

ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
 Resolution No. 24-12-32
 Governance Review: December 18, 2024
 December 18, 2024

ANNUAL REVIEW OF HARASSMENT POLICY

WHEREAS, the St. Lawrence County Industrial Development Agency (the “Agency”) is committed to maintaining a workplace free from harassment, and

WHEREAS, the St. Lawrence County Industrial Development Agency (the “Agency”) has had in place since 2010 a policy outlining the prevention of harassment of its employees and visitors, and

WHEREAS, Agency policies, standards and procedures undergo periodic review by the Agency’s Governance Committee, and

WHEREAS, new State mandates concerning harassment prevention and training were recently made available as guidance, and

WHEREAS, staff participated in an annual training exercise that meets the guidelines established by the New York State Department of Labor;

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Industrial Development Agency’s Governance Committee, having reviewed the current Harassment Policy, does recommend acceptance by the Agency Board, the Policy and Complaint Form, as attached.

Move:	LaBaff			
Second:	Reagen			
VOTE	AYE	NAY	ABSTAIN	ABSENT
Blevins	X			
Hall	X			
LaBaff	X			
McMahon	X			
Morrill	X			
Reagen	X			
Staples				X

I HEREBY CERTIFY that I have compared this copy of this Resolution with the original record in this office, and that the same is a correct transcript thereof and of the whole of said original record.

/s/

Lori Sibley
December 18, 2024

Policy Guidance:

Harassment Policy

Original Policy (Date): October 1, 2010

Revised (Date): October 5, 2018

Annual Review – Governance Committee: October 28, 2022

Annual Review – Governance Committee: December 20, 2023

Introduction

The St. Lawrence County Industrial Development Agency is committed to maintaining a workplace free from harassment and discrimination. Harassment is a form of workplace discrimination that subjects employees to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or orientation. Harassment is often viewed simply as a form of gender-based discrimination, but the St. Lawrence County IDA recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designated to prevent harassment and discrimination in the workplace. This policy is one component of the St. Lawrence County Industrial Development Agency's commitment to a discrimination-free work environment.

Goals of this Policy:

harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report harassment or discrimination by filing a complaint internally with the St. Lawrence County Industrial Development Agency. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit: <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

Policy Guidance:

1. The St. Lawrence County Industrial Development Agency's policy applies to all employees, applicants for employment, interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include people commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with the St. Lawrence County Industrial Development Agency. For the remainder of this policy, the term "covered individual" refers to these individuals who are not direct employees of the company.
2. Harassment will not be tolerated. Any employee or covered individual who engages in harassment, discrimination or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
3. Retaliation is prohibited: Any employee or covered individual that reports an incident of harassment or discrimination, provides information, or otherwise assists in any investigation of a harassment or discrimination complaint is protected from retaliation. No one should fear reporting harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of the St. Lawrence County Industrial Development Agency who retaliates against anyone involved in a harassment or discrimination investigation will be subjected to disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or the Workforce Development Specialist. All employees and covered employees who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.
4. Discrimination of any kind, including harassment, is a violation of our policies, is unlawful, and may subject the St. Lawrence County Industrial Development Agency to liability for harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees of every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.

5. The St. Lawrence County Industrial Development Agency will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about harassment or discrimination, or when it otherwise knows of possible discrimination or harassment occurring. The St. Lawrence County Industrial Development Agency will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or harassment occurred, the St. Lawrence County Industrial Development Agency will act as required. In addition to any required discipline, the St. Lawrence County Industrial Development Agency will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or harassment.

6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. The St. Lawrence County Industrial Development Agency will provide all employees a complaint form for employees to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Workforce Development Specialist.

7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email it will also be available on the organization's shared network.

What Is "Harassment"?

Harassment is a form of gender-based discrimination and is unlawful under federal, state, and (where applicable) local law. harassment includes harassment on the basis of sex, orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. harassment is not limited to contact, touching, or expressions of a suggestive nature. Harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of harassment. The gender spectrum is nuanced, but the three most common ways people are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male and female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that arises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), orientation, or gender expression is considered a violation of the St. Lawrence County Industrial Development Agency's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a nature, when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the harassment; or
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to, or rejection of, such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions. There are two main types of harassment:

Behaviors that contribute to a **hostile work environment** includes, but is not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Harassment also consists of any unwanted verbal or physical advances, explicit derogatory or discriminatory statements which an employee finds offensive or objectionable causes an employee discomfort or humiliation, which interferes with the employee's job performance.

Harassment also occurs when a person in authority tries to trade job benefits for favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “**quid pro quo**” harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

Examples of Harassment

The following describes some of the types of acts that may be unlawful harassment and that are strictly prohibited. **This list is just a sample of behaviors and should not be considered exhaustive.** Any employee who believes they have experienced harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee’s body or poking another employee’s body; or
 - Rape, battery, molestation or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted comments, advances, or propositions, such as:
 - Requests for favors accompanied by implied or overt threats concerning the target’s job performance evaluation, a promotion or other job benefits.
 - This can include advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship.
 - Subtle or obvious pressure for unwelcome activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions or comments about a person’s sexuality or experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone’s conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look.
 - Remarks regarding an employee’s gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.

- Discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are demeaning or pornographic. This includes such displays on workplace computers or cell phones and sharing such displays while in the workplace.
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, orientation, gender identity or gender expression, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work.
 - Bullying, yelling, name-calling.
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities.
 - Dress codes that place more emphasis on women's attire.
 - Leaving parents/caregivers out of meetings.

Who can be a target of harassment?

harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. **Harassers can be** a supervisor, supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination.
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting harassment; or
- Past experiences as a survivor of domestic or violence may lead an individual to feel retraumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words and actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where can harassment occur?

Unlawful harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if it occurs away from the workplace premises, on personal devices, or during non-work hours.

Harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demolition, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts.
- Publicly releasing personnel files.
- Refusing to provide a reference or providing an unwarranted negative reference.
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama”.
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over a promotion, or moving an individual’s desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person:

- Made a complaint of harassment or discrimination, either internally or with any government agency.
- Testified or assisted in a proceeding involving harassment or discrimination under the Human Rights Law or other anti-discrimination law.
- Oppose harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment.
- Reported that another employee has been harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Harassment

Preventing harassment is everyone's responsibility, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, manager, or the Workforce Development Specialist. Anyone who witnesses or becomes aware of potential instances of harassment should report such behavior to a supervisor, manager, or Workforce Development Specialist.

Reports of harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it, but the complaint form is not required. Employees who are reporting harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

Employees and covered individuals who believe they have been a target of harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

Supervisors and managers have a responsibility to prevent harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected harassment, observe what may be harassing or discriminatory behavior, or for any reason suspect that harassment or discrimination is occurring, **are required** to report such suspected harassment to the Workforce Development Specialist. Managers or supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and managers can be subject to discipline for engaging in harassing or discriminatory behavior themselves. Supervisors or managers can also be disciplined for failing to report suspected harassment or allowing harassment to continue after they know about it. Supervisors and managers will also be subject to discipline for engaging in any retaliation.

While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior.
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment.
3. A bystander can record or take notes on the harassment incident to benefit future investigation.
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling, and let them know the behavior was not ok and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

Complaints and Investigations of Harassment

All complaints or information about harassment will be investigated, whether that information was reported in verbal or written form. Investigations of any complaint, information, or knowledge of suspected harassment will be conducted in a timely manner, thorough, started and completed as soon as possible. The investigation will be kept confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including those making a harassment claim, witnesses and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected harassment. The St. Lawrence County Industrial Development Agency will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

The St. Lawrence County Industrial Development Agency recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee.

Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the Workforce Development Specialist will conduct an immediate review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (e.g., instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If the complaint is verbal, request that the individual complete the “Complaint Form” in writing. If the person reporting prefers not to fill out the Complaint Form, the Workforce Development Specialist will prepare a complaint form or equivalent documentation based on the verbal reporting.
- Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. The Workforce Development Specialist will consider and implement appropriate document requests, review, and preservation measures, including for electronic communications.
- Interview all parties involved, including any relevant witnesses.
- Create a written documentation of the investigation (such as a letter, memo, or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents.
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, disclosed in the investigation, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual(s) who reported and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
- Inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections and External Remedies

harassment is not only prohibited by the St. Lawrence County Industrial Development Agency but is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report harassment. Employees and covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

New York State Division of Human Rights

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in the New York State Supreme Court.

Complaints of harassment filed with DHR may be submitted any time **within three years** of the harassment. If an individual does not file a complaint with DHR, they can sue directly in state court under the HRL, **within three years** of the alleged harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the St. Lawrence County Industrial Development Agency does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Contact DHR harassment hotline at **1 (800) HARASS3** or visit dhr.ny.gov/complaint for more information about filing a complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in harassment matters who can provide you with limited free assistance and counsel over the phone. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website also contains contact information for DHR's regional offices across New York State.

The United States Equal Employment Opportunity Commission:

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days of the most recent incident of harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. At which point the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue letter permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination law may have been violated or believes that unlawful discrimination occurred but does not file a lawsuit.

Individuals may obtain relief in mediation, settlement, or conciliation. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of harassment or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact the local police department.

Conclusion

The policy outlined above is aimed at providing employees at the St. Lawrence County Industrial Development Agency and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on harassment and gender discrimination, the New York State Human Rights Law protects against discrimination in several protected classes including sex, orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, predisposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

By my signature, below, I acknowledge that I have received a copy of the above policy. I understand that I am expected to read and understand the policy as it contains important information relative to my employment with the St. Lawrence County Industrial Development Agency.

Harassment Policy

Employee Signature: _____

Date: _____

Original: Employee File

Copy: For Employee