

**TOWN OF SANDWICH**

**EQUAL EMPLOYMENT OPPORTUNITY  
AND  
AFFIRMATIVE ACTION POLICY**

(Policy Attachment #1)



**JULY 21, 2022**

**Amended:**

Updated April 20, 2021

October 25, 2018

June 25, 2015

July 26, 2012

## TOWN OF SANDWICH

### EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY

#### I. EEO/AA General Policy Statement

The Town of Sandwich has a statutory mandate under law to guarantee equal treatment for all who seek access to its services or opportunities for employment and advancement. No discrimination will be tolerated. The ultimate goal is for personnel of this organization to reflect the proportions of minority, female, and handicapped persons in the populations they serve.

A. The Town of Sandwich will meet its legal, moral, social, and economic responsibilities for Equal Employment Opportunity/Affirmative Action as authorized and required by all pertinent state and federal legislation, executive orders and rules and regulations, including, but not necessarily limited to the following:

1. Title VII of the Civil Rights Act of 1964 (42 USC s2000 et seq.), which prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin; and

2. The Age Discrimination in Employment Act of 1967 (29 USC s621 et seq.), which prohibits discrimination in employment on the basis of age with regard to those individuals who are at least 40 years of age, but less than 65 years of age; and

3. Section 504 of the Rehabilitation Act of 1973 (29 USC s794), and the regulations promulgated pursuant thereto (45 CFR Part 84), which prohibit discrimination against qualified handicapped individuals on the basis of handicap and requires employers to make reasonable accommodations to known physical or mental limitations of otherwise qualified handicapped applications and employees; and

4. M.G.L. c. 151 s4 (1), as may be amended, which prohibits discrimination in employment on the basis of race, color, sex, gender, gender identity, religious creed, national origin, ancestry, age or disability.

B. The responsibility for implementing and monitoring this policy has been delegated to the Town Manager.

## II. Non-Discrimination in Employment

A. The Town of Sandwich prohibits discrimination on the basis of:

- Age
- Criminal Record
- Disability
- Gender
- Gender Identity/Expression
- Genetics
- Military Personnel (active or prior military status)
- National Origin or Ancestry
- Pregnancy or pregnancy-related condition
- Race or Color
- Religion
- Retaliation
- Sexual Orientation
- Any other group deemed protected by a government agency

B. Unlawful discrimination of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment will not be tolerated by the Town. Further, any retaliation against an individual who has formally or informally complained about discrimination or has cooperated with an investigation of a discrimination complaint is prohibited. To achieve our goal of providing a workplace free from discrimination, the conduct that is described in this policy will not be tolerated, and we will implement the procedure described below to address any potential inappropriate conduct.

The Town commits itself and its employees, within the context of state and federal civil rights laws, to ensure equitable participation of employees of all backgrounds in all of its daily operations. This policy applies to all employment practices and employment programs sponsored by the town. This policy shall apply, but not be limited to, the areas of:

- Recruitment
- Selection
- Compensation and benefits
- Professional development and training
- Reasonable accommodation for disabilities or religious practices
- Promotion
- Transfer
- Termination
- Layoff
- Other terms and conditions of employment.

Because the town takes allegations of discrimination seriously, we will respond promptly to complaints and where it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose any necessary corrective action, including disciplinary action.

### **C. Discriminatory Harassment**

The Town's separate Anti-Discrimination & Anti-Harassment Policy details our commitment to a workplace free of any verbal or physical conduct which is unwelcome, severe or pervasive, and related to membership or perceived membership in a protected class.

### **D. Reasonable Accommodation**

Employees seeking reasonable accommodations may submit their request in writing to the Town of Sandwich Human Resources Department. Reasonable Accommodation request forms are attached to this policy.

### **E. Discrimination Complaints**

If any of our employees believes that he or she has been subjected to unlawful discrimination, the employee has the right to file a complaint with the Town. This may be done in writing or orally. If you would like to file a complaint you may contact the Human Resources Department or Town Manager who are also available to discuss any concerns you may have, and to provide information to you about our EEO/AA Town policy and our complaint process. Alternatively, employees may contact any of the Town's supervisors.

### **F. Discrimination Investigation**

The Town will promptly investigate the allegation in a fair and thorough manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include private interviews with the person filing the complaint, the person alleged to have committed the discrimination, and relevant witnesses. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

### **G. Disciplinary Action**

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may include counseling, verbal or written warning, suspension, or termination.

## **H. State and Federal Remedies**

In addition to the above, if you believe you have been subjected to unlawful discrimination, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a time period of 300 days for filing a claim.

1. The United States Equal Employment Opportunity Commission (EEOC): One Congress Street, 10th Floor Boston, MA 02114, (617) 565-3200.

2. The Massachusetts Commission Against Discrimination (MCAD):

Boston Office: One Ashburton Place, Rm. 601, Boston, MA 02108, (617) 994-6000

Springfield Office: 436 Dwight Street, Rm. 220, Springfield, MA 01103, (413) 739-2145

Worcester Office: 484 Main Street, Room 320, Worcester, MA 01608, (508) 453-9630.

## **I. No Retaliation**

Furthermore, The Town of Sandwich prohibits that any employee, or applicant, be subjected to coercion, intimidation, interference or discrimination for filing a complaint or assisting in an investigation under this program.