



Leichtag
Foundation

Harassment

Effective April 2021

Harassment, Discrimination, and Retaliation Prevention

Leichtag Foundation is an equal opportunity employer and, as such, is committed to providing a work environment free of harassment, discrimination, retaliation, and disrespectful or other unprofessional conduct based on:

- Race and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles, such as but not limited to braids, locks, and twists;
- Religion (including religious dress and grooming practices);
- Color;
- Sex/gender (including pregnancy, childbirth, breastfeeding, or related medical conditions), sex stereotype, gender identity/gender expression/transgender (including whether or not they are transitioning or have transitioned), and sexual orientation;
- Sexual orientation;
- National origin (including, but not limited to, limiting, or prohibiting the use of a language and discrimination on the basis of possessing of a driver's license granted under Vehicle Code section 12801.9);
- Ancestry;
- Physical or mental disability;
- Medical condition;
- Genetic information/characteristics;
- Marital status/registered domestic partner status;
- Age (40 and over);
- Wearing a depiction of the American flag or displaying an American flag at the employee's workstation
- Military or veteran status; and
- Any other basis protected by federal, state, or local law, or ordinance, or regulation.

The Foundation also prohibits discrimination, harassment, disrespectful or unprofessional conduct based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of the above characteristics. Prohibited harassment is not just sexual harassment, but harassment of any nature based on any protected category.

In addition, the Foundation prohibits retaliation against individuals who raise complaints of discrimination or harassment or who participate in workplace investigations.

All such conduct, whether reported as a quid pro quo or in the context of a hostile work environment, violates Foundation policy and will not be tolerated. Any report of such conduct will be addressed beginning with the first incident reported.

Harassment Prevention

Prevention is the best way to deter harassment in the workplace. New employees, managers and supervisors will receive information on harassment prevention when they are hired and will receive harassment prevention training at required intervals during their employment.

The Foundation's policy prohibiting harassment applies to all persons involved in the operation of the Foundation. The Foundation prohibits harassing, disrespectful, or unprofessional conduct by any employee of the Foundation, including supervisors, managers, and co-workers. The Foundation's anti-harassment policy also applies to non-employees, such as vendors, customers, donors, independent contractors, unpaid interns, volunteers, persons providing services pursuant to a contract and other persons with whom an employee comes into contact while working. Harassment is prohibited within a work context, whether on or off the workplace site.

Prohibited harassing, disrespectful, or unprofessional conduct includes, but is not limited to, the following behaviors:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, posts, or messages;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings, or gestures;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race, or any other protected basis;
- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment or to avoid some other loss, and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and
- Communication via electronic media of any type that includes any conduct that is prohibited by state and/or federal law or by Foundation policy.

Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts (including of a sexual nature) toward an employee because of their gender can amount to sexual harassment, regardless of whether the treatment is motivated by sexual desire.

Protected harassment is not just sexual harassment, but harassment of any nature based on any protected category. Harassment will be addressed beginning with the first incident reported regardless of the alleged harasser's record.

Non-Discrimination

Leichtag Foundation is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in Foundation

operations, and prohibits unlawful discrimination against any job applicant, employee, or unpaid intern by any employee of the Foundation, including supervisors and co-workers. Claims of discrimination will be addressed beginning with the first incident reported regardless of the record of the accused.

Pay discrimination between employees of the opposite sex or between employees of another race or ethnicity performing substantially similar work, as defined by the New York State Fair Pay Act and federal law, is prohibited. Pay differentials may be valid in certain situations defined by law. Employees will not be retaliated against for inquiring about or discussing wages. However, Leichtag Foundation is not obligated to disclose the wages of other employees.

In addition to pay, discrimination is also prohibited with regard to the terms, conditions, or privileges of employment, including recruiting, hiring, promotion, training, upgrading benefits, evaluations, leaves, layoffs, and terminations. All decisions affecting employment (including compensation, promotion, assignment, and any other aspect of the Foundation work environment) shall be made on the basis of qualification, performance, and any other pertinent work-related factors.

Anti-Retaliation

Leichtag Foundation will not retaliate against an employee for filing a complaint or participating in any workplace investigation or complaint process, and will not tolerate or permit retaliation by management, employees, or co-workers. All reports of retaliation, including first reports, will be addressed.

Reasonable Accommodation

Discrimination can also include failing to reasonably accommodate religious practices or qualified individuals with disabilities where the accommodation does not impose an undue hardship.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Foundation will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any job applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact Human Resources and discuss the need for an accommodation. The Foundation will engage in an interactive process with the applicant or employee to identify possible accommodations, if any, that will help the applicant or employee perform the job. Any applicant, employee or unpaid intern who requires an accommodation of a religious belief or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) should also contact Human Resources and discuss the need for an

accommodation. If the accommodation is reasonable and will not impose an undue hardship, the Foundation will make the accommodation.

Leichtag Foundation will not retaliate against an employee for requesting a reasonable accommodation and will not knowingly tolerate or permit retaliation by management, employees, or co-workers.

Complaint Process

Leichtag Foundation encourages all individuals to report any incidents of harassment, discrimination, retaliation, or other prohibited conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved. If an employee believes that they have been the subject of harassment, discrimination, retaliation, or other prohibited conduct, they should raise the complaint to their or any other manager as soon as possible after the incident. Likewise, if an employee is a witness to conduct that is prohibited by policy, or that they believe is harassment, discrimination, and/or retaliation, they should report such conduct to their or any other manager immediately. All incidents, including first incidents, will be addressed.

If an employee needs assistance with the complaint, or prefers to make a complaint in person, they are to contact their or any other manager. Employees will be asked to provide all known details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate complaints in writing, but this is not mandatory.

It is the responsibility of every employee and supervisor to immediately report any violation or suspected violation of this policy to the appropriate representative to attempt internal resolution.

By law, supervisors and managers are required to elevate all complaints involving harassment, discrimination, retaliation, or other prohibited conduct to the Foundation's attention so that it can try to resolve the complaint. At Leichtag Foundation, supervisors and managers will refer all complaints to Human Resources.

When the Foundation receives a complaint or allegations of misconduct, it will immediately undertake a fair, timely, thorough, and objective investigation of the allegations in accordance with all legal requirements. The Foundation will reach reasonable conclusions based on the evidence collected.

The Foundation will maintain confidentiality to the extent possible. However, the Foundation cannot promise complete confidentiality. The employer's duty to investigate and take corrective action may require the disclosure of information to individuals with a need to know.

Complaints will be:

- Responded to in a timely manner;
- Kept confidential to the extent possible;
- Investigated impartially by qualified individuals in a timely manner;
- Documented and tracked for reasonable progress;
- Given appropriate options for remedial action and resolution; and
- Closed in a timely manner.

If the Foundation determines that harassment, discrimination, retaliation, or other prohibited conduct has occurred, appropriate and effective corrective and remedial action will be taken in accordance with the circumstances involved. The Foundation also will take appropriate action to deter future misconduct.

Any employee determined by the Foundation to be responsible for harassment, discrimination, retaliation, or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Employees should also know that if they engage in unlawful harassment, they can be held personally liable for the misconduct.

While the Foundation prefers to have the opportunity to respond to an employee's complaint of harassment, discrimination, retaliation or other prohibited conduct, the Federal Equal Employment Opportunity Commission (EEOC) investigate and prosecute complaints of prohibited harassment, discrimination, and retaliation in employment as well. If an employee thinks that they have been harassed or discriminated against or that they have been retaliated against for resisting, complaining, or participating in an investigation, they may file a complaint with the appropriate agency. The nearest office can be found by visiting the agency website at www.eeoc.gov.

Confirmation of Harassment, Discrimination, and Retaliation Prevention Policy

I have received my copy of Leichtag Foundation’s Harassment, Discrimination, and Retaliation Prevention policy. I understand and agree that it is my responsibility to read and familiarize myself with this policy.

I understand that the Foundation is committed to providing a work environment that is free from harassment, discrimination, and retaliation. My signature certifies that I understand that I must conform to and abide by the rules and requirements described in this policy.

Employee’s Signature _____

Employee’s Printed Name _____

Date _____
