

POLICY AND STANDARD OPERATING PROCEDURE ON SEXUAL AND OTHER FORMS OF HARASSMENT

Adopted by the San Antonio Conservation Society
Board of Directors September 19, 2018

POLICY

Prohibition Against Harassment. The San Antonio Conservation Society {SACS} and The San Antonio Conservation Society Foundation {SACSF} hereafter collectively referred to as the "Society" prohibit any form of workplace harassment based on actual or perceived race, color, national origin, age, sex, marital status, sexual orientation, religion, mental and physical disabilities, gender, identity or expression, genetic information, veteran status, or any other classification protected by federal, state and local laws.

STANDARD OPERATING PROCEDURE

In General

The Society seeks to provide employees with a work environment free from any unlawful workplace harassment, including but not limited to sexual harassment. Harassment of any kind, whether by a co-employee or other associated with the Society, is not tolerated at the Society.

The Society will promptly investigate complaints of harassment, will act to stop any inappropriate unwelcome behavior, and will resolve the situation using the process outlined below in a manner that is fair to all parties and appropriate to the situation involved. Employees are also obligated to attend any mandatory training provided by the Society to prevent sexual or other forms of harassment.

The Standard Operating Procedure describes the process available to employees to report inappropriate behavior that they believe may constitute harassment, and also describes the way such complaints will be investigated and resolved.

The Society recognizes that the decision to come forward with a complaint may be difficult, The Society will handle information provided by employees who report inappropriate behavior in a sensitive manner, and will endeavor to protect the privacy of the reporting employee and to maintain confidentiality to the extent possible, consistent with its obligation to address instances of discrimination, harassment, and/or related retaliation. It is important that employees understand that they are protected against any retaliation for their good faith actions in bringing forward information regarding inappropriate behavior.

Employees are strongly encouraged to report instances of questionable workplace conduct well before such conduct would rise to the level of legally actionable harassment, whether sexual or otherwise. This way, the behavior can be addressed before it constitutes unlawful harassment or creates a hostile work environment; this also ensures that instances of inappropriate behavior can be dealt with in a timely and appropriate manner to prevent recurrences. In addition, delays in reporting inappropriate conduct may have an impact on the Society's ability to investigate the situation and take appropriate action.

DEFINITION OF SEXUAL HARASSMENT

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature, or any other verbal or physical conduct when:

1. Submission to such conduct is either an explicit or implicit term or condition of employment.
2. Submission to or rejection of the sexual harassment is used by the harassing individual as a basis for an employment decision regarding the person who has been subject to the harassment; or
3. The sexual harassment has the purpose or effect of unreasonable interfering with an employee's work performance and/or creates an intimidating, hostile, or offensive work environment.

Such behavior, whether committed by a Society employee or by others associated with the Society (for example: any officer, board member, donor, volunteer, consultant, vendor, or visitor), will not be tolerated.

Sexual harassment is not limited to individuals of the opposite sex but may involve individuals of the same sex. In addition, sexual harassment is not limited to conduct that is sexual in nature but may include denigrating remarks or offensive behavior that is based on an individual's gender or gender identity.

Not every instance of questionable conduct will constitute sexual harassment in violation of this policy. Nonetheless, the Society is committed to providing all employees with a respectful and safe working environment. Unprofessional behavior (whether or not it is sexual in nature) in the workplace of work-related situations is not acceptable or tolerated and may be the subject of disciplinary action even if it does not rise to the level of harassment.

MAKING A COMPLAINT

Allegations of harassment will be investigated by the Executive Director, who will maintain the confidentiality of both the accuser and the accused to the greatest extent possible. The Executive Director may consult with the outside counsel of the Society, who may be asked to participate in any investigation.

The Executive Director will review the details of the complaint and determine the scope of the investigation. In some cases, the matter may be resolved without interviews with involved parties; in other cases, the Executive Director will need to confer with involved parties or third-party witnesses as appropriate. In most cases, the person accused of inappropriate behavior will be informed of the specific basis for the complaint and asked to respond. After completing the investigation, the Executive Director will recommend a resolution to be considered by more senior management.

If the complaint involves the Executive Director, the President, or the President's appointee, will conduct the investigation.

RESOLUTION OF COMPLAINTS

The Society will take all necessary action to stop or prevent harassment. Examples of resolution may include but are not limited to: verbal or written warnings; counseling; training; reassignment; or other disciplinary action, up to and including ruminant of employment. A non-employee who has been determined to have engaged in such behavior will also be subject to appropriate action, up to and including termination of his/her relationship with the Society. Any disciplinary action will be based on the specific findings of the investigation and will be proportional to any offense determined to have occurred.

Personnel matters are highly sensitive and generally treated confidentially for all employees. Therefore, an employee who brings a harassment complaint will be informed when the Society has taken action to address any substantiated complaint but may not be informed about the precise nature of that action.

If any employee who has brought a complaint believes that the conduct has continued following closure of the matter, that employee should immediately notify the Executive Director.

RETALIATION ABSOLUTELY PROHIBITED

No one who files a complaint of harassment in good faith or who cooperates in the investigation of such a complaint will be subjected to retaliation by an employee of the Society as a result of filing the complaint or cooperating with the investigation. Any employee determined to have engaged in retaliation will be subject to disciplinary action up to and including termination.

BULLYING

The Society does not tolerate abusive conduct, bullying, or other intimidating or aggressive behavior among employees or others. If an employee is found to be mistreating his or her colleagues, or if an officer or volunteer engages in similar behavior, the Society will take appropriate action to stop the behavior. Employees wishing to report behavior that they believe is bullying may use the same reporting procedures outlined above.