

## **County of Muskegon Anti-Harassment Policy**

*(This policy shall be observed by all County of Muskegon operations including those under the auspices of Elected and/or Appointed County Officials.)*

Muskegon County believes that you should be afforded the opportunity to work in an environment free of harassment. Harassment is a form of misconduct that undermines the employment relationship. No employee should be subjected verbally or physically to unsolicited and unwelcome overtures or offensive conduct.

Harassment refers to behavior that is not welcome, that is personally offensive, and that debilitates morale and, therefore, interferes with work effectiveness.

Behavior that amounts to harassment may result in disciplinary action, up to and including dismissal.

### **Definition**

While all forms of discriminatory harassment are prohibited, the Equal Employment Opportunity Commission (EEOC) Guidelines (29 CFR, Section 1604.11) specifically hold that sexual harassment in the workplace constitutes discrimination on the basis of sex, and is therefore a violation of Title VII of the Civil Rights Act of 1964. Such harassment is also a violation of the Michigan Civil Rights statute.

Muskegon County has adopted, and its policy is based on, the definition of sexual harassment set forth by the Equal Employment Opportunity Commission (EEOC). The EEOC defines harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

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

Harassment may also occur under the guise of other protected classifications, including but not limited to; race, religion, sexual orientation, gender, weight, height, age, political affiliation, color, national origin, and/or social economic status.

### **Employer's Responsibility**

Muskegon County wants you to have a work environment free of harassment by its management personnel, by your coworkers and by others with whom you must interact in the course of your work as a Muskegon County employee. Harassment is specifically prohibited as unlawful and as a violation of Muskegon County policy. Muskegon County is responsible for preventing harassment in the workplace, for taking immediate corrective action to stop harassment in the workplace and for promptly investigating any allegation of work-related harassment.

## **Complaint Procedure**

**Anyone** that experiences or witnesses harassment in the workplace should report it immediately to the Equal Employment Opportunity office. You may also report harassment to any other member of Muskegon County's management. All allegations of harassment will be investigated. Under certain circumstances actions may be taken immediately, within 24 to 48 hours. To the extent possible, the confidentiality of any witnesses and the alleged harasser will be protected against unnecessary disclosure. All management receipt and/or knowledge of what he or she believes may constitute harassment should be reported to the County's Equal Employment Opportunity Office within five (5) business days. Failure to meet this requirement will subject you to disciplinary action. When the investigation is complete, the outcome of the investigation will be shared with the complainant. Any complainant, feeling adversely affected by the decisions made at any point in this procedure, maintains all of the external legal remedies set forth in Title VII of the Civil Rights Act of 1964 and the Michigan Civil Rights Act.

## **Retaliation Prohibited**

Muskegon County will not permit employment-based retaliation against anyone who brings a complaint of harassment or who speaks as a witness in the investigation of a complaint of harassment.

## **Written Policy**

You will receive a copy Muskegon County's anti-harassment policy when you begin working for Muskegon County. If Muskegon County should amend or modify its anti-harassment policy, you should receive a copy of the amended or modified policy from your department. The policy will be posted in all places used for posting general information to employees. It will be posted on the Equal Employment Opportunity website @ [www.co.muskegon.mi.us/eo](http://www.co.muskegon.mi.us/eo).

## **Penalties**

**Harassment will not be tolerated at Muskegon County. If an investigation of any allegation of harassment shows that harassing behavior has taken place, the harasser will be subject to disciplinary action, up to and including dismissal.**

### **Contact Information**

**Vernon Nash, EEO Officer**  
**Michael E. Kobza Hall of Justice**  
**990 Terrace Street, 4<sup>th</sup> Floor**  
**(231) 724-6571**

**Mary Villanueva, Board/EEO Liaison**  
**Michael E. Kobza Hall of Justice**  
**990 Terrace Street, 4<sup>th</sup> Floor**  
**(231) 724-7139**

**Fax: (231) 724-4707**  
**Email: [eeo@co.muskegon.mi.us](mailto:eeo@co.muskegon.mi.us)**

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Board of Commissioners July 14, 2009