Personnel Policies
Successful Anti-Harassment Organization

• Committed and engaged leadership
• Consistent and demonstrated accountability
• Strong and comprehensive anti-harassment policy
• Trusted and accessible complaint process
• Regular, interactive training, tailored to our organization
What is Discrimination?

• Discrimination means treating a person unfairly because of who they are or because they possess certain characteristics.

• Discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, disability, age (40 or older) or genetic information (including family medical history) is illegal and will not be tolerated.
Harassment

• Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

• Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.
Sexual Harassment

• In workplaces with 15 or more employees, all new hires must be trained within 1 year of employment.
• Supervisors must be trained specifically for their responsibilities
Employer Liability for Harassment

• The employer is automatically liable for harassment by a supervisor that results in a negative employment action such as termination, failure to promote or hire, and loss of wages. If the supervisor's harassment results in a hostile work environment, the employer can avoid liability only if it can prove that: 1) it reasonably tried to prevent and promptly correct the harassing behavior; and 2) the employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer.

• The employer will be liable for harassment by non-supervisory employees or non-employees over whom it has control (e.g., independent contractors or customers on the premises), if it knew, or should have known about the harassment and failed to take prompt and appropriate corrective action.
Sex Discrimination

• Sex discrimination involves treating someone (an applicant or employee) unfavorably because of that person's sex.

• Discrimination against an individual because of gender identity, including transgender status, or because of sexual orientation is discrimination because of sex in violation of Title VII.
FMLA - Federal

• Covered Employers – All public agencies
• Eligible Employees – work at a location with 50 or more employees in a 75 mile radius
• Employees who have at least 1250 hours of service immediately preceding leave
FML - Maine

- Eligible employees who work for employer with 15 or more employees
- Employees who work at least 12 consecutive months