



POLICY No.: K-4  
DATE ADOPTED: 2-6-08  
DATE UPDATED: 1-6-2016

## **TOWN OF WEST BOYLSTON BOARD OF SELECTMEN POLICY**

### **Non-Discrimination**

#### **Purpose:**

Our Town prohibits discrimination in employment on the basis of:

- Age (40 and above),
- Criminal record (applications only),
- Physical, mental, or psychiatric disability,
- Genetics (results of genetic testing),
- Maternity Leave,
- National origin or ancestry,
- Race or color,
- Religion,
- Sex,
- Sexual orientation, or
- Active military status.

Toward this end, the Town commits itself to take affirmative measures to ensure equal opportunity in the areas of recruitment, hiring, promotion, demotion or transfer, layoff or termination, rates of compensation, in-service or apprenticeship training programs, and all terms and conditions of employment. The town is committed to fostering and encouraging a workplace comprised of individuals of diverse backgrounds, races, genders, abilities, religious beliefs, sexual orientation, and ages.

All town employees are encouraged to take diligent, affirmative steps to ensure equal opportunity and respect for diversity, not only in the internal affairs of the Town departments and agencies, but also in their relations with the public, including those persons or organizations doing business with the Town

**Policy:** The policy of the Town is to:

- a. Recruit, hire, and promote in all job classifications without regard to race, sex, color, disability, religion, national origin, sexual orientation, or age.
- b. Make decisions about employment so as to encourage the development of a diverse workforce.
- c. Ensure that employment and promotion decisions are made in accordance with the principles of equal opportunity, by imposing only valid, job-related requirements for employment and promotional opportunities.
- d. Ensure that all other personnel actions such as compensation, benefits, transfers, layoff, recall, training, tuition assistance, and social and recreational programs will be administered without regard to race, sex, color, disability, religion, national origin, sexual orientation or age.
- e. Prohibit any kind of harassment based on race, sex, color, disability, religion, national origin, sexual orientation, or age.

No retaliatory action against those persons who file complaints of discrimination or against individuals who cooperate in such investigations will be tolerated. Violation of this policy will lead to appropriate disciplinary action up to and including termination from Town Service.

Anyone who feels that he or she has been discriminated against by the Town on the basis of race, sex, color, religion, national origin, sexual orientation or age in employment practices may file a grievance in accordance with the procedures described in the Discrimination Grievance Procedure section.

#### Discrimination Complaint Procedure

The purpose of this procedure is to encourage local resolution of problems concerning employment. It is important to note that complainants are not required to exhaust the Town's procedures prior to filing a state or federal complaint or taking court action.

Anyone who feels that he or she has been discriminated against or harassed on the basis of race, sex, color, disability, religion, national origin, sexual orientation or age in employment practices should first attempt to resolve the problem by discussing it with their Department Head or, where that may not be feasible, the Town Administrator or a member of the Appointing Authority Board.

Once verbal notification is given and resolution cannot be reached, the complainant will be asked to file a written complaint with the Town Administrator with a copy to the Department Head. Complaints should be in writing and should include information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. Reasonable accommodations, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities who are unable to submit a written complaint.

Within 15 calendar days after receipt of the complaint, the Town Administrator will meet with the petitioner to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Administrator will respond to the petitioner in person or in writing. The response will explain the position of the Town and may offer options for substantive resolution of the complaint.

All complaints received by the Town Administrator and responses from same, will be kept by the Town for at least three (3) years. Such documents will remain strictly confidential. It should also be known that the record of the complaint will not be part of the personnel file of the complainant but could be placed in the personnel file of any employee who is disciplined as a result of the investigation.

An appeal from the Town Administrator may be taken to the Board of Selectmen, by a notice in writing. The Board of Selectmen will provide the complainant with an opportunity to appeal and will issue a written decision if the matter is not satisfactorily resolved.

Employees who discuss discrimination or harassment complaints with Town supervisors need to understand that supervisors are required by law to stop any unlawful conduct. The Town will preserve confidentially as far as it reasonably can, but not to the extent that the discrimination or harassment continues.

This grievance procedure is meant to be informal, and cannot be legally binding on either part. Any complaint involving existing civil or criminal litigation may not be addressed using this informal procedure.

No retaliatory action will be taken against those persons who file complaints of discrimination on the basis of race, sex, color, disability, religion, national origin, sexual orientation, or age, or against individuals who cooperate in such investigations.