

## **SEXUAL HARRASSMENT**

*(Adopted December 8, 2005)*

The District of Columbia Bar Foundation (the “Foundation”) strives to provide a work environment that is free of sexual harassment. Sexual harassment is a form of discrimination, and the Foundation believes that no employee should be subjected to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment, unreasonably interfering with an individual’s work performance, or otherwise adversely affecting an individual’s employment opportunities.

The Foundation prohibits sexually harassing behavior in any form, whether or not it would technically constitute unlawful "sexual harassment." This policy of "zero tolerance" of sexual harassment in any form reflects the Foundation’s commitment to provide a comfortable working environment for all of its employees, characterized by respect for the individual and his or her dignity.

### **I. Examples of Harassing Behavior**

Sexually harassing behavior is any gender-based conduct that offends commonly accepted notions of decency or civility in the workplace, or that devalues or detracts from the professionalism and respect that all the Foundation’s employees are required to exhibit at work and in dealing with others in work-related situations. The following are some examples of sexually harassing behaviors, while not intended to be an all-inclusive list:

#### **a. Verbal**

- i. teasing, insults, innuendos, jokes, remarks, comments, questions, or stories about sexual topics or of a sexual or gender-stereotyped nature;
- ii. unwelcome requests or overtures for a dating, romantic, or sexual relationship;
- iii. promises of career advancement or benefits in return for sexual favors, or threats of adverse employment consequences or denial of benefits for declining sexual favors;
- iv. whistling at someone or making kissing, moaning, or other suggestive sounds of a sexual nature; or
- v. using sexually derogatory or demeaning nicknames or terms in referring to others (*e.g.* baby, honey, doll, hunk, or stud).

**b. Physical**

- i. engaging in any physical contact or body language of a sexual or sexually suggestive nature; or
- ii. displaying, wearing, posting, transmitting, accessing, or forwarding any posters, calendars, photographs, cartoons, graphics, drawings, messages, images, or telephonic or electronic (*e.g.* computer e-mail) communications of a sexual or sexually suggestive nature.

**c. Other**

- i. giving gifts or materials of a sexual or sexually suggestive nature.

**II. Scope of the Policy**

This policy covers all Foundation employees and officers, regardless of position or title. It applies at all times that employees are expected to be engaged in work or in work-related situations, whether or not this is during the typical work day or occurs on the Foundation's premises. For example, this policy applies at all locations where work is performed and during off-site events that are sponsored, organized, endorsed, paid for, or attended by or on behalf of the Foundation, as well as while traveling or socializing as a consequence of doing business for or attending an event or function as a representative of the Foundation. The Foundation will not tolerate inappropriate behavior whether it is displayed by employees, contractors, vendors, or other individuals who are doing business on behalf of the company or whether or not it is directed at or undertaken in the presence of others.

**III. Reporting/Complaint Procedure**

All Foundation employees are responsible for observing and supporting this policy. Therefore, if you are a Foundation employee who believes that you have been subjected to or have observed sexually harassing behavior by any other Foundation employee, contractor, vendor or other individual who works with or for the Foundation, you must promptly take one of the following courses of action:

- a. notify the Executive Director, or if you believe the Executive Director may have engaged in or condoned the behavior, notify the President of the Foundation; or
- b. notify the President of the Foundation.

**IV. Retaliation**

The Foundation's policy prohibits retaliation or reprisal against any employee who reports or files a complaint of sexually harassing behavior or who participates or cooperates with an investigation into the allegations. Any employee who believes that he or she has been subjected to retaliation or reprisal should immediately contact the Executive Director or the President of the Foundation. That person will promptly investigate or arrange for the prompt investigation of all such reports or allegations of

retaliation and will direct appropriate remedial and/or disciplinary measures if he or she finds that any retaliation occurred or was threatened.

## **V. Responsible Parties**

If the Executive Director allegedly has been subjected to or has observed sexually harassing behavior, or has received a suggestion of such alleged behavior has been made, he or she must immediately notify the President or other officer who sits on the Board of Directors and seek guidance whether temporary remedial measures should be implemented prior to a prompt and thorough investigation. All observed or reported sexually harassing behavior must be reported even if the employee adversely affected has not asked for specific action, describes the incident as minor or has asked that no action be taken. All such reports or observations must be investigated. An employee's request for anonymity will be honored to the extent possible without compromising the ability to conduct a proper investigation, institute remedial measures or act in the Foundation's best interests.

If an investigation corroborates a report that inappropriate conduct occurred, the Executive Director or President, in consultation with the Board of Directors or an appropriate committee thereof, will direct prompt and effective remedial and/or disciplinary action designed to immediately stop the behavior, prevent its recurrence, and achieve any other objective that the Executive Director or President determines is in the Foundation's best interest.