Employ Milwaukee Workforce Investment Board

Anti-Harassment Policy

CEO Approval:

Reason: This policy was created to provide written procedures on how to handle harassment issues in programs and Job Centers under the jurisdiction of Employ Milwaukee the Milwaukee Workforce Development Board.

Purpose:

To establish local anti-harassment standards for the programs and Job Centers under the purview of Employ Milwaukee.

Authority:

Title VII of the Civil Rights Act of 1964.

Local Policy

Employ Milwaukee is committed to maintaining a service environment free of sexual and other forms of unlawful harassment in our job centers and for all programs. Participants referenced in this policy are jobseeker customers, not employer customers. This policy must be shared with all Service Provider staff and participants.

Employ Milwaukee strictly prohibits and will not tolerate any form of unlawful harassment. Service Provider staff and participants who engage in harassing behavior will be subject to immediate and severe disciplinary action, up to and including termination of services and/or employment.

Service Provider staff and/or participants who are subject to unwelcome or offensive conduct by a fellow customer, Employ Milwaukee employee, or any other party participating in Employ Milwaukee services, must report the conduct immediately pursuant to the procedure provided in the policy. Early reporting and prompt intervention are the most effective methods of resolving and deterring harassment. Service Provider staff and/or participants should not assume management is aware of alleged harassment. If you believe you have been or are being harassed, you should report the matter immediately to the Service Provider Program Director, the Employ Milwaukee EO Officer, or any other member of Employ Milwaukee management. Any supervisor who becomes aware of possible harassment must immediately advise the Service Providers EO Officer who will then contact the Employ Milwaukee EO Officer immediately. The EO Officer will conduct a prompt and thorough investigation and take any necessary remedial or disciplinary action warranted by the investigation.

This policy shall be made available upon request.

Program Procedures

All participants shall read and receive a copy of Attachment A - Notice of Anti-Harassment Procedures found in this policy. The participant must sign the Receipt of Acknowledgment form, which shall list the Anti-Harassment Policy. The participant anti-harassment documentation, the Attachment A - Notice of Anti-Harassment Procedures and the Receipt of Acknowledgment form

shall be included in the intake process and packet upload, alongside the grievance and equal opportunity forms.

Attachment A - Anti-Harassment Policy Acknowledgement shall be included in the upload that contains the Grievance and Equal Opportunity documentation.

Complaint Filing Procedures

Guidance has been established for lodging a complaint of harassment. Employ Milwaukee shall treat all aspects of the procedure confidentially to the extent reasonably possible. In the event that any program registrant or participant, a One-Stop partner, a service provider, or any other interested party has a complaint of harassment, an opportunity to submit the complaint shall be offered. Please use the Attachment B: Harassment Reporting Form.

Contents of Complaint

a) A clear, concise statement of the facts of the case, including--

1. The full name, telephone number, and address of the complainant;
2. The full name, mailing address, and phone number of the party or parties alleged to have committed the act, if accessible.
3. A clear and concise statement of the facts, including pertinent dates, stating the alleged violation
4. Provision of WIOA or other program regulations, if known, which the complainant believes were violated;
5. A statement disclosing whether the complaint has been cross-filed with any other jurisdiction and whether these other proceedings have been commenced or concluded, including dates, authorities, and other pertinent information; and
6. The signature of the complainant or his/her authorized representative;
7. A statement of the resolution which the complainant seeks.

b) Any other factual information supporting the complaint.

Attention: Carrie A. Hersh EO Officer
Employ Milwaukee, Inc.
Workforce Development Board
2342 N 27th Street
Milwaukee, WI 53210
carrie.hersh@employmilwaukee.org

Process of Investigation

Upon receiving a written complaint of a potential violation of this policy, the EO Officer of Employ Milwaukee must investigate the complaint to determine both the complainant's and respondent's version of the facts and to determine which provision of the law, program regulations, or contract apply. If a complaint is filed by an EMPLOY MILWAUKEE staff person, the CEO and Human Resources Manager is responsible for the investigation and informal resolution process.

Steps Timetable

1. File Written Complaint Day one
2. Investigation Through day 12
3. Informal Resolution Through day 12
4. Request for Hearing No later than day 15
5. Hearing No later than day 30
6. Final Local Decision No later than day 60

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state, or federal agencies or the courts.

Compliance

The CFO or CEO shall review all harassment claims and responses to ensure each claim process is compliant with local policy and procedures.

It shall be the responsibility of the EO Officer to develop and carry out methods and procedures to implement this policy - including directives, technical assistance, and compliance monitoring activities.

Attachments

Attachment A: Notice of Anti-Harassment Procedures
Attachment B: Harassment Reporting Form
Attachment C: Participant Receipt and Reporting Agreement

Employ Milwaukee is an Equal Opportunity Employer and Service Provider. Auxiliary aids and services are available upon request to individuals with disabilities. If you need this information interpreted to a language you understand or in a different format, please contact Carrie A. Hersh, Equal Opportunity Officer, at 414-270-1726 or Carrie. Hersh@EmployMilwaukee.org. Callers who are deaf or hearing or speech-impaired may reach us at Wisconsin Relay Number 711.

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EMPLOY MILWAUKEE

Notice of Anti-Harassment Procedures

Employ Milwaukee, is funded under the federal Workforce Innovation and Opportunity Act (WIOA) of 2014. As a recipient of federal funds, EMI and contractors must comply with all WIOA requirements and EMI approved policies.

Notice of Anti-Harassment Procedures
Every applicant, participant, employee, or other interested party shall have the right, without fear of reprisal, to present a complaint or grievance. Harassment is divided into two areas: ***Sexual Harassment*** and ***Other Forms of Prohibited Harassment***.

Sexual Harassment
Sexual harassment prohibited by Employ Milwaukee includes, but is not limited to, any offensive conduct, verbal or non-verbal, related to an individual's sex, including: sexual advances, requests for sexual favors, unwelcome or offensive touching, and any other inappropriate conduct of a sexual nature. Examples of sexual harassment prohibited by this policy include:

- Submission to conduct of a sexual nature is made either explicitly or implicitly as a term or condition of an individual's services.
- Dating or other romantic or sexual relationships between customers over the age of 18 and customers legally considered a minor (17 years old or younger).
- Unwanted physical contact or conduct of any kind occurs, including sexual flirtations, touching, advances, or propositions.
- Verbal harassment of a sexual nature occurs, such as lewd comments, sexual jokes or references, and offensive personal references.
- Demeaning, insulting, intimidating, or sexually suggestive comments are made about an individual or individuals.
- Displaying any objects, pictures, photographs, or other items which are demeaning, insulting, intimidating, lewd, sexually suggestive, or pornographic.
- Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages are conveyed (such as letters, memos, notes, e-mail, instant messaging, telephonic, or other written or verbal communications).
- Any other inappropriate conduct of a sexual nature creating an intimidating, hostile, or offensive environment.

Other Forms of Prohibited Harassment
Other forms of harassment prohibited by Employ Milwaukee include any offensive conduct, verbal or non-verbal, relating to one's race, color, religion, pregnancy, national origin, age, disability, sexual orientation, genetic information, veteran's status or citizenship, such as, but not limited to the following:

- Unwanted physical contact, hazing, assault, battery, or threats.
- Verbal harassment, such as offensive or insensitive comments, jokes, slurs, epithets, or inappropriate and offensive personal references.
- Demeaning, insulting, intimidating, or threatening comments.
- Displaying any objects, pictures, photographs, or other items which are demeaning, insulting, intimidating, or offensive.
- Demeaning, insulting, intimidating, or offensive written, recorded, or electronically transmitted messages (such as graffiti, letters, memos, notes, e-mail, text messaging, instant messaging, telephonic, or other written or verbal communications).
- Any other conduct relating to one's race, color, religion, pregnancy, national origin, genetic information, age, disability, veteran status, or citizenship that has the purpose or effect of interfering with one's work performance or creating an intimidating, hostile, or offensive work environment.

Harassment Reporting
Early reporting and prompt intervention are the most effective methods of resolving and deterring harassment. Customers should not assume management is aware of alleged harassment. If you believe you have been or are being harassed, you should report the matter immediately to the EO Officer, or any other member of Employ Milwaukee management. Any supervisor who becomes aware of possible harassment must immediately advise the Program Director who will then contact the EO Officer/ Manager of Compliance immediately. The EO Officer/ Manger of Compliance will conduct a prompt and thorough investigation and take any necessary remedial or disciplinary action warranted by the investigation. Due to the sensitive and potentially harmful, damaging, and disruptive nature of allegations of harassment, Employ Milwaukee will maintain reports of harassment as confidential as possible under the circumstances.

Harassment Complaints
Each report of harassment, including reports of alleged retaliation against those who have reported possible harassment, will be investigated promptly and thoroughly. The investigation may include individual interviews with the parties involved and, when necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. To assure objectivity and impartiality, any individual accused of harassment or retaliation will not be involved in the investigative or disciplinary process in a decision-making capacity. Confidentiality will be maintained throughout the investigation to the extent consistent with an adequate investigation and appropriate corrective action.

- Upon receipt of written complaint, appropriate management will notify the person(s) charged of a complaint and initiate the investigation, then interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.
- Within **15 business days** of the complaint being filed (or the matter being referred to the DWD), the CEO or other person conducting the investigation will conclude the investigation and submit a written report of his or her findings to Employ Milwaukee's Executive Committee.
- If it is determined that harassment or discrimination in violation of this policy has occurred, the CEO will recommend appropriate disciplinary action.
- **Within five days after the investigation is concluded**, the CEO, CFO, designated Program Director, Human Resource Manager, or the EO Officer, or a combination of any of the listed, will meet with the complainant and the respondent separately, notify them of the findings of the investigation, and inform them of the action being taken. The decision will be in writing and will include a statement for or against disciplinary action.

Request for Hearing

- The complainant and the respondent may submit statements to the EO Officer challenging the factual basis of the findings. Any such statement must be submitted no later than three days after the conclusion meeting in which the findings of the investigation are discussed.
- The request for a hearing must include a copy of the complaint and the reasons the complainant is not satisfied with the informal resolution process.
- Upon receipt of the complaint, Employ Milwaukee will investigate, prepare a report of facts, schedule a Grievance Committee hearing (no later than 30 days from filing date), and notify all parties.
- The Grievance Committee will review the staff's report, which identifies pertinent issues, and formulate appropriate questions for the hearing.

Remedial and Disciplinary Action

Employ Milwaukee will respond promptly and appropriately to misconduct constituting harassment, discrimination, or retaliation. Appropriate action may be taken pending the outcome of the investigation, and the party who filed the claim of harassment will be notified of the result. Responsive action following an investigation will be based on the results of the investigation and may include one or more of the following: referral to counseling or disciplinary action such as termination of services,or contacting law enforcement. Please note all customers caught engaging in sexual relations with a legal minor will be immediately reported to law enforcement.

IMPORTANT NOTICE TO ALL CUSTOMERS

Customers who have experienced unlawful harassment or retaliation have an obligation to take advantage of this complaint procedure. A customer's failure to fulfill this obligation could detrimentally affect his or her rights in pursuing legal action.

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Harassment Report Form

Person Reporting Harassment

First Name | Last Name | Phone Number

Street Address | City | State | Zip Code

Email Address

Harassment Victim's Information

First Name | Last Name | Phone Number

Street Address | City | State | Zip Code

Email Address

Description of Harassment: Include names of witnesses, their contact information, and the date(s) for which the alleged acts of the harassment occurred, or if continuing, when such acts began and describe the continuing nature. If more room is needed please use the back of this document.

Date(s) of Harassment

Person Reporting Signature **Date**

Employ Milwaukee Representative Receiving Form Signature **Date**

EMPLOY MILWAUKEE
ANTI-HARASSMENT POLICY ACKOWLEDGMENT FORM

I, _____, have read the Employ Milwaukee Anti- Harassment Policy. I understand my rights under the law and agree to report all acts of Harassment to an Employ Milwaukee authorized staff member within the same business day of the initial communication. I agree to submit reports of harassment to the Program Director or onsite manager immediately.

_____

Print Name

_____

Signature

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Form Date: 11/5/2019