

## **SEXUAL HARASSMENT POLICY**

### **Mission Statement**

The City prohibits harassment based on an individual's sex or gender. The City of Cleveland will respond promptly to complaints of sexual harassment. Where it is determined that inappropriate behavior has occurred, the City of Cleveland will act to eliminate the behavior and impose corrective action.

No one will be subject to, and the City of Cleveland prohibits, any form of reprisal, intimidation, or retaliation for good faith reports, or complaints of incidents of discrimination of any kind, pursuing any harassment claim, or cooperating in related investigations.

Violations of this policy may result in discipline, up to and including termination of employment.

### **I. Statement of Policy**

- A. Sexual harassment means any harassment based on someone's sex or gender. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when any one of the following criteria is met:
  1. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment.
  2. Submission to or rejection of such by an individual is used as the basis for employment decisions
  3. Such conduct has the purpose or the effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive working environment. The terms "intimidating," "hostile," and "offensive," are interpreted according to legal standards generally from the viewpoint of a reasonable person in similar circumstances and the complaining party.
- B. The City of Cleveland will not tolerate sexual harassment, regardless of form. This list is illustrative and not exhaustive:

**CITY OF CLEVELAND**  
**Human Resources Policies and Procedures**  
**Workplace Policies**

1. Verbal (e.g., epithets, derogatory statements, slurs, sexually related comments or jokes, unwelcome sexual advances, requests for sexual favors, obscene or suggestive comments, or graphic comments about a person's body or sexual prowess.
  2. Non-Verbal (e.g., texts, emails, displaying sexually suggestive posters, cartoons, or drawings, sending adult-themed gifts, suggestive gestures or looks, or leering, etc.).
  3. Physical (e.g., touching, rubbing, grabbing, kissing, hugging, poking, patting, pinching, etc.).
- C. No one will be subject to, and the City of Cleveland prohibits, any form of discipline, reprisal, intimidation, or retaliation for good faith reporting of incidents of harassment of any kind, pursuing any harassment claim, or cooperating in related investigation.

## **II. Complaint Process**

If employees feel that they or someone else may have been subjected to conduct that violates this policy, then they should report it immediately to a supervisor or directly to the Department of Human Resources (DHR). Supervisors must promptly notify the DHR of any reported, observed, or suspected sexual harassment. Failure to promptly notify the DHR of any reported, observed, or suspected sexual harassment may lead to disciplinary action, up to and including termination. Any complaint of sexual harassment will be investigated by the DHR as outlined by the *Anti-Discrimination/Anti-Harassment Policy*. All employees are expected to fully comply with any investigation, and failure to do so is a violation of City policy.

## **III. Confidentiality**

All complaints and investigations are treated confidentially to the extent possible and information is disclosed strictly on a need-to-know basis, but confidentiality cannot be guaranteed. The identity of the complainant often is revealed to the parties involved during the investigation, e.g. witnesses, alleged harasser, Union representative, etc.

## **IV. Additional Information & Resources**

To report violations or ask questions about this policy:

**CITY OF CLEVELAND**  
**Human Resources Policies and Procedures**  
**Workplace Policies**

Employee Relations Manager  
Department of Human Resources  
City Hall- 601 Lakeside Avenue, Room 121 Cleveland, Ohio 44114  
(216) 664-2493

**This policy has been issued under the authority of Matthew Cole, Director of Human Resources:**



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**Signature**

Director of Human Resources  
**Title**

March 25, 2024  
**Date**