

Business Committee Meeting JULY 16, 1993 - Regular

Agenda Item #3VI.2.A. TEMPORARY EMPLOYEE POSITIONS AND SEXUAL HARASSMENT POLICY

MOTION BY JULIE BARTON TO APPROVE THE SEXUAL HARASSMENT POLICY WITH CORRECTIONS, SECONDED BY MARK POWLESS, MOTION CARRIED UNANIMOUSLY. LIMITED TEMPORARY EMPLOYEE POSITIONS REFERRED TO HRD OFFICE.

Sexual Harassment Policy

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It is the Oneida Tribes Policy that all employees have a right to work in an environment free of discrimination which includes freedom from harassment, more specifically sexual harassment. The Oneida Tribe considers sexual harassment, in whatever form, in the workplace to be a serious violation of an individual's dignity and personal rights. In all matters, where a complaint of sexual harassment is lodged against an employee, the Oneida Tribe has a duty and obligation to conduct a thorough investigation using discretion, good judgment and the principles and practice of strict confidentiality.

If sexual harassment has been committed, the progressive disciplinary process is as follows (W,S,T)

Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such 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 individuals, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

a. Sexual Harassment (W/S/T)

(1). Procedure

- (a). Should an employee have a complaint, he/she should file a formal (written) complaint with the Human Resources Department.
- (b). The Human Resources Department is obligated to investigate the complaint which is to be held in the strictest of confidence. This investigation shall be done within five working days from receiving the formal written complaint.
- (c). After investigating the complaint and the Human Resources Department finds cause to take disciplinary action due to sexual harassment violation the employee will be disciplined accordingly by their supervisor. This disciplinary action shall be initiated within five working days from the date the supervisor receives the report from the Human Resources Department.

Adopted – 7-16-93, BC motion