

# **SEXUAL HARASSMENT**

## **PURPOSE**

We are fully committed to fostering a safe and healthy work environment for all. Our goal is to protect our employees from unwanted and inappropriate sexual behavior.

We will take a zero-tolerance approach to sexual harassment and assault. These types of behaviors are prohibited inside and outside of the office, as per Title VII of the Civil Rights Act of 1964.

This policy will include a sexual harassment definition, examples of sexual harassment, details about complaint mechanisms, an overview of the investigation and disciplinary processes and employee rights.

## **SCOPE**

The provisions in this policy apply to employees, managers, board members, customers, investors, contractors and any other third parties involved with the District, regardless of their gender, sexual orientation, role, status or other protected characteristic.

This policy on inappropriate behavior is not limited to what occurs inside the office. Sexual harassment will not be tolerated at work, at off-site gatherings or anywhere else.

We are committed to carrying out all provisions in this policy and monitoring its effectiveness. We will work with related parties to improve the policy and our processes on a consistent basis.

## **DEFINITIONS AND EXAMPLES**

Sexual harassment, according to the EEOC, consists of: *“unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature constitute sexual harassment when the conduct explicitly or implicitly affects an individual’s employment or the holding of office, unreasonably interferes with an individual’s work performance, or creates an intimidating, hostile, or offensive work environment and shall not be tolerated.”*

Sexual harassment can happen once or many times and may include physical, verbal or non-verbal actions. This form of harassment may make the victim feel offended, humiliated or embarrassed.

Most\* sexual harassment is subjective and circumstantial which is why there is no definitive, exhaustive list of inappropriate behaviors.

Instead, here are some examples of conduct that may constitute sexual harassment:

- Sexual pranks, teasing, jokes
- Verbal abuse of a sexual nature
- Physical touching of a sexual nature
- Giving sexually suggestive gifts
- Making sexually suggestive gestures
- Posting sexually suggestive pictures

\*One exception is exchanging work-related benefits (or threatening work-related detriments) for sexual favors. This is always sexual harassment, regardless of the circumstances.

## **FILING A COMPLAINT**

We understand that a victim of sexual harassment may not feel comfortable filing a complaint formally, which is why we provide numerous ways to come forward with allegations.

If the misconduct is slight or infrequent, if the harasser is not their manager and if the victim feels comfortable, they may inform the harasser that their conduct is offensive and unwelcome.

If these efforts are ineffective or if the victim wants to escalate the issue, they can report the allegations in one of the following ways:

- Organize a meeting with (or send an email to) a responsible official
- Use the anonymous complaint hotline (via phone or online form)

All responsible officials are trained to address allegations of sexual harassment appropriately. They have been provided the tools to understand the incident and carry out the next steps.

Employees also have the right to use third-party national or local complaint mechanisms if they would prefer.

Employees can reach out to:

- An Ombudsperson
- An Employment Tribunal

## **COMPLAINT PROCEDURE**

If a complaint is made, or if we have reason to believe there is sexual harassment occurring, we immediately investigate and address the allegations. Specifically, we:

- Collect as many details as possible
- Take immediate action (if the allegation warrants)
- Choose an appropriate investigator
- Conduct interviews with witnesses, the harasser and other related parties
- Gather and document physical and digital evidence
- Come to a conclusion about the allegations

If the investigation proves that the allegations are credible, then we immediately take appropriate corrective action. Depending on the severity of the sexual misconduct, corrective measures range from a single verbal warning to immediate dismissal and even criminal penalties.

Once the investigation has been closed, we will follow-up with the victim and related parties to obtain feedback and ensure that the issue has been resolved to their satisfaction.

## **EMPLOYEE RIGHTS**

As a part of the team, you have the right to a workplace that is free of harassment and inappropriate conduct.

You have the right to report inappropriate conduct you experienced, witnessed or were informed of without the fear of retaliation or dismissal. You also have the right to report this behavior in the complaint mechanism of your choosing.

You are entitled to a quick, comprehensive, and confidential (as much as possible) investigation into your allegations. Before, during and after the investigation you also have the right to repair your mental and/or physical health.

Employees have the right to not be penalized for using any of the assistance programs or perks that we provide, including:

- Paid mental health or sick days
- Employee Assistance Program
- On-site counselors and therapists
- Health insurance that covers external therapy

## **DISCIPLINARY ACTION**

We have established and implemented a disciplinary action process to ensure fairness and consistency across all incidents of sexual harassment in the workplace.

Harassers will be subject to progressive disciplinary action as follows:

- For infrequent or less serious allegations, the harasser may receive a verbal warning, a written warning or a negative performance review.
- For periodic or more serious sexual harassment incidents, the harasser may receive a demotion, a transfer, a suspension and perhaps criminal penalties such as a fine.
- For frequent or extremely serious allegations, the harasser will likely face termination and severe criminal penalties.

This disciplinary action process is only an outline and requires the company to determine the severity of the harassment. We reserve the right to stray from the process indicated above, depending on the severity of the incident and other circumstances.