



**CITY OF MARSHFIELD, WISCONSIN  
POLICIES AND PROCEDURES**

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CHAPTER: Affirmative Action and Equal Opportunity

SUBJECT: Anti-Harassment

POLICY NUMBER: 3.115

PAGES: 3

EFFECTIVE DATE: April 13, 1999

REVISION DATE: January 1, 2012

PRIMARY RESPONSIBILITY: Elected Officials; Managers; Human Resources Manager

**Special Notes: This policy/procedure manual does not in any way constitute an employment contract and the City of Marshfield reserves the right to amend this manual at any time subject only to approval by the Common Council.**

**PURPOSE:**

It is the policy of the City of Marshfield to provide a work environment that is free of harassment. Harassment on the basis of an employee's race, color, creed, ancestry, national origin, age (40 and over), disability, sex, arrest or conviction record, marital status, sexual orientation, membership in the military reserve or use or nonuse of lawful products away from work is expressly prohibited under this policy. Incidents of harassment are demeaning to all persons involved and impair the ability of the City to perform its function. In order to preserve the dignity and worth of all of its employees, the City has adopted this policy which defines and prohibits harassment.

**POLICY:**

Harassment will not be tolerated. Complaints of harassment will be thoroughly investigated. Employees found responsible for harassment will be subject to disciplinary action in accordance with applicable due process requirements, including but not limited to reprimand, suspension or discharge. No employee will be subject to any form of retaliation or discipline for pursuing a harassment complaint.

This policy will be issued to all current employees and during orientation of new employees.

### Definitions:

In general, harassment means persistent and unwelcome conduct or actions on any of the basis listed above. Sexual harassment is one type of harassment and includes unwelcome sexual advances, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature.

Unwelcome verbal or physical conduct of a sexual nature includes, but is not limited to:

- The repeated making of unsolicited, inappropriate gestures or comments;
- The display of offensive sexually graphic materials not necessary for our work;

Harassment on any basis (race, sex, age, disability, etc.) exists whenever:

- Submission to harassing conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- Submission to or rejection of such conduct is used as the basis for an employment decision affecting an individual;
- The conduct interferes with an employee's work or creates an intimidating, hostile or offensive work environment.

### Recognizing Harassment:

Harassment may be subtle, manipulative and is not always evident. It does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome and is personally offensive. All forms of gender harassment are covered. Men can be sexually harassed; men can harass men; women can harass other women. Offenders can be managers, supervisors, co-workers, and non-employees such as clients or vendors.

Some examples:

Verbal:

Jokes, insults and innuendoes (based on race, sex, age, disability, etc.), degrading sexual remarks, referring to someone as a stud, hunk or babe; whistling; cat calls; comments on a person's body or sex life, or pressures for sexual favors.

Non-Verbal:

Gestures, staring, touching, hugging, patting, blocking a person's movement, standing too close, brushing against a person's body, or display of sexually suggestive or degrading pictures, racist or other derogatory cartoons or drawings.

### **PROCEDURE:**

Any employee who believes he or she is being harassed, or any employee who becomes aware of harassment, should promptly file a written complaint with the Human Resources Manager. If the employee believes that the Human Resources Manager is the harasser, the employee should file a written complaint with the City Administrator. Information on your right to file a state or federal harassment complaint is also available from the Human Resources Manager.

The Human Resources Manager is responsible for conducting an investigation of all complaints. The City Administrator would investigate any complaint filed against the Human Resources Manager. Upon notification of a harassment complaint, an investigation will promptly commence and will include direct interviews with involved parties and where necessary, with employees who may be witnesses or have knowledge of matters relating to the complaint. The parties of the complaint will be notified of the findings and their options.

### **Non-Retaliation:**

This policy also expressly prohibits retaliation of any kind against any employee bringing a complaint or assisting in the investigation of a complaint. Such retaliation is also illegal under s. 111.322 (2m), Wis. Stats.

### **Disciplinary Action:**

The City views harassment and retaliation to be among the most serious breaches of work place behavior. Consequently, appropriate disciplinary or corrective action, ranging from a warning to termination, can be expected.

**HARASSMENT COMPLAINT FORM**  
**(Attach additional sheets if necessary)**

Name:

Department:

Job Title:

Immediate Supervisor:

1. Who was responsible for the harassment?
2. Describe the harassment. Include time, date(s) and location for each incident.

What was your reaction?

3. List any witnesses to the harassment.

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**I UNDERSTAND THAT THESE INCIDENTS WILL BE INVESTIGATED AND THAT THIS FORM WILL BE KEPT CONFIDENTIAL AS MUCH AS POSSIBLE.**

Employee:

Date:

**HARASSMENT  
INVESTIGATION FORM**  
(For Supervisory Use)

Name:

Date:

Supervisor:

Address:

Phone Number:

1. What happened? (Objectively state details)
  
2. Who was involved? (Include witnesses)
  
3. Where did the harassment take place?
  
4. When did it take place? (Date and time)
  
5. Does this situation constitute a complaint? (Policy violation, unjust treatment, other management decision)
  
6. Dates of investigation of complaint:
  
7. Date of final report:
  
8. Date of follow-up conference with employee:
  
9. Results:
  
10. Date of follow up conference with employee:
  
11. Results: