

BOARD OF COUNTY ROAD COMMISSIONERS
OF THE COUNTY OF ST. CLAIR

SUBJECT: Prohibition of Unlawful Retaliation in the Workplace

ADOPTED: October 7, 2003

Legal Citation:

Title VII, Age Discrimination in Employment Act, Equal Pay Act, Fair Labor Standards Act, Americans with Disabilities Act, Michigan's Elliott-Larsen Civil Rights Act (ELCRA) and Persons with Disabilities Civil Rights Act

The St. Clair County Road Commission takes unlawful retaliation very seriously and is committed to a policy prohibiting its occurrence. Unlawful retaliation will not be tolerated. Any complaint of unlawful retaliation will result in an investigation and appropriate corrective action. Any employee found in violation of this policy will be subject to disciplinary action which may include termination.

It shall be a violation of this policy for any Road Commission employee to ridicule, threaten, discipline or otherwise discriminate or retaliate against another Road Commission employee because that employee has:

1. opposed a discriminatory practice by the Road Commission; or,
2. made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing with respect to a discriminatory practice by the Road Commission.

A discriminatory practice is one in which the employee alleges that the Road Commission has treated an employee differently from other similarly situated employees, and/or harassed an employee, on the basis of race, age, color, sex, religion, national origin, marital status, height, weight, or qualifying disability.

The Road Commission prohibits unlawful retaliation by the Road commission, its supervisors, managers, and employees. Retaliatory conduct includes any conduct or communication which has the purpose or effect of substantially interfering with an individual's job performance or creates an intimidating, hostile, or offensive working environment. The purpose of this policy is not, however, to insulate employees from warranted discipline. Any employee whose conduct legitimately warrants discipline will still be subject to such discipline, even if the

employee tries to prevent same by making a complaint of discrimination.

All employees should know, and are herewith placed on notice, that the Road Commission will not tolerate or permit unlawful retaliation to occur in the work place. Employees who are found to be in violation of this Policy will be considered to have violated a serious Road Commission Policy and will be subject to a variety of discipline measures up to and including discharge.

Under this Policy, it is the Road Commission's position that responsible personnel will take affirmative action or actions, as may be necessary and appropriate, to prevent unlawful retaliation from occurring in the workplace and to investigate all reported incidents in a fair, objective, impartial manner and within a reasonable time frame. In those instances where a violation of the Policy is verified through investigation, action or actions will be taken to discipline those involved where appropriate and to prevent reoccurrence of the unlawful retaliation.

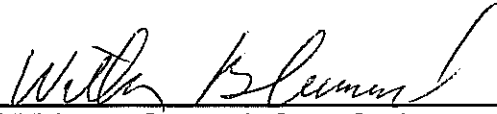
Under the Policy, the Road Commission's management is responsible to objectively investigate reports of any unlawful retaliation by or between employees of the Road Commission. Incidents of retaliation shall be reported to the Managing Director. If the complaint is against the Managing Director, the employee shall register his/her complaint with the Board Clerk, who shall promptly notify the Chairperson of the Board. The Chairperson shall designate appropriate personnel to investigate the complaint. All retaliation complaints should be reduced to writing and include all appropriate information in order to facilitate investigation of the complaint. Specifically, the complaint should contain:

1. The full name and address of the person filing;
2. The full name and address (if known) of the person against whom the charge is being made; and,
3. A short summary of the alleged retaliatory action or conduct.

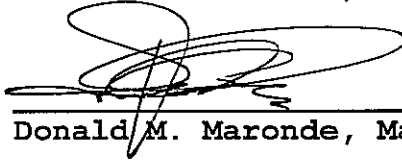
The recipient of the complaint and/or an appropriate designee shall conduct an independent investigation and evaluation of the validity of the complaint. Investigations and evaluations shall be completed in a timely fashion. Anonymous complaints will not be pursued. Complaints will be resolved in the best interest of both the complainant and the Road Commission.

This Policy is intended to facilitate the elimination of unlawful retaliation against employees in the workplace. Employees who believe they have been subjected to unlawful retaliation are encouraged to report same in order that all employees may have a fair and objective environment in which to work. This Policy, however, does not supersede existing statues

and should not be construed to preclude any employee's alternative course of action for redress of unlawful retaliation.



William Blumerich, Chairman



Donald M. Maronde, Managing Director