

Board of Trustees: Maggie Ridge, Mayor
Andy Fraser, Deputy Mayor
Randy Hess, Trustee
Wayne LaVair, Trustee
AJ Peck, Trustee

Agenda

1. **Call to Order** Mayor Maggie Ridge called the June 13, 2023 Village of Scottsville Board of Trustees to order at pm.

2. **Pledge of Allegiance to the Flag**

3. **Roll Call**

4. **Approval of Minutes**

Village Board Meeting Minutes

Tuesday, May 9, 2023

Motion made by Trustee _____ and seconded by Trustee _____ to approve the minutes of the *Tuesday, May 9, 2023 Village Board Meeting* as submitted.

Vote: Carried (-)

Mayor Maggie Ridge

Trustee Randy Hess

Trustee Wayne LaVair

Deputy Mayor Andy Fraser

Trustee AJ Peck

Tuesday, June 16, 2023

Motion made by Trustee _____ and seconded by Trustee _____ to approve the minutes of the *Tuesday, June 14, 2023 Treasurer Meeting* as submitted.

Vote: Carried (-)

Mayor Maggie Ridge

Trustee Randy Hess

Trustee Wayne LaVair

Deputy Mayor Andy Fraser

Trustee AJ Peck

5. **Public Before the Board**

Dave Willard, CFA Grant Application/MRB Proposal

6. **Department Reports**

- a) **Building Inspector/Code Enforcement Officer**

Permits Issued

Permits Finalized

Code Enforcement

Developments/Projects

New Items

Ongoing Items/Concerns

Upcoming

b) **DPW – Ken Bohn & Todd Schwasman**

Updates

Motion made by Trustee _____ and seconded by Trustee _____ to hire James Luke as a part time seasonal laborer for the DPW at \$ _____ an hour.

Vote: Carried (-)

Mayor Maggie Ridge
Trustee Randy Hess
Trustee Wayne LaVair

Deputy Mayor Andy Fraser
Trustee AJ Peck

c) **Treasurer – Katie Garner**

Pay Bills:

Motion made by Trustee _____ and seconded by Trustee _____ to approve payables as listed on the AP Check Register Report through June 13, 2023 and prepaid bills with General Payables totaling \$ _____.

Vote: Carried (-)

Mayor Maggie Ridge
Trustee Randy Hess
Trustee Wayne LaVair

Deputy Mayor Andy Fraser
Trustee AJ Peck

Treasurers Report:

Budget Transfers:

Motion made by Trustee _____ and seconded by Trustee _____ to approve the budget transfers as listed above from the June 2023 Treasurers Report.

Vote: Carried (-)

Mayor Maggie Ridge
Trustee Randy Hess
Trustee Wayne LaVair

Deputy Mayor Andy Fraser
Trustee AJ Peck

Amend the Budget

Motion made by Trustee _____ and seconded by Trustee _____ to amend the 2023-2024 budget as submitted.

Vote: Carried (-)

Mayor Maggie Ridge
Trustee Randy Hess
Trustee Wayne LaVair

Deputy Mayor Andy Fraser
Trustee AJ Peck

Eastern Shores Insurance

d) **Clerk – Anne Hartman**

Johnson Park Friday night discount

Monroe County Consolidated Plan Consortium

MOTION: made by Trustee _____ and seconded by Trustee _____ to allow the extension of membership in the Monroe County Consolidated Plan Consortium for an additional 3-year period from October 1, 2023 – September 30, 2026.

Vote: Carried (-)

Mayor Maggie Ridge
Trustee Randy Hess
Trustee Wayne LaVair

Deputy Mayor Andy Fraser
Trustee AJ Peck

Peddler Permit

MOTION: made by Trustee _____ and seconded by Trustee _____ to issue a peddler permit to Dyson Stephens of Fox Pest Control expiring December 31, 2023.

Vote: Carried (-)

Mayor Maggie Ridge
Trustee Randy Hess
Trustee Wayne LaVair

Deputy Mayor Andy Fraser
Trustee AJ Peck

7. **Trustee Updates:**

Deputy Mayor Andy Fraser – Grants and Planning Board/Zoning Board of Appeals

Trustee AJ Peck – Procurement and ARPA

Trustee Wayne LaVair – DPW

Trustee Paul Meabon – Social Media and Communications

8. **Mayor's Reports - Maggie Ridge**

9. **Old Business**

Vacation Carryover Motion made at the May 9, 2023 meeting

The goal is for employees to take earned vacation, but with staffing shortages sometimes the employees give up vacation. We currently allow employees to carry over 40 hrs vacation with no payouts.

Motion made by Deputy Mayor Andy Fraser and seconded by Mayor Maggie Ridge to amend the vacation policy fourth paragraph second sentence to read the following: "Employees may request up to five (5) days' pay in lieu of vacation or employees may carry over a maximum of 100 hours of vacation from the previous year which must be used by the first quarter of the next fiscal year. Unused vacation beyond 100 hours would be forfeited at the end of the first quarter of the fiscal year.

It should Read:

Motion made by Trustee _____ and seconded by Trustee _____ to amend the vacation policy fourth paragraph second sentence to read the following: "Employees may request up to five (5) days' pay in lieu of vacation or employees may carry over a maximum of 100 hours of vacation from the previous year which must be used by the first quarter of the next fiscal year. Unused vacation beyond the 100 hours will not carry over and be forfeited at the end of the fiscal year.

Vote: Carried (-)

Mayor Maggie Ridge
Trustee Randy Hess
Trustee Wayne LaVair

Deputy Mayor Andy Fraser
Trustee AJ Peck

Noise Ordinance

10. New Business

Summer Help
Trees along the Race

Policy Review
Cash Receipts
Code of Ethics
Cell Phone
Computer

NYS Policy on the Rights of Employees to Express Breast Milk

INTRODUCTION AND PURPOSE Section 206-c of the New York State Labor Law gives all employees in New York the right to express breast milk in the workplace. This law applies to all public and private employers in New York State, regardless of size or the nature of their business

Employers must provide reasonable unpaid break time for their employees to express breast milk. In addition, employees must also be permitted to use their paid break time or meal time to express breast milk. This time must be provided for up to three years following childbirth. Employers must provide unpaid break time at least every three hours if requested by the employee. However, the number of unpaid breaks an employee will need to express breast milk is unique to each employee and employers must provide reasonable break times based on the individual. Employers are prohibited from discriminating in any way against an employee who chooses to express breast milk in the workplace.

An employee must be permitted to work before or after their normal shift to make up any time used as unpaid break time to express breast milk, as long as this time falls within the employer's normal work hours. However, an employee is not required to make up their unpaid break time.

While an employer cannot require that an employee works while expressing breast milk, nothing in Labor Law 206-c prevents an employee from voluntarily choosing to do so. Time working while expressing breast milk must be compensated.

Unpaid breaks provided for the expression of breast milk must be at least twenty minutes. However, if the designated lactation room where such break will be taken is not close to an employee's work station, the provided break must be at least thirty minutes. An employee must be allowed to take a longer unpaid break if needed. Employees may also opt to take shorter unpaid breaks.

Employees who work remotely have the same rights to unpaid time off for the purpose of expressing breast milk, as all other employees who perform their work in-person.

MAKING A REQUEST TO EXPRESS BREAST MILK AT WORK

If an employee wants to express breast milk at work, they need to give employers reasonable advance notice, generally before returning to the workplace if the employee is on leave. This advance notice is to allow employers the time to find an appropriate location and adjust schedules if needed.

Employees wishing to request a room or other location to express breast milk in the workplace should do so by submitting a written request to their direct supervisor or individual designated by their employer for processing

requests. Employers must respond to this request for a room or other location to express breast milk in writing within five days.

Employers must notify all employees in writing through email or printed memo when a room or other location has been designated for breast milk expression.

LACTATION ROOM REQUIREMENTS

In addition to providing the necessary time during the workday, employers must provide a private room or alternative location for the purpose of breast milk expression. The space provided for breast milk expression cannot be a restroom or toilet stall.

The room or other location must:

- Be close to an employee's work area
- Provide good natural or artificial light
- Be private – both shielded from view and free from intrusion
- Have accessible, clean running water nearby
- Have an electrical outlet (if the workplace is supplied with electricity)
- Include a chair
- Provide a desk, small table, desk, counter or other flat surface

There does not need to be a separate space for every nursing employee. An employer may dedicate a single room or other location for breast milk expression. Should there be more than one employee at a time needing access to a lactation room, an employer may dedicate a centralized location to be used by all employees.

Any space provided for breast milk expression must be close to the work area of the employee(s) using the space. The space must be in walking distance, and the distance to the location should not significantly extend an employee's needed break time.

Employers located in shared work areas, such as office buildings, malls and similar spaces may work together to establish and maintain a dedicated lactation room, as long as such space(s) are a reasonable distance from the employees using the room. Each employer utilizing this common space is individually responsible for making sure the room meets the needs of their employees.

If there is not a separate room or space available for lactation, an employer may use a vacant office or other available room on a temporary basis. This room must not be accessible to the public or other employees while an employee is using it for breast milk expression.

As a last resort, an available cubicle may be used for breast milk expression. A cubicle can only be used if it is fully enclosed with a partition and is not otherwise accessible to the public or other employees while being used for breast milk expression. The cubicle walls must be at least seven feet tall to insure the employee's privacy.

To ensure privacy, if the lactation room has a window, it must be covered with a curtain, blind or other covering. In addition, the lactation space should have a door equipped with a functional lock. If this is not possible (such as in the case of a fully enclosed cubicle), as a last resort, an employer must utilize a sign advising the space is in use and not accessible to other employees or the public.

If the workplace has a refrigerator, employers must allow employees to use it to store breast milk. However, employers are not responsible for ensuring the safekeeping of expressed milk stored in any refrigerator in the workplace. Employees are required to store all expressed milk in closed containers and bring milk home each evening.

The space designated for expressing breast milk must be maintained and clean at all times.

If an employer can demonstrate undue hardship in providing a space with the above requirements, the employer must still provide a room or other location - other than a restroom or toilet stall - that is in close proximity to the work area where an employee can express breast milk in privacy, that meets as many of the requirements as

possible. Undue hardship is defined in the statute as “causing significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer’s business.” However, an employer may not deny an employee the right to express breast milk in the workplace due to difficulty in finding a location.

NEW YORK STATE DEPARTMENT OF LABOR RESOURCES

If an employee believes that they are experiencing retaliation for expressing breast milk in the workplace, or that their employer is in violation of this policy, should contact the New York State Department of Labor’s Division of Labor Standards. Call us at 1-888-52-LABOR, email us at LSAsk@labor.ny.gov, or visit the nearest Labor Standards office to personally file a complaint. A list of our offices is available at dol.ny.gov/location/contact-division-labor-standards. Complaints are confidential.

FEDERAL RESOURCES

The federal PUMP Act went into effect in 2023, expanding protections for almost all employees expressing breast milk at work. Under the PUMP Act, any covered workers not provided with breaks and adequate space for up to a year after the birth of a child are able to file a complaint with the U.S. Department of Labor or file a lawsuit against their employers. For more information, please visit dol.gov/agencies/whd/pump-at-work

Motion made by Trustee _____ and seconded by Trustee _____ to adopt the NYS Policy on the Rights of Employees to Express Breast Milk.

Vote: Carried (-)

Mayor Maggie Ridge
Trustee Randy Hess
Trustee Wayne LaVair

Deputy Mayor Andy Fraser
Trustee AJ Peck

Sexual Harassment Policy for all Employers in New York State

Motion made by Trustee _____ and seconded by Trustee _____ to adopt the NYS Sexual Harassment Policy.

Vote: Carried (-)

Mayor Maggie Ridge
Trustee Randy Hess
Trustee Wayne LaVair

Deputy Mayor Andy Fraser
Trustee AJ Peck

11. Executive session

Motion made by Trustee _____ and seconded by Trustee _____ to enter into executive session at _____ pm to discuss a particular employee matter.

Vote: Carried (-)

Mayor Maggie Ridge
Trustee Randy Hess
Trustee Wayne LaVair

Deputy Mayor Andy Fraser
Trustee AJ Peck

Motion made by Trustee _____ and seconded by Trustee _____ to adjourn executive session and return to regular session at _____ pm.

Vote: Carried (-)

Mayor Maggie Ridge
Trustee Randy Hess
Trustee Wayne LaVair

Deputy Mayor Andy Fraser
Trustee AJ Peck

12. Adjournment

Motion made by Trustee _____ and seconded by Trustee _____ to adjourn the Village Board meeting at _____ pm.

Vote: Carried (-)

Mayor Maggie Ridge

Deputy Mayor Andy Fraser

Trustee Randy Hess
Trustee Wayne LaVair

Trustee AJ Peck

Village of Scottsville
Board of Trustees Meeting
Tuesday, May 11, 2023 6:30 pm
Wheatland Municipal Building
UNAPPROVED Meeting Minutes

Call to Order Mayor Maggie Ridge called the May 11, 2023 Village of Scottsville Board of Trustees to order at 6:30 pm.

Pledge of Allegiance to the Flag

Roll Call

Present: Maggie Ridge, Mayor
Andy Fraser, Deputy Mayor
AJ Peck, Trustee

Absent: Randall Hess, Trustee
Wayne LaVair, Trustee

Also Present: John Mancuso, Attorney
Anne Hartman, Village Clerk
Doug Barber, Code Enforcement Officer

Approval of Minutes

Village Board Meeting Minutes

Tuesday, April 11, 2023

Motion made by Mayor Maggie Ridge and seconded by Deputy Mayor Andy Fraser to approve the minutes of the *Tuesday, April 11, 2023* Organizational Meeting as submitted.

Vote: Carried (3-0)

Mayor Maggie Ridge	AYE	Deputy Mayor Andy Fraser	AYE
Trustee AJ Peck	AYE	Trustee Randy Hess	ABSENT
Trustee Wayne LaVair	ABSENT		

Tuesday, April 11, 2023

Motion made by Mayor Maggie Ridge and seconded by Deputy Mayor Andy Fraser to approve the minutes of the *Tuesday, April 11, 2023* Village Board Meeting as submitted.

Vote: Carried (3-0)

Mayor Maggie Ridge	AYE	Deputy Mayor Andy Fraser	AYE
Trustee AJ Peck	AYE	Trustee Randy Hess	ABSENT
Trustee Wayne LaVair	ABSENT		

Public Before the Board

No Public

Department Reports

Building Inspector/Code Enforcement Officer – Doug Barber

Building:

- 21 Main Street, working with the homeowner on what is needed for a possible rear addition permit.
- 620 North Rd framing inspection completed.
- 19 Maple, framing and rough plumbing inspection passed, next inspection will be

insulation before drywall.

- 18 Rochester Street, application received for above ground pool permit. Waiting on HB for their approval before a permit is issued. No concerns on my end. Also, the office received an application for a Certificate of Appropriateness for a logger from PA to remove some trees in the backyard. Under further investigation, the logger did not have the consent of the homeowner to apply on her behalf. In talking to the homeowner, she said the logger was very forceful and intimidating. CEO has filed a complaint with the Better Business Bureau.
- Few other permits issued throughout the village for fences, above ground pools and decks.
- Working on tracking down open permits that have been open for over a year to see if they are completed or extensions are needed.
- Upcoming project to review the fee schedule.

Code Enforcement:

- 675 North Rd apartments, received a complaint regarding bad lighting and broken sidewalks.
- Following up on previous letters sent to a couple of residents on Rochester Street regarding projects done without HB approval.
- Heany has been in contact with me regarding the noise. They are actively working on solutions for noise reduction.
- Elonoc Towing has moved out of 67 Rochester Street due to new owners of the building raising rent over 100 percent. They are currently parking their equipment behind 39 Main Street with owner's approval. No cars will be stored there, just their fleet for the time being.
- CooperVision are possibly looking to meet with the PB/ZB at the June meeting.

Fire Marshal:

Nothing to report at this time.

DPW – Todd Schwasman

Last Month:

Planted four new trees.
 Flushed approximately 8000 feet of sewer.
 Started mowing and weed-whacking the parks.
 Mulched trees in Canawaugus Park.
 Painted the plows for next winter.
 Maintenance of the garbage truck.

Upcoming Month:

Putting down speed humps.
 Putting up flags and banners on Main Street.
 Planting and putting flowerpots and boxes on Main Street.
 Door installation at Johnson Park.
 Repairing the culvert pipe in a driveway on Grenadier Rd.
 Training another employee for the garbage truck.

Treasurer – Katie Garner

Pay Bills:

Motion made by Trustee AJ Peck and seconded by Mayor Maggie Ridge to approve payables as listed on the AP Check Register Report through May 11, 2023 and prepaid bills with General Payables totaling \$36,507.57.

Vote: Carried (3-0)

Mayor Maggie Ridge AYE
 Trustee AJ Peck AYE
 Trustee Wayne LaVair ABSENT

Deputy Mayor Andy Fraser AYE
 Trustee Randy Hess ABSENT

Overspent Lines		Why?
A.1410.1 Clerk Salaries	3,200.00	Estimated by year end - under budgeted raises
A.1670.4 Printing and Mailing	46.14	Underestimated postage needs (stamp costs increased)
A.3620.1 Code Enforcement Salaries	1,800.00	Estimated by year end - under budgeted raise
A.5110.1 Street Maintenance Salaries	15,000.00	Estimated by year end - raises mid year
A.8160.41 Recycling Contractual	3,973.00	Estimated by year end - rates increased

Treasurers Report:

Budget Transfers:

Suggested Budget Transfers:

Account Code	Descriptions	To	From
		\$	
A.1410.1	Clerk Salaries	3,200.00	
A.1670.4	Printing & Mailing	\$ 50.00	
A.1910.4	Unallocated Insurance		\$ 50.00
A.1990.4	Contingent Expenses		\$ 4,500.00
A.3620.1	Code Enforcement Salaries	\$ 1,800.00	
A.5110.1	Street Maintenance Salaries	\$ 15,000.00	
A.5142.1	Snow Removal Salaries		\$ 2,600.00
A.5142.4	Snow Removal Contractual		\$ 3,440.00
A.8160.41	Recycling Contractual	\$ 4,000.00	
A.9060.8	Health Insurance		\$ 13,460.00
		\$ 24,050.00	\$ 24,050.00

Motion made by Deputy Mayor Andy Fraser and seconded by Mayor Maggie Ridge to approve the budget transfers as listed above from the May 2023 Treasurers Report in the amount of \$24,050.00.

Vote: Carried (3-0)

Mayor Maggie Ridge AYE
 Trustee AJ Peck AYE
 Trustee Wayne LaVair ABSENT

Deputy Mayor Andy Fraser AYE
 Trustee Randy Hess ABSENT

Suggested Budget Adjustments:	Expense Increase	Revenue Increase \$
Federal Aid - A4089		(5,549.00)
Streets Contractual - A5110.4	\$ (5,549.00)	

Motion made by Deputy Mayor Andy Fraser and seconded by Mayor Maggie Ridge to approve the budget adjustments as listed above from the May 2023 Treasurers Report in the amount of \$5,549.00.

Vote: *Carried (3-0)*

Mayor Maggie Ridge	AYE	Deputy Mayor Andy Fraser	AYE
Trustee AJ Peck	AYE	Trustee Randy Hess	ABSENT
Trustee Wayne LaVair	ABSENT		

Updates:

After reviewing the year end submission for the ARPA reporting required, the funds are truly geared for larger, significant community projects. Because the Village has upcoming projects for the parks, sewer, and gutters, as well as the need for new software, I recommend reclassing the expenses we had earmarked as ARPA expenses. There are sufficient budget lines to cover these expenses elsewhere.

Health Insurance

The Handbook needs to be updated to reflect what we are currently doing for employees and retirees.

One option is not to be so specific in the handbook about the Village's contribution. If we do that it would need to be reviewed by July each year to meet the Sept 1 plan year for the health insurance. Attorney recommended having the Handbook updated by a company to develop a municipal handbook.

Insurance Reserve Fund

Resolved, that pursuant to Section 6-n of the General Municipal Law, as amended, there is hereby established an Insurance Reserve Fund. The purpose of the Reserve Fund is to fund certain uninsured losses, claims, etc. for which the local government is authorized or required to purchase or maintain insurance, with a number of exceptions (noted in the law).

Except as otherwise provided by law, expenditures from the Reserve Fund shall be made only for the purpose for which the Reserve fund is established (as described in GML Section 6-n). No expenditure or funding shall be made from or to this reserve without the approval of the governing board.

Whereas the Village has additional surplus from an unexpected class action settlement and the workers compensation surplus refund, the Board resolves to fund this reserve \$50,000 as of the year ended May 31, 2023.

Resolution made by Deputy Mayor Andy Fraser and seconded by Mayor Maggie Ridge to establish the Insurance Reserve Fund as listed above.

Vote: *Carried (3-0)*

Mayor Maggie Ridge	AYE	Deputy Mayor Andy Fraser	AYE
Trustee AJ Peck	AYE	Trustee Randy Hess	ABSENT
Trustee Wayne LaVair	ABSENT		

Clerk – Anne Hartman

Archive Social one company that saves social media posts for retention purposes.
More research to be done to evaluate our responsibility of archiving social media posts.

Taxes and sewer units have been sent to the County
County will send it off to ABS for printing and sent out.
Sewer Commission meeting still needs to happen

Peddler Permit
A national company called for information and thought our code was lenient. We should look at tightening it.

Vacation Carryover
The goal is for employees to take earned vacation, but with staffing shortages sometimes the employees give up vacation. We currently allow employees to carry over 40 hrs vacation with no payouts.

Motion made by Deputy Mayor Andy Fraser and seconded by Mayor Maggie Ridge to amend the vacation policy fourth paragraph second sentence to read the following: “Employees may request up to five (5) days’ pay in lieu of vacation or employees may carry over a maximum of 100 hours of vacation from the previous year which must be used by the first quarter of the next fiscal year. Unused vacation beyond 100 hours would be forfeited at the end of the first quarter of the fiscal year.

Vote: Carried (3-0)

Mayor Maggie Ridge	AYE	Deputy Mayor Andy Fraser	AYE
Trustee AJ Peck	AYE	Trustee Randy Hess	ABSENT
Trustee Wayne LaVair	ABSENT		

Out of District Garbage and Recycling Pickup

Motion made by Mayor Maggie Ridge and seconded by Trustee AJ Peck to raise the fees for out of district pick up to \$350.00 annually starting June 1, 2023.

Vote: Carried (3-0)

Mayor Maggie Ridge	AYE	Deputy Mayor Andy Fraser	AYE
Trustee AJ Peck	AYE	Trustee Randy Hess	ABSENT
Trustee Wayne LaVair	ABSENT		

Trustee Updates:

Deputy Mayor Andy Fraser – Grants and Planning Board/Zoning Board of Appeals
We will be approving Richard Kegler., a new member to the Planning and Zoning Boards.

Trustee AJ Peck – Procurement and ARPA
Getting prices on playground equipment, discovered we need to increase our budget, very expensive.
Meeting at he park tomorrow with the Mayor and other local groups that use the park to get improvement ideas.

Trustee Wayne LaVair – DPW
Absent

Trustee Randy Hess – Historic Commission
Absent

Mayor's Reports - Maggie Ridge

- Arbor Day and Electronic Recycling May 6
- Deputy Mayor Fraser and I met with the Fire Company – Fire District waiting on subdivision approval from the Planning Board – that was approved in June 2022 with 3 conditions: 1 engineering and 2 for the Village Board to act upon, but those conditions have not been presented by the District. The expectation was that the District would bring the completed conditions to the Village when satisfied.
- Concerts at the Gazebo schedule set. Working out more details for the SummerFest, Lions Club is doing the food, creating application for vendors
- Met with Toby Polito about a village-wide garage sale event – probably 2024
- Preliminary approval for CDBG of \$65,000 for gutter project in the big tract. It is a matching grant.
- Received the PTNY grant for \$5,800.
- Memorial Day Parade – we ordered a banner for the Village and Town to walk behind together

Old Business

No old business

New Business

Eclipse 2024 – the Village has no plans to host an event

Planning Board and Zoning Board of Appeals Appointment

Motion made by Deputy Mayor Andy Fraser and seconded by Mayor Maggie Ridge to appoint Richard Kegler as a member of the Village of Scottsville Planning Board and Zoning Board of Appeals with a term ending April 2024.

Vote: *Carried (3-0)*

Mayor Maggie Ridge	AYE	Deputy Mayor Andy Fraser	AYE
Trustee AJ Peck	AYE	Trustee Randy Hess	ABSENT
Trustee Wayne LaVair	ABSENT		

Policy Review

A schedule of policies to be reviewed throughout the year.

Dunkin Donut advertising

This is not allowed on Village property.

Forestry Board Tree Planters

New planters for plants on Main St. purchased

Main St. sidewalks

Some spots on Main St. are broken up and may be dangerous. Use Fund Balance to make repairs.

Executive session

Motion made by Mayor Maggie Ridge and seconded by Trustee AJ Peck to enter into executive session at 8:15 pm to discuss a particular employee matter and attorney/client privilege.

Vote: *Carried (3-0)*

Mayor Maggie Ridge	AYE	Deputy Mayor Andy Fraser	AYE
Trustee AJ Peck	AYE	Trustee Randy Hess	ABSENT
Trustee Wayne LaVair	ABSENT		

Motion made by Trustee AJ Peck and seconded by Mayor Maggie Ridge to adjourn executive session and return to regular session at 8:45pm.

Vote: *Carried (3-0)*

Mayor Maggie Ridge	AYE	Deputy Mayor Andy Fraser	AYE
Trustee AJ Peck	AYE	Trustee Randy Hess	ABSENT
Trustee Wayne LaVair	ABSENT		

Adjournment

Motion made by Deputy Mayor Andy Fraser and seconded by Mayor Maggie Ridge to adjourn the Village Board meeting at 9:04 pm.

Vote: *Carried (3-0)*

Mayor Maggie Ridge	AYE	Deputy Mayor Andy Fraser	AYE
Trustee AJ Peck	AYE	Trustee Randy Hess	ABSENT
Trustee Wayne LaVair	ABSENT		

Respectfully submitted by:



Anne Hartman
Village Clerk

Purpose and Goals

The Village of Scottsville is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the *Village* recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of the Village's commitment to a discrimination-free work environment.

Goals of this Policy:

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with the Village of Scottsville. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

Sexual Harassment and Discrimination Prevention Policy:

1. The Village of Scottsville policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with the Village. For the remainder of this policy, we will use the term “covered individual” to refer to these individuals who are not direct employees of the company.
2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of the Village who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or the **Mayor**. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on [Legal Protections](#).
4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject the Village to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. The Village of Scottsville will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. The Village of Scottsville will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, the Village will act as required. In addition to any required discipline, the Village will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or

harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.

6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Mayor.

7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a

violation of the Village's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called **quid pro quo** harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. **This list is just a sample of behaviors and should not be considered exhaustive.** Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;

- This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities:
 - Dress codes that place more emphasis on women's attire;
 - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. **Harassers can be anyone in the workplace.** A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as "difficult" and excluding them from projects to avoid "drama";
- Undermining an individual's immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, manager or *the Mayor*. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or the Mayor.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it, but the complaint form is not required. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on [Legal Protections](#).

Supervisory Responsibilities

Supervisors and managers have a responsibility to prevent sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to the Mayor. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and managers can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors and managers can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

Complaints and Investigations of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The Village will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

The Village recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, the Mayor:

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, the Mayor will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation the Mayor will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
3. Will seek to interview all parties involved, including any relevant witnesses;
4. Will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - a. A list of all documents reviewed, along with a detailed summary of relevant documents;
 - b. A list of names of those interviewed, along with a detailed summary of their statements;
 - c. A timeline of events;
 - d. A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - e. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
5. Will keep the written documentation and associated documents in a secure and confidential location;
6. Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
7. Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the Village of Scottsville, but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report sexual harassment. Employees and covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

New York State Division of Human Rights:

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 *et seq.*, applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time **within three years** of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Village does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies but it may include requiring your employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR as well as a form that can be submitted online. The website also contains contact information for DHR's regional offices across New York State.

Call the DHR sexual harassment hotline at **1(800) HARASS3** for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

The United States Equal Employment Opportunity Commission:

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e *et seq.* An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting

workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred by does not file a lawsuit.

Individuals may obtain relief in mediation, settlement or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

Conclusion

The policy outlined above is aimed at providing employees at the Village and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.