

PREVENTION OF WORKPLACE DISCRIMINATION, HARASSMENT, AND RETALIATION

Rogue Valley Council of Governments is committed to a work environment in which all individuals are treated with respect and dignity. To this end, discrimination, harassment and retaliation are strictly prohibited.

Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, RVCOG expects that all relationships among persons will be respectful and professional as well as free of bias, prejudice and harassment. This will be true of all relationships and interactions in the workplace, at work related events, or any activity coordinated by or through the organization. This policy applies to all employees, elected officials, board or committee members, volunteers, interns and any other person these individuals interact with in the course of accomplishing the work of the organization.

RVCOG has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination and retaliation. RVCOG will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of these policies will be investigated and resolved appropriately.

Any employee who has questions or concerns about these policies should talk with either our Deputy Director or Human Resources Specialist.

EQUAL EMPLOYMENT OPPORTUNITY

It is our policy to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law.

RETALIATION

We encourage the reporting of all perceived incidents of discrimination or harassment. It is the policy of RVCOG to promptly and thoroughly investigate such reports. We prohibit retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

SEXUAL HARASSMENT

Sexual harassment constitutes discrimination and is illegal under federal and state laws. For the purposes of this policy, "sexual harassment" is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably

interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Oregon Law provides further protection from sexual assault defined as unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation.

HARASSMENT

Harassment on the basis of any protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes labels, insults or negative stereotyping; threatening, intimidating or hostile acts; demeaning jokes; and written or graphic material that belittles or shows hostility or dislike toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

REPORTING AN INCIDENT OF HARASSMENT, DISCRIMINATION OR RETALIATION

Individuals who believe they are being subjected to any type of conduct prohibited by this policy are encouraged to promptly advise the offender that their behavior is unwelcome and to request that it stop. Often this action alone will resolve the problem. If, however, an individual is uncomfortable addressing the issue directly with the offender, or if doing so does not resolve the problem, he or she may pursue the matter through the official complaint procedure described in the following section.

RVCOG encourages the reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. The Human Resources Department is considered the primary contact for individuals who believe that they have been the victim of or witnesses to such conduct. In the event that Human Resources staff (i.e. the Deputy Director or Human Resources Specialist) is unavailable, or if the concerned individual would simply feel

more comfortable reporting the incident to any other member of management staff, he or she should do so. Of paramount importance is that the concern/incident be reported promptly so that immediate and helpful action can be taken before relationships become irreparably broken.

It should be noted that early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. However, complaints and concerns may be brought forward within four years of the alleged violation. To facilitate any ensuing investigation, employees are encouraged to document the event(s), associated date(s), and any potential witness(es).

Internal Complaint Procedure

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly by the Human Resources Department or its designee. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the event(s) or may have other relevant knowledge. RVCOG will maintain confidentiality throughout the investigatory process to the extent possible while carrying out an investigation and appropriate corrective action.

Misconduct constituting harassment, discrimination or retaliation will be dealt with as RVCOG believes appropriate under the circumstances. Examples of responsive action may include training, referral to counseling, and/or corrective action such as verbal or written warning, withholding of a promotion or pay increase, reassignment, temporary suspension with or without pay, or termination.

Following receipt of a complaint, the Human Resources Department will follow-up every three months for one year to ensure no further concerns or retaliation are experienced. However, employees should not wait for HR's follow-up to share related experiences. If an employee would like the follow-up process to be discontinued, a request must be submitted in writing to the Deputy Director or Human Resources Specialist.

Employees who engage in false and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be subject to appropriate disciplinary action.

External Complaint Procedures

RVCOG encourages employees to bring their concerns and complaints to the organization, but understands that, at times, this may not be the choice of the employee. Below is a list of the external complaint options. Please reach out to the preferred choice to determine the appropriate timelines for their processes.

- Oregon Bureau of Labor and Industries at the following web address:
https://www.oregon.gov/boli/CRD/Pages/C_Crcompl.aspx
- Civil or Criminal Action: In these circumstances, a Notice of Claim must be provided to RVCOG by "the claimant or representative of [the] claimant" in accordance with ORS 30.275.

EMPLOYMENT AGREEMENTS

No employee will be required or invited to sign an agreement requiring the non-disclosure of information related to discrimination or sexual assault, or a non-disparagement agreement restricting the employee from taking action that would bring discredit, reproach, or dishonor to the organization, as a condition of employment, continued employment, promotion, compensation, or the receipt of benefits. An employee may request this type of agreement and, upon request, will be provided at least seven (7) days to revoke the agreement.

ADDITIONAL EMPLOYEE SUPPORT SERVICES

Employees may choose to use other support services, such as legal and/or counseling services, throughout and following instances related to concerns and complaints. For qualified employees, the organization provides the following for additional assistance:

- Employee Assistance Services through Cascade Centers –
Call – 800-433-2320
Text – 503-850-7721
Web – www.cascadecenters.com