

CHORUS AMERICA ANTI-HARASSMENT POLICY

Date Approved: XX/XX/XXXX

Policy: Chorus America prohibits any unlawful harassment or discrimination of or by its employees and volunteers in any form and is committed to fostering a work environment that is professional, safe, productive, and mutually beneficial to all. Further, it recognizes that a positive working environment that supports courtesy, respect, pride in, and identification with Chorus America is essential to Chorus America's achieving its current and long-range goals. Accordingly, you are expected to use good judgement in all matters involving business ethics and integrity and to refrain from any unlawful or unethical conduct.

Scope: The protections against workplace harassment extend to employees, volunteers, contractors, interns, and any other persons engaged by Chorus America to provide permanent or temporary employment services at worksites inside and outside the District of Columbia. This policy covers complaints of harassment and sexual harassment in the workplace, as defined below.

Definitions

Harassment comprises any unwelcome or objectionable, physical, visual or verbal conduct, comment or display, whether intended or unintended, that is insulting, humiliating or degrading to another person, or creates an intimidating, hostile or offensive environment and/or is on the basis of race, ethnicity, language, financial ability, religion, gender or sexual orientation, disability or age, or any other kind of discrimination which is prohibited by particular District of Columbia/national legislation: made by an employee, volunteer, client or supplier of Chorus America;

- Directed at and offensive to any other employee, volunteer, client or supplier of Chorus America, or any other individual or group that the person knew or reasonably ought to have known would be offensive (e.g., unintended).

Sexual harassment involves unwelcome sexual advances, requests for sexual favors, or conduct of a sexual nature or based on gender. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing. Employees are prohibited from harassing other employees whether or not the incidents of harassment occur on employer premises and whether or not the incidents occur during working hours.

Under Title VII of the Civil Rights Act of 1964, there are two types of sexual harassment:

- 1) *Quid Pro Quo* Sexual Harassment: *Quid pro quo* sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when any one of the following criteria is present:
 - a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 - b) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the individual.
- 2) Hostile Environment Sexual Harassment: Other conduct – if severe or sufficiently pervasive as to alter working conditions – may create a “hostile environment” and is also prohibited. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. Unless the conduct was particularly severe or pervasive, where no warning or admonition is necessary, the person creating such an environment must have been told that the conduct is unwelcome or must stop.

Other examples of harassment include, but are not limited to:

- Threats made or perceived, that are malicious, vexatious or based on any of the prohibited grounds under Human Rights legislation
- Derogatory written or verbal communication or gestures (e.g. name-calling, slurs, taunting pictures or posters, bullying, graffiti), that are malicious, vexatious or that relate to any of the prohibited grounds under Human Rights legislation

Mediator

A mediator is an impartial, neutral party, without decision-making powers, whom both parties accept. The mediator may be the applicable HR representative, or other internal or external party. The goal of mediation is to assist both parties to reach a mutually beneficial agreement.

Investigator

The investigator is utilized where mediation is not appropriate or fails. An investigator must be a well-trained individual who is able to conduct a formal process with clear documentation. An investigator will not have a reporting line or personal relationship/connection with either the complainant or alleged harasser

Employees and Volunteers Responsibilities:

All employees and volunteers are responsible for contributing to a positive work environment and for identifying and discouraging comments or activities that are contrary to this policy. This includes advising people or the alleged harasser that his/her behavior is unwelcome.

Where a situation occurs or where an employee or volunteer believes a situation has occurred, the employee or volunteer is obligated to report it to the appropriate supervisor. If a situation occurs which involves their supervisor/manager, or if their supervisor/manager does not intervene appropriately, the employee/ volunteer may report the situation to the manager of human resources, the President and CEO, or to a member of the Board Executive Committee.

Supervisors and Managers Responsibilities:

Supervisors and manager are expected to eliminate any aspects of the work environment that are not in keeping with this policy, whether or not a complaint has been made. Supervisors and managers are obligated to implement this policy, under the direction of the President and CEO, and with consultation from the applicable HR representative.

Process

Situations where there has been an accusation of harassment are extremely sensitive and often complex. At all times, the emotional and physical safety of the complainant is paramount, and this may involve taking steps that are not outlined herein. In general, however, the following process should be taken:

Complaint Received ➡ Mediate and/or Investigate ➡ Action ➡ Appeal

Complaint: In order to make an official complaint, a complainant should advise their supervisor/manager or the applicable HR representative. Employees are encouraged to provide as much specific information as possible when submitting a complaint, and may submit complaints anonymously. All such complaints will be handled confidentially to the extent possible to permit necessary investigation and compliance with applicable laws and regulations. (See Chorus America *Confidentiality Policy* on page XX of the Employee Handbook)

Any individual who receives any complaint against an employee or volunteer must refer it to the human resources representative or the President and CEO. From here, there are three (3) possible actions:

- No Action: The behavior is not found to be harassment, and the complainant agrees.
- Resolve: If the harassment is subtle or mild and the complainant agrees, the complaint is resolved informally with the assistance of the HR representative.

