



## ANTI-HARASSMENT NOTICE AND RIGHTS AND RESPONSIBILITIES ACKNOWLEDGEMENT

### ANTI-HARRASSMENT NOTICE

EMI is funded under the federal Workforce Innovation and Opportunity Act (WIOA) of 2014. As a recipient of federal funds, EMI and contractors must comply with all WIOA requirements and EMI approved policies.

Every applicant, participant, employee, or other interested party (hereon referred to as individual) shall have the right, without fear of reprisal, to present a complaint or grievance. Harassment is divided into two areas: Sexual Harassment and Other Forms of Prohibited Harassment.

#### Sexual Harassment

Sexual harassment prohibited by EMI includes, but is not limited to, any offensive conduct, verbal or non-verbal, related to an individual's sex, including: sexual advances, requests for sexual favors, unwelcome or offensive touching, and any other inappropriate conduct of a sexual nature. Examples of sexual harassment prohibited by this policy include:

- Submission to conduct of a sexual nature is made either explicitly or implicitly as a term or condition of an individual's services.
- Dating or other romantic or sexual relationships between individuals over the age of 18 and individuals legally considered a minor (17 years old or younger).
- Unwanted physical contact or conduct of any kind occurs, including sexual flirtations, touching, advances, or propositions.
- Verbal harassment of a sexual nature occurs, such as lewd comments, sexual jokes or references, and offensive personal references.
- Demeaning, insulting, intimidating, or sexually suggestive comments are made about an individual or individuals.
- Displaying any objects, pictures, photographs, or other items which are demeaning, insulting, intimidating, lewd, sexually suggestive, or pornographic.
- Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages are conveyed (such as letters, memos, notes, e-mail, instant messaging, telephonic, or other written or verbal communications).
- Any other inappropriate conduct of a sexual nature creating an intimidating, hostile, or offensive environment.

#### Other Forms of Prohibited Harassment

Other forms of harassment prohibited by EMI include any offensive conduct, verbal or non-verbal, relating to one's race, color, religion, pregnancy, national origin, age, disability, sexual orientation, genetic information, veteran's status or citizenship, such as, but not limited to the following:

- Unwanted physical contact, hazing, assault, battery, or threats.
- Verbal harassment, such as offensive or insensitive comments, jokes, slurs, epithets, or inappropriate and offensive personal references.
- Demeaning, insulting, intimidating, or threatening comments.
- Displaying any objects, pictures, photographs, or other items which are demeaning, insulting, intimidating, or offensive.
- Demeaning, insulting, intimidating, or offensive written, recorded, or electronically transmitted messages (such as graffiti, letters, memos, notes, e-mail, text messaging, instant messaging, telephonic, or other written or verbal communications).
- Any other conduct relating to one's race, color, religion, pregnancy, national origin, genetic information, age, disability, veteran status, or citizenship that has the purpose or effect of interfering with one's work performance or creating an intimidating, hostile, or offensive work environment.

#### Harassment Reporting

Early reporting and prompt intervention are the most effective methods of resolving and deterring harassment. Individuals should not assume management is aware of alleged harassment. If you believe you have been or are being

harassed, you should report the matter immediately to the EO Officer, or any other member of EMI management. Any supervisor who becomes aware of possible harassment must immediately advise the Program Manager who will then contact the EO Officer/ Manager of Compliance immediately. The EO Officer/ Manager of Compliance will conduct a prompt and thorough investigation and take any necessary remedial or disciplinary action warranted by the investigation. Due to the sensitive and potentially harmful, damaging, and disruptive nature of allegations of harassment, EMI will maintain reports of harassment as confidential as possible under the circumstances.

### **Harassment Complaints**

Each report of harassment, including reports of alleged retaliation against those who have reported possible harassment, will be investigated promptly and thoroughly. The investigation may include individual interviews with the parties involved and, when necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. To assure objectivity and impartiality, any individual accused of harassment or retaliation will not be involved in the investigative or disciplinary process in a decision-making capacity. Confidentiality will be maintained throughout the investigation to the extent consistent with an adequate investigation and appropriate corrective action.

- Upon receipt of written complaint, appropriate management will notify the person(s) charged of a complaint and initiate the investigation, then interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.
- Within 15 business days of the complaint being filed (or the matter being referred to the DWD), the CEO or other person conducting the investigation will conclude the investigation and submit a written report of his or her findings to EMI's Executive Committee.
- If it is determined that harassment or discrimination in violation of this policy has occurred, the CEO will recommend appropriate disciplinary action.
- Within five days after the investigation is concluded, the CEO, CFO, designated Program Manager, Human Resource Manager, or the EO Officer, or a combination of any of the listed, will meet with the complainant and the respondent separately, notify them of the findings of the investigation, and inform them of the action being taken. The decision will be in writing and will include a statement for or against disciplinary action.

### **Request for Hearing**

- The complainant and the respondent may submit statements to the EO Officer challenging the factual basis of the findings. Any such statement must be submitted no later than three days after the conclusion meeting in which the findings of the investigation are discussed.
- The request for a hearing must include a copy of the complaint and the reasons the complainant is not satisfied with the informal resolution process.
- Upon receipt of the complaint, EMI will investigate, prepare a report of facts, schedule a Grievance Committee hearing (no later than 30 days from filing date), and notify all parties.
- The Grievance Committee will review the staff's report, which identifies pertinent issues, and formulate appropriate questions for the hearing.

### **Remedial and Disciplinary Action**

EMI will respond promptly and appropriately to misconduct constituting harassment, discrimination, or retaliation. Appropriate action may be taken pending the outcome of the investigation, and the party who filed the claim of harassment will be notified of the result. Responsive action following an investigation will be based on the results of the investigation and may include one or more of the following: referral to counseling or disciplinary action such as termination of services or contacting law enforcement. Please note all individuals caught engaging in sexual relations with a legal minor will be immediately reported to law enforcement.

## **IMPORTANT NOTICE TO ALL INDIVIDUALS**

Individuals who have experienced unlawful harassment or retaliation have an obligation to take advantage of this complaint procedure. An individual's failure to fulfill this obligation could detrimentally affect his or her rights in pursuing legal action.

## **RIGHTS AND RESPONSIBILITIES NOTICE**

EMI and our service providers are dedicated to providing workforce services that will assist you in preparing for and finding a new job. You are being enrolled into an employment and training program that operates on a "work first" approach. This program is NOT an entitlement program. Therefore, EMI and our service providers reserve the right to determine eligibility for any type of service provided as allowable under federal regulations and local policy.

### **Rights**

As a participant, you have the following rights:

- Equal Opportunity Rights, as outlined in the Equal Opportunity Notice.
- Grievance Procedure Rights, as outlined in the Grievance Procedure.
- Orientation – You will receive information about the American Job Center System and its programs.
- Individualized Assistance - From a Career Planner who is assigned to you.
- An Action Plan - Also known as an Individualized Employment Plan or an Individualized Service Strategy, you will co-develop this plan designed with you to help you enter or reenter the workforce;
- Confidentiality – Your records will be respected and protected at all times.

### **Responsibilities**

As a participant, you have the following responsibilities:

- You will provide complete, authentic and factual information.
- You will maintain, at minimum, monthly contact with your Career Planner via email, phone or in person.
- You will provide documentation about service participation, such as attendance and grades.
- You will attend all regularly scheduled meetings and provide information requested in a timely and thorough manner, or you will call in advance to reschedule appointments that you cannot attend.
- You will not engage in political activities, conduct union organizing/anti-union actions, or participate in religious/anti-religious events while in an American Job Center or while participating in federally-funded programs.
- You will not displace currently employed workers or reduce the hours, wages or employment benefits of currently employed workers, or infringe in the promotional opportunities of currently employed workers.
- You agree to cooperate and participate in the program-specific follow up activities as required by funding regulations.

## **Acknowledgement**

I acknowledge I have read, understood, had the opportunity to ask questions, and received a copy of Employ Milwaukee's:

- Anti-Harassment Notice
- Rights and Responsibilities Notice

I further understand:

- Workforce services administered by Employ Milwaukee and its service providers are not guaranteed. Every effort will be made to provide me with the best mix of services to achieve my goals. However, I acknowledge that under federal law, I do not have a legal or entitlement right to these services.
- My rights under the law.
- I agree to report all acts of Harassment to an Employ Milwaukee authorized staff member within the same business day of the initial communication. I agree to submit reports of harassment to the Program Manager or onsite manager immediately.

<b>Applicant/Participant Printed Name</b>	<b>Applicant/Participant Date of Birth</b>
<b>Applicant/Participant Signature</b>	<b>Date Signed</b>

**Career Planner Standards**

As your Career Planner, I will provide you with guidance and assistance needed to help you achieve your employment goals. I will ensure you understand the American Job Center System and receive workforce services as outlined in this document. I will assist you in establishing education and employment goals appropriate to you and help in the preparation of an Action Plan. I will provide guidance and assistance in your search for employment. As your Career Planner, I commit to providing timely communication, quick responses to your questions, and direct assistance to the best of my ability.

<b>Career Planner Printed Name</b>	
<b>Career Planner Signature</b>	<b>Date Signed</b>

Employ Milwaukee is an Equal Opportunity Employer and Service Provider. Auxiliary aids and services are available upon request to individuals with disabilities. If you need this information interpreted to a language you understand or in a different format, please contact Carrie Hersh, Equal Opportunity Officer, at 414-270-1726 or [Carrie.Hersh@EmployMilwaukee.org](mailto:Carrie.Hersh@EmployMilwaukee.org). Callers who are deaf or hearing or speech-impaired may reach us at Wisconsin Relay Number 711.

**IMPORTANT!** This document contains **important information** about your rights, responsibilities and/or benefits. It is critical that you understand the information in this document, and we will provide the information in your preferred language at no cost to you. **Call (414)-270-1726** for assistance in the translation and understanding of the information in this document.

**¡IMPORTANTE!** Este documento contiene **información importante** sobre sus derechos, responsabilidades y/o beneficios. Es importante que usted entienda la información en este documento. Nosotros le podemos ofrecer la información en el idioma de su preferencia sin costo alguno para usted. **Llame al (414)-270-1726** para pedir asistencia en traducir y entender la información en este documento.

**TSEEM CEEB!** Daim ntawv no muaj ib **cov lus tseem ceeb** qhia paub txog koj cov cai, cov luag hauj lwm thiab/los yog cov kev pab. Nws yog ib qho tseem ceeb uas koj yuav tau to taub cov lus nyob hauv daim ntawv no, thiab peb yuav muab tau cov lus no txhais ua koj hom lus yam koj tsis tau them nyiaj dab tsi. **Hu rau (414)-270-1726** yog xav tau kev pab kom muab cov lus nyob hauv daim ntawv no txhais rau koj kom koj to taub.