



CITY OF PROVIDENCE

2.8 SEXUAL MISCONDUCT POLICY

Purpose

The purpose of this policy is to establish clear standards of conduct regarding inappropriate sexual behavior in the workplace, to prohibit actions that undermine professional integrity or workplace safety, and to ensure that all employees are treated with dignity and respect.

This policy expands beyond traditional sexual harassment definitions to address broader forms of sexual misconduct that may disrupt the workplace, compromise professional boundaries, or create hostile or inappropriate working conditions.

The City of Providence maintains a **zero-tolerance approach toward sexual misconduct**, particularly where power differentials exist or where such conduct interferes with the rights, safety, or wellbeing of employees.

Scope

This policy applies to all employees, officers, interns, fellows, applicants, contractors, and volunteers associated with the City of Providence

Nothing in this policy shall supersede, modify, or diminish any rights, benefits, or obligations contained within applicable collective bargaining agreements (CBAs) or laws. In the event of a conflict, between this policy and a CBA, the CBA shall prevail for covered employees. For all other employees not covered by a CBA, this policy shall govern.

Definitions

Sexual Misconduct: Any unwelcome sexual behavior or conduct of a sexual nature that violates professional workplace standards, interferes with an employee's work environment, or exploits a power imbalance between individuals. Sexual misconduct may occur regardless of gender, sexual orientation, or gender identity.

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, or other verbal, physical, or visual conduct of a sexual nature that creates an intimidating, hostile, or offensive work environment or that is made a condition of employment.

Quid Pro Quo Harassment: A form of sexual harassment in which submission to sexual conduct is made explicitly or implicitly a term or condition of employment, promotion, compensation, or other employment benefit.

Hostile Work Environment: Conduct that is severe, pervasive, or persistent enough to create an intimidating, abusive, or offensive workplace environment.

Sexual Exploitation: Taking advantage of another individual through sexual conduct or sexualized behavior for personal benefit, professional advantage, intimidation, or coercion.

Inappropriate Sexual Conduct: Conduct of a sexual nature that violates workplace professionalism even if it may not meet the legal definition of harassment. Examples include sexually suggestive behavior, inappropriate discussions, or sharing sexual content in the workplace.

Power Differential: A situation where one employee has authority or influence over another employee's employment conditions, including supervisors, managers, department heads, or individuals involved in employment decisions.

Policy

The City of Providence strictly prohibits sexual misconduct in all forms. All employees are expected to maintain professional boundaries and conduct themselves in a manner consistent with the City's standards of professionalism and public service.



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1. **Prohibited Conduct**

The following behaviors are prohibited under this policy and may constitute sexual misconduct:

A. **Sexual Harassment**

1. Unwelcome sexual advances
2. Requests for sexual favors
3. Sexual propositions
4. Suggestive comments or innuendo
5. Repeated unwanted requests for dates or romantic engagement

B. **Inappropriate Sexualized Behavior**

Examples include but are not limited to:

1. Sexually suggestive jokes or comments
2. Sexual gestures
3. Displaying sexually explicit images, videos, or materials
4. Sharing sexually explicit content through electronic communications
5. Commenting on an employee's body or physical appearance in a sexualized manner

C. **Physical Misconduct**

1. Unwanted touching
2. Physical contact of a sexual nature
3. Blocking movement or invading personal space in a sexualized manner
4. Attempted or actual sexual assault

D. **Misuse of Authority or Power**

Employees in supervisory or leadership positions are strictly prohibited from:

1. Using authority to request sexual favors
2. Creating implicit pressure for sexual or romantic involvement
3. Making employment decisions based on sexual relationships or rejection of such conduct

E. **Sexual Exploitation or Coercion**

Examples include:

1. Conditioning employment opportunities on sexual conduct
2. Coercing or intimidating an employee into sexual activity
3. Attempting to manipulate professional opportunities for sexual gain

F. **Digital or Electronic Misconduct**

1. Sexual misconduct may occur through digital platforms including:
 1. Text messages
 2. Social media
 3. Email
 4. Messaging platforms
 5. Virtual meetings
2. Examples include:
 1. Sending sexually explicit messages
 2. Sharing inappropriate photos or videos
 3. Sexual harassment conducted through digital communications.

2. **Reporting Sexual Misconduct**

A. Employees who experience or witness sexual misconduct are encouraged to report the behavior immediately.

B. Reports may be made to:

1. The Department of People and Culture (DPC)
2. A supervisor or department director
3. The City's HR Hotline
4. The Municipal Integrity Officer

C. Reporting procedures and protections are further outlined in the Whistleblower – Anti-Retaliation Policy.



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3. **Investigations**

- A. All reports of sexual misconduct will be:
 - 1. Promptly reviewed
 - 2. Investigated thoroughly
 - 3. Handled with discretion and confidentiality to the extent possible
- B. Investigations may be conducted by:
 - 1. The Department of People and Culture
 - 2. The City Solicitor's Office
 - 3. External investigators when appropriate.

4. **Compliance**

- A. The City of Providence maintains a **zero-tolerance approach toward sexual misconduct**, particularly where power differentials exist or where such conduct interferes with the rights, safety, or wellbeing of employees.
- B. Where conduct may constitute criminal behavior, the City may refer matters to appropriate law enforcement authorities.
- C. Failure to comply with this policy may result in corrective or disciplinary action consistent with the City's disciplinary procedures and applicable collective bargaining agreements. Violations considered egregious will result in immediate termination.

Related Policies:

Ethics Guide

Whistleblower – Anti-Retaliation Policy

Code of Conduct

Discipline Policy

Personal Relationships and Nepotism Policy

Sexual Orientation and Gender Identity Policy

Non-Discrimination and Anti-Harassment Policy

Other Related Information:

Local 1033 [Collective Bargaining Agreement](#)