

**RESOLUTION 23-231**

**A RESOLUTION TO MODIFY THE INVESTIGATING UNLAWFUL HARASSMENT  
AND DISCRIMINATION COMPLAINTS**

**WHEREAS**, the City of Spring Hill recognizes the importance of maintaining a safe, respectful, and inclusive workplace, free from sexual and other unlawful harassment or discrimination; and

**WHEREAS**, it is the City's commitment to ensure that complaints of harassment and discrimination are promptly, thoroughly, and fairly investigated, and that appropriate corrective actions are taken to end the problem and prevent its reoccurrence; and

**WHEREAS**, the current policy confused the investigation steps for harassment and ethics complaints; and

**WHEREAS**, the City was advised by legal counsel to modify the policy to clarify the investigative process.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Mayor and Alderman of the City of Spring Hill that the modification to Policy 2.03.04 Investigating Unlawful Harassment and Discrimination Complaints is approved.

Passed and adopted this 6th day of November, 2023.

  
\_\_\_\_\_  
Jim Hagaman, Mayor

ATTEST:

  
\_\_\_\_\_  
April Goad, City Recorder

LEGAL FORM APPROVED:

  
\_\_\_\_\_  
Patrick Carter, City Attorney



**MEMORANDUM**

TO: Board Of Mayor And Aldermen  
CC:  
FROM: Richard L. Stokes, HR Director, City of Spring Hill  
RE: Rationale for Adopting the Sexual Harassment and Discrimination Complaint Policy  
DATE: 10/30/2023

The City of Spring Hill recognizes the pressing need to address and prevent sexual harassment and other unlawful forms of discrimination within the municipal government. It is imperative to establish a comprehensive policy that not only underscores our commitment to providing a safe, respectful, and inclusive workplace but also outlines a clear and structured procedure for handling complaints of harassment and discrimination. This rationale serves to explain the necessity and significance of adopting the proposed policy.

**1. Ensuring a Safe and Inclusive Workplace:**

The fundamental aim of this policy is to ensure that all employees within the City of Spring Hill enjoy a safe and inclusive work environment. The policy demonstrates the city's commitment to fostering a culture of respect, free from any form of harassment or discrimination. It sets clear expectations for all employees, creating an atmosphere where everyone feels valued and protected.

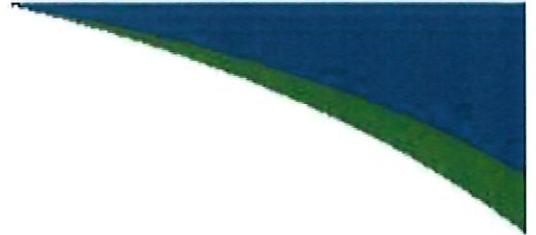
**2. Timely and Thorough Investigations:**

The commitment to conducting thorough and timely investigations is crucial to both victims and those accused of harassment or discrimination. It ensures that complaints are taken seriously and resolved promptly, contributing to a healthier work environment and avoiding prolonged distress for affected employees.

**3. Maintaining Confidentiality:**

Confidentiality is vital in encouraging employees to report harassment or discrimination without fear of retaliation. It demonstrates the city's commitment to safeguarding the privacy of those involved in the complaint process. Balancing confidentiality with thoroughness is a delicate yet essential aspect of any investigation.





#### **4. Designated Investigators:**

Designating the City Administrator and Human Resources Director as investigators provides a structure for impartial and unbiased inquiries into complaints. This approach ensures that investigations are carried out by individuals who are experienced and knowledgeable in handling such matters.

#### **5. Accountability for Elected Officials:**

The provision for appointing an alderman to investigate sexual harassment complaints against elected officials demonstrates a commitment to holding public servants accountable. This provision serves to assure the public that those in positions of authority are not immune from scrutiny.

#### **6. Immediate Corrective Actions:**

The commitment to taking immediate and appropriate corrective actions based on investigation results is essential for ending the problem and preventing its recurrence. This approach ensures that employees can expect swift resolution and a strong stance against harassment or discrimination.

#### **7. Disciplinary Consistency:**

A transparent system for disciplinary actions is crucial. Employees need to know that consistent consequences will be imposed for engaging in harassment or discrimination. This policy allows for flexibility while maintaining fairness, considering the nature and severity of the offense and other relevant factors.

#### **8. Protection from Non-Employee Harassment:**

Ensuring that the City Administrator takes lawful action against non-employees who engage in harassment is vital in guaranteeing the safety of municipal government employees. The policy underlines the city's commitment to protect its workforce, even in cases where the harasser is not a city employee.

In conclusion, the adoption of this policy is necessary to ensure a respectful and safe work environment for all employees. It not only outlines a clear and structured procedure for handling complaints of harassment and discrimination but also demonstrates the City of Spring Hill's commitment to taking a proactive stance against these issues. By implementing this policy, the city can promote inclusivity, accountability, and the well-being of its workforce.



### **CITY OF SPRING HILL**

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#### 2.03.04 Investigating Unlawful Harassment Complaints

Complaints of sexual or other unlawful harassment or discrimination will be investigated in a thorough and timely manner. Confidentiality will be maintained to the extent possible without jeopardizing the thoroughness of the investigation, keeping in mind that the Board of Mayor an Alderman is the client of the City Attorney. The City Administrator and ~~the Ethics Officer~~ Human Resources Director are the ~~persons-people~~ designated as the investigator of unlawful harassment complaints against employees. In the event the sexual harassment complaint is against the HR Director, the investigator will be the City Administrator. In the event the sexual harassment is against the City Administrator, the investigator will be the City Attorney.~~the Mayor, the investigator will be an aldermen appointed by the BOMA.~~

Based upon the results of the investigation, the City Administrator ~~Mayor~~ (or Board) will take immediate and appropriate corrective action to end the problem and prevent its reoccurrence. Anyone found guilty of engaging in sexual or other unlawful harassment or discrimination will be subject to disciplinary action consistent with the City Administrator's ~~Mayor's~~ (or Board's) authority under the municipal charter, ordinances, resolutions, or rules governing their authority to discipline employees. ~~If the Mayor feels that the harassment warrants disciplinary action stronger than he is authorized to impose by the charter, ordinances, resolution, or rules governing employee discipline, he will make that determination known, along with the report of the investigation to the BOMA, which may discipline the employee consistent with its authority under the municipal; charter, ordinances, resolutions, or rules governing employee discipline.~~

The disciplinary action will be consistent with the nature and severity of the offense, the employee's rank and any other factors the ~~BOMA~~ City Administrator believes relate to fair and efficient administration of the municipal government. This includes, but is not limited to, the effect of the offense, and the light in which it casts the municipality. ~~The~~ Ddisciplinary action may include, but is not limited to, demotion, warning, reprimand or termination. A written record will be kept of imposed disciplinary actions, including verbal reprimands.

In cases where unlawful harassment is committed by a non-employee against a municipal government employee in the workplace, the ~~Mayor~~ City Administrator will take whatever lawful action is necessary against the non-employee to bring the harassment to an immediate end.

#### **2.03.04 Investigating Unlawful Harassment and Discrimination Complaints**

Complaints of sexual or other unlawful harassment or discrimination will be investigated in a thorough and timely manner. Confidentiality will be maintained to the extent possible without jeopardizing the thoroughness of the investigation, keeping in mind that the Board of Mayor and Alderman is the client of the City Attorney. The City Administrator and Human Resources Director are the people designated as the investigator of unlawful harassment complaints against employees. In the event the sexual harassment complaint is against an elected official, the investigator will be an alderman appointed by the BOMA. In the event the sexual harassment is against the HR Director, the investigator will be the City Administrator. In the event the sexual harassment is against the City Administrator, the investigator will be the City Attorney.

Based upon the results of the investigation, the City Administrator (or Board) will take immediate and appropriate corrective action to end the problem and prevent its reoccurrence. Anyone found guilty of engaging in sexual or other unlawful harassment or discrimination will be subject to disciplinary action consistent with the City Administrator (or Board's) authority under the municipal charter, ordinances, resolutions, or rules governing their authority to discipline employees.

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