

Resolution #04-21-09

Eagles Nest Township
of Saint Louis County, Minnesota

Resolution Adopting Discrimination and Harassment Policy

Whereas, Title VII of the Civil Rights Act of 1964, the Minnesota Human Rights Act, and other related employment laws prohibit unlawful discrimination and harassment in employment and provision of government services;

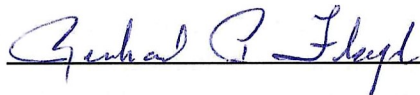
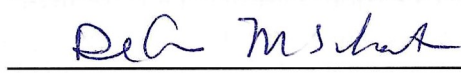
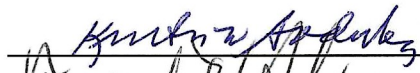

Whereas, the Township is committed to promoting a workplace free of unlawful discrimination and harassment;

Whereas, the Township supports those subjected to illegal discrimination and harassment in reporting such conduct;

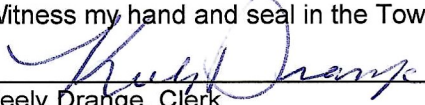
Whereas, the discrimination and harassment interfere with the efficient and productive administration of the Township's activities, increase the cost of the Township's activities, and undermine trust in local government; and

Whereas, the Township believes the use of a policy describing prohibited discrimination and harassment will help prevent illegal discrimination and harassment, support those subject to illegal conduct in reporting such conduct, and ensure the problem is addressed properly,

Now. Therefore, Be It Resolved that the Township Board of Eagles Nest Township, Saint Louis County, Minnesota, adopts the attached Discrimination and Harassment Policy.

Chairman Floyd	Aye	
Vice Chairman Carlson	Aye	_____
Supervisor Schatz	Aye	
Supervisor Soderberg	Aye	
Supervisor Sherman	Aye	

I, Keely Drange, Clerk of the Township of Eagles Nest, swear that this is a true and correct copy of the Resolution which records show was originally adopted April 20, 2021 in the Township of Eagles Nest. Witness my hand and seal in the Township of Eagles Nest this 20th day of April, 2021.


Keely Drange, Clerk



Township of Eagles Nest

Discrimination and Harassment Prevention Policy

The Township of Eagles Nest is committed to creating and maintaining a workplace and Township public services free of harassment and discrimination. Such harassment violates Title VII of the Civil Rights Act of 1964, the Minnesota Human Rights Act, and other related employment laws. The Township expects all officers, employees, and volunteers to work towards this goal and does not tolerate harassment of any kind.

This policy statement is intended to: (1) make all officers, employees and volunteers (hereinafter referred to collectively as “employees”) aware of harassment in the workplace; (2) express the Township’s strong disapproval of unlawful harassment; (3) prevent harassment of any kind; (4) advise against this behavior; (5) protect those who may be subjected to unlawful harassment; and (6) inform employees of their rights and obligations.

I. Applicability

Maintaining a work environment free from harassment is a shared responsibility. This policy is applicable to all Township officers, employees and volunteers in the workplace and in the provision of the Township’s services and activities.

II. Penalties

A violation of this policy may be grounds for immediate discipline, up to and including discharge, or other appropriate action. Sanctions, if any, will be determined on a case-by-case basis, after a review of relevant information.

III. Anti-Discrimination and Harassment Policy

No person shall be discriminated against or harassed in the terms and conditions of employment, or access to and participation in services of the Township, based on any protected class status. Protected classes include race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, gender expression, familial status, or membership or activity in a local commission. Discrimination or harassment means verbal or physical conduct that is directed at a person because of his or her protected class, and that is sufficiently severe and pervasive to create a hostile work environment.

IV. Sexual Harassment Policy

No officer, employee, or volunteer of the Township, male or female, may engage in the following conduct towards another employee:



1. Making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of an employee's obtaining employment or continuing employment;
2. Making submission to or rejection of such conduct the basis for employment decisions affecting an employee;
3. Creating an intimidating, hostile or offensive working environment or otherwise substantially interfering with an individual's employment by such conduct; or
4. Retaliating against an employee for complaining about such conduct.

A. Examples

To provide employees with a better understanding of what constitutes sexual harassment, this definition, based on Minnesota Statute § 363A.03, subdivision 41, is provided: sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature, when:

- Submitting to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or public services; or
- Submitting to or rejecting the conduct or communication is used as the basis for a decision affecting an individual's employment or public services; or
- Such conduct or communication has the purpose or effect of substantially interfering with an individual's work performance or public services or creating an intimidating, hostile or offensive work or public services environment.

Some examples of conduct that is prohibited by this policy are listed below. These are not the only examples. If you have a question about whether conduct is permissible under this Policy, you should discuss it with your manager or the Board of Supervisors.

1. Engaging in unwelcome sexual flirtations, propositions, and invitations to social events;
2. Engaging in offensive physical contact or physical closeness;
3. Using offensive words of a sexual nature describing body parts or the sexual act, telling "suggestive" jokes or stories, and conversations about sexual exploits, sexual preferences, and desires;
4. Displaying in the workplace sexually suggestive objects, pictures, cartoons, pornographic magazines, or representations of any action or subject which is sexual in nature and which can be perceived as offensive;
5. Sabotaging an employee's character, reputation, work efforts, or property because of sex;
6. Making direct and indirect suggestions that an employee's job security, job assignment, conditions of employment, or opportunities for advancement depend in any way on the granting of sexual favors or relations.

The Township recognizes that consensual relationships sometimes exist between employees which are, or have the potential of becoming, sexual in nature. The Township strongly

discourages such relationships, particularly those between a supervisor and subordinate and those in which differences in age, background, or other characteristics of the two individuals compromise the ability of either one to make an informed decision about participating in the relationship.

V. Complaints Relating to Discrimination or Harassment

An employee who believes he or she has been subject to discrimination or harassment, or an employee who believes another employee has been subjected to discrimination or harassment, shall immediately report their concerns to his or her manager or a member of the Board of Supervisors. In addition, the employee may make his or her concerns known by telling the person engaging in sexually harassing conduct or communications that the conduct or communication is offensive, against this policy and the law, and must stop.

The use of this reporting process is not a dispute resolution process as used in Minn. Stat. § 363A.28, and does not suspend the statute of limitations period under any law for bringing a civil action or making a claim to any administrative agency.

VI. Retaliation

No retaliation will occur because an employee has in good faith reported an incident of suspected discrimination or harassment, nor against any employee who participated in an investigation, or exercises his or her rights for reasonable accommodation. Retaliation includes any form of discrimination or harassment, discipline, intimidation or bullying, reprisal, denial of promotion, denial or removal of job benefits, removal of supervisory duties, transfer or reassignment of duties, negative performance reviews, and other detrimental treatment.

The Township, however, recognizes that false accusations of harassment can have a serious impact and asks that such reports not be made lightly or in circumstances which do not demonstrate good faith.

VII. Determination of Whether Discrimination, Harassment or Retaliation Occurred

All complaints of discrimination, harassment, and retaliation will be examined impartially and, after an investigation of the allegations, the Township Board will determine the final disposition. The investigation may include interviews with the employee making the charges, the accused employee, and appropriate witnesses. All determinations are made on an individual basis.