



## **POLICY 10- DISCRIMINATION, HARASSMENT, SEXUAL HARASSMENT AND RETALIATION**

### **I. Purpose**

Village Grande at English Mill (“VGEM”) is committed to providing a work environment in which everyone is treated with respect and dignity, free of any intimidation or harassment which is in any way related to an individual's race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy and sexual harassment), marital status, civil union status, domestic partnership status, gender identity or expression, affectional or sexual orientation, disability, atypical hereditary cellular or blood trait, genetic information, military service, or any other protected status as defined by applicable Federal, state, or local law.

### **II. Scope**

This Policy applies to all Owners and Occupants, Guests, Board Members, Committee Members, Volunteers, Employees, and Professionals contracted by the Association, (“Personnel”) in regards to workplace matters.

### **III. Policy Prohibiting Discrimination**

VGEM is an equal opportunity employer, which means we are committed to providing equal employment opportunity to all employees and applicants, without regard to race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy and sexual harassment), marital status, civil union status, domestic partnership status, gender identity or expression, affectional or sexual orientation, disability, atypical hereditary cellular or blood trait, genetic information, military service, or any other protected status as defined by applicable federal, state or local law.

It is also the policy of VGEM to prohibit any form of harassment or retaliation in the workplace by any person. Any conduct of any Personnel in a supervisory capacity, in violation of this policy will result in disciplinary action, up to and including dismissal from the position.

It is the policy of VGEM to ensure that all persons receive equal employment opportunities solely on the basis of their skills, abilities, job-related qualifications, competence, and job performance. If anyone feels that he or she has been denied an equal employment opportunity, he or she should immediately contact the President of the Board. The Board will initiate an investigation of the complaint, which may be handled internally, or the Board may use an outside investigator. The employee will be notified of its resolution. Please be assured that no retaliatory action will be taken against any employee who raises a complaint. Every volunteer and employee's continued cooperation in carrying out this policy is essential to ensure that equal opportunity is a reality for all personnel at VGEM.

#### **IV. Policy Prohibiting Harassment**

VGEM is committed to providing a work environment free of any intimidation or harassment which is in any way related to an individual's race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy and sexual harassment), marital status, civil union status, domestic partnership status, gender identity or expression, affectional or sexual orientation, disability, atypical hereditary cellular or blood trait, genetic information or military service or any other protected status as defined by applicable federal, state or local law.

Specifically prohibited is any type of behavior involving physical, verbal, or visual conduct by any employee or volunteer which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive or hostile work environment.

Harassment or intimidation includes, but is not limited to, slurs, epithets, threats, derogatory or objectionable conduct in the form of remarks, pictures, objects, inappropriate jokes, teasing, or any other type of conduct of a physical, verbal, or visual nature which is directed against someone due to any of the aforementioned personal characteristics. Employees and volunteers should never assume any such conduct is welcome by another. For example, a joke that one person may not find offensive may be offensive and unwelcome by another employee or volunteer.

VGEM's Policy Prohibiting Harassment applies to all employees and volunteers who work on behalf of the Association. VGEM expects that all relationships among those who work on behalf of the Association will be professional and free of bias, prejudice, and harassment.

VGEM recognizes that its employees may be subjected to prohibited harassment by non-Association employees who conduct business with the VGEM. In these circumstances, VGEM acknowledges its responsibility to support and assist the employee subjected to such harassment.

Every employee and volunteer is responsible for abiding by this policy and for aiding in its enforcement by promptly and properly reporting any violation to the President of the Board.

**V. Policy Prohibiting Sexual Harassment**

Sexual harassment is a type of harassment and is a violation of this policy. Prohibited harassment of a sexual nature is more specifically defined as any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual or otherwise hostile nature if:

- 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 or benefits 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 types of conduct:

- D. Physical conduct, including touching, pinching, or patting of an offensive or sexual nature, assault, blocking of normal movement or interfering with work.
- E. Verbal conduct, including epithets, derogatory or sexually explicit jokes or comments, graphic comments about your own or another person's body, comments about sexual prowess, sexual deficiencies, or sexual behavior, sexual propositions or advances, name calling, innuendos or demeaning slurs, threats or demands to submit to sexual request, whether communicated in person or through electronic media.
- F. Visual conduct, including leering, derogatory and/or sexually oriented posters, photography, cartoons, drawings, graffiti, gestures, or E-mail.

Again, employees and volunteers should never assume their conduct is welcome by another.

The behavior illustrated as examples above is unacceptable in the workplace and anywhere else involving employment responsibilities or employment relationships, including business conducted in other offices, conferences or training sessions, business-related social events, over the telephone or voice mail, through regular mail or other electronic communications (i.e., E-mail, Internet, etc.).

**VI. Non-Retaliation Policy**

VGEM prohibits retaliation in any way against anyone who has in good faith stated any concern about prohibited harassment or other concerns of discrimination or retaliation, whether that concern relates to prohibited harassment, discrimination or retaliation against the individual raising the concern or against another individual. Further, retaliation against individuals providing information relevant to a claim of prohibited harassment is a serious violation of this policy and will be treated with the same strict discipline as would the harassment itself. Acts of retaliation should be reported immediately and will be promptly investigated.

Any employee who has any questions or concerns about this Policy should speak with the President of the Board. With everyone's cooperation, VGEM will maintain a professional atmosphere and collegial working environment by promoting equal opportunities and prohibiting harassment and other discriminatory practices.

**VII. Complaint Procedure**

- A. VGEM encourages reporting of all perceived incidents of prohibited harassment, including sexual harassment, regardless of the offender's identity or position.
- B. Individuals who believe they have been the victims of sexual or other prohibited harassment or believe they have witnessed harassment should immediately discuss their concerns with the President of the Board. Should the allegations involve the President, the Vice President should be contacted.
- C. VGEM encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained.
- D. All reports and complaints will be kept confidential to the greatest extent practical, consistent with the need to conduct an adequate investigation.

**VIII. Investigation Procedure**

- A. Any and all reported complaints of prohibited harassment, including sexual harassment, will be investigated promptly.
- B. The investigation may include an initial preliminary interview with the parties involved and, where necessary and appropriate, with individuals who may have observed the alleged conduct or may have relevant knowledge.
- C. An external investigator may be retained to fully investigate the complaint and report on the allegations.

- D. The allegations and the investigation will be handled with sensitivity and will be kept confidential throughout the investigation process to the extent practical and appropriate under the circumstances.
- E. The information obtained will be shared on a "need-to-know" basis only, in order to protect the identities and knowledge of all persons involved.
- F. If VGEM concludes that inappropriate harassment or retaliation has occurred, VGEM will take prompt remedial action designed to stop the harassment or retaliation.