



# Sexual Harassment Policy

- A. It is the policy of the City of Cheyenne to:
1. Provide employees with a working environment free from sexual harassment.
  2. Communicate such policy and reporting procedures to employees and supervisors.
  3. Recognize the unique nature of complaints of sexual harassment, encourage early reporting by employees and resolve complaints promptly and confidentially; and
  4. Educate and oversee supervisors in the administration of this policy and in regard to their responsibilities.
- B. In determining whether conduct constitutes sexual harassment or creates an intimidating, hostile, or offensive working environment, the totality of the circumstances and the context in which alleged incidents of sexual harassment occurred shall be examined. The determination of whether a particular action constitutes sexual harassment shall be based on the facts of each case.
- C. Employee's responsibilities: An employee who believe he or she has been the target of or subjected to sexual harassment or a hostile work environment shall address the problem as follows:
1. Notify the alleged harasser, if comfortable in doing so, or the employee's supervisor, and request that the behavior stop immediately.
  2. Report sexual harassment to the Human Resources Department within three (3) days, or as soon as practicable, unless the report alleges harassment by an employee of the Human Resources Department, in which case, the report shall be presented to the City Attorney.
  3. If an employee does not feel comfortable reporting sexual harassment to any of the persons noted above, the employee is encouraged to report the matter through the City's Employee Assistance Program (EAP).
  4. The employee shall cooperate in investigating the allegation.
- D. City's responsibilities:
1. The City shall provide training for supervisors and employees relating to sexual harassment.
  2. The City shall maintain an "open door" policy for reporting sexual harassment. Employees may at any time during business hours, report allegations of sexual harassment to their supervisor, the Department Director, the Human Resources Director or the City Attorney.

3. When the City receives an allegation of sexual harassment, it will initiate an investigation.
  4. A thorough and timely investigation shall be coordinated by the Human Resources Director. The investigation may also be conducted by an independent investigator retained by the City for this purpose. The investigation will include an examination of the conduct of all involved parties. A written report of the investigation shall be prepared which shall summarize investigatory actions and a summary of results of the investigation. The complain and investigation will be kept confidential to the maximum extent possible, consistent with a thorough investigation.
  5. In any case where it is determined that an act of sexual harassment has occurred, the City shall act to remedy the problem.
- E. Substantiated violations of this policy shall result in appropriate disciplinary action in accordance with established disciplinary procedures.
  - F. Retaliation against any employee who has filed a charge, testified, assisted or participated in any manner in an investigation under this policy is prohibited.
  - G. Malicious or bad faith allegations of sexual harassment may result in disciplinary action against the complainant. A malicious or bad faith complaint is one which is brought for any wrongful, dishonest or improper purpose including, but not limited to, the purpose of harassing the object of the complaint or needlessly disrupting City operations; or the factual allegations in the complaint lack evidentiary support and have been presented without a good faith belief that the allegations are true.