

## NOTICE

# SEXUAL HARASSMENT IS ILLEGAL

Under Vermont Law, sexual harassment is illegal and is prohibited by the **Vermont Fair Employment practices act** (VFEPa) (Title 21, Chapter 5, Subchapter 6 of the Vermont Statutes) and **Title VII of the Civil Rights Act of 1964** (42 United State Code Section 2000e et seq.)

**Vermont law protects all workers not just employees.** Effective July 1, 2018, Vermont's protections against sexual harassment extend to all individuals engaged "to perform work or services," even if they are not "employees" under state or federal law. References to "employer," "employee," and "employment" below should be understood to apply to work agreements beyond the traditional employer-employee relationship.

**"Sexual Harassment"** is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal, physical, written, auditory, or visual conduct of a sexual nature when:

- (A) Submission to that conduct is made either explicitly or implicitly a term or condition of work, or
- (B) Submission to, or rejection of, such conduct by an individual is used as a component of the basis for work related decisions affecting that individual, or
- (C) The conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

**Sexual harassment does not need to be severe or pervasive to be unlawful.**

It is unlawful to retaliate against an individual performing work or services for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

Employers **must** ensure a workplace free of sexual harassment for all individuals performing work or services. Every supervisor is responsible for promptly responding to or reporting any complaint or suspected acts of sexual harassment.

### Examples of sexual harassment include:

Unwelcome sexual advances • Suggestive or lewd remarks • Unwanted hugs, touches, kisses • Requests for sexual favors • Pornographic posters, cartoons, or drawings • Unwelcome sexual jokes and banter.

### Consequences for committing sexual harassment may include:

Disciplinary action • From a verbal warning to dismissal • Damages and other relief for the victim civil penalties of up to \$10,000 per violation • Criminal penalties.

Employees or individuals engaged to perform work or services who believe that they have been sexually harassed or retaliated against for complaining of sexual harassment are encouraged to report the situation as soon as possible to one or more of the following.

- (a) His or her supervisor;
- (b) [IES Human Resources \(humanresources@innovative-es.com\)](mailto:humanresources@innovative-es.com)

The above-named individuals can also provide copies of this employer's written sexual harassment policy.

**The employer will promptly investigate and respond to all reports and knowledge of sexual harassment.**

You may also contact the **State of Vermont Attorney General's Office**, 109 State Street, Montpelier, VT 05609-1001 (888-745-9195 (Toll Free VT) or 802-828-3657; [ago.civilrights@vermont.gov](mailto:ago.civilrights@vermont.gov)). If you work for an employer with at least 15 employees, you may also contact the **Equal Employment Opportunity Commission**, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (617-565-3196). You may also contact the **Human Rights Commission**, 14-16 Baldwin Street, Montpelier, VT 05633-6301 (800-416-2010 (Toll Free VT) or 802-828-2480; [human.rights@vermont.gov](mailto:human.rights@vermont.gov)) if you work for a Vermont State Agency.