CHITTENDEN COUNTY TRANSPORTATION AUTHORITY

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GENERAL HARASSMENT AND SEXUAL HARASSMENT POLICY

This policy replaces CCTA Policy Number P-1 re: sexual harassment adopted by the CCTA Board of Commissioners on October 23, 1996. The intention is to create a broader policy which addresses general harassment in addition to sexual harassment.

Employees are prohibited at all times from engaging in the harassment of any employee, co-worker or member of the general public. For purposes of this policy, "harassment" is defined as statements or conduct of a verbal or physical nature which create an unreasonably abusive or offensive work-related environment for an employee, and which would adversely affect a reasonable employee's ability to do his or her job.

a. General Harassment

It is the policy of CCTA that harassment on the basis of race, color, national origin, age, sex, sexual orientation, marital status, veteran status, presence of physical or mental impairment, religion, HIV-positive status or any other factor is in violation of the company's personnel policies. Prohibited harassment could include but is not limited to comments, slurs, jokes, innuendoes, cartoons, electronic mail messages and/or attachments, pranks, and physical harassment which are inappropriate, derogatory, and would result in an intimidating, hostile or offensive work environment.

b. Sexual Harassment

CCTA does not permit sexual harassment in the workplace, believing that every employee, regardless of sex, has a personal right to an environment free from sexual harassment. Prohibited sexual harassment includes but is not limited to comments, slurs, jokes, innuendoes, cartoons, electronic mail messages and/or attachments, pranks, unwelcome sexual advances, requests for sexual favors, and other unwelcome and inappropriate verbal or physical conduct of a sexual nature, which would result in an intimidating, hostile, or offensive working environment.

Unlawful sexual harassment may occur regardless of the genders of the employees involved. Harassment by an employee that occurs off-duty and off-premises which falls within the above definitions and which affects the work environment as described above may also constitute harassment prohibited by this policy.

Employees have the right to be free from such harassment on the job, either from co-workers, supervisors, managers, or the public (to the extent that CCTA can control the

conduct of the public). According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is a violation of Title VII of the Civil Rights Act that defines sexual harassment as a form of sex discrimination to include:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;

2. Submission to or rejection of such conduct by any individual is used as the basis for tangible employment actions affecting such an individual; and/or

3. Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

c. Complaint Procedure

It is CCTA's goal to resolve these issues at the lowest appropriate supervisory level. Any employee who believes s/he is being harassed by a co-worker, customer, supervisor or manager is strongly encouraged to first tell the alleged harasser to stop by specifically addressing the behavior involved. If the employee does not want to or cannot take this step, s/he is strongly encouraged to immediately notify any of the following personnel: his/her immediate supervisor, the Controller, the Assistant General Manager, or the General Manager. Supervisors who receive a complaint of harassment, or suspect harassment, must immediately report this to the Controller, the Assistant General Manager, or the General Manager for investigation.

An employee may also contact the following:

1. The Equal Employment Opportunity Commission (EEOC), 1801 L Street NW, Washington DC 20507, toll-free (800) 669-4000. Individuals with hearing impairments can use the EEOC's toll-free TDD number (800) 669-6820.
2. Vermont Attorney General, 109 State Street, Montpelier VT 05602, (802) 828-3171. Individuals with hearing impairments can use the Attorney General's TTY number (802) 828-3665.
3. Vermont's Human Rights Commission, 135 State Street, Montpelier VT 05602, toll-free (800) 416-2010 (voice and TDD).
4. The employee's personal lawyer.

Where the employee believes s/he is being harassed by a supervisor, s/he should immediately notify one of the other identified personnel listed above. All complaints, notification, or investigation of a harassment claim will be kept confidential to the extent possible, consistent with CCTA's obligation to address such complaints. If a determination is made that harassment has occurred, an appropriate remedy will be promptly applied. No employee will be retaliated against in any way for making a claim of harassment in good faith. Employees are encouraged to act promptly and not tolerate harassment.

It is the primary responsibility of the person who feels harassed to bring these concerns to CCTA's attention. However, co-workers are also encouraged to report incidents or patterns of prohibited harassment, discrimination or retaliation to appropriate personnel.

d. Investigation of Complaints

Alleged harassment should be reported to the employee's supervisor, the Controller, the Assistant General Manager, or the General Manager in writing within three (3) working days. Supervisors who receive a complaint of harassment, or suspect harassment, must immediately report this to the Controller, the Assistant General Manager, or the General Manager for investigation. An investigation should, whenever possible, include interviews with the directly involved parties and, when necessary, employees who may have observed the alleged harassment or who may be the subject of the same behavior the complainant has reported. The results of the investigation will be relayed to the complainant and the alleged harasser.

e. Disciplinary Action

In the event that a determination is made that harassment has occurred, an appropriate sanction will be established and applied promptly depending on the severity of the offense. Any instance of repeated or continuous harassment, threatened or actual physical advances, or abuse shall be grounds for immediate dismissal. Any of the above disciplinary actions will be recorded in the employee's personnel file.

A written report of the resolution regarding the alleged harassment complaint and any action taken must be submitted to the General Manager within a reasonable amount of time, but in no case, shall the resolution be submitted later than fourteen (14) days from the initial notification of the harassment.

Within thirty days of the written resolution, the investigating supervisor or General Manager shall conduct a follow-up investigation to determine whether sanctions were appropriate and to ensure that the harassment has stopped.

Adopted by the CCTA Board of Commissioners on July 24, 2002

By: Samuel P. Osborne

Samuel P. Osborne, Secretary of the Board

This policy was revised on July 24, 2002, after original adoption on November 28, 2001.