

ARTHUR TOWNSHIP POLICY

Against Offensive Conduct, Harassment and Violence

I. General Statement of Policy

It is the policy of Arthur Township to maintain an environment that is free from offensive conduct, harassment and violence including that which is based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation. Arthur Township prohibits any form of discrimination, harassment or violence based upon religion, race, gender, marital status, age, national origin, status with regard to public assistance, sexual orientation or disability.

It shall be a violation of this policy for any employee or elected official of the township to engage in offensive or harassing verbal or physical conduct of a sexual nature or regarding race, national origin, gender, religion, disability, age, status with regard to public assistance, marital status or sexual orientation towards any township employee, elected official or member of the public seeking public services or public accommodations.

It shall be a violation of this policy for any township employee or elected official to inflict, threaten to inflict, or attempt to inflict sexual violence based on religion, race, gender, marital status, status with regard to public assistance, sexual orientation, age, national origin or disability, upon any employee, elected official or member of the public seeking services or accommodations from the township.

The township will act to investigate all complaints, either formal or informal, verbal or written, of offensive, harassing or violent conduct of a sexual nature or based upon religion, national origin, race, age, gender, sexual orientation, marital status, status with regard to public assistance or disability, and to discipline or take appropriate action against any employee or elected official who is found to have violated this policy.

III. Reporting Procedures

Any person who believes he or she has been the victim of offensive conduct of a sexual nature, sexual harassment or harassment or bias based on race, national origin, Gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation by an employee or elected official of the township or any person with knowledge or belief of conduct which may constitute such harassment or bias toward an employee or elected official of the township or any member of the public seeking or receiving services or accommodations, shall report the alleged conduct immediately to a town board supervisor or the clerk.

The town board shall encourage the reporting party or complainant to submit a written report, but an oral report shall be considered complaints as well. Nothing in this policy shall prevent a person from reporting harassment or violence directly to a town board supervisor or the clerk.

A.

1. Any elected official may receive oral or written reports of all types of offensive conduct, harassment and bias described in Section II.
2. Any employee, whether or not the person is an elected official, who receives a formal or informal, oral or written report of harassment, bias or violence as defined in this policy, shall inform the clerk immediately without screening or investigating the report, unless the clerk is involved in the alleged harassment, bias or violence. In the event that the clerk is involved the report shall be made directly to the Chairman of the town board. Failure of an employee to forward such a report to the appropriate party shall be grounds for discipline.
3. Upon receipt of a report, the elected official must notify the clerk. The clerk may request, but may not insist upon, a written complaint by the complainant. A written statement of the facts alleged will be forwarded as soon as practical to the supervisors. If the report was given verbally, the clerk shall personally reduce it to written form within one working day and forward it to the supervisors.
 - a. If the Clerk is not a party to the complaint, and believes immediate action must take place to prevent harm or preserve evidence, the clerk may begin an immediate investigation. Nothing in this section relieves the clerk of responsibility to notify the supervisors.
4. If the complaint involves a township supervisor, the complaint shall be made or filed with the town board chairman or another uninvolved supervisor.

- B.
1. The Town Board hereby designates the Chairman to receive reports of sexual harassment and of offensive conduct, harassment and violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation.
 2. If the complaint involves the chairman, the complaint shall be filed directly with the vice-chairman.
 3. The Township Clerk shall conspicuously post the address and telephone number of the persons designated to receive reports as described herein.
- C. Submission of a good faith complaint or report of offensive or harassing conduct of a sexual nature or offensive conduct, harassment, bias violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation shall not affect the reporter's future employment or access to public services or public accommodations.
- D. The town board will process complaints made under this policy as discreetly as possible, consistent with the township's legal obligation and the necessity to investigate allegations of discriminatory harassment and violence and take the proper action when the conduct has occurred.

IV. Investigation

- A. By authority of the Arthur Town Board, the Township Chairman or Board designated alternate, upon receipt of a report or complaint of offensive or harassing conduct of a sexual nature or offensive conduct, harassment, bias or violence based of race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation, shall undertake or authorize an investigation. The investigation may be conducted by law enforcement officials or by a third party designated by the Arthur Town Board.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

- C. In determining whether alleged conduct constitutes a violation of this policy, the town board shall consider surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationship between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and the surrounding circumstances.
- D. In addition, the Town Board may take immediate steps, at its discretion, to protect the complainant and other employees or members of the public pending completion of the investigation.
- E. The Chairman shall make a written report including determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. If the complaint involves the Chairman and is being handled by the Vice-chairman or the Board designated alternate, the final report will be submitted to the Town Board of Supervisors.

V. Town Board Action

- A. The Town Board will take such action as appropriate based on the results of the investigation. In the event that the investigation establishes that a violation of this policy has occurred, disciplinary or other action may be taken.
- B. Consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes 13.01 et. Seq., the results of the Town Board's investigation will be made available to the complainant.

VI. Reprisal

The Town Board will discipline or take appropriate action against any employee or elected official who retaliates against any person who reports alleged harassment, bias or violence under this policy or any person who testifies, assists or participates in a proceeding or hearing relating to such harassment, bias or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

VII. Discipline

Any Town Board action taken against an individual pursuant to this policy shall be consistent with the requirements of state and federal laws and township policies. The Town Board shall take such disciplinary action it deems necessary and appropriate, including warning, suspension, immediate discharge or other appropriate action to end discriminatory harassment and violence and prevent its recurrence.

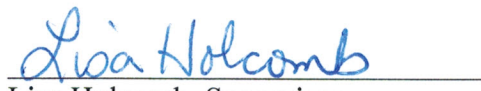
VIII. Dissemination of Policy

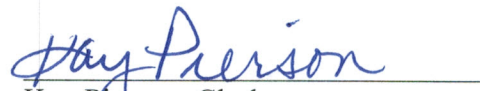
- A. This policy shall be conspicuously posted in the Arthur Town Hall in an area accessible to employees and member of the public.
- B. This policy shall be distributed to all employees upon adoption and to all new employees upon hire.

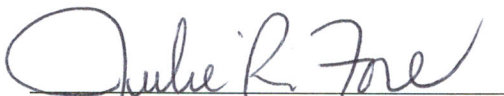
Adopted this 9 day of April, 2012.


Fred Sawatzky, Chairman


Charles McGovern, Vice-chairman


Lisa Holcomb, Supervisor


Kay Pierson, Clerk


Julie Fore, Treasurer