



## **FUNDAMENTALS FOR A GOOD HARASSMENT POLICY**

### **A. Company statement**

Creating and maintaining a workplace committed to treating all people with dignity and respect. The company will not tolerate unlawful discrimination or harassment of any kind. There will be consequences for those that violate this policy.

- a. All employees are covered and expected to comply
- b. Leaders who knowingly tolerate this behavior, or fail to report such behavior are also in violation of the policy, and subject to disciplinary action

### **B. What is the prohibited conduct under your policy?**

- a. Discrimination based on race, color, national origin, age, religion, disability, gender, sexual orientation, gender identity, genetic information, marital status
  - i. Tie in federal, state and local laws, for example, Title VII of Civil Rights Act (1964), Age Discrimination Act (1975), ADA (1990)
- b. Harassment – any verbal or physical conduct that threatens, intimidates or coerces
  - i. Definitions of verbal (comments) and nonverbal (distribution, discussion or display) harassment
- c. Sexual harassment
  - i. Define sexual harassment
  - ii. Explain when it occurs (i.e., a term/condition of employment, basis for employment decision, or unreasonably interferes with work performance)
  - iii. Provide examples (verbal, non-verbal and physical)

### **C. What is your company policy on relationships in the workplace?**

- a. Who does it apply to?
- b. What is the process for disclosure?
- c. Who determines if there is a conflict of interest, and will employees be re-assigned?

### **D. Retaliation**

- a. What it is
- b. Consequences for engaging in retaliation

### **E. Falsification of Claims**

- a. What it is
- b. Consequences for filing groundless/malicious complaints

### **F. Confidentiality**

- a. All complaints and investigations are treated confidentially to the extent possible
- b. The identity of the complainant is usually revealed during the investigation
- c. Adequate steps will be taken to ensure protection against retaliation

### **G. Complaint procedure**

- a. When should complaints be submitted, and to whom?



- i. Give them multiple touch-points to report a claim
- b. Briefly outline the investigation process, and who will be involved
- c. Provide a reasonable timeline for the investigation process, and keep the complainant informed of said timeline
- d. What may happen if a policy violation is found to have occurred because of the investigation
- e. What will happen if an investigation is inconclusive, or if no policy violation has occurred
- f. Senior leadership should be involved in the final review of the investigative report, and play a decisive role in course of action for the respondent, if warranted
- g. The investigator will meet with the complainant and the respondent individually, and notify them of the findings of the investigation

#### **H. Alternative legal remedies**

- a. A brief statement indicating that nothing in the policy may prevent the complainant/respondent from pursuing formal legal remedies