



**DEEPSOUTH
CENTER FOR**
ENVIRONMENTAL JUSTICE

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*Deep South Center for Environmental Justice, Inc.
Employment Policies and Procedures Manual
Policy last updated: March 17, 2022*

Section XVIII. POLICY AGAINST WORKPLACE HARASSMENT

DSCEJ is committed to providing a work environment for all employees that is free from sexual harassment and other types of discriminatory harassment. Employees are expected to conduct themselves in a professional manner and to show respect for their co-workers. DSCEJ will make every reasonable effort to ensure that no employee is subjected to harassment. Should an incident occur, disciplinary measures will be taken against any person who knowingly engages in this behavior. This action may include termination.

DSCEJ's commitment begins with the recognition and acknowledgment that sexual harassment and other types of discriminatory harassment are unlawful. To reinforce this commitment, the DSCEJ has developed a policy against harassment and a reporting procedure for employees who have been subjected to or witnessed harassment. This policy applies to all work-related settings and activities including business trips and business-related social events.

DSCEJ's property (i.e. telephones, copy machines, facsimile machines, computers, computer applications, e-mail and internet access) may not be used to engage in conduct that violates this policy. DSCEJ's policy against harassment covers employees and all individuals who have a working relationship with DSCEJ (i.e. contractors, vendors, volunteers, etc.) and covers all DSCEJ working events, training, meetings, and activities.

Prohibition of Sexual Harassment Policy:

DSCEJ's policy against sexual harassment prohibits sexual advances or requests for sexual favors or other physical or verbal conduct of a sexual nature, when: (1) submission to such conduct is made as an express or implicit condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual who submits to or rejects such conduct; or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, humiliating, or offensive working environment.

While it is not possible to list all of the circumstances which would constitute sexual harassment, the following are some examples: (1) unwelcome sexual advances --whether they involve physical touching or not; (2) requests for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment; or (3) coerced sexual acts; (4) use of sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; (5) sexually oriented comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess; (6) displaying sexually suggestive objects, pictures, cartoons; (7) unwelcome leering, whistling, deliberate brushing against the body in a suggestive manner; (8) sexual gestures or sexually suggestive comments; (9) inquiries into one's sexual experiences; or (10) discussion of one's sexual activities.

While such behavior, depending on the circumstances, may not be severe or pervasive enough to create a sexually hostile work environment, it can nonetheless make co-workers uncomfortable. Accordingly, such behavior is inappropriate and may result in disciplinary action regardless of whether it is unlawful.

It is also unlawful and expressly against the DSCEJ's policy to retaliate against an employee for filing a complaint of sexual harassment or for cooperating with an investigation of a complaint of sexual harassment.

Prohibition of Other Types of Discriminatory Harassment Policy:

It is also against DSCEJ's policy to engage in verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, gender, religion, sexual orientation, age, national origin, disability, or other protected category (or that of the individual's relatives, friends, or associates) that: (1) has the purpose or effect of creating an intimidating, hostile, humiliating, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Depending on the circumstances, the following conduct may constitute discriminatory harassment: (1) epithets, slurs, negative stereotyping, jokes, or threatening, intimidating, or hostile acts that relate to race, color, gender, religion, sexual orientation, age, national origin, or disability; and (2) written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, sexual orientation, age, national origin, or disability and that is circulated in the workplace, on an employee's desk, on bulletin boards. Other conduct may also constitute discriminatory harassment if it falls within the definition of discriminatory harassment set forth above.

Reporting of Harassment Policy:

Confidentiality is also required so that the reputations and interests of those accused of harassment are protected. Therefore, the name of the complainant or the circumstances related to the complaint will not be disclosed to any person unless disclosure is necessary for the purposes of investigating the complaint or taking disciplinary measures in relation to the complaint. Any person breaching confidentiality may be subject to disciplinary sanction or other appropriate action.

Every employee has the right to make a complaint. If you believe that you have experienced or witnessed sexual harassment or other discriminatory harassment by any employee of the Deep South Center for Environmental Justice, Inc (DSCEJ) you should report the incident immediately to your supervisor or to the Executive Director. Possible harassment by others with whom the DSCEJ has a business relationship should also be reported as soon as possible so that appropriate action can be taken. Upon filing a complaint, DSCEJ will work with the complainant to ensure fair and swift resolution to the issue.

For everyone involved in the process, it is important to make and keep written notes about the events leading to the complaint. DSCEJ recommends documenting the harassment and discrimination occurrences. These details should include:

- What happened – a description of the events or situation.
- When it happened – dates and times of the events.
- Where it happened.
- Who saw or heard it happen – the names of witnesses, any other documents or materials that may have something to do with the complaint (such as letters, notes, or offensive pictures) should be kept.

DSCEJ's goal is to conduct a thorough investigation, to determine whether harassment occurred, and to determine what action to take if it is determined that improper behavior occurred. All complaints brought to a Supervisor/Manager will be taken to the Executive Director for discussion and action within 8 hours.

DSCEJ will promptly and thoroughly investigate all reports as discreetly and confidentially as practicable. The investigation would generally include a private interview with the person making the report. It would also generally be necessary to discuss allegations of harassment with the accused individual and others who may have information relevant to the investigation. An investigation is intended to be used in cases where the alleged harassment may have had a serious impact on the complainant or respondent, where the case is important to the goals of DSCEJ, or where the respondent has refused to participate in earlier efforts to deal with the complaint. Upon filing a report, DSCEJ will work with the complainant to ensure fair and swift resolution to the issue.

The complainant may request that measures be taken to correct damage done to her/his career development, physical or emotional health, reputation, or finances. The range of remedies may include, but is not limited to: an apology, compensation for professional losses, or reinstatement. The complainant will be given an opportunity to comment on the proposed remedy before a final decision is made.

If desired, the people involved in an internal complaint resolution process are allowed to have someone represent them if they wish. Representatives may include a supervisor or a colleague.

Persons who make a complaint, as well as anyone else who is involved, should not be penalized for doing so. This is called "reprisal." Protection from reprisal covers:

- Complainants.
- Witnesses.
- Representatives of complainants and witnesses.
- Investigators.
- Decision makers/management.

DSCEJ will follow the concept of progressive discipline and will take the following matters into consideration:

- The severity of the offence.
- Whether the offence was intentional or unintentional.
- Whether the offence was an isolated incident or involved repeated acts.
- Mitigating or aggravating circumstances affecting either party.
- Whether there was an imbalance in power between the parties.
- Sanctions applied in similar cases.

If the DSCEJ determines that a violation of this policy has occurred, it will take appropriate disciplinary action against the offending party, which can include counseling, warnings, suspensions, and termination. Again, employees who report violations of this policy and employees who cooperate with investigations into alleged violations of this policy will not be subject to retaliation. Upon completion of the investigation, the DSCEJ will inform both parties the results of the investigation. DSCEJ will not disclose the name of the complainant or the conditions of the complaint, unless it becomes necessary in the course of investigation, resolution, or disciplinary action.

Compliance with this policy is a condition of each employee's employment. Employees are encouraged to raise any questions or concerns about this policy or about possible discriminatory harassment with the Executive Director. In the case where the allegation of harassment is against the Executive Director, please notify the Board Chairman.