

RESOLUTION NO. 1-2018

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BASS LAKE
CONSERVANCY DISTRICT ESTABLISHING WORKPLACE
POLICIES PROHIBITING HARASSMENT AND DISRUPTING,
THREATENING OR VIOLENT BEHAVIOR**

WHEREAS, the Bass Lake Conservancy District (the "District") is a conservancy district created and existing pursuant to the laws of the State of Indiana; and

WHEREAS, in order to assist the District with accomplishing its statutory purposes it employs full-time and part-time employees; and

WHEREAS, as a result of the foregoing, the Board of Directors (the "Board") of the District believes that it is important that the District have in place policies prohibiting employees from engaging in harassment or disrupting, threatening or violent behavior in the work place; and

WHEREAS, the Board is desirous of adopting this Resolution in order to establish written policies and procedures prohibiting harassment and disrupting, threatening or violent behavior in the workplace.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BASS LAKE CONSERVANCY DISTRICT, AS FOLLOWS:

1. Incorporation of Recitals. The foregoing recitals (or "whereas clauses") are incorporated by reference into this Resolution as findings of fact.
2. Applicability. This Resolution applies to all of the Board and all full-time and part-time employees of the District.
3. Workplace Policies Prohibiting Harassment and Disrupting, Threatening or Violent Behavior. It is the policy of the Board to provide a productive work environment for its employees and not tolerate verbal or physical conduct by an employee who disrupts or interferes with the performance of another employee; or who creates an intimidating, offensive, or hostile work environment. Violation of this policy may result in disciplinary action, up to and including termination.

Employees have the right to be free from acts or threats of disruptive behavior and/or physical violence, including intimidation, harassment and/or coercion, which involves or effects the District's operation. The Board does not tolerate any employee acting individually or in concert with others who obstructs or disrupts any administrative, disciplinary, public service activity or any other activity conducted by the District either

off- site or on the District's property.

The Board prohibits retaliation against those who report or cooperate in the investigation of disruptive, threatening or violent behavior, which may take different forms, including but not limited to, the following:

Disruptive Behavior. Disruptive behavior is inappropriate behavior that interferes with the functioning and flow of the workplace. It hinders or prevents employees from carrying out their professional responsibilities. It is important that employees address disruptive behavior promptly. If left unaddressed, disruptive behavior typically continues to escalate, resulting in negative consequences for the individual as well as others. Examples include, but are not limited to, yelling, using profanity, waving arms or fists, verbally abusing others, and refusing reasonable requests for identification.

Threatening Behavior. Threatening behavior includes physical actions short of actual contact/injury (e.g., moving closer aggressively), general oral or written threats to people or property ("you better watch your back" or "I'll get you") as well as implicit threats ("you'll be sorry" or "this isn't over"). Threatening behavior may also include face-to-face encounters in which words or actions imply or state explicitly that the employee and/or their family may be subject to some sort of abuse or violence. It may also include written or spoken communication that would imply or explicitly state that some form of damage may be done to the employee's property or that of their family.

Violent Behavior. Violent behavior includes any physical assault with or without weapons; behavior that a reasonable person would interpret as being potentially violent (e.g., throwing things, pounding on a desk or door, or destroying property", or specific threats to inflict physical harm.

4. Workplace Policy Prohibiting Sexual Harassment. Sexual harassment is a specific type of harassment and can include:

- Unwelcomed sexual advances
- Request for sexual acts or favors
- Insulting or degrading sexual remarks or conduct directed against another employee
- Threats, demands, or suggestions that an employee's work is contingent upon toleration or acquiescence to sexual advances
- Retaliation against employees for complaining about such behavior
- Any unwelcomed statement or actions based on sex, including those listed above, that are sufficiently severe or persuasive so as to unreasonably interfere with an individual's work performance, or create an intimidating,

hostile or offensive working environment

Any employee who believes that they are a victim of such actions or has observed such actions, should promptly inform the Chairman of the Board. If the Chairman of the Board is not available, or is the accused harasser, the report should be made to the District's Attorney. The reporting employee should provide the name of the person(s) whom they believe to be responsible for the harassment and the nature of the harassing incident. A written summary of the report is to be prepared promptly by the employee.

The Chairman of the Board shall immediately investigate reports of harassment in a timely and confidential manner. While under investigation, no information is to be released by anyone who is not involved with the investigation, except as may be required by law or in the context of a legal proceeding.

The District intends to:

- Protect the confidentiality of the employee who files a complaint
- Encourage the reporting of any incidents or threat
- Protect the reputation of any party wrongfully accused of threatening conduct

If the investigation establishes that such conduct has occurred, the Board will initiate prompt and appropriate corrective action, including disciplinary measures up to and including termination of the employee responsible for such conduct, in order to prevent the continuance of the threat or its reoccurrence.

All employees involved are to be protected from coercion, intimidation, retaliation, or discrimination for filing a complaint in good faith or assisting in an investigation, even if insufficient evidence is found to support the complaint.

5. Repealer. All resolutions inconsistent with or in conflict with the terms of this Resolution are of no further force and effect and are specifically repealed.

6. Severability. If any part, clause or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not effect the validity or constitutionality of this Resolution as a whole or any part, clause or portion of this Resolution.


7. Effective date. This Resolution shall be in full force and effect from and after its passage and adoption by the Board of Directors of the Bass Lake Conservancy District.


Adopted this 16th day of April, 2018, by a vote of all members present and voting.

**BOARD OF DIRECTORS OF THE BASS LAKE
CONSERVANCY DISTRICT**


NOTE:

Signatures on file at BLCD Office


Gene Novello


Larry Collura

Russell Blais


Jerry Broadstreet

ATTEST:
