

Work Environment and Harassment

It is the policy of Dealership to promote a productive work environment and not to tolerate verbal or physical conduct by any employee which harasses, disrupts or interferes with another's work performance or which creates an intimidating, offensive or hostile work environment.

Employees are expected to act in a positive manner and contribute to a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated and special attention is called to the prohibition of sexual harassment.

Harassment is any unwelcome or unsolicited verbal, physical or sexual conduct that unreasonably interferes with an employee's job performance or creates a hostile, offensive or abusive working environment. Harassment can also occur if conduct is directed towards a person's relatives, friends or associates. Examples of harassment include, but are not limited to, slurs and any other offensive or disparaging remarks, jokes, other verbal, graphic, written, e-mailed or physical conduct about a person's religion, race, color, national origin, age, sex, height, weight, arrest record, marital status, disability, military background or any other characteristic protected by federal, state or local law, unwelcome or unsolicited touching or threats of physical harm, intimidation, hostile acts and the use of degrading words, negative stereotyping, nicknames, pictures, stories or jokes. Dealership strictly prohibits harassment, including harassment based on the above stated characteristics.

All employees of this company, as well as all other persons or entities affiliated or connected with this company, are prohibited from engaging in any behavior that constitutes such harassment.

Harassment also includes sexual advances, requests for sexual favors, unwelcome or offensive touching and other verbal, graphic or physical conduct of a sexual nature, which can take the following forms:

- Sexual conduct that interferes with another person's work performance or creates an intimidating, hostile or offensive work environment;
- Personnel decisions made by a supervisor or management authority based on the employee's submission to or rejection of sexual advances;
- Submission to a sexual advance used as a condition of keeping or getting a job, whether expressed in implicit or explicit terms;
- Inappropriate touching, advances or propositions;

- Verbal abuse of a sexual nature including, but not limited to graphic or suggestive comments about an individual or sexually degrading words to describe that individual;
- Displaying sexually suggestive objects or pictures in the workplace;
- Use of computers or mobile devices to display or forward sexual or pornographic images, videos, electronic messages or jokes.

If you feel that you have been harassed by another employee, you should immediately notify your Department Manager in writing. If you do not feel that the matter can be discussed with your Department Manager, you should contact the Office Manager, Vice President or the President and arrange for a meeting to discuss your written complaint. You may be assured that you will not be penalized in any way for reporting a discrimination or harassment issue.

Harassment of our employees in connection with their work by non-employees may also be a violation of this policy. Any employee who observes any harassment of an employee by a non-employee should report such harassment to his or her Department Manager. Appropriate action will be taken for violation of this policy by any non-employee.

We cannot help resolve a harassment issue unless we know about it. Therefore, it is your responsibility to bring those kinds of problems to our attention so that we can take whatever steps are necessary to address the issue.

All complaints will be investigated promptly. Confidentiality will be maintained to the extent reasonably possible. Employees are required to cooperate in any investigation. A timely resolution of each complaint will be reached and communicated to the parties involved. Retaliation against any employee for filing a complaint or participating in an investigation is strictly prohibited.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Office Manager or any member of management so it can be investigated in a timely and confidential manner. Any employee, supervisor or manager who is found to have engaged in harassment of another employee will be subject to appropriate disciplinary action, up to and including termination.

What if you are a victim of harassment?

You should never feel that you have to accept harassment. There are steps you can take to make it stop.

Report all forms of employment harassment to your supervisor (unless they are the harasser), human resources director, or other person designated by your employer. The employer has to know about the alleged harassment in order to stop it and prevent further harassment.

Outside the employment setting report the harassment to a landlord/property manager, or the supervisor of the harasser.

If the organization conducts an investigation, cooperate by giving a statement and providing any evidence of the harassment, such as e-mail messages, cartoons, sexual items and letters from the harasser.

Other Options

If you have reported the discriminatory harassment to whomever the harasser is accountable, or if you are uncomfortable doing so, or even if you just have questions about your situation, please contact the enforcement agencies listed in this brochure.

Where to go for help

Michigan Department of Civil Rights (MDCR)

Toll-free 1/800.482-3604

www.michigan.gov/mdcr

MDCR investigates discriminatory harassment in the areas of employment, housing, education, public accommodation and public service. Under Michigan law, you have 180 days from the date of the harassment to file a complaint with MDCR.

Equal Employment Opportunity Commission (EEOC)

Toll-free 1/800.669.4000

www.eeoc.gov

If the harassment is occurring at work, and your employer has more than 15 employees, you may also file a complaint with the EEOC. The EEOC investigates complaints that are filed within 300 days of the date of the harassment.

Department of Housing and Urban Development (HUD)

Toll-free 1/800.669.9777

www.hud.gov

If the discriminatory harassment occurred in housing, you also have the option of contacting HUD within 365 days of the date of the harassment.

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Sexual and Other Forms of Discriminatory Harassment

What you should know

Where you can go



Sexual harassment is

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:

- Submission to such conduct or communication is made a term or condition of employment or of equal access to and full and equal enjoyment of public accommodations, public services, education or housing;

-or-

- Submission to or rejection of such conduct or communication is used as a factor in decisions affecting an individual's employment, or an individual's full and equal enjoyment of public accommodations, public services, education or housing;

-or-

- Such conduct or communication has the purpose or effect of substantially interfering with an individual's full and equal enjoyment of public accommodations, public services, education or housing;

-or-

- The conduct or communication creates an intimidating, hostile, or offensive work environment, educational environment or housing environment.

Retaliation for reporting harassment or assisting in an investigation violates both federal and state civil rights law.

Examples of sexual harassment

- Your supervisor fires or demotes you because you refuse sexual advances.
- You must endure a hostile work environment due to inappropriate touching, exposure of genitals, or repeated sexual remarks, jokes, cartoons and/or photographs.
- You are sexually assaulted.
- You are told that sexual comments or conduct are a part of the job you should just accept, or quit.
- Your landlord offers to reduce your rent for sex, or threatens to evict you when you refuse.
- Your university professor offers to raise your grade in exchange for sexual favors, or reduces your grade when you refuse.
- You apply for public services and are told your request will be processed more quickly in exchange for sex.

Although the majority of victims of sexual harassment are women harassed by men, the law recognizes that it is possible for a person of any gender to be harassed by someone of a different, or even of the same, gender.

While some conduct (like sexual assault or conditioning a promotion upon sexual favors) is always illegal, in most instances you must make it clear to the harasser that the sexual conduct and/or communication are unwelcome.

Other Forms of Discriminatory Harassment

Most of us are familiar with sexual harassment, but there are other forms of harassment which may violate federal and state civil rights or bias crime laws. Here are some examples:

- An African American employee is called racially derogatory names by co-workers and a noose is placed on his desk.
- A Jewish American employee finds swastikas painted on his locker and in the restroom.
- An employee with a disability is taunted and ridiculed, called a 'cripple' and told that she is stupid.
- A Latina American homeowner and her family are called racially derogatory names by neighbors. The family is also told that 'their kind' is not wanted in the neighborhood. Garbage is dumped on the front yard.
- A Muslim American woman is told by her employer that she must remove her hijab (head covering) or be fired.
- An interracial family moves to a new neighborhood. They are awakened in the night by a cross burning in their yard and racially offensive graffiti painted on the garage door.

ARE YOU AN EMPLOYER?

Don't wait to learn about anti-discrimination laws the hard way – from a judge!

MDCR offers training and training referrals for employers and managers because we would much rather prevent discrimination than punish it.