

**Montclair Center BID  
SEXUAL & OTHER HARASSMENT RESOLUTION**

**WHEREAS,**

Harassment and sexual harassment as defined by the Montclair Center BID Anti-Harassment Policy as included in the Employee Handbook (see attached) are reprehensible, do not reflect the values of the Montclair Center Business Improvement District and are bad for business.

**IT IS HEREBY RESOLVED THAT**

The BID is committed to a district-wide environment free of inappropriate and disrespectful behavior, intimidation, communication and other conduct directed at an individual, including conduct that may be defined as harassment.

**Lisa Johnson moved to adopt the Harassment Resolution. Jaji Packard seconded. Motion passed unanimously.**

**MONTCLAIR CENTER ANTI-HARASSMENT POLICY**

Applicable federal and state law defines sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when:

- (1) submission of the conduct is made a term or condition of employment; or
- (2) submission to or rejection of the conduct is used as basis for employment decisions affecting the individual; or
- (3) the conduct has the purpose or effect of unreasonably interfering with the employees work performance or creating an intimidating, hostile, or offensive working environment.

The following list contains examples of prohibited conduct. They include, but are not limited to:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, or posters;
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any individual's body or dress;
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letters, notes, or invitations;
- Physical conduct such as touching, assault, or impeding and/or blocking movements;
- Retaliation for reporting harassment or threatening to report harassment.
- Harassment on the basis of race, color, religion, national origin, ancestry, physical or mental disability, veteran status, age, or any other basis is prohibited under local, state or federal law, including behavior similar to sexual harassment, such as:
  - Verbal conduct such as threats, epithets, derogatory comments, or slurs;
  - Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
  - Physical conduct such as assault, unwanted touching, or blocking normal movement;
  - Retaliation for reporting harassment or threatening to report harassment.

**AND WHEREAS,**

It is unlawful to retaliate in any way against anyone who has lodged a harassment complaint, has expressed a concern about harassment, including sexual harassment, or has cooperated in a harassment investigation.