
GST MICHIGAN WORKS! POLICY 15-21 Change 1

TO: Chief Executive of Subrecipients and Agency Staff

FROM: Jody Kerbyson, CEO

SUBJECT: Discriminatory Harassment Procedures & Policy

EFFECTIVE: April 1, 2017

PROGRAMS: Workforce Innovation and Opportunity Act (WIOA) Title I Programs
Partnership, Accountability, Training, Hope (PATH) Program
Wagner-Peyser (Employment Service) Program
Food Assistance Employment & Training Program
Trade Adjustment Assistance (TAA) Program

RESCISSIONS: PI 15-21

BACKGROUND: To outline discriminatory harassment processing requirements and to disseminate the uniform procedures adopted by the Talent Investment Agency-Workforce Development (TIA-WD) for the State's workforce investment and One-Stop delivery system.

POLICY:

GST Michigan Works! and its subrecipients shall maintain a zero tolerance policy in maintaining work and training environments free from discriminatory harassment, including sexual harassment, and shall make good faith efforts to prevent the harassment of employees, customers/clients, participants and others who access workforce development/training services and facilities. Any form of unlawful discrimination, including harassment based on race, color, religion or religious creed, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), ancestry, age, disability, veteran status, marital status, medical condition, personal appearance, familial responsibilities, family status, matriculation, height, weight, genetics, political affiliation or belief, or against any beneficiary of, or applicant to, or participant in services and/or programs, the basis of an individual's citizenship, arrest without conviction, or other characteristic prohibited by Federal, State or local law is strictly prohibited. If applicable legislation broadens the definition of unlawful discrimination/harassment, this policy will encompass those changes. Any employee, subrecipient or participant found to have engaged in any form of discriminatory harassment in the course of his/her employment, provision of service or participation will be subject to appropriate disciplinary action, up to and including termination of employment, contract/Memorandum of Understanding (MOU), or participation/training.

A. Discriminatory Harassment: Any conduct based on either or any of the above listed protected characteristics is considered harassing if it creates a hostile, intimidating or offensive work and/or training environment, or unreasonably interferes with an individual's work or training performance. Discriminatory harassment can be verbal, non-verbal or physical. Examples of what may, if unwelcome and severe or pervasive, constitute discriminatory harassment include, but are not limited to, the use of racial or ethnic slurs, jokes, or derogatory remarks; the use of insults, threats, literature, pictures or cartoons based on a protected characteristic; or any physical aggression based on a protected characteristic.

B. Sexual Harassment: Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, as well as other conduct of a sexual nature when:

1. The submission to or rejection of such conduct is made a condition of the continued employment, contractual provisions, program/service participation, or decisions affecting any of the aforementioned; or
2. The conduct, if unwelcome and severe or pervasive, creates an intimidating, hostile or offensive working/training/participation environment, or interferes with a working/training/participation environment. Examples of what may, if unwelcome and severe or pervasive, constitute sexual harassment, besides sexual advances and requests for sexual favors include, but are not limited to:
 - Sexually suggestive physical contact or behavior, such as grabbing, groping, kissing, fondling, rubbing or massaging someone's neck or shoulders, stroking someone's hair; unwelcome leering, whistling, pinching, brushing against the body; suggestive insulting, or obscene comments or gestures;
 - The display in the workplace and/or training environment of sexually suggestive or explicit objects, pictures, posters or cartoons, including, but not limited to, offensive electronic communications or voice-mail messages; access to pornographic images through the Internet or e-mail;
 - Verbal abuse of a sexual nature including foul or obscene language, lewd, off-color, sexually oriented comments or sexual jokes or any graphic verbal commentary about an individual's body.

C. Reporting Discriminatory Harassment: Any employee or individual participating in programs and activities that operate as part of the GST Michigan Works! workforce system who believes that discriminatory harassment has occurred should immediately report the incident to appropriate GST Michigan Works! personnel and/or the GST Equal Opportunity Manager. GST Michigan Works! takes matters of discriminatory harassment very seriously and will conduct a prompt investigation of all complaints and take appropriate action based upon that investigation. Any employee, subrecipient personnel, customer/client, program participant found to have engaged in any form of discriminatory harassment will be subject to appropriate disciplinary action, up to and including termination of employment, contract/MOU, or participation/training. Absolute confidentiality cannot be guaranteed, however, every effort will be made to handle all complaints and investigations with as much discretion and confidentiality as circumstances permit.

This policy also expressly prohibits retaliation of any kind against any individual bringing a discriminatory harassment complaint, bringing inappropriate conduct to the agency's attention or assisting in the investigation of an alleged act of harassment.

Any individual who knowingly makes a false claim of sexual or other discriminatory harassment will be subject to appropriate disciplinary action, up to and including termination of employment, contract/MOU, or participation/training.

Discriminatory harassment and sexual harassment complaints should be reported immediately to GST Michigan Works! supervisory or administrative personnel, or:

Jerome Lewis, Equal Opportunity Manager
GST Michigan Works!
3270 Wilson St.
Marlette, MI 48453
(P) 989-635-3561 x 228
(F) 989-635-2230
Michigan Relay Center: Dial 711
jlewis@gstmiworks.org

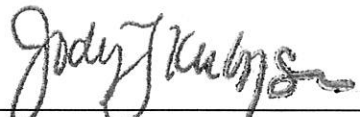
ACTION:

Subrecipients and Agency staff shall take the appropriate actions necessary to implement the directives of the policy issuance. Service Provider officials shall ensure the information contained in this policy is disseminated to all appropriate staff.

INQUIRIES:

Questions regarding this policy issuance should be directed to Jerome Lewis, Equal Opportunity Manager at 989-635-3561 ext. 228

SIGNED:



Jody L. Kerbyson, C.E.O.
GST Michigan Works!

4-1-2017
Date