

BY THE COMMON COUNCIL FOR THE
CITY OF CHARLESTOWN, INDIANA

ORDINANCE NO. 1999-12

**AN ORDINANCE ESTABLISHING THE CITY'S POLICY AGAINST RACIAL,
SEXUAL AND OTHER UNLAWFUL HARASSMENT**

WHEREAS, it is a violation of both State and Federal law for any employee to discriminatorily harass any other employee; and

WHEREAS, the City of Charlestown is committed to providing a work environment that is free of discrimination and unlawful harassment; and

WHEREAS, the City will not tolerate verbal or physical conduct which harasses, disrupts or interferes with another's work performance, or which creates an intimidating, hostile, abusive, or offensive work environment;

NOW, THEREFORE, BE IT ORDAINED by the Common Council for the City of Charlestown, Indiana, as follows:

1. Verbal or physical conduct that may constitute discriminatory harassment includes, but is not limited to, actions, words, flirtations, advances, propositions, verbal abuse, jokes, verbal commentaries, or degrading words used to describe an individual, based on an individual's sex, race, color, age, religion, disability, national origin, veteran status, or any other legally protected characteristic. Sexual harassment means any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- (b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (c) Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, abusive, or offensive work environment.

2. Prohibition against such conduct covers any officer, manager, fellow employee, City official, elected official, or a non-employee (such as a vendor, delivery person or the general public) who has contact with the City's employees.

3. Because some conduct may be considered offensive by some and not by others, the City employees should advise his\her fellow employees or supervisor if he\she is offended by the conduct or comments of others which could be perceived or found to be discriminatory harassment. If the conduct or comments continue, the employee should report the matter to any supervisory or managerial person with whom the employee feels comfortable discussing the matter.

4. When a charge of harassment is made, an investigation will be conducted. The confidentiality and privacy of all employees involved will be respected to the extent possible. Any employee making such a report will not be discriminated or retaliated against by reason of having made the report. Any employee who is found, under appropriate

investigation, to have engaged in actionable harassment of another employee will be subject to appropriate sanctions depending upon the circumstances, which may include termination of employment.

5. This ordinance shall constitute the City's policy against racial, sexual, and other unlawful harassment, and a copy of same shall be immediately distributed to every City employee. Every department head and supervisor shall make the policy known to the employees under his\her supervision.

This ordinance shall take effect immediately, and is hereby adopted on the 6TH day of SEPTEMBER, 1999.

Ed Bolly
Ed Bolly

Bruce M. Bottorff
Bruce Bottorff

Nicholas "Tony" Jackson
Tony Jackson

Terry Pierce
Terry Pierce

Ward Tackett
Ward Tackett

Approved by the Mayor on this 6TH day of SEPTEMBER, 1999.

Mayor Bob Braswell
Mayor Bob Braswell

ATTEST:

Sharon Barnes
Sharon Barnes, Clerk Treasurer