

EQUAL EMPLOYMENT OPPORTUNITY POLICY - SAMPLE

DISCRIMINATION

The _____ provides an equal employment opportunity for all employees and applicants for employment without regard to sex, sexual orientation, gender, gender identity, age, race, color, religion, national origin, disability, citizenship, genetic information, veteran status and any other characteristic protected by law. The _____ and its supervisory personnel shall make all decisions regarding the material terms or conditions of an individual's employment, including but not limited to recruitment, hiring, promotion, demotion, assignments, training, disciplinary action, compensation and/or discharge without regard to sex, sexual orientation, gender, gender identity, age, race, color, religion, national origin, disability, citizenship, genetic information, veteran status, and any other characteristic protected by law. Any _____ employee who believes that s/he has been subjected to less favorable treatment with respect to a term or condition of employment based on a protected characteristic, or believes that s/he is aware that *another* _____ employee has been so subjected, must report his or her belief, using the process described in Section D below.

HARASSMENT

The _____ prohibits unprofessional or inappropriate conduct of any kind, level or manner toward any _____ employee or by an _____ employee, generally. Specifically, however, the _____ prohibits conduct that occurs because of or is related to a characteristic such as disability, gender, gender identity, sex, sexual orientation, age, race, ethnicity, national origin, religion, veteran status, and other categories or any other characteristic protected by law.

Examples of prohibited conduct include but are not limited to jokes, observations, remarks, or references that are derogatory, degrading, or discriminatory in nature. Also included are instances of non-verbal conduct related to a protected characteristic listed above. Sexual harassment is one variety of prohibited conduct and is difficult to precisely define. Again, by way of example and not limitation, sexually harassing conduct may include unwelcome sexual advances, requests for sexual favors, sexual jokes, and sexually-motivated conduct in connection to another employee's body or physical characteristics whether verbal, non-verbal or physical. No member of management, supervisor, or any employee has any authority to engage in or subject an employee to such conduct.

It is important to remember that the _____ prohibits conduct of the type described in this policy whether or not it is legally actionable, i.e., is unwanted, is offensive to the individual to whom it is directed, or offensive to others who may observe it, and is severe enough, and/or occurs frequently enough to unreasonably interfere with an employee's ability to perform the duties of his or her position. Any _____ employee who believes that s/he has been subjected to inappropriate conduct, as described in this policy, or is aware that another _____ employee has been subjected to prohibited conduct, must report his or her belief, using the process described in Section D below.

RETALIATION

Importantly, the _____ will not tolerate retaliatory conduct in any form against any employee who either reports harassing conduct or who participates in an investigation under this policy. The identities and statements of individuals who participate in an investigation under this policy will be kept confidential to the extent confidentiality is consistent with a thorough investigation and appropriate _____ action, if any. Generally, retaliatory conduct is adverse or unfavorable conduct toward a complainant, witness, or investigation participant for which there lacks an independent, legitimate business reason. Conduct prohibited by this policy is varied and may be, but is not limited to, withholding beneficial assignments or issuing unfavorable assignments; an unfavorable change in schedules, hours, or breaktimes; poor work reviews or a failure to promote where deserved. Follow-up inquiries will be made to attempt to ascertain that retaliatory conduct is not occurring. However, any employee who believes that s/he has been subjected to retaliatory conduct as described in this policy, or is aware that another _____ employee has been so subjected, must report his or her belief, using the process described in Section D, below.

MANDATORY REPORTING AND INVESTIGATION

Any employee subjected to conduct prohibited by the _____'s Discrimination, Harassment, and/or Retaliation policies has a duty to promptly report the matter to Human Resources. Failure to follow this mandatory reporting policy will result in some level of disciplinary action, depending on the facts and circumstances. If an employee is in any way uncomfortable reporting to Human Resources or is not satisfied with the response of that officer, the employee shall make a report directly to the CEO or the Vice Chair of the Board for Administration. Whether brought forth by a specific individual or individuals, or anonymously, once reported, the report will trigger the _____ to conduct a prompt, thorough investigation, and if a report is substantiated, to take prompt, effective remedial action. There are no exceptions. A complainant does not have the discretion not to disclose prohibited conduct, nor once reported to the _____, does a complainant have the discretion to then request that the _____ forego taking action. To the extent an allegation alleging conduct prohibited by any of the above policies is substantiated, the _____ will take prompt and effective corrective action against any individual found to have engaged in such conduct, up to and including termination of employment. Understand clearly that the _____ expects its employees, including all members of its leadership team, to act in a manner that is consistent with honesty and with good faith. Failure to act in good faith or less than honestly (e.g., making a false or exaggerated report) may result in the complaining party being subject to discipline, up to and termination.

THIRD-PARTY HARASSMENT

Employees who have been subjected by a third party to conduct that is inappropriate or unprofessional while operating within the scope of his or her employment (e.g., _____ members, public officials, vendors, partners, etc.) are likewise subject to mandatory reporting under this policy as described in Section D, below. S/he must also report the matter to Human Resources or the _____ President/CEO. The _____ will conduct a prompt, thorough investigation, and to the extent an allegation is substantiated, the _____ will take prompt and effective corrective action that is appropriate under the circumstances.

REASONABLE ACCOMMODATION

It is the policy of the _____ not to discriminate against job applicants or employees who are qualified individuals with disabilities and to comply in all respects with local, state, and federal laws relating to individuals with disabilities and employment or public accommodations.

The _____ will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job. An individual who can be reasonably accommodated for a job without undue hardship will be given the same consideration for that position as any other applicant or employee.

If an employee has a disability which the employee believes limits the employee's ability to perform the employee's employment duties, the employee must report the disability to human resources and request an accommodation.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace—when such threat cannot be eliminated by reasonable accommodation—will not be hired. Current employees who pose a direct threat to the health or safety of other individuals in the workplace will be placed on appropriate leave until an organizational decision has been made regarding the employee's immediate employment situation.

WORKPLACE CONDUCT STANDARDS

It is every _____ employee's responsibility to keep in mind that _____ has high expectations for its employees. The _____ requires _____ employees to conduct themselves in a professional manner at all times when at work or whenever involved in _____ activities, whether on premises or off-premises. It is important to remember that conduct may violate the _____'s workplace conduct standards even where that conduct may not rise to the level of conduct that is legally actionable under local, state, or federal civil rights laws.

DIVERSITY

_____ is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the business and are valued for their skills, experience, and unique perspectives. This commitment is embodied in company policy and the way we do business at _____ and is an important principle of sound business management.