

Sample Sexual Harassment Policy #1

[Company name]'s position is that sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. All employees have the right to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive, including sexual harassment. Anyone engaging in harassing conduct will be subject to discipline, ranging from a warning to termination.

What is sexual harassment? Sexual harassment is defined as any unwanted physical, verbal or visual sexual advances, requests for sexual favors, and other sexually oriented conduct which is offensive or objectionable to the recipient, including, but not limited to: epithets, derogatory or suggestive comments, slurs or gestures and offensive posters, cartoons, pictures, or drawings.

When is conduct unwelcome or harassing? Unwelcome sexual advances (either verbal or physical), requests for favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- submission to such conduct is either an explicit or implicit term or condition of employment (e.g., promotion, training, timekeeping or overtime assignments)
- submission to or rejection of the conduct is used as a basis for making employment decisions (hiring, promotion, termination)
- the conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment

What is *not* sexual harassment? Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that debilitates morale, and that, therefore, interferes with work effectiveness.

What should you do if you are sexually harassed? If you feel that you have been the recipient of sexually harassing behavior, report it immediately to the owner of [company name] or other supervisor. It is preferable to make a complaint in writing, but you can accompany or follow up your written complaint with a verbal complaint.

If your supervisor is the source of the harassing conduct, report the behavior to that person's supervisor or to the owner of [company name].

Your identity will be protected and you will not be retaliated against for making a complaint.

What happens after a complaint is made? Within [number] of days after a written complaint is made, a supervisor, or other person designated by the owner, will investigate the complaint. The person will speak with possible witnesses and will speak with the person named in your complaint. *Your anonymity will be protected to the extent possible.*

Depending on the complexity of the investigation, you should be contacted within [number plus measure of time (e.g., four days, two weeks, one month)] about the status of your complaint and whether action is being taken.

Sample Sexual Harassment Policy #2

[Company name] believes that you should be afforded the opportunity to work in an environment free of sexual harassment. Sexual harassment is a form of misconduct that undermines the employment relationship. No employee, either male or female, should be subjected verbally or physically to unsolicited and unwelcomed sexual overtures or conduct.

Sexual harassment refers to behavior that is not welcome, that is personally offensive, that debilitates morale and, therefore, interferes with work effectiveness.

Behavior that amounts to sexual harassment may result in disciplinary action, up to and including dismissal.

Definition

[Company name] has adopted, and its policy is based on, the definition of sexual harassment set forth by the Equal Employment Opportunity Commission (EEOC). The EEOC defines sexual harassment 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 your employment
- submission to or rejection of such conduct by you is used as the basis for employment decisions affecting you
- such conduct has the purpose or effect of unreasonably interfering with your work performance or creating an intimidating, hostile or offensive working environment.

Employer's Responsibility

[Company name] wants you to have a work environment free of sexual harassment by management personnel, by your coworkers and by others with whom you must interact in the course of your work as a [company name] employee. Sexual harassment is specifically prohibited as unlawful and as a violation of [company name]'s policy. [company name] is responsible for preventing sexual harassment in the workplace, for taking immediate corrective action to stop sexual harassment in the workplace and for promptly investigating any allegation of work-related sexual harassment.

Complaint Procedure

If you experience or witness sexual harassment in the workplace, report it immediately to _____. You may also report harassment to any other member of [company name]'s management or ownership. All allegations of sexual harassment will be quickly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of that investigation.

Retaliation Prohibited

[Company name] will permit no employment-based retaliation against anyone who brings a complaint of sexual harassment or who speaks as a witness in the investigation of a complaint of sexual harassment.

Written Policy

You will receive a copy of [company name]'s sexual harassment policy when you begin working for [company name]. If at any time you would like another copy of that policy, please contact _____ . If [company name] should amend or modify its sexual harassment policy, you will receive an individual copy of the amended or modified policy.

Penalties

Sexual harassment will not be tolerated at [company name]. If an investigation of any allegation of sexual harassment shows that harassing behavior has taken place, the harasser will be subject to disciplinary action, up to and including dismissal.