



# CITY OF GRAND RAPIDS ADMINISTRATIVE POLICY

NUMBER: 01-01	DATE: March 5, 2001
REVISIONS: 10-20-09; 3-9-10, 12-14-15	
ISSUED BY: City Manager	SIGNATURE: <i>Megyn A. Sundstrom</i>

**SUBJECT: HARASSMENT IN THE WORKPLACE**

**PURPOSE:** To establish a uniform policy to eliminate workplace harassment.

**POLICY:**

The City of Grand Rapids is committed to a healthy, harassment-free work environment for all our employees. To this extent, the City of Grand Rapids is and will continue to be intolerant of behavior that is determined to be harassing to employees, citizens or patrons to city services.

Workplace harassment consists of unwelcome behavior directed toward an individual or group because of race, color, creed, religion, national origin, ancestry, age, gender, marital status, disability, height, weight, sexual orientation, or gender identity.

**I. Definitions:**

**Workplace Harassment:** A form of offensive treatment or behavior (verbal or physical), which to a reasonable person creates an intimidating, hostile or abusive work environment or has the purpose or effect of unreasonably interfering with an individual's work performance based on race, color, creed, religion, national origin, ancestry, age, gender, marital status, disability, height, weight, sexual orientation, or gender identity. Workplace harassment may also encompass other forms of hostile, abusive, "bullying", intimidating, threatening, humiliating, and/or violent behavior which are prohibited by this policy.

**Hostile Work Environment:** Hostile work environment harassment involves conduct which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment based on the above protected categories. The harassment must be sufficiently severe or pervasive so as to alter the terms of employment and to create an abusive work environment.

**Tangible Employment Action:** A significant change in employment status due to unwelcome behavior of a supervisor. Tangible job benefits (hiring, promotion, salary increases, job assignments, and performance evaluations) are granted or denied based on the submission to or rejection of unwelcome harassing conduct.

**Reasonable Person Standard:** Behavior that a “reasonable person” would find offensive or objectionable because of a protected characteristic.

## II. Types of Workplace Harassment

A. A non-exhaustive list of situations which might constitute workplace harassment based on real or perceived religion, race, color, national origin, age, height, weight, familial status, marital status, disability status or gender orientation are as follows:

- Slurs and jokes a class of persons or individual based on the above mentioned protected groups
- Jokes that have the purpose or effect of stereotyping, demeaning, or making fun of any protected group.
- Displays of explicit or offensive calendars, posters, pictures, drawings or cartoons which reflect disparagingly upon a class of persons or a particular person based on the above mentioned protected groups
- Derogatory remarks about a person’s national origin, race, language or accent;
- Threatening, abusive, or offensive phone calls, letters or messages;
- Dismissive treatment or expressing prejudice or stereotypical treatment of individuals or groups of individuals based on the above mentioned protected groups
- Verbal or non-verbal innuendo that relates to or reflects negatively upon any protected group;
- Continuous exclusion of individuals or group of individuals from normal conversation, work assignments, work related social activities and networks based on the above mentioned protected groups;
- Internet web sites and communications as outlined by Administrative Policy 84-02 Section III, D. Prohibited Activities include: “Material that is fraudulent, harassing, embarrassing, sexually explicit, racially offensive, profane, obscene, intimidating, defamatory, or otherwise unlawful or inappropriate may not be downloaded, sent by e-mail or attachments there to or other form of electronic communication (such as bulletin board systems, newsgroups, chat groups) or displayed on, or stored in the City’s computers, unless it is necessary for the conduct of the persons responsibilities with the City and then only in that purpose.”

B. Not every instance of a perceived workplace harassment encounter may be considered harassment. Examples which may not be workplace harassment are:

- Performance appraisals which focus attention on work performance issues.
- Justified verbal counseling by supervisors.
- Constructive work related criticism.

### **III. Responsibilities**

#### **A. Supervisors**

Supervisors have the responsibility to:

- Understand the City's policies on workplace harassment.
- Understand the City's complaint processes.
- Take immediate action to alleviate situations that may be considered workplace harassment.
- Immediately report incidents of workplace harassment to the Diversity and Inclusion Office.
- Observe and be conscious of employee behavior and watch for both subtle and obvious forms of workplace harassment and how these behaviors may negatively affect the work and self-esteem of their workforce.
- Understand how the impact of their actions and attitudes on this issue affect the workforce.
- Exhibit the type of behavior that they expect from their workforce.
- Demonstrate their willingness to discuss the issue of workplace harassment.
- Inform their workforce that they will take immediate action if a complaint of workplace harassment.
- Encourage employees to read and understand the City's workplace harassment policy.
- Provide employees with information about resources within the City that are available to them if they need assistance in handling a situation involving workplace harassment.

#### **B. Employees:**

Employees have the responsibility to:

- Understand the City's policy on workplace harassment.
- Understand and use the City's complaint processes.
- Immediately report incidents of workplace harassment to their supervisor, the Diversity and Inclusion Office or the Labor Relations Department.
- Observe and be conscious of their behavior and the impact of their behavior on fellow employees.
- Exhibit professional and respectful behavior in the workplace.

#### **C. City of Grand Rapids:**

The City of Grand Rapids has the responsibility to:

- Develop a clearly defined policy and complaint process for incidents of workplace harassment.
- Assure that all employees receive training on the City's workplace harassment policy and complaint procedures.
- Thoroughly investigate all complaints of workplace harassment.
- Treat all employees respectfully and fairly in the investigative process.
- Assure that the working environment of the City of Grand Rapids is free from workplace harassment.

#### IV. Complaint Procedure

- A. Any employee who believes he or she has been the subject of workplace harassment should report the harassing conduct **immediately** to any of the following:
- their supervisor
  - department director
  - Diversity and Inclusion Office
  - Labor Relations Department.
- B. Any employee who believes he or she has been the subject of workplace harassment and wishes to file a formal complaint with the Diversity and Inclusion Office must present this complaint to the Diversity and Inclusion Office within one hundred eighty (180) calendar days of the occurrence of the alleged harassment.
- C. The Diversity and Inclusion Office is the “Clearinghouse” for all workplace harassment complaints. All individuals who receive complaints of workplace harassment **shall**
- notify the Diversity and Inclusion Office **immediately**;
  - take steps to prevent continued and/or future occurrences; and
  - provide the Diversity and Inclusion Office with a completed Workplace Harassment Complaint Referral Form (attached) within 2 weeks of the alleged occurrence.
- D. It will be considered misconduct for an employee to harass another employee, customer, citizen, contractor, or visitor while engaged in the performance in work duties and responsibilities.
- E. It will be considered misconduct for directors or supervisors who know or should have known of workplace harassment to fail to report such behavior and who fail to take immediate, appropriate corrective action. Individuals failing to obey the above-mentioned directive shall be subject to discipline, up to and including discharge.
- F. The Diversity and Inclusion Office will undertake or cause to be undertaken a confidential investigation upon the receipt of a workplace harassment complaint. All parties in the investigation will be treated with respect and dignity. This process will result in a factual determination based on the evidence received.
- G. Any employee found to have harassed another employee in violation of this policy will be subject to appropriate disciplinary sanctions ranging from a warning in his or her file up to and including termination.
- H. Retaliating or discriminating against an employee for filing a workplace harassment complaint is strictly prohibited and will be dealt with in an expedient fashion with appropriate disciplinary sanctions.
- I. The City recognizes that false accusations of workplace harassment can have serious effects on innocent men, women and their families. Therefore, all employees are expected to act in a responsible and professional manner to establish a working environment free of discrimination and harassment.

Send to: **CONFIDENTIAL**  
Diversity and Inclusion Office  
300 Monroe Avenue NW, Suite 840  
Grand Rapids, MI 49503  
(616) 456-3027

## WORKPLACE HARASSMENT COMPLAINT REFERRAL

Date of Report: \_\_\_\_\_

Referring Individual/Department: \_\_\_\_\_

Phone number: \_\_\_\_\_

Date of Alleged Occurrence(s): \_\_\_\_\_

Complainant Name: \_\_\_\_\_

Complainant Department: \_\_\_\_\_ Phone: \_\_\_\_\_

Respondent Name: \_\_\_\_\_

Respondent Department: \_\_\_\_\_ Phone: \_\_\_\_\_

Description of Alleged Occurrence: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Supervisor Action Taken: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Referring Individual

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received by

\_\_\_\_\_  
Date