

Vermont Sexual Harassment Notice

SEXUAL HARASSMENT IS ILLEGAL

Sexual harassment is illegal and prohibited by the *Vermont Fair Employment Practices Act (VFEPa)* (21 V.S.A. §§ 495 - 496a) and *Title VII of the Civil Rights Act of 1964* (42 U.S.C.A. § 2000e et seq.).

Vermont law protects all workers, not just employees. 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" should be understood to apply to work agreements beyond the traditional employer-employee relationship.

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

- Submission to that conduct is made either explicitly or implicitly a term or condition of work; or
- 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
- 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 from sexual harassment for individuals performing work or services. Every employer must promptly respond to or report complaints of sexual harassment or suspected sexual harassment.

Examples of sexual harassment include: unwelcome sexual advances, suggestive or lewd remarks, and unwanted hugs, touches, or kisses; requests for sexual favors, pornographic posters, cartoons, and drawings; unwelcome sexual jokes.

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 they have been sexually harassed or retaliated against for reporting sexual harassment are encouraged to report the situation as soon as possible to one or more of the following.

- His or her supervisor;
- _____ (the head of this organization);
- The person who is designated to receive such complaints and reports:
Name and Title: _____
Address and Telephone Number _____

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

THIS IS A MANDATORY POSTER

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Labor.Complaints@vermont.gov
(802) 828-4000 | Fax: (802) 865-7655

