

## **TOWN OF RAMAPO AFFIRMATIVE ACTION POLICY**

This Affirmative Action Policy reaffirms the Town of Ramapo's Affirmative Action Policy, assigns responsibility for its implementation, establishes requirements for all departments and delineates a uniform process for responding to employee complaints of discrimination.

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

It is the policy of the Town of Ramapo to provide equal opportunity to all individuals through personnel and employment practices which adhere to Federal and New York State Human Rights laws. These laws prohibit discrimination in hiring, firing, promotion, compensation and other employment practices, conditions and privileges of employment, because of race, color, sex, national origin, marital status, religion, age, disability, prior non-job related criminal record or Vietnam era veteran status. They further require that reasonable accommodation be made for individuals with disabilities and that contractors engaging in business with the Town of Ramapo meet equal employment opportunity standards.

Further, the Town of Ramapo is committed to developing and maintaining avenues of entry and advancement for qualified individuals regardless of their race, color, sex, national origin, religion, age, disability, prior non-job related criminal record or Vietnam Era Veteran status. To that end, all Town department heads actively recruit and promote individuals to reflect the basic composition of the Town's general labor force. The Town of Ramapo continually examines its job specifications to eliminate any barriers to employment, advancement or merit, and seeks to maximize the development of all members of the work force through training and development.

Further, the Town of Ramapo is committed to making, for its employees, a workplace free of discrimination, discrimination being the commission of any act or statement which affects any other person based upon race, color, sex, national origin, marital status, religion, age, disability, prior non-job related criminal record or Vietnam era veteran's status.

The Town Supervisor has the responsibility for an effective Affirmative Action Program. To assist him the responsibility for coordination, implementation and administration of the Town's Affirmative Action Policy is delegated to the Personnel Administrator of the Town, hereinafter referred to as the "Affirmative Action Coordinator." The Coordinator of Affirmative Action shall ensure compliance with all Federal and New York State Human Rights laws, as well as Town laws and policies pertaining to affirmative action and equal employment opportunity, whether expressed by legislative act or executive order.

## ***II. Policy Objectives***

This policy has as its primary objective the development of programmatic approaches to the elimination of discriminatory employment practices, policies and their consequences as they affect protected classes in all phases of employment.

In order to attain this objective, the following activities will be monitored and evaluated on an ongoing basis:

**A. Recruitment** - An affirmative recruiting program shall include, but is not limited to:

- expanding recruitment contacts and sources to the disadvantaged, to females, minorities, Vietnam veterans, mature workers and handicapped individuals,
- maintaining active contacts with community, civic, professional and bi-lingual organizations and institutions of higher learning;
- posting job and promotional opportunities in a conspicuous and timely fashion;
- establishing ongoing contact with guidance and vocational personnel within the school districts to provide career opportunities, counseling and information relative to employment preparation and training;
- composing and designing recruitment literature to reflect the diversity of the Town's population;
- arranging for local media to broadcast public service announcements and preparing interviews or materials regarding career opportunities in local government for public dissemination;
- reviewing positions and turnover rates to determine vacancy patterns in order to plan appropriate recruitment efforts; and
- reviewing methods and techniques used in interviewing job applicants.

**B. Selection, Appointment, Assignment** – affirmative selection, appointment and assignment process shall include, but is not limited to:

- increasing employment opportunities for the handicapped by adopting specific, non-competitive positions in accordance with provisions of Section 55a of the Civil Service Law when applicable to the Town;
- expanding avenues of entry to afford non-professional staff the opportunity for promotions into technical and professional positions;

- analyzing reasons for non-selection of qualified job applicants within the protected classes;
- reviewing job criteria and physical requirements to ensure that they are not culturally, racially or sexually biased and that job qualifications are relevant to job performance and duties;
- conducting post-examination reviews of test items to identify possible discriminatory impact and advising the New York State Department of Civil Service of identified items.

**C. Skill Enhancement and Upward Mobility** – affirmative skill enhancement and upward mobility program will include, but is not limited to:

- re-examining non-competitive job specifications primarily involve the utilization of practical skills in the operation of equipment to determine whether a non-written test may provide greater opportunities the employment of otherwise qualified individuals whose English language skills may be deficient;
- developing training programs within each department to increase skills, proficiency and knowledge of Town employees;
- developing a long-range program of career counseling, guidance, position redesign and the establishment "career ladders";
- reviewing positions for possible classification or reclassification in order to ensure that promotional lines are adequate, that the number of dead-end are significantly reduced, if not entirely eliminated, and that positions, particularly at the entry level, are filled by trainees in order to provide a restrictive recruitment base;
- continuing to utilize, wherever feasible, promotional examinations to facilitate the upgrading of the present workforce and to facilitate and implement specific career opportunities for lower level employees who are in positions or occupational series which do not enable them to realize their full work potential;
- utilizing collateral as well as direct promotional lines and interdepartmental promotional examinations to increase opportunities, especially for employees in the smaller departments; and
- continuing to review and modify, if necessary, civil service job opportunities to provide realistic job related minimum requirements and maximum promotional opportunities.

**D. Termination, Resignation and Retirement** – including, but not limited to:

- conducting exit interviews to determine any patterns of discrimination;

**E. Other Personnel and Managerial Actions** – including, but not limited to:

- evaluating policies relating to the granting of leaves, the transfer of employees to other work sites and the standard of job performance and conduct and
- re-assessing the role of the supervisor and the quality and the sensitivity of supervision.

### ***III. Implementation of Responsibilities***

**Section A. Town Supervisor** – The Town Supervisor shall have ultimate authority to insure the attainment of the objectives of the Town of Ramapo Affirmative Action Policy and the enforcement of Federal and State equal employment opportunity laws within Town government.

These responsibilities include, but are not limited to:

1. establishing an office of Affirmative Action within the office of the Town Supervisor and appointing its Coordinator;
2. overseeing the development of affirmative action policy and programs, with the authority to approve or reject policy and action taken by the Coordinator;
3. reviewing reports from the Affirmative Action Coordinator on the progress of the program;
4. conducting at least one yearly meeting of department heads for general discussion of the progress made and the problems encountered in implementing the affirmative action plans of the Town; and
5. delegating the authority for the day-to-day operation of the affirmative action program to the Coordinator.

**Section B. Affirmative Action Coordinator** – The Affirmative Action Coordinator shall have general responsibilities for the design, implementation and administration of the Town's affirmative action policy, plan and program. The Coordinator reports directly to the Town Supervisor.

These responsibilities include, but are not limited to:

1. overseeing and coordinating the implementation of the Town's Affirmative Action Plan;

2. assisting departments, upon request, in the development and/or modification of the department's own Affirmative Action Plan;
3. collecting and analyzing appropriate statistical data with respect to the Town's population, labor force and work force;
4. disseminating information to those concerned with respect to current Federal and State statutes or regulations affecting equal employment opportunity;
5. serving as a resource person for affirmative action matters for all Town departments, offices and agencies;
6. monitoring the progress made by the Town toward its affirmative action goals and identifying problem areas and barriers in the way of full implementation;
7. recommending solutions to problem areas and barriers to achieving affirmative action goals;
8. organizing and/or conducting appropriate training programs in the field of affirmative action;
9. serving as the Chairperson of the Employee Affirmative Action Council and
10. performing such other functions to further affirmative action as the Town Supervisor may direct.

**Section C. Department Head** – The Department Heads shall have general responsibilities for insuring that the Town's Equal Employment Opportunity Policy and Affirmative Action Policy are fully implemented within their departments.

These responsibilities include, but are not limited to:

1. adhering to and taking all necessary steps to implement the Town's Affirmative Action Plan with respect to departmental operations whether or not specifically noted herein;
2. reviewing, on a continuing basis, all policies, practices, procedures and criteria used in the department's operations to ascertain their discriminatory impact, if any;
3. reviewing the composition of departmental personnel in light of both the Town workforce and the Town population in general to ascertain whether the distribution or the composition may reflect possible discriminatory actions;
4. maintaining affirmative action principles in making appointments and promotions falling under his/her jurisdiction, especially provisional appointments made in the absence of civil service eligible lists and to non-competitive appointments;
5. developing and maintaining an Affirmative Action Plan on a yearly basis for the department in order to assure that effective steps are being taken to correct matters brought to light by the review of the department's policies and practices or of the composition of agency personnel;

6. assuring that all departmental employees, particularly those in management and supervisory positions, are aware of affirmative action principles and the Town's commitment thereto;
7. designating an employee as the Affirmative Action Advisory Council Representative for the department, office or agency, reporting such designation to the Town Supervisor and the Town Affirmative Action Coordinator;
8. providing for in-house or other appropriate training of supervisory personnel in affirmative action matters as well as appropriate extramural training of the department's Affirmative Action Representative; and

**Section D. Affirmative Action Council Representative** – The Affirmative Action Council Representative shall be the Department Head or his/her designee. This individual shall serve on the Affirmative Action Council and is responsible for giving advice and making recommendations on complaints of discrimination and assisting the Affirmative Action Coordinator in formulating policy.

These responsibilities include, but are not limited to:

1. advising the head of the department, office or agency with respect to the discriminatory impact of any departmental policy or practice;
2. monitoring appointments, promotions, assignments and other personnel actions of the agency to insure that affirmative action guidelines are being followed;
3. reviewing and recommending modifications, as appropriate, in the Affirmative Action Plan for the agency;
4. receiving initial complaints of discrimination involving agency personnel and attempting to resolve them;
5. making certain that each management and other key supervisory employee in the agency have copies of the Town's and the agency's Affirmative Action Plans and fully understand them;
6. insuring that each employee is provided an ongoing opportunity to review and discuss the Town's Affirmative Action Plans with appropriate department management and/or supervisory personnel;
7. serving as a member of the Affirmative Action Council; and
8. representing the agency in affirmative action matters and, specifically, acting as liaison between the department and the Town Affirmative Action coordinator.

**Section E. Affirmative Action Council** – The Affirmative Action Council shall have the following responsibilities, including but not limited to:

1. meeting upon call of the Affirmative Action Coordinator to discuss specific progress in and barriers to, achieving the affirmative action goals set forth in Town and Departmental Affirmative Action Plans;
2. suggesting and recommending actions to be taken on a Town-wide and/or departmental level to further affirmative goals or to overcome specific problem;
3. providing input, as a group, to the Town Affirmative Action Coordinator with respect to modification and updating of the Town's Affirmative Action Plan;
4. forming one or more sub-committees to serve as an affirmative action support staff to assist the Town Affirmative Action Coordinator in the implementation of the Town's Affirmative Action Plan.

**Section F. Each Town Employee** – This plan envisions the participation of each Town employee in the Affirmative Action process to include the following:

1. reviewing on an ongoing basis a copy of the department's own Affirmative Action Plan as well as the Town's Affirmative Action Plan;
2. following the principles and guidelines set forth in these plans with respect to all actions concerning personnel or clients for which they have responsibility; and
3. bringing to the attention of supervisory personnel or the department's Affirmative Action Representative any policies, procedures, criteria or actions which have discriminatory impact.

#### ***IV. Anti-Discrimination Policy in the Workplace***

In keeping with its Statement of Policy, it is a violation of the policy of the Town of Ramapo for any person who is employed in any capacity by the Town of Ramapo, while in the workplace and/or in the course of their employment, to commit any act or make any statement that evidences or constitutes a discriminatory act against any other person, a fellow employee or otherwise, based upon that persons race, color, sex, national origin, marital status, religion, age, disability, prior non-job related criminal record, or Vietnam era veterans status.

Any act in violation of this policy can form the basis of disciplinary charges pursuant to Section 75 of the Civil Service Law against the actor and, if found guilty of violating this policy, punishment may be imposed as set forth in Section 75 of the Civil Service Law and/or any other relevant and applicable law.

## ***V. Evaluation and Review Mechanism***

**Section A. Affirmative Action Coordinator** – Primary responsibility for the evaluation and review of the Affirmative Action Policy lies with the Affirmative action Coordinator.

**Section B. Department Head** – Each Department Head is responsible for designing and implementing an annual internal program designed to achieve the objectives of the Town's policy. He/she will assign an individual to carry out the plan and make progress reports to the Department Head and the Affirmative Action Coordinator.

Each program will include the following:

1. a statement of support from the Department Head;
2. a statistical breakdown of the department by job title, sex and ethnicity;
3. an analysis of any under utilization of persons of protected classes, including minorities and female employees in all job classes. Under utilization is having fewer persons from the protected classes and females in a job category than can reasonably be expected by their presence in the labor market for that category;
4. a program to correct deficiencies in the protected classes;
5. a projection of anticipated vacancies combined with a program designed to recruit under utilized groups.

These programs will be submitted to the Affirmative Action Coordinator for review. They will be effective for one year from the date of review and approval.

The Affirmative Action Coordinator will be available to all Department Heads to provide any technical assistance for the preparation of these plans.

**Section C. - Affirmative Action Coordinator** - will submit reports to the Town Supervisor outlining the progress of and any problems with this policy. In addition, there will be an annual report to the Town Supervisor and the Town Board which will include an assessment of the progress made towards the goals of this policy.



***READ CAREFULLY***

1. Complete this form only if you, as an employee of the Town of Ramapo, think you have been discriminated against because of race, color, sex, national origin, marital status, religion, age, disability, prior non-job related criminal record, or Vietnam Era Veteran status and wish to file a complaint.
2. If you wish to file a complaint, contact your department's Affirmative Action Council Representative or the Affirmative Action Coordinator for assistance.
3. File your written complaint with the Coordinator of Affirmative Action.
4. Talk with the Affirmative Action Council Representative or the Affirmative Action Coordinator, who will try to informally resolve the matter to your mutual satisfaction within 15 working days.
5. If the Affirmative Action Council Representative is also the Department Head who is the alleged discriminatory official, the Affirmative Action coordinator will act in his/her stead.
6. You may have a representative of your choosing with you at any stage of this proceeding.
7. At any time, you have a right to file a complaint with the New York State Division of Human Rights, E.E.O.C. or a civil action in the appropriate U. S. District Court.

**PLEASE FILL OUT THE ATTACHED COMPLAINT OF DISCRIMINATION**



**TOWN OF RAMAPO  
COMPLAINT OF DISCRIMINATION**

DATE: \_\_\_\_\_

EMPLOYEE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DEPT: \_\_\_\_\_

NATURE OF COMPLAINT: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

WITNESSES IF ANY: \_\_\_\_\_

\_\_\_\_\_

**To be completed by the Affirmative Action Coordinator**

DATE RECEIVED: \_\_\_\_\_

INVESTIGATION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

RESOLUTION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **Town of Ramapo Alcohol and Drug Policy**

***The Town of Ramapo is a drug-free workplace.*** The purpose of this policy is to ensure the safety of all employees and to promote productivity. This policy applies to all employees, including seasonal workers. Substances covered under this policy include alcohol, illegal drugs and inhalants, as well as prescription and over-the-counter drugs.

For the purpose of this policy, you are considered “*under the influence*” if any substance:

- Impairs your behavior or your ability to work safely and productively; or
- Results in a physical or mental condition that creates a risk to your own safety, the safety of others, or company property.

You must follow the rules outlined in this policy while you are on town premises or anywhere you conduct town business, including buildings, grounds, parking lots, and town vehicles:

1. You may not use, possess, or be under the influence of alcohol on town premises.
2. You may not use, possess, or be under the influence of illegal drugs, including inhalants and prescription drugs that have not been prescribed to you.
3. You may not use, possess or be under the influence of marijuana, including THC, CBD oils and other marijuana-derived products.
4. You may not sell, buy, transfer, or distribute any drugs. It is against the law to do so, and we will report such actions to the authorities.
5. You may not use, possess, sell, buy, transfer, or distribute drug paraphernalia or any items used or intended for use in making, packaging, concealing, injecting, inhaling, or consuming illegal drugs.
6. You must follow these rules if you take prescription or over-the-counter drugs on the job.
  - You may use a prescription drug only if a licensed health care provider prescribed it for you within the last year.
  - You may use prescription or over-the-counter drugs only if they do not generally affect your ability to work safely.
  - You must follow the directions, including dosage limits and usage cautions.
  - You must keep these drugs in their original containers or bring only a single-day supply.
  - The town may consult with a doctor to determine if a prescription or over-the-counter drug may create a safety risk if you use it on the job. The town may change your work duties or restrict you from working while you are using a prescription or over-the-counter drug that creates such a safety risk.

7. You may not use machinery or other equipment while taking prescription or over-the-counter drugs that may impair your ability to work safely. This includes operating vehicles.
8. You must notify the Personnel Administrator in the event of a conviction for any federal or state criminal drug statute for acts occurring in the workplace within five (5) days of any such condition.
9. You must cooperate with any investigation into substance abuse.

Any violations of this policy will result in personnel action consistent with the disciplinary provision of the collective bargaining agreement appropriate for your position up to, and including, termination of employment.

### ***Reasonable Suspicion***

Alcohol and/or drug tests will be conducted if a supervisor who is appropriately trained and certified observes behavior, appearance, speech or body odors that are characteristic of illegal or controlled substances, or alcohol misuse and, therefore, has a "reasonable suspicion" that the employee has violated the regulations. Alcohol tests can only be done just before, during or just after the employee's shift.

### ***Assistance***

Our Employee Assistance Program (EAP) provides education on drug and alcohol abuse. You can also get counseling on substance abuse and other issues. For more information, call the EAP through ESI at 888-327-1060. Our health insurance provides coverage for treatment of substance abuse, as well. For more information, call The Empire Plan at 877-7NYSHIP.

### ***Commercial Driver License (CDL)***

There are additional requirements and procedures under the U.S. Department of Transportation (DOT) for individuals who have a Commercial Driver License. Please refer to the Town of Ramapo Federally Mandated DOT Alcohol and Drug Policy for Safety-Sensitive Employees.

# **Town of Ramapo**

## **Employee Confidential Information Policy**

### ***1. Confidentiality***

In the course of employment by the Town, an employee may be exposed to confidential information used by the Town to conduct business. Employees must treat all such information as confidential and take all necessary precautions against disclosure of such information to third parties.

Privileged Town information may consist of but not necessarily limited to:

- a.) Technical information, processes, reports, computer programs and research.
- b.) Town information including employee data, confidential public information, sources of supply, financial data, and strategic planning information.

This policy does not and will not prevent employees from working for any other employee subsequent to the termination of his/her employment with the Town as long as the employee does not use or disclose and Town confidential or proprietary information.

### ***2. Use***

Employees shall not use or profit from Town confidential information, except to the extent necessary to provide services requested by the Town.

### ***3. Enforcement***

In and employee commits a breach of any of the provisions of this Policy, the Town shall have the right to enforce this policy through a disciplinary hearing. Any such breach of this policy may cause irreparable injury to the Town and the Town may seek additional remedies including injunctive relief, monetary damages, and other rights available at law or in equity.

### ***4. Ownership***

All works created by employees or under the employee's direction in connection with Town assignments shall be the sole and complete property of the Town, any propriety interests shall belong to the Town, and the other provisions of this Policy shall fully apply to all such works.

### ***5. Termination***

All equipment and materials furnished to employees by the town, and all documents prepared by employees in connection with their employment by the Town shall be returned promptly to the Town upon termination of employment with the Town.

### ***6. Governing Law***

This policy shall be construed in accordance with the laws of the State of New York.



## **Town of Ramapo**

### **Internet Acceptable Use Policy**

#### ***General Principles***

The Town of Ramapo connection to the internet exists to facilitate official work. It is the policy of the town that employees who job performance can be enhanced through use of the internet be provided with access and become proficient in its capabilities.

Access to computer systems and networks owned or operated by the Town of Ramapo imposes certain responsibilities and obligations on town employees and officials (users) and is subject to local, state and federal laws.

The use of internet facilities by any employee or other person authorized by the town must be consistent with this Acceptable Use Policy and with security policies.

Users may be subject to limitations on their use of the networks.

Use of network services may be subject to monitoring for security and/or network management reasons. Users of these services are therefore advised of this potential monitoring and agree to this practice.

#### ***Principles of Acceptable Use***

Acceptable use is always ethical, reflects honesty, and shows restraint in the consumption of shared resources. It demonstrates respect for intellectual property, ownership of information, system security mechanisms, and the individual's rights to privacy and freedom from intimidation, harassment, and unwarranted annoyance.

Town of Ramapo computer systems are for government use and not for personal use. Town users are permitted to engage in the following activities:

1. Access job-related information, as needed, to meet the requirements of their jobs.
2. Users shall refrain from monopolizing systems, overloading networks with excessive data or wasting computer time, server space, printer paper or other resources.
3. Users shall respect the privacy of other users: users shall not intentionally seek information on, obtain copies of, or modify files or data, belonging to other users, unless explicit permission to do so has been obtained.
4. Users shall respect the legal protection provided to programs and data by copyright.

5. Users shall protect data from unauthorized use or disclosure as required by state and federal laws and Town of Ramapo regulations.
6. Users shall respect the integrity of computer systems: for example, users shall not use or develop programs that harass other users or infiltrate a computer or server and/or damage or alter the software components.
7. Users shall safeguard their accounts and passwords. Accounts and passwords are normally assigned to single users and are not to be shared with any other person without authorization. Users are expected to report any observations of attempted security violations.

### ***Unacceptable Use***

Employees who do not require access to the internet as part of their official duties, may not access the internet using Town facilities.

Users may not:

1. Use the network for illegal or unlawful, or immoral purposes or to support or assist such purposes. Examples of this would be the transmission of violent, threatening, defrauding, obscene or otherwise illegal or unlawful materials.
2. Use the network to harass, intimidate or otherwise annoy another person.
3. Use the network for private purposes such as marketing or business transactions; or for personal gain such as performing work for a profit with town resources in a manner not authorized by the Town.
4. Use the network for unauthorized not-for-profit business activities.
5. Use the network to disrupt network users, services or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer worms or viruses, and sustained high volume network traffic which substantially hinders others in their use of the network.
6. Attempt to circumvent or subvert system or network security measures.
7. Intercept network traffic for any purpose unless engaged in authorized network administrative duties.
8. Make or use illegal copies of copyrighted software or other mediums, store such copies on Town systems, or transmit them over Town networks.



9. Access obscene websites.
10. Use the network for unauthorized distribution of Town data and information.
11. Use the network for activities unrelated to the Town's mission, to official assignments or to job responsibilities.
12. Use the network for any illegal purpose.

### ***Town of Ramapo Rights***

Pursuant to the Electronic Communications Privacy Act of 1986 (18 USC2510 et seq), notice is hereby given that there are NO facilities provided by this system for sending and receiving private or confidential electronic communications. System administrators have access to all mail and user access requests, and will monitor messages as necessary to assure efficient performance and appropriate use. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.

The Town of Ramapo reserves the right to log network use and monitor file server space utilization by users and assumes no responsibility or liability for files deleted due to violation of file server space allotments.

The Town of Ramapo reserves the right to remove a user account from the network.

The Town of Ramapo will not be responsible for any damages. This includes the loss of data resulting from delays, non-deliveries, or service interruptions caused by negligence, errors or omissions. Use of any information obtained is at the user's risk. Any computer connected to a network should have anti-virus software installed. The Town of Ramapo makes no warranties, either expressed or implied, with regard to software obtained from this system.

The Town of Ramapo reserves the right to change its policies and rules at any time. The Town of Ramapo makes no warranties (expressed or implied) with respect to Internet service, and it specifically assumes no responsibilities for:

- The content of any advice or information received by a user over the network or any costs or charges incurred as a result of seeking and accepting such advice;
- Any costs, liabilities or damages caused by the way the user chooses to use his/her Town of Ramapo internet access;
- Any consequences of service interruptions or changes, even if these disruptions arise from circumstances under the control of the Town of Ramapo. The agency's internet services are provided on an as is, as available basis.

### ***Enforcement and Violations***

This policy is intended to be illustrative of the range of acceptable and unacceptable uses of the internet facilities and is not necessarily exhaustive. Questions about specific uses related to security issues not enumerated in this policy statement and reports of specific unacceptable uses should be directed to the Automated Systems Department. Other questions about appropriate use should be directed to your Department Head.

The Town of Ramapo will review alleged violations of the Internet Acceptable Use Policy on a case-by-case basis. Clear violations of the policy which are not promptly remedied will result in termination of internet services for the person(s) at fault, and referral for disciplinary actions as appropriate.

# **TOWN OF RAMAPO**

## **SEXUAL HARRASSMENT PREVENTION POLICY**

### **Introduction**

The Town of Ramapo is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the Town of Ramapo's commitment to a discrimination-free work environment. Sexual harassment is against the law<sup>1</sup> and all employees have a legal right to a workplace free from sexual harassment, and employees are urged to report sexual harassment by filing a complaint internally with the Town of Ramapo. Employees can also file a complaint with a government agency or in court under federal, state or local anti-discrimination laws.

### **Policy**

1. The Town of Ramapo's Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business with the Town of Ramapo, regardless of immigration status. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to disciplinary action, up to and including counseling, suspension and/or termination.
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. The Town of Ramapo will not tolerate such retaliation against anyone who, in good faith reports or provides information about suspected sexual harassment. Any employee of the Town of Ramapo who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees<sup>2</sup> working in the workplace who believes they have been subject to such retaliation should inform their supervisor, department head or the Personnel Administrator. All employees or non-employees who believe they have been a victim of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

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<sup>1</sup> While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual origin, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

<sup>2</sup> A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractor, gig workers, or temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject the Town of Ramapo to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be penalized for such misconduct.

5. The Town of Ramapo will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. The Town of Ramapo will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

6. All employees are encouraged to report any harassment or behaviors that violate this policy. The Town of Ramapo will provide all employees a complaint form for employees to report harassment and file complaints.

7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe, or become aware of, to the Personnel Administrator.

8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable and be provided to new employees upon hiring.

#### **What Is "Sexual Harassment"?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment;
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual 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 who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of Sexual Harassment**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sexual or 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 sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, 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.

### **Who Can Be A Target of Sexual Harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

### **Where Can Sexual Harassment Occur?**

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

### **What is Retaliation?**

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of violence outside of work hours).

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 has:

- Made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- Testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- Opposed sexual harassment 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 sexually harassed; 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 Sexual Harassment**

Preventing sexual harassment is everyone's responsibility. The Town of Ramapo cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to their Department Head and/or Personnel Administrator. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to their Department Head and/or Personnel Administrator.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### **Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are **required** to report such suspected sexual harassment to their Department Head and/or Personnel Administrator.

In addition to being subject to disciplinary action if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to disciplinary action for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Supervisors and managers will also be subject to disciplinary action for engaging in any retaliation.

### **Complaint and Investigation of Sexual Harassment**

All complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The Town of Ramapo will not tolerate retaliation against employees who file a complaint, support another's complaint, or participate in any investigation regarding a violation of this policy.

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

- Upon receipt of complaint, the Personnel Administrator and an assigned attorney will conduct an immediate review of the allegations, and take any interim actions (e.g. instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all 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, 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 who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of their right to file a complaint or charge externally as outlined in the next section.

### **Legal Protections and External Remedies**

Sexual harassment is not only prohibited by the Town of Ramapo but is also prohibited by state, federal, and, where applicable, local law. Aside from the internal process at the Town of Ramapo, employees 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 government agency, you may seek the legal advice of an attorney. In addition to those outlined below, employees in certain industries may have additional legal protections.

#### **New York State Division of Human Rights (DHR)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court. Complaints with DHR may be filed any time within one year of the harassment. Contact DHR by phone at 888-392-3644 or visit their website at [www.dhr.ny.gov](http://www.dhr.ny.gov) for more information about filing a complaint.

#### **Civil Rights Act of 1964**

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 from the 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 will issue a Right to Sue letter permitting the individual to file a complaint in federal court. Contact the EEOC by calling 800-669-4000, visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

#### **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. Contact the Town of Ramapo Police Department at 845- 357-2400.



**Town of Ramapo**  
**Complaint Form to Report Sexual Harassment**

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy and a complaint form for employees to report alleged incidents of sexual harassment. If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the Personnel Administrator. Once you submit this form, the Town will follow its sexual harassment prevention policy and investigate any claims. If you are more comfortable reporting verbally or in another manner, the Town is still required to follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

**COMPLAINANT INFORMATION:**

Name: \_\_\_\_\_  
Department and Work Location: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_  
Work Phone: \_\_\_\_\_  
Job Title: \_\_\_\_\_  
Name of Your Immediate Supervisor: \_\_\_\_\_

**COMPLAINT INFORMATION:**

1. Your complaint of Sexual Harassment is being made against:

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Department and Work Location: \_\_\_\_\_  
Relationship to you: (check one)  
\_\_\_\_ Supervisor    \_\_\_\_ Subordinate    \_\_\_\_ Co-Worker    \_\_\_\_ Other

2. Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct is sexual harassment. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

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3. Date(s) sexual harassment occurred: \_\_\_\_\_

Is the sexual harassment continuing? \_\_\_\_Yes \_\_\_\_No

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint:

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**Questions 5 and 6 are optional, but they may help facilitate the investigation.**

5. Have you previously complained or provided information (verbal or written) about sexual harassment at the Town of Ramapo? \_\_\_\_Yes \_\_\_\_No

If yes, when and to whom did you complain or provide information?

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Employees that file complaints with their employer might have the ability to get help or file claims with other entities including federal, state or local government agencies or in certain courts.

6. Have you filed a claim regarding this complaint with a federal, state or local government agency? \_\_\_\_Yes \_\_\_\_No

Have you instituted any legal or court action regarding this complaint? \_\_\_\_Yes \_\_\_\_No

Have you hired an attorney with respect to this complaint? \_\_\_\_Yes \_\_\_\_No

I request that the Town of Ramapo investigate this complaint of sexual harassment in a timely and confidential manner as outlined below, and advise me of the results of the investigation.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

***Instructions for Employer:***

*If you receive a complaint about alleged sexual harassment, you must follow your sexual harassment prevention policy by investigating the allegations through actions such as:*

- *Speaking with the employee*
- *Speaking with the alleged harasser*
- *Interviewing witnesses*
- *Collecting and reviewing any related documents*

*You should create a written document of the findings of the investigation, along with any corrective actions taken and notify the employee and the individual(s) against whom the complaint was made.*

# **TOWN OF RAMAPO CELLULAR TELEPHONE/ WIRELESS COMMUNICATION DEVICE POLICY**

## **I. INTRODUCTION**

This policy governs the use of Town-owned cellular telephones ("cell phones") as well as other wireless communication devices connected to the Town of Ramapo's networked resources. In addition, this policy governs the use of personal cell phones and other personal wireless communications devices used by Town employees on Town property during Town work hours, excluding lunch, or while conducting Town business.

## **II. ASSIGNMENT OF TOWN CELLULAR TELEPHONES**

### **A. Eligibility for Town Cellular Telephones**

The determination of who shall be assigned a Town cell phone or other wireless device shall rest solely with the Town. The assignment of a Town cell phone to an employee shall not create any continuing obligation on the part of the Town to provide a Town cell phone in the future.

### **B. Return of Town Cellular Telephone**

Any employee who has been assigned a Town cell phone/wireless device shall return the device promptly upon termination of employment. In addition, employees may be required to produce the Town cell phone/wireless device for inspection at any time upon request of the Department Head or his/her designee.

### **C. Cellular Telephone/Wireless Communication Device Use Agreement**

Department Heads or their designee shall review this policy with every employee, provide a copy to him/her, and have the employee sign a Cellular Telephone Use Agreement. Additionally, the Personnel Department shall retain the original Agreement in the employee's personnel file. A copy of the form Agreement is attached to this policy as Exhibit #1 and may be amended from time to time by the Personnel Director with the approval of the Town Attorney.

## **III. MAINTENANCE AND USE OF TOWN CELLULAR TELEPHONES/ WIRELESS DEVICES WITH CELLULAR FUNCTIONS**

### **A. Maintenance of Town Cellular Telephones/Wireless Devices**

Any employee who is assigned a Town cell phone or wireless device shall exercise reasonable and prudent care to keep the device in good working order and protect it from damage and/or theft.

**B. Use of Town Cellular Telephones/Wireless Devices**

Town cell phones/wireless devices are provided to employees as a tool to carry out the business of the Town of Ramapo when other communications options are not reasonably available. They are not provided for the personal benefit or use of employees. Personal use of such telephones shall be limited to infrequent, incidental and emergency use only. Any charges to the Town associated personal use of a cell phone or other wireless device shall be the responsibility of the employee.

**IV. MAINTENANCE AND USE OF WIRELESS NETWORK DEVICES**

1. To the extent reasonably possible, it is the responsibility of any Town of Ramapo employee, who is connecting to the Town's network via a wireless device or service, to ensure that all components of his/her wireless connection remain as secure as his/her network access within the office. Any wireless connection must be utilized appropriately, responsibly and ethically.
2. Employees using wireless network devices and services for remote wireless access to the Town's network will, without exception, use secure remote access procedures as may be adopted.
3. No Town employees or contractors (except members of the IT Department and other employees as may be authorized by the Town Supervisor in the performance of their duties) will make modifications of any kind to Town-owned and installed wireless hardware or software
4. The wireless communication device user agrees to immediately report to his/her Department Head any incident or suspected incidents of unauthorized use by others of the Town-owned cellular communication device assigned to the user.
5. After the issuance by the Town of wireless communication devices to an employee, additional software should not be downloaded or otherwise loaded and installed on the wireless communication devices without the agreement of the Department Head.
6. The Town reserves the right to turn off without notice any wireless access to the network that, in the sole judgment of the Town, puts the Town's systems, data and users at risk.
7. Town assigned wireless devices are the property of the Town of Ramapo and may not be given, loaned, or used by anyone other than the employee to whom they are assigned.
8. Damaged or malfunctioning wireless devices must be reported to the Purchasing Department as soon as practicable.

## **V. USE OF PERSONAL CELLULAR TELEPHONES FOR TOWN BUSINESS**

### **A. Permissive Use**

Employees may use personal cell phones for Town business unless they are prohibited from doing so by their Department Head. Employees shall not be required to utilize a personal cell phone for Town business.

### **B. Reimbursement for Use**

Employees shall not be reimbursed for the use of their personal cell phone for Town business without prior approval of the Town Board. If an employee receives prior approval, the employee must submit a voucher for payment with appropriate supporting documentation in accordance with standard Town practice in order to receive reimbursement.

## **VI. USE OF ALL CELLULAR TELEPHONES**

### **A. Compliance with Laws**

When using a Town-owned device, employees shall comply with all Federal, State and/or Local Laws, rules and regulations governing the use of cell phones. An employee who is charged with a violation of any such law, rule or regulation will be solely responsible for any liability associated with the violation.

### **B. Safe Use of Cellular Telephones**

During work hours, employees shall exercise reasonable care in the use of cell phones in order to insure the safety of the employee and others. All employees shall refrain from using cell phones during work hours while driving a motor vehicle or operating motorized equipment. This does not apply to using personal equipment while driving a personal vehicle.

### **C. Privacy and Confidentiality**

#### **1. Privacy**

Employees are not permitted to use cell phones/wireless devices in areas where there is a reasonable expectation of privacy, i.e., restrooms, locker rooms.

#### **2. Confidentiality**

Employees are advised that all Town related cell phone communications may not be confidential and may be overheard by third parties, reviewed by

the Town, and may be subject to the disclosure requirements of the Freedom of Information Law. Employees must exercise reasonable care to insure that confidential matters are not improperly disclosed through the use of cell phones or other wireless devices.

**D. Personal Calls on Work Time**

Employees are prohibited from the use of personal cell phones or other wireless devices during work hours excluding lunch, except for necessary personal communications on an infrequent, sporadic and short duration basis, or in emergencies. Personal calls, when possible, should be made during non-work time.

**VII. DEFINITIONS**

***“Cellular Telephones”*** means a portable telephone that can make and receive calls over a radio frequency link while moving within a telephone service area.

***“Wireless Communication Device”*** including smart phones, laptop computers, iPads, personal digital assistants (PDAs) or the like.

**VIII. POLICY VIOLATIONS**

Questions about specific uses enumerated in this policy statement should be directed to your Department Head.

Violations of this policy may result in disciplinary action as set forth in Civil Service Law and applicable employment agreements.

This policy is applicable to all CSEA employees and such other employees and contractors as the Town Board may from time to time designate.



## **Town of Ramapo**

### **Workplace Violence Prevention Policy**

#### ***Zero Tolerance***

It is the intent of the Town of Ramapo to provide a workplace that is conducive to personal safety and security and is free from intimidation, threats, or violent acts. The Town of Ramapo has a zero tolerance policy for workplace violence. Employees who engage in any workplace violence, or threaten workplace violence, or violate any other part of this policy, may be removed from Town property, and may be subject to disciplinary action up to and including termination by the Appointing Authority and/or criminal prosecution. This Policy shall apply to all employees of the Town of Ramapo except uniformed employees, and administrative officers of the Town of Ramapo Police Department.

#### ***Prohibited Conduct***

"Workplace Violence" is defined as any physical assault or acts of aggressive behavior occurring where a Town employee performs any work related duty in the course of his or her employment. This includes but is not limited to: physically harming another, shoving, pushing, harassing, intimidating, bullying, coercing, brandishing weapons, and threatening or talking of engaging in those activities. It is the intent of this policy to ensure that all employees, members of the public, vendors, contractors, consultants, and others who do business with the Town of Ramapo never feel threatened by any employee's actions or conduct.

In an effort to fulfill this commitment to a safe work environment for employees, residents, and visitors, the Town of Ramapo specifically prohibits the possession of weapons by any non-police employees except for Town Court Constables, while on Town property. Weapons include guns, knives, explosives, and other items with the potential to inflict harm. This ban includes keeping or transporting a weapon in a vehicle. Non-police employees are also prohibited from carrying a weapon while performing services off the Town property.

Lockers, desks, storage drawers, work areas, work-provided telephones, PDAs and computers and vehicles assigned to employees are the property of the Town of Ramapo and are subject to unannounced inspections. The Town reserves the right to search Town Property for weapons and any other items not permitted on Town property. Employees shall not refuse to submit or interfere with such inspections or searches.

### ***Reporting Violence***

It is in the best interest of everyone to prevent workplace violence. Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any employee of the Town of Ramapo. Workplace violence should promptly be reported to the appropriate Town official. All reports will be investigated and information will be kept confidential.

The reporting procedures for workplace violence are:

- A. Any employee experiencing or witnessing imminent danger of actual violence involving weapons or personal injury should call the Ramapo Police Department or 911.
- B. Any employee who is the subject of a suspected violation of the Workplace Violence Prevention Policy involving violence without weapons or personal injury, or is a witness to such suspected violation, should report the incident to their Department Head, or if the suspected violation involves their Department Head, to the Town Director of Personnel.
- C. Employees are encouraged to report behavior they reasonably believe poses a potential for workplace violence to their Department Head, or if the potential for workplace violence involves their Department Head, to the Town Director of Personnel.
- D. Employees who believe a crime has been committed against them have the right and are encouraged, to also report the incident to the appropriate law enforcement agency.
- E. Employees who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, may be subject to disciplinary action and/or criminal prosecution.

### ***Retaliation***

Retaliatory action against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. "Retaliatory Action" is defined as the discharge, suspension, demotion, penalization, or discrimination against any employee, or other adverse action taken against an employee in the terms and conditions of employment.

### ***Information and Training***

Department Heads or their designees are responsible for dissemination of this Policy as described herein. They are also responsible for training in the prevention and awareness of workplace violence by informing employees on the measures employees can take to protect themselves from such risks, including the specific procedures the Town of Ramapo has implemented to protect employees.

### ***Violence Prevention Team***

The Town of Ramapo has created a workplace violence prevention team to create and implement our workplace violence prevention program. The Town believes that a multidisciplinary approach is best suited to handle workplace violence problems. The Workplace Violence Prevention Team shall consist of the Town Safety Manager, the Director of Personnel, the Town Police Chief or their designee, the Town Attorney or their designee, a Town Board member, and the CSEA Town of Ramapo Unit President or their designee.

If you have suggestions for ways to improve the safety and security at the workplace, please contact a workplace violence prevention team member.

### ***Employee Assistance Program***

Should an employee become the victim of an incident of workplace violence, they are encouraged to utilize the services available through the Employee Assistance Program (EAP), at no cost to them. EAP may offer additional referral services to assist the employee or affected work group in coping with any effects of the incident.

WORKPLACE INCIDENT REPORT

Complainant: \_\_\_\_\_

Department: \_\_\_\_\_ Supervisor: \_\_\_\_\_

**Incident Information:**

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_

Location of Incident: \_\_\_\_\_

Was Police Incident Report Filed: \_\_\_\_\_ Report No: \_\_\_\_\_

Description of Incident:

\_\_\_\_\_  
\_\_\_\_\_

Has this or a similar incident ever happened to you before? If so, please explain: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Description of any Injuries (physical or emotional) and the date and location of any treatment received:

\_\_\_\_\_  
\_\_\_\_\_

Witnesses (if any):

\_\_\_\_\_  
\_\_\_\_\_

**Information on other individuals involved:**

Names: \_\_\_\_\_

Address (if not employee): \_\_\_\_\_

Department (if an employee): \_\_\_\_\_ Supervisor (if an employee): \_\_\_\_\_

Report Completed By: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

**NOTE: False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law.**

\_\_\_\_\_  
Complainant

\_\_\_\_\_  
Date

Affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

## **Town of Ramapo Breastfeeding Policy**

It is the intention of the Town of Ramapo to provide a supportive environment to enable breastfeeding employees to express their milk during work hours. Therefore, the following policy will be communicated to all current employees and included in new hire integration.

### **Employer Responsibilities**

Breastfeeding employees who choose to continue providing breastmilk to their infants after returning to work will receive the following accommodations for up to three years following the child's birth:

- **Milk Expression Breaks**

Employees will be provided reasonable time to express milk each time the employee has the need to express milk while at work. Employees should use usual meal periods for expressing milk, when possible. If additional time is needed beyond the provided meal break, employees may use personal leave or may make up time as negotiated with their supervisor.

- **A Place to Express Milk**

Employees will be provided with a private place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, to express breast milk. Expressed milk can be stored in the employee refrigerator or in the employee's personal cooler. The room will be:

- ✓ Private and sanitary.
- ✓ Located in close proximity to the employee's work station and a sink with running water.
- ✓ Equipped with a functional lock. If this is not possible the employee will be provided with a sign advising that the room is in use and not accessible to other employees or the public.
- ✓ Equipped with, at a minimum, an electrical outlet, a chair and a small table, counter or other flat surface.

The following location(s) have been designated for use by nursing mothers to express breast milk during their workday:

- Town Hall Employee Room
- JTS Center Employee Room

- **Staff Support**

Supervisors will notify pregnant employees and employees returning to work following the birth of a child of their rights under New York State Labor Law 206-c and the national worksite lactation accommodation law in the U.S. Patient Affordable Care Act. A list of local breastfeeding resources will be provided to breastfeeding employees returning to work. Supervisors will implement policies and practices that will help facilitate each employee's infant feeding goals and will consider allowing flexible work hours, job sharing and/or part-time scheduling to meet each employee's needs. It is expected that all employees will assist in providing a positive atmosphere of support for breastfeeding employees. Education will be provided of staff regarding the policy and of supervisors regarding the basics of workplace support for breastfeeding employees.

### **Employee Responsibilities**

Breastfeeding employees who choose to continue providing breastmilk to their infants after returning to work will:

- **Communicate with their supervisor**

Employees will give supervisors advanced notice of the need for lactation accommodations, preferable prior to their return to work.

- **Maintain Milk Expression Areas**

Breastfeeding employees will maintain designated areas by wiping surfaces with anti-microbial wipes so the area is clean for the next user.

- **Safely Store Expressed Milk**

Employees will label all expressed milk with their name and date collected so it is not inadvertently confused with another employee's milk. Each employee is responsible for proper storage of her milk. Storage guidelines can be provided if requested.

- **Use Break Times to Express Milk**

When more than one breastfeeding employee needs to use the designated lactation room, employees can use the sign-in log provided in the room to negotiate milk expression times that are most convenient or best meet their needs.

No employee shall be discriminated against for breastfeeding or expressing milk during the work day and reasonable efforts will be made to assist employees in meeting their infant feeding goals while at work.

Any act found to be intentional that invades a nursing mother's privacy will be treated as a disciplinary offense and reported to the appropriate manager.