



HARASSMENT POLICY

Objective

The objective of Mountain Retreat Association in implementing and enforcing this policy is to define workplace harassment and prohibit it in all forms.

Scope

Harassment of any employee in the workplace by management (including the president, executive director and other executives), supervisory personnel, co-workers, volunteers, interns or non-employees (including contractors, vendors,) on the basis of race, color, religion, sex (including pregnancy, gender identity, transgender status and sexual orientation), national origin, age, disability, genetic information, veteran status or other characteristic protected by applicable law is a form of discrimination that violates the law and Mountain Retreat Association policy.

Unlawful harassment will not be tolerated. All harassment reports will be investigated. If harassment is found to have occurred, remedial action and appropriate disciplinary action will be taken.

Defining Harassment

Unlawful harassment may include:

1. Verbal, nonverbal, or physical conduct that shows aversion, denigration, or hostility because of race, color, religion, national origin, sex (including pregnancy, gender identity, transgender status and sexual orientation), age, disability, veteran status or other protected characteristic when it creates an intimidating, hostile, or offensive working environment, unreasonably interferes with an individual's work, or adversely affects an individual's employment opportunities.
2. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment, submission to or rejection of the conduct is used as the basis for employment decisions, or the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment can include conduct between members of the same sex.

Examples of prohibited conduct

Though sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include the following:

- Physical assaults of a sexual nature, such as rape, sexual battery, molestation or attempts to commit these assaults;

- Intentional physical conduct that is sexual in nature, such as touching, hugging, pinching, patting, grabbing, impeding access, brushing against another employee's body or poking another employee's body.
- Unwelcome sexual advances, propositions or other sexual comments, such as sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience.
- Offensive comments, including slurs or ridicule of another's culture, accent or appearance;
- Rumors about other employees;
- Humor, jokes or teasing about protected class characteristics, including comments about the individual's body;
- Intentional or persistent failure to respect an individual's gender identity (e.g., intentionally referring to the individual by a name or pronoun that does not correspond to the individual's gender identity);
- Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward;
- Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex;
- Propositions, innuendo, flirtation, suggestive or sexist comments, or continued advances or other unwelcome conduct after the conclusion of a consensual relationship;
- Sexual or discriminatory displays or publications anywhere in Mountain Retreat Association by the Mountain Retreat Association employees including pictures, posters, signs, cartoons, computer transmissions/email/social media/texts/online postings, graffiti, vandalism;
- Retaliation for sexual harassment complaints. All perceived retaliation must be reported in accordance with the organization's harassment reporting procedure.

Responding to Conduct in Violation of Policy

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during work-related trips, meetings and social events.

If you believe that you are being unlawfully harassed or retaliated against or you observe or otherwise become aware of such conduct in the workplace, immediately report the incident to one of Mountain Retreat Association harassment report recipients: Carol Steele- carols@montreat.org or Tanner Pickett- tannerp@montreat.org.

This procedure does not require that reports be made to anyone who you believe is participating in the conduct. Instead, you may choose from the above-listed individuals the person with whom you would be most comfortable speaking. It is helpful, but not required, to provide a written record of the date, time and nature of the incident(s) and the names of any witnesses.

Managers and supervisors

Supervisors and managers who become aware of perceived harassment or retaliation must immediately report such matters to one of harassment report recipients listed in this policy above. Managers and supervisors must:

- Take all complaints or concerns of alleged or possible harassment or discrimination seriously no matter how minor or who is involved.

- Ensure that harassment or inappropriate sexually oriented conduct is immediately reported to the appropriate individual(s).
- Take any appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.

Managers and supervisors who knowingly allow or tolerate sexual harassment or retaliation, including the failure to immediately report such misconduct, are in violation of this policy and subject to discipline.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Mountain Retreat Association will maintain confidentiality throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

This acknowledges that I have received and understand Mountain Retreat Association's policy to prevent sexual harassment. I acknowledge that I am expected to read, understand and adhere to this harassment policy.

Employee, Board Member, Volunteer, Intern Signature

Date

Printed Name

Adapted from Society for Human Resource Management's "Sexual Harassment Policy and Complaint/Investigation Procedure," March 2018; "Nondiscrimination/Anti-Harassment Policy and Complaint Procedure," Dec. 2017, and Kimberly Korando of Smith Anderson Law's webinar for the North Carolina Center for Nonprofits', "Creating Respectful Workplaces in a #MeToo World," May 1, 2018.