

# Town of Sherborn

## Sexual Harassment Policy

Sexual Harassment in the workplace is unlawful, and it is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of such a complaint. The Board of Selectmen subscribes to the following guidelines concerning sexual harassment and has adopted them as Town Policy. An atmosphere of tension created by discriminatory remarks or discriminatory animosity does not belong in our workplace and will not be tolerated.

For purposes of this policy, sexual harassment is defined as any type of sexually oriented conduct whether intentional or not, that is unwelcome and has the purpose or effect of creating a work environment that is hostile, offensive or coercive to a reasonable woman or a man. The following are examples of conduct that, depending upon the circumstances, may constitute sexual harassment (a) unwelcome and unwanted sexual jokes, language, epithets, advances or propositions; (b) written or oral abuse of a sexual nature, sexually degrading or vulgar words to describe an individual; (c) the display of sexually suggestive objects, pictures, posters or cartoons; (d) unwelcome and unwanted comments about an individual's body, sexual prowess or sexual deficiencies; (e) asking questions about sexual conduct; (f) unwelcome touching, leering, whistling, brushing against the body, or suggestive, insulting or obscene comments, or gestures and (g) demanding sexual favors in exchange for favorable reviews, assignments, promotions or continued employment or promises of the same.

If you believe you have been the subject of sexual harassment or subjected to hostile, offensive or coercive work environment, or if you are not sure whether certain behavior is sexual harassment or whether it is actionable under this policy, you are strongly encouraged immediately to notify your supervisor, the Personnel Board or the Town Administrator, whose work address and telephone number is listed below, so that the Town may have the opportunity to investigate and deal promptly with your complaint. An investigation of all complaints will be undertaken immediately, and all information will be handled with the highest degree of confidentiality possible under the circumstances and with the due regard for the rights and wishes of all parties. Employees may contact:

Massachusetts Commission against Discrimination, One Ashburton Place, 6th Floor, Boston, Ma 02108

Equal Employment Opportunity Commission, One Congress Street, 10th Floor, Boston, MA 02114

Sherborn Personnel Board, 19 Washington Street, Sherborn, MA 01770

Town Administrator, 19 Washington Street, Sherborn, Ma 01770 508-651-7850

Any employee of the Town who is found by the Town after an investigation to have harassed another in the workplace will be subject to appropriate discipline up to and including termination, depending upon the circumstances of the situation.

Adopted: Board of Selectmen, July 8, 1997

## Town of Sherborn Drug-Free Workplace Policy

### Purpose and Goal

The Town of Sherborn, Massachusetts is committed to protecting the safety, health and wellbeing of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances the Town's respect for individuals with the need to maintain an alcohol and drug-free environment.

- This policy recognizes that employee involvement with alcohol and other drugs can be very disruptive, adversely affect the quality of work and performance of employees, pose serious health risks to users and others, and have a negative impact on productivity and moral.
- The Town encourages employees to voluntarily seek help with drug and alcohol problems

### Covered Workers

Any individual who conducts business for the Town, is applying for a position or is conducting business on the Town's property is covered by our drug-free workplace policy. Our policy includes but is not limited to both full-time and part-time employees.

### Applicability

Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies during all working hours, whenever conducting business or representing the Town, while on call, paid standby and at Town sponsored events.

### Prohibited Behavior

It is a violation of the Town's drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants.

Prescription and over the counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request a change of duty, notify supervisor) to avoid unsafe workplace practices.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of the Town's drug-free workplace policy to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken, if job performance deterioration and/or other accidents occur.

### Notification of Convictions

Any employee who is convicted of a criminal drug violation in the workplace must notify the Town in writing within five calendar days of the conviction. The Town will take appropriate action within 30 days of notification. Federal contracting agencies will be notified when appropriate.

### Consequences

One of the goals of the town's drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may reapply after six months and must successfully pass a pre-employment drug test.

If an employee violates the policy, he or she will be subject to progressive disciplinary action and may be required to enter rehabilitation. An employee required to enter rehabilitation who fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

### Assistance

The Town of Sherborn recognizes that alcohol and drug abuse addiction are treatable illnesses. The Town also recognizes that early intervention and support improve the success of rehabilitation. To support the Town's employees, our drug-free workplace policy:

- Offers all full-time employees (over 20 hours/week) and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP).
- Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

### Confidentiality

All information received by the Town through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

### Shared Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required not to report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off- duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Support fellow employees in seeking help

It is the supervisor's responsibility to:

- Inform the employees of the drug-free workplace policy
- Observe employee performance
- Investigate reports of dangerous practices
- Refer employees to the Employee Assistance Program
- Clearly state consequences of policy violations

### Communication

Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting the town's drug-free workplace program:

- All employees will receive a written copy of the policy
- All employees will receive an update of the policy annually with their paychecks

Approved by the Board of Selectmen May 17, 2005

# Town of Sherborn

## Sexual Harassment and Drug Free Workplace Policy

(Please sign and return to Payroll Department)

Please review the Town of Sherborn Sexual Harassment and Drug Free Workplace policies and then sign below to acknowledge that you have received and read them.

I, \_\_\_\_\_, as an employee of the Town of Sherborn hereby acknowledge that I have received and read the Sexual Harassment Policy and the Town of Sherborn's Drug Free Workplace Policy.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date