



NED LAMONT
GOVERNOR
COMMANDER-IN-CHIEF

STATE OF CONNECTICUT
ADJUTANT GENERAL'S OFFICE
MILITARY DEPARTMENT
360 BROAD STREET, HARTFORD, CONNECTICUT 06105-3706

FRANCIS J. EVON, JR.
MAJOR GENERAL

SEXUAL HARASSMENT PREVENTION POLICY
AND
REPORT PROCEDURE

Sexual Harassment is a form of misconduct that undermines the integrity of the employment relationship. It is the Policy of the State of Connecticut Military Department ("CMD") to provide its employees with a workplace that is free of sexual harassment. Regardless of whether the conduct results from maliciousness, thoughtlessness, or poor judgment, sexual harassment in the workplace is unacceptable and will not be tolerated.

Sexual Harassment is illegal and violates Title VII of the Civil Rights Act of 1964, 42 US Code §2000e et. seq., as amended, as well as Connecticut General Statutes §46a-60(8). CMD prohibits sexual harassment, in any form, by or against its employees and/or to visitors, vendors, or clients at any of our facilities. Any employee who violates this Policy Statement will be subjected to discipline, up to and including, termination of employment. Any employee who potentially violates this Policy Statement will be counseled and any employee who was subjected to harassment will be apprised of his or her rights.

Any employee who believes that he or she is a victim of any form of illegal discrimination, including harassment based on pregnancy and/or sexual harassment, or any employee who witnesses or has knowledge of such impermissible conduct is urged to report it in accordance with the CMD EEO/Affirmative Action Policy Statement. An Equal Employment Opportunity investigation will be conducted promptly. CMD will also take appropriate action to protect employees who are retaliated against for reporting illegal employment discrimination, in accordance with the CMD's Anti-Retaliation Policy Statement.

DEFINITIONS OF SEXUAL HARASSMENT

Sexual Harassment is defined as any unwelcome sexual advances, requests for sexual favors, and other verbal and/or physical conduct of a sexual nature when:

Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; or

Submission to and/or rejection of such conduct by an individual is used as a basis for employment decisions affecting an individual's employment, evaluation, wages, advancement, assigned duties, shifts or career development; or

Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment; or

Such conduct is so severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

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Prohibited Conduct

Cyber-sexual harassment is defined as repeated, unsolicited, threatening behavior by a person or group using mobile and/or Internet technology including audio/video or other recording devices with the intent to bother, terrify, intimidate, humiliate, threaten, harass or stalk someone else. The harassment can take place in any electronic environment where communication with others is possible, such as on social networking sites, on message boards, in chat rooms or through email. Just posting a general opinion on a discussion board or in a forum is not considered harassment.

The following types of conduct that may constitute sexual harassment, which include:

- Repeated sexual advances, propositions and/or inappropriate and/or offensive comments;
- Engaging in sexual flirtation and/or physical touching;
- Inappropriately exposing ones physical anatomy;
- Discussing sexual activities;
- Making a comment and/or spreading a rumor which embarrasses, ridicules or demeans a person because of the individual's gender and/or sexual orientation;
- Making graphic and/or suggestive comments about an individual's body or physical appearance;
- Displaying or posting sexually suggestive objects, pictures, videos, cartoons or drawings;
- Threatening or insinuating, either explicitly or implicitly, that an employee's refusal to submit to sexual advances shall adversely affect the employee's continued employment, performance evaluation, wages, advancement, assigned duties, and/or any other privilege or condition of employment;
- Using unseemly gestures, crude and offensive language, sexually explicit jokes, sexually explicit photographs, DVD's, or drawings, and/or sexually degrading words to describe an individual; and

Retaliation against an employee for reporting sexual harassment and/or participating in an EEO/Affirmative Action Investigation regarding sexual harassment, in accordance with the CMD's Anti-Retaliation Policy Statement.

When interacting with others in the workplace, it is important to be sensitive to the way in which words and actions may be perceived by others. If words or actions could reasonably be perceived as offensive and unwelcome, they could constitute unlawful harassment, and/or sexual harassment.

MANAGEMENT RESPONSIBILITIES

The CMD EEO Designee, and its managers and supervisors shall make every reasonable effort to ensure that every work site is free of sexual harassment and to ensure mutual dignity and respect. These efforts shall include, but are not limited to:

Implementing preventive measures, include compliance with online and/or classroom training and informational posting rules with the State of Connecticut Commission on Human Rights and Opportunities ("CCHRO") set forth in §46a-54-200 through §46a-54-207 of the Regulations of Connecticut State Agencies.

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The CMD monitors work conditions to detect sexually harassing behavior. It conducts a prompt and thorough EEO Investigation of each Complaint or report received, and communicates the results of the EEO Investigation to the Complainant(s) who/were allegedly subjected to the harassment. It carries out expeditious remedial measures reasonably calculated to prevent and correct any sexually harassing conduct which has occurred.

Further, all managers and/or supervisory staff share the responsibility in the implementation of this Policy Statement. Any CMD supervisor and/or manager found to be in violation of any part of this Policy Statement will be subject to disciplinary action, up to and including, termination from employment.

EMPLOYEE RESPONSIBILITIES

Each CMD employee shall refrain from engaging in any activity or conduct that may constitute sexual harassment.

Any employee who witnesses sexually harassing conduct, or who becomes aware that another employee has been subjected to sexual harassment, is urged to immediately report the harassment to the EEO Designee. This is third party sexual harassment, which is a violation of this Policy.

No employee shall retaliate against another employee for complaining about or reporting sexually harassing conduct, or for participating in any internal or external EEO Investigation of such conduct, in accordance with the CMD's Anti-Retaliation Policy Statement.

Any employee who believes s/he has experienced sexual harassment, or has witnessed sexual harassment by any employee, prospective employee, visitor, vendor, client, or any other person in connection with his/her employment, should bring the matter to the immediate attention of:

Anthony Lewis, Human Resources Manager/EEO Designee
State of Connecticut Military Department
360 Broad Street Hartford Armory
Hartford, Connecticut 06105-3706
Telephone: (860) 548-3248
Fax: (860) 548-3218
Email: anthony.lewis@ct.gov

If the Complainant(s) prefers, s/he may report the matter directly to his or her supervisor. If the Complainant(s) feels uncomfortable reporting the harassment to his or her supervisor, s/he should immediately report the matter to any other member of management. EEO Complaints made against the

The Adjutant General and/or the EEO Designee, will be automatically referred to the State of Connecticut Commission on Human Rights and Opportunities ("CCHRO") and if appropriate, investigation by the Department of Administrative Services ("DAS"), under §46a-68(b). The CMD will not tolerate violations of this Policy Statement and strongly encourages victims of sexual harassment to report such harassment as soon as it occurs.

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INVESTIGATION OF SEXUAL HARASSMENT COMPLAINTS

The Equal Employment Opportunity Designee will investigate all reported incidents of sexual harassment for the purpose of determining whether the incident took place, whether it constituted sexual harassment, and to determine what remedial actions, if any, are needed.

To the extent provided by law, all EEO Investigations will be conducted in as confidential a manner as possible;

1. The EEO Complaint can be submitted as a written summary that will ultimately be copied into the Official EEO Complaint of Discrimination Form and signed by the Complainant(s);
2. Both the Complainant(s) and the Respondent(s)/Opposing Party(ies) will be interviewed as part of the EEO Investigation and both will be reminded of the CMD Anti-Retaliation Policy Statement, Sexual Harassment Prevention Policy and Report Procedure, and Affirmative Action Policy Statement;
3. The Complainant(s) will be asked to provide corroborating evidence for review and identify witnesses;
4. The Equal Employment Opportunity Designee will report the outcome of the EEO Investigation and make concluded recommendations to The Adjutant General. The findings will be reviewed by The Adjutant General or his/her designee, who may concur with the recommended final action(s), if any;
5. The Complainant(s) shall be notified of the final action, taken on his or her EEO Complaint;
6. All EEO Investigations will be investigated within a ninety (90) day period, unless extenuating circumstances delay the process.


FRANCIS J. EVON, JR.
THE ADJUTANT GENERAL

11 FEB 2019
DATE

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