

City of Lambertville  
RESOLUTION NUMBER 122-2014  
*A Resolution to adopt the Nondiscrimination in City Employment Policy*

The City of Lambertville is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, sexual orientations, gender identity, race, ethnicity, age, religion, or any other legally-protected characteristic will not be tolerated. As an example, sexual conduct (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Mayor. Employees are encouraged to raise concerns and make reports without fear of reprisal.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the mayor who will handle the matter in a timely and confidential manner.

Anyone engaging in sexual or other form of unlawful harassment will be subject to disciplinary action, up to and including discharge.

Harassment on the basis of sex is a violation of Title VII of the Civil Rights Act of 1964, Section 701, et seq., as amended by 42 USCA Section 2000(e), et seq. The Mayor and Council of the City of Lambertville hereby affirm their commitment to the law and to the policy that underlies it.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature are inappropriate in the workplace particularly when:

- a. Submission to such conduct is either explicitly or inexplicably made to a term or conditions of an individual's employment; or
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting an individual; or
- c. 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.

Because our society is sensitive to this issue and because of the desire of all employees to be treated with dignity and respect, every City of Lambertville employee is to avoid acting in a way which would or could be interpreted as being inappropriate by either the recipient or by members of the public or objective third parties.

Any employee who feels that he or she been the recipient of an inappropriate sexual advance or harassment of any type by another employee is to immediately report such activity to the Mayor. The Mayor is to take appropriate action and to report such activity to the members of the Council. The Mayor is to immediately intervene and come to the assistance of any employee when it appears in any given set of circumstances that his or her intervention is necessary to protect the employee's dignity and respect.

Employees are informed that it is the policy of the Mayor and Council of the City of Lambertville to protect their dignity and respect and that if they should ever be placed in circumstances where they feel uncomfortable that they are to immediately discuss the matter with the Mayor who is to be sensitive and receptive to their concerns. If the matter is not addressed to the employee's satisfaction, he or she is to discuss the matter with the Council, which will take appropriate action or assist to the extent possible. Employees are to feel free to discuss their complaints of sexual harassment with management in confidence without fear of reprisal. The Mayor and Council members are to treat any such discussion discreetly and are not to give them any notoriety. The following guidelines are available for assisting the Mayor and Council members in handling sexual harassment cases:

- a. Treat complaint in a serious vein.
- b. Find out what complainant regards as inappropriate behavior.
- c. Obtain and document the facts pertaining to the incident.
- d. If an investigation is necessary, it should be handled in a professional manner protecting the identities of all parties concerned.
- e. If the investigation results in a finding that sexual harassment did occur, corrective action should be taken immediately. In many cases, a written warning may be all that is necessary. However, appropriate corrective action should be consistent with the seriousness of the offense.

This policy statement is designed to emphasize the commitment of the Mayor and Council of the City of Lambertville to individual dignity. The Mayor and Council represent all the residents of the City. Neither the Mayor nor members of the Council nor any management individual can have absolute control over the activities of any individual employee or any third party. Every individual during the course of any day interrelates with other individuals. No one can always be

as sensitive to another's feelings as is appropriate. This policy statement is designed to have employees and management individuals become as sensitive as possible to any area which is uniquely personal. However, neither the Mayor nor the Council nor any management personnel can assume responsibility for individual conduct which is not sanctioned in the workplace.

Adopted: September 16, 2014

I, Cynthia L. Ege, City Clerk of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, certify this to be a true copy of the resolution adopted at the regularly scheduled session of Mayor and Council held on Tuesday, September 16, 2014 at the Phillip L. Pittore Justice Center located at 25 South Union Street in the City of Lambertville.

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Cynthia L. Ege, CMR, RMC, City Clerk