

**Canaan Township, Morrow County  
Harassment and Discrimination Policy  
7-13-2021-2**

The *Board of Trustees* of Canaan Township, in Morrow County  
Ohio met in regular session on the 13th day of July, 2021, at the office  
of Canaan Township, 2170 State Route 95, with the following members present:

John Bayles

Matthew Carwell

Edward Sayers

Mr. Sayers moved the adoption of the following Resolution:

**BE IT RESOLVED** by the *Board of Trustees* of Canaan Township,

# **Canaan Township, Morrow County Harassment and Discrimination Policy**

## **EQUAL EMPLOYMENT OPPORTUNITY**

The Township is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, age, national origin, disability, military status, genetic information or any other unlawful reason. All personnel decisions and practices including, but not limited to, hiring, suspensions, terminations, layoffs, demotions, promotions, transfers, and evaluations, will be made without regard to these listed categories. The Township intends for all of its policies to comply with federal and state equal employment opportunity principles and other related laws.

## **UNLAWFUL DISCRIMINATION AND HARASSMENT**

### **A. Policy.**

The Township is committed to providing a workplace that is safe and free from unlawful discrimination and harassment. Unlawful discrimination or harassment is behavior directed toward an employee based upon the employee's race, color, religion, sex, sexual orientation, gender identity, pregnancy, national origin, age, ancestry, disability, genetic information, or military status ("protected class"). Unlawful discrimination and harassment is inappropriate, illegal, violates this policy and will not be tolerated. All forms of unlawful discrimination and harassment are governed by this policy and must be reported and addressed in accordance with this policy.

### **B. Definitions.**

Unlawful discrimination occurs when individuals are treated less favorably in their employment because of their membership in a protected class. An employer may not discriminate against an individual with respect to the terms and conditions of employment, such as promotions, raises, and other job opportunities, based upon that individual's membership in that protected class.

Harassment is a form of discrimination. Harassment is generally defined as unwelcome conduct based upon a protected class. However, harassment becomes unlawful where:

1. Enduring the offensive conduct becomes a condition of continued employment.
2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Sexual harassment is one type of unlawful harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Unlawful discrimination and harassment do not generally encompass conduct of a socially acceptable nature. However, some conduct that is appropriate in a social setting may be inappropriate in the workplace. Harassment on the basis of an employee's membership in any protected class is unlawful, will not be tolerated, and must be reported as provided under this policy.

**C. Off Duty Conduct.**

Unlawful discrimination or harassment that affects an individual's employment may extend beyond the confines of the workplace. Conduct that occurs off duty and off premises, including over social media and online, may also be subject to this policy.

**D. Workplace Romances.**

To avoid concerns of sexual harassment, preferential treatment and other inappropriate behavior, employees are required to inform John Bayles, Chairman of the Trustees or Jill Retterer, Fiscal Officer, if they currently are, or if they intend to become, romantically involved with a co-worker. Such relationships are not necessarily prohibited but must be appropriately addressed.

Should the Township determine that a conflict exists between an employee's employment and a personal relationship with a co-worker, the Township will attempt to work with the employees to resolve the conflict. Should operational needs prevent resolution, the relationship must cease or one or both of the parties must separate from employment. Supervisors are expressly prohibited from engaging in romantic or sexual relationships with any employee they directly, or indirectly, supervise.

**E. Complaint Procedure.**

Employees who feel they have been subject to unlawful discrimination or harassment by a fellow employee, supervisor, or other individual otherwise affiliated with the Township shall immediately report the conduct, in writing, to John Bayles, Chairman of the Trustees or Jill Retterer, Fiscal Officer, each of whom shall have the authority and responsibility to investigate and take appropriate action concerning the complaint. Similarly, employees who feel they have knowledge of discrimination or harassment, or who have questions or concerns regarding discrimination or harassment, shall also immediately contact John Bayles, Chairman of Trustees or Jill Retterer, Fiscal Officer.

Late reporting of complaints and verbal reporting of complaints will not preclude the Township from taking action. However, so that a thorough and accurate investigation may be conducted, employees are encouraged to submit complaints in writing and in an expedient manner following the harassing or offensive incident. All supervisors are required to follow up on all claims or concerns, whether written or verbal, regarding unlawful discrimination and harassment.

Although employees may confront the alleged harasser at their discretion, they are also required to submit a written report of any incidents as set forth above. When the Township is notified of the alleged harassment, it will timely investigate the complaint. The investigation may include private interviews of the employee allegedly harassed, the employee committing the alleged harassment and any and all witnesses. Information will be kept as confidential as practicable, although complete confidentiality is not guaranteed. All employees are required to cooperate in any investigation.

Determinations of harassment shall be made on a case-by-case basis. If the investigation reveals the complaint is valid, prompt attention and disciplinary action designed to stop the harassment and prevent its recurrence will be taken.

**F. Retaliation.**

The Township also prohibits retaliatory conduct against individuals who file a discrimination or harassment charge, testify, or participate in any way in an investigation or proceeding under this policy or under discrimination law, or who oppose employment practices that they reasonably believe discriminate against protected individuals, in violation of this policy or discrimination law ("protected activity"). Retaliatory conduct against individuals who are close personal friends or family members with an individual who engaged in protected activity is also prohibited under this policy.

Retaliation is a separate violation under this policy. The Township and its supervisors and employees shall not in any way retaliate against an individual for filing a complaint, reporting harassment, participating in any protected activity. Any employee who feels he has been subjected to retaliatory conduct as a result of actions taken under this policy, or as a result of the employee's relationship with someone who acted under this policy, shall immediately report the conduct to John Bayles, Chairman of the Trustees or Jill Retterer, Fiscal Officer.

**G. False Complaints.**

Legitimate complaints made in good faith are strongly encouraged; however, false complaints or complaints made in bad faith will not be tolerated. Failure to prove unlawful discrimination or harassment will not constitute a false complaint without further evidence of bad faith. False complaints are considered to be a violation of this policy. Disciplinary action for filing a false complaint is not a retaliatory act under this policy.

**H. Corrective Action.**

If the Township determines unlawful discrimination, harassment, or retaliation has taken place, appropriate corrective action will be taken, up to and including termination. The corrective action

will be designed to stop the unlawful conduct and prevent its reoccurrence. If appropriate, law enforcement agencies or other licensing bodies will be notified. Any individual exhibiting retaliatory or harassing behavior towards an employee who exercised a right under this policy, or who is a close personal friend or family member of someone who exercised a right under this policy, will be subject to discipline, as will any employee who has knowledge of unlawful conduct and allows that conduct to go unaddressed.

**I. Coverage.**

This policy covers all employees, supervisors, department heads and elected officials. Additionally, this policy covers all suppliers, subcontractors, residents, visitors, clients, volunteers, and any other individual who enters Township property, conducts business on Township property, or who is served by Township personnel.

Mr. Carwell seconded the **Resolution** and the  
roll being called upon its adoption the vote resulted as follows:

Mr. Bayles, yes

Mr. Carwell, yes

Mr. Sayers, yes

Adopted July 13, 2021

  
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Jill Retterer – Fiscal Officer

**THE STATE OF OHIO, MORROW COUNTY, ss:**

I, Jill Retterer, Fiscal Officer of the Board of Trustees

of Canaan Township, in Morrow

County Ohio, and in whose custody the Files, Journals and Records

of said Board are required by the Laws of the State of Ohio to be

kept, do hereby certify that the foregoing

**Resolution** is taken and copied from the original Resolution now on  
file with said Board, that the foregoing Resolution has been compared

by me with the said original and that the same is a true and correct

copy thereof.

**WITNESS** my signature, this 13th day of July, 2021

  
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Jill Retterer, Fiscal Officer

