

FEEDMORE WNY  
POLICY AND PROCEDURE

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TITLE: Sexual Harassment	ATTACHMENTS: 0

**POLICY:**

The Agency is committed to maintaining a work environment free from all forms of sexual harassment or intimidation. Harassment in any form in the workplace or in other settings in which employees find themselves in connection with employment is unlawful and will not be tolerated.

Sexual harassment is defined 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 any individual's employment;
- submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
- such conduct has the purpose or effect of interfering unreasonably with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Examples of sexual harassment include, but are not limited to, the following:

- an employee who is told by a supervisor that submission to sexual advances is a condition of employment;
- an employee who is terminated or demoted from employment as a result of refusing to submit to a supervisor's sexual advances;
- an employee who is promoted or given a raise, etc. as a result of submitting to a supervisor's sexual advances;
- an employee who is teased, harassed by another employee or employees because of sex, to the point that it creates an intimidating and hostile work environment for the employee;
- an employee who displays or sends sexually suggestive drawings, images, pictures, written materials, cartoons, notes or e-mails in the work environment.
- an employee who acts in retaliation against an individual who reports a violation of the Agency's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

Harassment based on race, color, disability, religion, age, gender, sexual orientation, national origin or other category protected by law is also prohibited under federal and state law and will not be tolerated by FeedMore WNY.

**PROCEDURE:**

Anyone who believes that he/she has been harassed or who possesses knowledge of harassing conduct, should promptly report such harassment to any of the following:

- his/her direct Team Leader
- Agency CEO and/or
- Personnel Committee Chair

Upon a report of alleged harassment, FeedMore WNY will conduct an immediate and thorough investigation of the allegations, including interviews of appropriate individuals (e.g., the complainant, the alleged harasser, possible witnesses, etc.) FeedMore WNY will take appropriate corrective action consistent with the results of the investigation. Corrective action may include any of the following:

- a verbal warning;
- a written warning;
- suspension without pay;
- mandatory sensitivity and harassment training;
- termination; and/or
- any other disciplinary action that FeedMore WNY deems appropriate.

FeedMore WNY may impose any one or more of the corrective actions set forth above at any time should it be determined that harassment has occurred. Corrective action may be accelerated at any time up to and including termination. FeedMore WNY reserves the right to administer any disciplinary action, or combination of disciplinary actions, at any time, regardless of whether the offending party has previously been disciplined. Please note that while this policy sets forth our goals of promoting a workplace that is free of harassment, the policy is not designed or intended to limit FeedMore WNY authority to discipline or take remedial action for workplace conduct which FeedMore WNY deems unacceptable, regardless or whether that conduct satisfies the definition of harassment. Any unauthorized discussion of an investigation related to workplace harassment is prohibited and will be subject to disciplinary action.

It is unlawful to retaliate against an employee for filing a complaint of harassment or for cooperating in an investigation of harassment. No person will be retaliated against, subjected to discipline, or subjected to any other adverse treatment by FeedMore WNY because he or she has made a good faith complaint of harassment, or because he or she cooperated in an investigation of harassment. However, FeedMore WNY reserves the right to take appropriate disciplinary action against any employee reporting a frivolous or bad faith complaint of harassment, or giving false information during the investigation of a complaint. FeedMore WNY will make every reasonable effort to handle harassment complaints in a confidential manner, but may have to disclose identifying information concerning complaint allegations during an investigation.