Coworkers who report harassment shall do so without fear of reprisals.

5. Upon oral or written notification from any source, a supervisor within 48 hours must report the complaint to the department head who will notify the Human Resources Director. The Human Resources Director, if notified by a coworker, will inform the appropriate department head of the complaint. The Human Resources Director will inform the City Manager of all harassment complaints. Failure to follow proper reporting procedures may result in disciplinary action, up to and including dismissal.
  - A. The Human Resources Department shall initiate an investigation of the complaint within 10 days of its receipt.
    1. The coworker will be asked, but not required, to submit a signed written statement regarding the charge or to sign a statement prepared by the investigator(s). The investigation will proceed with or without a signed statement.
    2. Investigations will be handled as confidentially as possible; charges will be discussed only with those who are involved in the investigation or those who have a need to know.
    3. Findings of the investigation will be documented in writing and filed with the Human Resources Director and the City Manager.
    4. The complainant will be notified when the investigation is complete, the results of the investigation, and, if appropriate, the action taken. If the coworker is not satisfied with the results of the investigation, the grievance procedure shall be the next option available to the coworker. The coworker shall have 10 days from the receipt of the findings to file a grievance.
    5. Verification of harassment charges shall subject the offender to disciplinary action up to and including dismissal.
    6. Verification that false allegations of harassment were deliberately and knowingly made will subject the complainant to disciplinary action up to and including dismissal.

  
Mick Berry, City Manager