

**BOROUGH OF ALBURTIS  
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 353

(Duly Adopted June 25, 1997)

AN ORDINANCE AMENDING ORDINANCE 343 (RELATING TO  
EMPLOYMENT POLICIES) BY ESTABLISHING A SEXUAL  
HARASSMENT POLICY.

**WHEREAS**, by Ordinance 343 (adopted December 30, 1996), Borough Council established a comprehensive set of employment policies for the Borough; and

**WHEREAS**, Borough Council desires to establish a policy concerning sexual harassment;

**NOW, THEREFORE**, be it **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Alburtis, Lehigh County, Pennsylvania, that Ordinance 343 (adopted December 30, 1996), as amended, shall be further amended by adding the following new Section 507 after existing Section 506:

**§ 507 Prohibition of Sexual Harassment.**

(a) **In General.** It is the Borough's policy to provide a positive, discrimination-free work environment, and therefore, sexual harassment in the workplace is unacceptable conduct that will not be tolerated.

(b) **Definition.** For purposes of this Section, "sexual harassment" is unsolicited, nonreciprocal behavior by an officer, elected official, or employee who is in a position to control or affect another person's job status with the Borough and who uses the power or authority of that position to cause that person to submit to sexual activity, or to fear that he or she would be punished for refusal to submit.

“Sexual harassment” also includes any conduct by an officer, elected official, or employee which unreasonably interferes with another’s work performance for the Borough by creating an intimidating, hostile, or offensive work environment. Sexual harassment consists of a variety of behaviors, including, but not limited to:

- (1) subtle pressure for sexual activity;
- (2) inappropriate touching;
- (3) inappropriate language;
- (4) demands for sexual favors; and
- (5) physical assault.

**(c) Reports of Sexual Harassment.** The Borough strongly encourages all officers, elected officials, and employees to report all situations which they believe may constitute sexual harassment or other violations of this Section, including both actions against them personally and actions against others. Where appropriate, reports should initially be made to the reporting individual’s immediate supervisor. However, the Borough recognizes that a person may not be comfortable making such a report to his/her immediate supervisor or may not believe that such a report will be effective. Accordingly, in those situations, reports may be made to the Borough Secretary, the President of Borough Council, or the Borough Solicitor.

**(d) Investigation and Remedy.** All reports of sexual harassment or other violations of this Section shall be promptly investigated. The Borough shall take prompt and effective action to remedy any violation of this Section.

**(e) Limited Disclosures.** No disclosures shall be made of any reports under subsection (c) except to the extent necessary to investigate the report appropriately or remedy the problem, or as required by law.

**(f) Retaliation.** No officer, elected official, or employee shall take any action against any person for making a good faith report under

subsection (c) or for cooperating with any investigation under subsection (d).

**(g) Disciplinary Action.** The Borough will treat sexual harassment, and retaliation for reporting sexual harassment or cooperating with an investigation of sexual harassment, as forms of misconduct. Employees who engage in harassing or retaliating behavior shall be disciplined appropriately, up to and including dismissal.

**DULY ORDAINED** and **ENACTED** by the Borough Council of the Borough of Alburdis, this 25th day of June, 1997, in lawful session duly assembled.

BOROUGH COUNCIL  
BOROUGH OF ALBURDIS

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Steven R. Hill, President

Attest:

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Louise Stahley, Secretary

**AND NOW**, this 25th day of June, 1997, the above Ordinance is hereby APPROVED.

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Ronald J. DeIaco, Mayor