



LEBANON DIVERSITY, EQUITY, AND INCLUSION COMMISSION

AUGUST 2, 2022 - 6:00 PM

COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM

LEBANONNH.GOV/LIVE

1. Call to Order

- A. The August 2, 2022, Diversity, Equity & Inclusion Commission (DEI) Meeting is hereby called to order.

2. Approval of Minutes

- A. July 19, 2022

3. Old Business: None

4. New Business

- A. Multicultural Festival w/NEXUS - Keysi Montas and Councilor Hill (Still working on information)
- B. Hartford Committee on Racial Equity and Inclusion HCOREI (No Updates)
- C. Arts & Culture - Councilor Wilkie
- D. Collaboration on Hartford, Hanover, Lebanon and Norwich Community Safety Survey with HCOREI
- E. Vermont Declaration of Inclusion for the City -- Bise Wood Saint Eugene (The DEI Commission did not put for a vote. Al Wakefield from the Vermont Declaration of Inclusion will attend the next meeting to provide background information and resources based on their experience/expertise in this work.)
- F. Gun violence and affordable housing concern raised by a member of the public
- G. Discrimination Survey -- Bise Wood Saint Eugene/ Chair Emily Walton
- H. Review and provide comment on the Anti-Harassment Policy

5. Open to the Public

6. Future Agenda Items

7. Other Business

8. Adjournment

Meetings are open for in-person and remote attendance. Members of the public that wish to attend remotely may do so by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupts virtual or phone connection(s), the meeting will continue without remote access capabilities.

CITY OF LEBANON
DIVERSITY, EQUITY, & INCLUSION COMMISSION
July 19, 2022— 6:00pm
COUNCIL CHAMBERS, CITY HALL or
Remote Via Microsoft Teams: LebanonNH.gov/LIVE

MEMBERS PRESENT: Kathy Beckett (Public Representative Alternate) (via telepresence); Richard Ford Burley (Secretary); Nancy Graham (Public Representative); Karen Liot Hill (City Council Representative); Keiselim Montas (Public Representative); Bise Wood Saint Eugene (Vice Chair); Simone Whitecloud (Public Representative Alternate) (via telepresence); Devin Wilkie (City Council Representative); Tia Winter (Public Representative)

MEMBERS ABSENT: Emily Walton (Chair); Karen Zook (City Council Alternate)

STAFF PRESENT: Shaun Mulholland (City Manager)

1. CALL TO ORDER

Vice Chair Bise Wood Saint Eugene calls the 19 July 2022 Diversity, Equity & Inclusion Commission (DEI) Meeting to order at 6:00pm.

2. APPROVAL OF MINUTES

A. 5 July 2022

A MOTION by Devin Wilkie to approve the minutes of the meeting, as presented. Keiselim Montas seconds The Motion.

**The Motion is approved unanimously.*

3. BUSINESS

A. Feedback on the Strategic Plan – City Manager Mulholland

Item is moved to the bottom of the agenda for time use purposes.

B. Multicultural Festival w/ NEXUS – Keysi Montas and Councilor Karen Liot Hill

Keysi Montas reports that a second “act” is needed for the Multicultural Festival and that options are being explored.

C. Listening Session: July 21 (Emily Walton & Councilor Liot Hill), July 28 (Councilor Devin Wilkie & Richard Ford Burley)

Counselor Devin Wilkie reports that the Commission has two upcoming farmers market listening sessions scheduled.

D. Hartford Committee on Racial Equity and Inclusion (HCOREI) – Kathy Beckett

Kathy Beckett reports that they did not have a quorum so did not meet.

E. Lebanon School District - Tia Winter

Tia Winter reports no updates at this time.

F. Arts & Culture - Councilor Devin Wilkie

Councilor Devin Wilkie reports on a braille handrail as a potential accessibility feature for Lebanon’s residents exploring scenic areas. Discussion includes ideas for information gathering, manufacture, and potential placement.

G. Equity Worksheet – Richard Ford Burley (packet on SharePoint)

Richard Ford Burley reports on progress, shortcomings of current workflow. Will use update of harassment policy over next two meetings to refine usage of worksheet.

H. Collaborate on Hartford, Hanover, Lebanon, and Norwich Community Safety Survey with HCOREI? – Councilor Devin Wilkie and Keysi Montas

Councilor Devin Wilkie reports no updates at this time.

I. Follow-Up Regarding Checking in with Mental Health Providers for Trans Youth – Tia Winter

Tia Winter (returning to Item E) reports on a development regarding the School Resource Officer issue, specifically that the ACLU has submitted a letter to the School Board voicing concerns regarding whether the March 2022 vote was “nonbinding.”

Regarding the present Item, Tia Winter reports that there will not be any duplication of services if support groups are arranged here in Lebanon, and is therefore seeking help from nonprofits to do so.

J. A Proposition to Adopt the Vermont Declaration of Inclusion for the City of Lebanon – Bise Wood Saint Eugene

Bise Wood Saint Eugene presents the Declaration. Discussion circles around the City’s standing “Resolution for Inclusiveness” (adopted June 20, 2018). Councilors Karen Liot Hill and Devin Wilkie suggest sending a recommendation to the City Council to reaffirm the resolution. Additionally, the Commission can suggest coordinating efforts with other New Hampshire

Mayors and New Hampshire Municipal Association. Bise Wood Saint Eugene will invite one of the organizers of the Vermont Declaration to speak to the DEI Commission.

A. Feedback on the strategic plan? – City Manager Mulholland

DEI Commission members brainstorm ideas to add to the Strategic Plan currently in development, including: creation of a “CRESS” program (civilian, unarmed police alternative); creation of a low-barrier housing shelter; expansion of care, protection, and treatment for those suffering from addiction and substance use disorders; creation of a standard protocol for welcoming newcomers to Lebanon; resumption of the Lebanon Citizens Academy program under the name Lebanon Academy, marketing it to diverse communities; recruitment of community members who rent their homes to the planning board and other bodies, especially land use boards; expansion of bus service to nights and weekends; support for regional efforts to further connect Lebanon and Claremont; and development of programming to connect and engage the community. The Commission will have another brainstorming session at the next meeting.

4. OPEN TO THE PUBLIC

After giving appreciation for the City’s present efforts, community member Heidi Conner brings two concerns to the Commission. In regards to the issue of gun violence, she presents the idea of a gun buyback program for the City of Lebanon, and in regards to the shortage of affordable workforce housing, she asks if it is possible for future development projects to include a minimum number of units set aside for affordable housing. Discussion on both concerns takes place. The Commission agrees to gather information regarding the first concern. Regarding the second, the Commission will take steps to recommend that the City Council support strong incentives to create more affordable housing.

5. FUTURE AGENDA ITEMS

6. OTHER BUSINESS

7. ADJOURNMENT

Vice-Chair Bise Wood Saint Eugene adjourns the meeting at 7:15pm.



City of Lebanon
New Hampshire

ADMINISTRATIVE POLICIES & PROCEDURES ANTI-HARASSMENT, EEO AND SEXUAL HARASSMENT

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Section 1.0: Purpose

The City of Lebanon is committed to creating and maintaining a work environment in which employees are treated fairly and with dignity, decency, respect, and in accordance with all applicable laws. Consistent with that commitment, the City prohibits from its workplaces all forms of unlawful discrimination and unlawful harassment including sexual harassment.

Through enforcement and education regarding this policy and other City policies, the City strives to prevent inappropriate conduct that could be considered harassment (including sexual harassment) or discrimination based on/implicating:

- Race or ethnicity
- Color
- Religion or religious creed
- National origin or ancestry
- Sex (including gender, pregnancy, sexual orientation, and gender identity),
- age
- Physical or mental disability
- Citizenship
- Past, current, or prospective service in the uniformed services
- Genetic information (the "EEO Categories")

The City of Lebanon is fully committed to providing equal employment opportunity to all employees.

Through this EEO Policy, the City investigates instances of alleged harassment and discrimination based on the EEO Categories. To that end, this policy provides procedures for reporting, investigating and resolving complaints. The City considers the violation of this EEO Policy to be a form of misconduct that undermines the integrity of the employment relationship, and will take appropriate corrective action, up to and including dismissal, against individuals who violate this policy.

Please note that this EEO Policy does not govern behaviors or conflicts that are unrelated to the EEO Categories. For concerns about employee situations that do not relate to any EEO Categories, please see applicable Labor Agreements and/or the City Personnel Policies governing productive workplace conduct.

Section 2.0: Scope



City of Lebanon
New Hampshire

ADMINISTRATIVE POLICIES & PROCEDURES

ANTI-HARASSMENT, EEO AND SEXUAL HARASSMENT

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The City's EEO Policy covers employees and other individuals who have a relationship with the City that enables the City to exercise some control over the individual's conduct in places and activities that relate to the City's work, which may include independent contractors, vendors, elected or appointed officials, volunteers, interns and customers. This policy applies to all work-related settings and activities, both inside and outside the workplace, and includes business trips and business-related social events.

This policy also extends to City property, including, but not limited to, its telephones, copy machines, facsimile machines, computers and computer applications, such as email and Internet access, which may not be used to engage in conduct that violates this policy.

Section 3.0: Definitions

For purposes of this policy, prohibited harassment is a form of discrimination that denigrates or displays hostility or aversion toward an employee because of any of the EEO Categories or any other legally-protected categories.

Examples of conduct prohibited by this policy include, but are not limited to:

1. Conduct that unreasonably interferes with an individual's work performance, that creates an intimidating or offensive work environment, or that otherwise adversely affects an individual's employment opportunities based on any of the EEO Categories, or any other legally-protected categories.
2. Hostile physical contact, intimidating acts, threats of such actions or violence, or any other actions that may be considered threatening or hostile in nature and implicating any of the EEO Categories or any other legally-protected categories.
3. Nonverbal conduct, including staring, leering, and gestures implicating any of the EEO Categories or any other legally-protected categories.
4. Derogatory remarks, epithets, slurs, negative stereotyping, offensive jokes, bullying, teasing, the display or circulation of offensive printed, visual or electronic materials or similar misconduct that implicates any of the EEO Categories or any other legally-protected categories.



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Sexual Harassment

Under state and federal law, harassment on the basis of sex constitutes unlawful sex discrimination. This is true regardless of whether the individual engaged in harassment and the individual being harassed are of the same or different genders.

In addition to the conduct prohibited above, the City expressly prohibits sexual harassment, including unwelcome sexual advances, requests for sexual favors, and other physical, visual, verbal and nonverbal conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment prohibited by this policy include, but are not limited to, the following:

- 1. Unwelcome advances, demands, pressures, or requests for sexual acts or favors.
- 2. Offering employment benefits, such as favorable performance reviews, salary increases, promotions, increased benefits, or continued employment, in exchange for sexual favors.
- 3. Making or threatening reprisals after a negative response to sexual advances.
- 4. Repeated unwanted sexual flirtations, advances or propositions.
- 5. Offensive physical contact such as unwanted patting, grabbing, pinching, brushing against another's body or impeding or blocking movement.
- 6. Offensive visual conduct, including leering, making sexual gestures, or the display of offensive sexually suggestive objects or pictures, cartoons or posters.
- 7. Offensively suggestive or obscene letters, notes or invitations.
- 8. Offensive sexually-oriented verbal comments, whistling, epithets, slurs, teasing or jokes.
- 9. Continued or repeated verbal abuse of a sexual nature.



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10. Graphic, degrading, or other sexual comments about an individual's appearance or sexual activity.

Employee Responsibility - All employees are responsible for ensuring that the workplace is free from conduct that is prohibited by this policy. Employees are expected to avoid any behavior or conduct that could reasonably be interpreted or perceived as prohibited under this policy. No City personnel are exempt from the requirements of this policy.

Section 4.0: Policy Detail

This policy prohibits all behavior, whether physical, visual, verbal, or nonverbal that may constitute discrimination or harassment of any kind based on the EEO Categories or any other legally-protected categories. Harassment is a form of misconduct that is demeaning to another person and undermines the integrity of the employment relationship.

Section 5.0: Procedures

The City is committed to investigating all complaints or concerns regarding potential violations of this policy promptly, objectively, and thoroughly. Employees and others who have concerns or complaints about harassment or discrimination under this policy should follow these steps:

- A. Employees who experience conduct that they believe may violate this policy may consider discussing the matter directly with the offending party. If the employee who is experiencing the offending conduct does not believe it is appropriate to address the situation in this way, or the employee has attempted to discuss the matter previously and this has not solved the problem, the employee may decide not to address the matter with the offending party.
- B. Whether or not an employee addresses the matter directly with the offending party, employees who experience conduct that they believe may violate this policy should immediately report the alleged acts to their supervisor or department head so that steps may be taken to prevent further harassment and so that appropriate investigative and corrective measures may be initiated as needed. When it is not practical for an employee to speak with their supervisor or department head (or if the supervisor or department head



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is committing the offending conduct), the employee may instead report the matter to the Human Resources (HR) Director or the City Manager. This report may be made verbally, or in writing using the City's Complaint Form. In the alternative, the employee may file a report using the [City's online form](#).

- C. Volunteers, interns, applicants, and members of the public may report offending conduct to the HR Director, City Manager, or through the online reporting form.

City Response

Upon receipt of a complaint under this policy, the City will proceed as follows:

- A. If the complainant initially reports the matter to a supervisor/department head, the supervisor/department head to which the complainant initially reported the allegation shall promptly inform the HR Director or City Manager of the complaint and deliver the Complaint Form, if it was used.
- B. Upon learning of the complaint, the HR Director or City Manager will make contact with the complainant to acknowledge receipt of the complaint.
- C. Where appropriate, the HR Director or City Manager, if needed, can direct the complainant to complete the [Complaint Form](#), or otherwise provide the basic and initial details of the alleged incident including names and witnesses. The HR Director or City Manager will then refer the matter to the investigating authority, if needed. (Unless otherwise directed by the City Manager, the HR Director is designated as the investigating authority).
- D. The investigating authority shall review the complaint or concern (including, where appropriate, interviewing the complaining individual) to determine whether, if sustained, the allegation may violate this EEO and Anti-Sexual Harassment Policy.
1. If the investigating authority determines that the allegation could violate this policy, the investigating authority shall investigate the matter promptly, thoroughly, and objectively.



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2. If a sustained allegation would not result in a violation of this policy, the investigating authority may refer the complaining employee to another resource for assistance.
- E. The investigating authority may consult with outside professionals, including but not limited to the Police Chief or Deputy Police Chief if the investigation reveals or suggests evidence of criminal activity of potential workplace violence, or others, as appropriate.
- F. The investigation will typically include interviews of both the complainant and the respondent, and, if appropriate, any witnesses to the alleged incident.
- G. If interviewed, the respondent will be informed of the nature of the allegation(s) against them; given sufficient information about the allegations to provide them with a reasonable opportunity to respond before any disciplinary action is imposed; and will not be assumed to have violated this policy unless, and until, the investigation establishes that they have done so.
- H. If information that is collected during the investigation establishes that the alleged EEO and Anti-Sexual Harassment Policy violation did occur, appropriate disciplinary action will be taken promptly, up to and including discharge. If the investigation reveals violations of other City policies, the investigating authority will refer the violations to appropriate City supervisory personnel for review/action.
- I. The HR Director and/or City Manager will inform the parties to whether the investigation sustained the alleged policy violation.
- J. Accusations made in bad faith, or with intent to harass, will result in disciplinary action up to, and including, discharge.
- K. Complainants or respondents may request review by the City Manager of the investigation or disposition of a claim under this policy.

This policy is intended to offer an internal resolution of the harassment complaint. It in no way prevents an aggrieved party from exercising any rights before another appropriate forum, such as the NH Commission for Human Rights (NHCHR). The City of Lebanon will in no way discourage an employee from exercising such rights. Information on [how to file a claim](#) can be found on the [NHCHR](#) website.



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Management Responsibility

Any manager or supervisor who has witnessed, heard, heard of, or otherwise been made aware of conduct that is or may be inconsistent with this policy or who receives a report of conduct, from any source whatsoever, that is inconsistent with this policy **must** report the matter immediately to the City Manager or HR Director. Failure to report an allegation of EEO harassment or discrimination of which a supervisor or manager is aware may result in disciplinary action up to and including termination.

Timing of Investigation and Corrective/Remedial Action

All reports that the City receives of potential violations of this policy will be promptly investigated in as timely and thorough a manner as possible and in accordance with the requirements of applicable law. While no precise timetable can be given, complaints will generally be responded to and an investigation commenced within days of receipt of any complaint. Remedial action will be taken as soon as the investigation has ended and a conclusion has been reached. Ordinarily the process takes days or weeks, depending on the nature and extent of the allegations, the number of persons involved, and other factual circumstances that may exist. In extenuating circumstances, it can take longer.

Confidentiality

The City recognizes that allegations of harassment and retaliation can be extremely sensitive, and endeavors to maintain the confidentiality of investigations to the greatest extent possible while still appropriately responding to concerns. Certain circumstances may require the investigator to disclose information related to complaints and investigations in order to conduct a full and fair investigation or for other legitimate legal or business reasons. The investigator will only disclose information and involve individuals as appropriate to complete the investigation.

Retaliation

The City strictly prohibits and does not tolerate retaliation against any individual who participates in any activity that is protected by law and/or this policy. This prohibition extends to all forms of unlawful retaliation, including discipline, intimidation, loss of benefit and/or adverse employment action as a result of an



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employee's participation in any protected activity. Examples of protected activities include, but are not limited to:

- A. Making a good-faith complaint regarding harassment or discrimination implicating any of the EEO Categories or other categories protected by law; and,
- B. Cooperating in an investigation under this policy.

Employees who experience conduct that may violate this policy should report the situation immediately, either to the investigating authority or using the "Reporting Procedures" outlined above. Any supervisor or manager who observes or learns of conduct that may constitute retaliation under this policy **must** immediately report the issue to the HR Director or the City Manager.

Individuals found to have engaged in prohibited retaliation will be subject to disciplinary action, up to and including termination from City employment.

Section 6.0: References (Charter/Code/State Statues)

Section 7.0: Policy & Procedure Revision History

	Section	Revisions	Date
Original Adoption			3/27/2009
Amendment	All	Reformatted, multiple sections revised	7/11/2022
Amendment			
Amendment			



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ACCEPTANCE OF EQUAL EMPLOYMENT OPPORTUNITY (EEO) AND ANTI-SEXUAL HARASSMENT POLICY

I acknowledge that I have received, read and agree to comply with this policy and this form will be filed in my official personnel file.

Employee Signature

Date:

Print Employee Name

Supervisor's Signature

Date

Print Supervisor's Name



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Addendum A

COMPLAINT FORM (return promptly to HR Director)

Reporting party: _____

Date of incident: _____

Time of incident: _____

Identify parties involved: _____

Identify any witnesses: _____

Location of incident: _____

Description of incident: _____

Prior incidents involving any of the same parties: _____

Signed: _____

Dated: _____

This page is intended for use as a basic and initial template for the type of information that may be needed for the City to review a complaint under its Equal Employment Opportunity (EEO) and Anti-Sexual Harassment Policy). While this form may be a helpful resource for individuals with complaints under the EEO and Anti-Sexual Harassment Policy, this form is not required.