

# ANTI-HARASSMENT POLICY

## Herkimer County

The County of Herkimer is committed to maintaining a work environment that is free of discrimination. In keeping with this commitment, harassment of Herkimer County employees by anyone, including any officer, supervisor, co-worker, vendor, client, volunteer or customer of Herkimer County will not be tolerated.

Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person's protected status, such as sex, color, race, ancestry, religion, national origin, age, physical handicap, medical condition, disability, marital status, veteran status, citizenship status, sexual orientation, military status, domestic violence victim status, gender identity, criminal history or other protected group status. Herkimer County will not tolerate harassing conduct that affects tangible job benefits or otherwise adversely affects an individual's employment opportunities, that interferes unreasonably with an individual's work performance or that creates an intimidating, hostile or offensive working environment.

In accordance with New York State Labor Law Section 201-g, Herkimer County has adopted a separate sexual harassment policy, which will govern cases of sexual harassment.

All Herkimer County employees are responsible for helping to assure that harassment is avoided. Any employee, client or volunteer who believes they have been discriminated against or are the target of harassment, as defined above, or who believes they have witnessed discrimination or harassment, is to contact their immediate supervisor or the department head of the agency involved immediately. Any supervisory employee who is so approached or any employee who has knowledge of such a situation is to contact the department head immediately to report the complaint. In the alternative, any such supervisory employee who is so approached or any employee who has knowledge of such a situation may report the complaint to any one of the four individuals specified in the paragraph hereafter, instead of reporting to the department head.

As an alternative to making a complaint to the supervisor or department head, the employee may directly contact any of the following to make a complaint of harassment:

Herkimer County Personnel Officer, Mr. Steven R. Billings at 867-1115;

County Administrator, Mr. James W. Wallace, Jr. at 867-1112;

County Treasurer, Ms. Kimberlee Enea at 867-1144; or

Special Assistant to the Commissioner of Social Services/Personnel Staff Developer, Mrs. Linda A. Patten at 867-1275.

Herkimer County forbids retaliation against anyone who has reported harassment or who cooperates in the investigation. The County's policy is to take immediate and appropriate corrective action as a result of all such complaints. A prompt, thorough investigation of the complaint will be initiated and the complainant will be advised of the right to further file with the NYS Division of Human Rights and the Equal Employment Opportunity Commission. Because of the sensitivity of the issue of harassment, efforts will be made to conduct investigations confidentially to ensure protection for those involved.

The department head or other designated County official will conduct a confidential investigation, informing only those with a need to know. All witnesses and anyone with knowledge of the alleged harassment will be interviewed. Where possible, the identity of the alleged harasser will not be revealed. All aspects of the investigation process will be documented. All documents concerning the alleged incident will be kept in a separate file, but if discipline is ultimately imposed, this will be documented and recorded in the harasser's personnel file.

The findings of the investigation will be reported to the County Administrator and the Ways & Means Committee of the Herkimer County Legislature no later than two weeks after receipt of the initial report of the incident. Where necessary, immediate corrective action will be taken to protect the victim and to discipline the harasser up to and including immediate termination of employment, as appropriate. The victim will be informed that the incident has been thoroughly investigated, that disciplinary action has been taken, where appropriate, and that the employer is satisfied that it will not recur.

Herkimer County will develop methods to sensitize all supervisory and nonsupervisory employees on issues of harassment to insure that they fully understand the nature of harassment, in all its forms, and that harassment of any type by anyone will not be tolerated. In order to assure that complaints are investigated promptly and appropriate corrective action is taken, supervisors and administrative personnel will receive ongoing training. The policy and complaint procedures will be audited periodically for effectiveness, accessibility and confidentiality. This policy will be distributed to all officers and employees of Herkimer County and will be conspicuously posted in County buildings.

-----DETACH AT THIS LINE-----

The undersigned has received a copy of and reviewed the Antiharassment Policy, adopted by the Herkimer County Legislature on May 21, 1996, revised on March 21, 2001 and October 24, 2018, including reporting requirements and investigative procedures.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

Witness to Signature:

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Position with County

\_\_\_\_\_  
Department

Kindly complete, detach and return this attestation form to your Supervisor or Department Head.