

# DEPARTMENT OF LABOR

## HARASSMENT AND DISCRIMINATION POLICY STATEMENT

The Connecticut Department of Labor, in accordance with C.G.S. §46a-60 *et seq.*, and Title VII of the 1964 Civil Rights Act, 42 U.S.C. § 2000e~2(a)(l) affirms its commitment to ensuring a work environment free from any form of discrimination, including sexual harassment.

DOL strictly prohibits discrimination, including sexual harassment and harassment based on all legally protected classes, including race, color, religious creed, age, sex, (including pregnancy, sexual harassment) sexual orientation, workplace hazards to reproductive systems, gender identity or expression, marital status, national origin, ancestry, intellectual disability, genetic information, learning disability, physical disability (including, but not limited to blindness) mental disability (past/present history thereof) or criminal record, and military or veteran status.

"Harassment" is defined as any verbal, physical, visual or written conduct when submission or rejection of this conduct:

**Explicitly or implicitly affects an individual's employment**

**Unreasonably interferes with an individual's work performance**

**Creates an intimidating, hostile or offensive environment**

Workplace harassment is a form of misconduct that undermines the integrity of the employment relationship. The Department of Labor considers harassment in any form, whether in the workplace, at assignments outside the workplace, at work sponsored social functions or elsewhere. Off-duty or non-duty behavior or conduct that affects the Department of Labor may also be considered workplace harassment. The workplace encompasses the actual physical workplace as well as any other place that is work-connected, as well as the conditions or atmosphere under which people are required to work.

Harassment does not refer to occasional compliments or other normal, courteous, pleasant and non-coercive interaction between individuals of a socially acceptable nature. It does refer to behavior that is not welcome, that is personally offensive, that lowers morale and that therefore interferes with effectiveness in the workplace.

It is each manager's and supervisor's responsibility to maintain a work environment free of sexual harassment and to ensure mutual dignity and respect. Every manager will discuss this policy with his/her employees, assuring them that they are not to endure insulting, degrading or exploitive treatment.

The Department of Labor has zero tolerance concerning workplace harassment. Any employee found to be in violation of this policy will be subject to appropriate disciplinary action, up to and including termination.

The Department of Labor will not tolerate harassment by or of non-employees, will take all reasonable measures to prevent such harassment from occurring, and correct any such harassment that occurs.

Any employee who believes she or he has been subject to sexual harassment, or who has witnessed workplace harassment by any employee, prospective employee, vendor, client or any other person connected with his/her employment should immediately report the incident to Marla Shiller (200 Folly Brook Blvd., Wethersfield, CT 06109 Tel. # 860-263-6520 or [marla.shiller@ct.gov](mailto:marla.shiller@ct.gov)), Manager, Office of Diversity and Equity Programs. If the complainant prefers s/he may report the matter directly to his/her supervisor, the Director of Human Resources, or any other member of management.

All managers and supervisory staff share responsibility for the implementation of this policy. A manager or supervisor who receives a complaint about harassment, witnesses harassment, becomes aware of or believes that someone is engaging in prohibited conduct shall report it to the Equal Employment Opportunity Manager, Marla Shiller. Any supervisor or manager found to be in violation of any part of this policy shall be subject to disciplinary action, up to and including termination.

### **RETALIATION FOR REPORTING WORKPLACE HARASSMENT IS PROHIBITED**

Retaliation against individuals who report harassment, object to harassment, or assist in a harassment investigation, is prohibited by law and by the Department of Labor. There will be no adverse consequences in the terms and conditions of employment and/or receipt of services of such individuals. An employee who believes s/he may have been retaliated against may amend his/her complaint or file a separate complaint, which will be investigated pursuant to this policy.

### **INVESTIGATION OF HARASSMENT COMPLAINTS**

1. All complaints shall be filed within thirty (30) days of the alleged act of discrimination or harassment. The filing, investigation, and resolution of any complaint shall not exceed ninety (90) days to ensure ample time to file with state and federal regulatory agencies.
2. All complaints must be in writing on form CRP-1. The filing date of the complaint is the day it is received by the Office of Diversity and Equity Programs. All complaints, informal and formal are confidential to the extent of the law.
3. Each complaint shall contain:
  - a. The full name and work address of the complainant.
  - b. The full name and work address of the respondent.
  - c. A concise description of the alleged discriminatory or harassing act(s).
  - d. The date(s) of the alleged discriminatory or harassing act(s).
4. The EEO Manager will issue each complainant written acknowledgement which shall include:
  - a. A list of enforcement agencies outside DOL.
  - b. An advisement that the complainant may exercise any contractual rights he/she has pursuant to any applicable collective bargaining agreement.
5. Within five (5) business days of the filing of the complaint, the EEO Manager will meet with the complainant to review the complaint. The EEO Manager may dismiss the complaint if, in her opinion, the allegations made do not constitute a violation of federal and state anti-discrimination law.
6. The complainant will be asked for corroborating evidence, but the absence of corroborating evidence shall not automatically lead to the conclusion that the alleged harasser did not violate this policy.

7. The investigation will be conducted in a manner to protect the confidentiality of the parties and the witnesses. The investigator's notes will be kept confidential and not included in any personnel file.
8. The EEO Manager will notify the manager(s), witness(es) and the person(s) alleged to have committed the discriminatory or harassing act(s) of the filing of the complaint prior to conducting interviews with such persons, and will be informed of the non-retaliation provisions of this policy. Any person scheduled for an interview is entitled to union representation (if applicable).
9. The EEO Manager shall have the authority to access documents, files or records that may be relevant to the investigation.
10. If, after the investigation of the complaint, the EEO Manager concludes that the complaint is not valid and that no discriminatory or harassing act occurred, she shall dismiss the complaint. She will notify all parties of the dismissal within five (5) days of the conclusion of the investigation. The complainant retains the right to pursue the complaint through federal, state or local enforcement agencies, as well as through any contractual remedies.
11. If, after the investigation of the complaint, the EEO Manager finds reason to believe that a discriminatory or harassing act may have occurred, she shall submit the findings to the Commissioner and Director of Human Resources within five (5) days of the conclusion of the investigation.
12. The EEO Manager, in consultation with other appropriate administrative staff, shall review the findings and submit a recommendation for resolution to the Commissioner within fifteen (15) days of the conclusion of the investigation.
13. A copy of the recommendation shall be provided to the complainant and respondent, who shall both have ten (10) days in which to file a statement with the Commissioner regarding the recommendation.
14. The Commissioner shall issue his resolution within fifteen days of receiving the recommendation. The Commissioner's decision on the resolution shall be final under this complaint resolution procedure. All parties to the complaint will receive notification of the resolution in writing.
15. All records obtained during the investigation under this complaint resolution procedure shall be maintained by the EEO Manager. The EEO Manager will exercise every precaution to insure that all records are treated as confidential, and shall resist requests for disclosure, except where disclosure is required by law.
16. No person who exercises rights under this procedure or who appears as a witness shall be subject to retaliation by any employee of this agency. Any act of retaliation will subject the perpetrator to discipline by the Department of Labor in addition to any sanctions imposed by federal or state non-discrimination laws. The agency will review complaints on a regular basis to determine if a pattern exists.