



## DISCRIMINATION AND HARASSMENT POLICY

### I. POLICY STATEMENT

This policy applies to all Northwest Veg employees, including supervisors and directors, as well as to all interns, volunteers, and independent contractors (collectively referred herein as “employees”). Northwest Veg is committed to providing a safe working environment for all its employees, free from discrimination and harassment, including sexual harassment. In addition to complying with federal and state nondiscrimination laws, the goal of this policy is to (a) protect employees from discrimination and harassment, including employees not covered by existing law, and (b) create a culture where every individual is treated with respect.

#### **Equal Opportunity Employment**

Northwest Veg is an equal opportunity employer that is committed to promoting a work environment free of harassment, discrimination, retaliation, and disrespectful or other unprofessional conduct. Northwest Veg does not discriminate against employees or applicants for employment based on race, color, national origin, religion, sex, creed, age, disability, marital status, veteran status, sexual orientation, gender identity, personal appearance, pregnancy, parental status, family responsibilities, genetic information or any other bases protected by federal, state, or local laws and regulations (collectively “Protected Bases”). This policy applies to all terms, conditions, and privileges of employment, including recruitment, hiring, placement, compensation, promotion, discipline, and termination.

Whenever possible, Northwest Veg makes reasonable accommodations for qualified individuals with disabilities or those requiring religious accommodations to the extent required by law. Employees who would like to request a reasonable accommodation should contact the Executive Director.

Northwest Veg prohibits retaliation against individuals who raise complaints of discrimination or harassment or who participate in workplace investigations.

#### **Non-Discrimination / Non-Harassment Policy**

Northwest Veg expressly prohibits discrimination or harassment based on an individual’s Protected Bases. Northwest Veg also prohibits any form of discriminatory harassment, including sexual harassment, sexual assault, sexual exploitation, and stalking. Everyone has the right to work in a professional atmosphere that promotes equal employment opportunities and is free from discriminatory practices, including harassment. Northwest Veg will operate a zero-tolerance policy for discrimination or harassment in the workplace by investigating any complaint made by or about an employee. Any employee found to have harassed or discriminated against another will face disciplinary action, up to and including dismissal from employment.

All allegations of discrimination or harassment will be taken seriously, promptly investigated,



and there will be no retaliation for making such allegations. Complaints will be confidential and records will be kept in a confidential file, not in the complainant's personnel file. Limited disclosure may be required to conduct an investigation, or in the case of imminent danger to the employee.

Northwest Veg recognizes that harassment, particularly sexual harassment, can be a manifestation of power relationships and often occurs between a supervisor and direct report, or between a donor and fundraiser. However, harassment can occur between any two or more people, regardless of their sex or gender identity and whether or not they are in a position of power. Northwest Veg understands the need to support employees in making complaints and supervisors in modeling appropriate behavior.

Northwest Veg recognizes that sexual harassment can occur between people of the same sex or gender, including those who don't identify with a specific gender. During business travel, no employee will be required to share a bedroom with a person of a different sex or gender, or any other person that would result in their feeling vulnerable or unsafe. The employee must inform their supervisor if they're uncomfortable rooming with a particular sex, gender, or person.

No policy can prescribe what should be done on every occasion because circumstances vary. If employees need help or advice about a particular situation or circumstance, employees are encouraged to contact their supervisor or a Designated Person.

## **Definitions**

*Discrimination* is the differential treatment of an employee on the basis of Protected Bases. Per federal law, discrimination is illegal in work-related decisions including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, and any other term or condition of employment.

*Harassment* is unwelcome conduct including physical, verbal, and nonverbal behaviors, and results in a hostile environment. Per federal law, harassment is illegal when unwelcome conduct is related to any of the Protected Bases and when enduring the conduct becomes a condition of continued employment, or the conduct is so severe or pervasive that a reasonable person would consider the working environment intimidating, hostile, or abusive.

*Examples of harassment* include, but are not limited to:

- Humiliation in front of coworkers
- Repeated unwelcome remarks or jokes
- Exercising, attempting to exercise, or threatening to exercise physical force against an employee in the workplace that causes or could cause physical injury to the employee
- Comments that promote stereotyping of any of the Protected Bases
- Comments related to an employee's ethnic, racial, or religious affiliation, or their sexual orientation, gender, or age, that are publicly humiliating, offensive, threatening, or that undermine the employee's role in a professional environment

*Sexual harassment* is defined as any unwelcome sexual advances, requests for sexual favors,



and other verbal, visual, or physical conduct of a sexual nature, when:

1. submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's employment (often known as "*quid pro quo*" harassment); or
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. 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.

Sexual harassment can be physical and psychological in nature. Employees are prohibited from harassing other employees regardless of whether the incidents of harassment occur on employer premises and whether or not the incidents occur during working hours.

*Examples of sexual harassment* include, but are not limited to:

- Physical assaults of a sexual nature, such as rape, sexual battery, sexual assault, molestation, or attempts to commit these assaults
- Unwelcome physical contact that is sexual in nature including touching, patting, pinching, stroking, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body that is against their will or without consent.
- Unwelcome sexual advances such as repeated and unwanted social invitations for dates or physical intimacy, propositions, or other sexual comments, stories, and jokes, including bragging about sexual prowess, sexually oriented gestures, noises such as whistling, remarks, jokes, leering, or comments about a person's sexuality, sexual experience, appearance, or private life.
- Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward.
- Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex or gender.
- Display of sexually explicit or suggestive material
- Insults based on the sex or gender identity of the worker
- Sending sexually explicit messages
- Taking sexual advantage of another, such as recording, photographing, or transmitting sexual photos; indecent exposure; voyeurism; and inducing incapacitation to commit acts of sexual misconduct.
- Retaliation for sexual harassment complaints.

Northwest Veg recognizes that existing federal and state nondiscrimination laws cannot cover all types of behavior or groups of people. Northwest Veg further defines discrimination as differential treatment of any person with regard to work-related decisions based on any characteristics outside of professional qualifications, and harassment as unwelcome conduct against any person where they feel threatened, publicly humiliated, or intimidated.



The *workplace* is any place where work-related activities are conducted, including, but not limited to, the physical work premises, work-related conferences or training sessions, work-related travel, work-related social functions, such as dinners with donors, and work-related electronic communication, such as email, chat, text, phone calls, and virtual meetings.

A *Designated Person* is an employee, board member, mediator, or other professional who Northwest Veg determines is qualified to receive and investigate discrimination and harassment complaints. Each Designated Person will read and sign a copy of this policy and complete a yearly discrimination and harassment training. There is no requirement for a particular gender identity, racial identity, sexual orientation, or other characteristic. Northwest Veg acknowledges that this definition may need to be revised in the future.

## **II. PREVENTION AND TRAINING**

Northwest Veg will provide this policy to all employees and they will sign the policy to indicate that they have read and understood it as a part of their introduction to employment.

Northwest Veg will include this policy in the staff handbook. It is the responsibility of every supervisor to ensure that all their employees are aware of this policy. At all times, Northwest Veg will designate more than one person to receive complaints. Designated Persons will sign a copy of this policy to confirm that they understand and will comply with it.

Northwest Veg recognizes the importance of monitoring this policy and will anonymously collect data to understand how it is used and if it is effective. The following will occur on an ongoing basis (as specified):

- At their annual review, all employees will attend a refresher training course on the content of this policy. Within a week of employees completing the training, supervisors will reach out to their direct reports individually to ask if the employee would like to schedule time for questions about the policy.
- All supervisors will receive training about harassment and discrimination in the workplace every two years. Part of the annual performance review process for supervisors includes their role in maintaining a supportive work environment free from discrimination and harassment as well as their handling of any discrimination or harassment issues that may have occurred during the year.
- Six months after the annual review, Designated Persons will reach out to all employees individually to discuss whether the employee has witnessed or experienced discrimination or harassment. Designated Persons will determine how best to communicate with employees.
- As part of the annual refresher course and follow-up, and at the six-month follow-up, supervisors will confirm that employees know the names and contact information for the Designated Persons and the resource for anonymous complaints.
- Designated Persons will report the number of incidents, their resolutions, and any recommendations to the Executive Director.
- The Executive Director will discuss these statistics with all supervisors and the full Board of Directors.
- The organization will evaluate the policy and make any changes needed. All updates



will be communicated to all employees in a timely fashion.

- On an annual basis, the Board of Directors will determine if there are any independent contractors who perform work for Northwest Veg on an ongoing basis and who haven't already received the policy. The Board of Directors will deliver this policy to any who are identified.

### **III. COMPLAINTS PROCEDURE**

Employees who feel that they have been subject to discrimination, harassment, or any unwelcome sexual attention should report such conduct to a Designated Person. It is helpful, but not required, to provide a written record of the date, time, nature of the incident(s), and the names of any witnesses. Northwest Veg will take every reasonable measure to ensure that those named in the complaint of misconduct will not be involved in review or investigation of the complaint, except to the extent that disclosures to the named party are required for fact-finding or efforts to resolve the complaint, or to comply with a court order. Northwest Veg will also report all incidents and complaints to the Board of Directors and to all levels of management.

When the Designated Person receives a complaint, they will:

- Record the dates, times, and facts of the incident(s).
- Ensure that the complainant understands the procedure for resolving the complaint.
- Identify the outcome wanted by the complainant.
- Discuss and agree on next steps: either an informal or formal complaint, with the understanding that resolving the matter informally will not prevent the complainant from pursuing a formal complaint if they are not satisfied with the outcome.
- Inform the complainant that they have the right to contact legal counsel, such as the U.S. Equal Employment Opportunity Commission (EEOC) or other legal counsel, if they think this is necessary. Federal Equal Employment Opportunity Commission and corresponding state agencies investigate and prosecute complaints of prohibited harassment, discrimination, and retaliation in employment. The nearest office can be found by visiting the federal agency website at [www.eeoc.gov](http://www.eeoc.gov) or the appropriate state agency website of the employee's state.
- Respect the choice of the complainant.
- Keep a confidential record of all discussions.
- Ensure that the above is completed within 3 days of initial discussion of the complaint.

#### **Informal Complaint**

If the employee decides to resolve the matter informally, the Designated Person will:

- Give the alleged harasser an opportunity to respond to the complaint.
- Ensure the alleged harasser understands the procedure for resolving the complaint.
- If the complainant is comfortable, facilitate discussion between both parties to achieve an informal resolution that is acceptable to the complainant.
- If the complainant is not comfortable, achieve an informal resolution by speaking with the complainant and alleged harasser separately.
- If the Designated Person is unable to achieve an informal solution that is acceptable to



the complainant, consult the Executive Director, who may refer the matter to a mediator.

- Keep a confidential record of all actions taken to resolve the complaint.
- Inform the Executive Director of the complaint, maintaining the anonymity of the parties to the fullest extent possible; in the case where the Executive Director is the alleged victim or harasser, inform a member of the Board of Directors.
- Ensure that the above is completed within 7 days of receiving the complaint. In the case where the Designated Person has difficulty completing these items within 7 days, they may work with another Designated Person to complete their duties.
- Follow up 2 weeks after the discussion to ensure that the behavior has stopped.

### **Formal Complaint**

If the employee wants to make a formal complaint, or if the informal complaint mechanism does not lead to a satisfactory outcome for the complainant, a formal complaint should be made. At the time of the formal complaint, the Designated Person who initially received the complaint will form a committee of all Designated Persons currently responsible for receiving complaints. In the case that a Designated Person has a conflict of interest due to their relationship with the complainant or alleged harasser, or for another reason, they will excuse themselves from the investigation. This committee will proceed to investigate the complaint, or refer the matter to an outside investigator.

Note: The steps below are written assuming the committee is carrying out the investigation.

An investigation will be carried out:

- Inform the Executive Director of the complaint, maintaining the anonymity of the parties to the fullest extent possible. In the case where the Executive Director is the victim or alleged harasser, inform a member of the board of directors.
- Interview the employee and their alleged harasser separately.
- Ensure that both the individual filing the complaint (hereafter referred to as the "complainant") and the accused individual (hereafter referred to as the "respondent") are aware of the seriousness of a discrimination or sexual harassment complaint.
- Explain Northwest Veg's discrimination and sexual harassment policy and investigation procedures to the complainant and the respondent.
- Interview other relevant third parties, such as witnesses, separately.
- Notify the police if criminal activities are alleged.
- Produce a report detailing the investigations, findings, and any recommendations. The committee may not be able to determine whether the incident(s) of harassment took place. For this reason, the committee will focus on a remedy that is appropriate to the alleged incident and ensures proper functioning of the workplace.

A remedy will be determined and implemented:

After completing the investigation, the committee of Designated Persons will consult with the complainant on their preference for a remedy, i.e. a plan for future interactions that is acceptable to all parties such as: an apology, a change to working arrangements, a promotion if



the complainant was demoted as a result of the harassment, training for the alleged harasser, discipline, suspension, or dismissal. Based on the complainant's input and the results of the investigation, the committee will determine a remedy. If necessary, the committee will consult with the Executive Director regarding the appropriate remedy.

- Keep a confidential record of all actions taken to resolve the complaint.
- Notify the complainant and the respondent of the corrective actions to be taken, if any, and administer those actions.
- Follow up after 1 week to ensure that the recommendations are implemented, that the behavior has stopped, and that the complainant is satisfied with the outcome.
- If the complainant is not satisfied with the outcome, consult with them to determine why the remedy was not satisfactory and if another remedy is available.
- Ensure that the above is completed within 30 days of the complaint.

Note: In the case where an employee makes multiple complaints against the same alleged harasser, and the Designated Person(s) believes the complaints may be a form of harassment, the complainant may face disciplinary action.

### **Discipline**

Northwest Veg will operate a zero-tolerance policy for harassment and discrimination in the workplace. Employees who violate this policy are subject to appropriate discipline ranging from a written reprimand to termination of employment at the discretion of Northwest Veg. If an investigation results in a finding that this policy has been violated, the mandatory minimum discipline is a written reprimand. Persons who violate this policy may also be subject to civil damages or criminal penalties.

### **Confidentiality**

Northwest Veg will maintain the confidentiality of information shared throughout the complaint process. However, disclosures may be required for fact-finding or efforts to resolve the complaint. In the limited instances where disclosures must be made, disclosures will be limited to those persons necessary to proceed in the fact-finding process or to otherwise address the grievance, such as the respondent and any witnesses. All persons involved in the grievance will be advised of the importance of confidentiality throughout the process.

All adequate steps will be taken to ensure that the complainant is protected from retaliation during the period of the investigation. All information pertaining to a discrimination or sexual harassment complaint or investigation will be maintained in the Operations files. After the termination of the investigation, all incidents will be reported to all levels of management and the Board of Directors.

### **Witnessing Discrimination and Harassment**

Any employee who becomes aware of discrimination or harassment in the workplace, even if they are not directly involved, is expected to report the incident to a Designated Person. The Designated Person will document the incident and consult with the alleged victim to determine if



the victim would like to file a complaint. If the alleged victim chooses to file a complaint, the Designated Person will proceed as defined above with regard to informal and formal complaints. If the alleged victim doesn't choose to file a complaint, documentation of the alleged incident will be retained confidentially so that if the alleged victim or harasser is involved in another complaint or accusation, Designated Persons can consult documentation of the previous complaint.

### **Anonymous and Third Party Reporting**

#### *Complaints Against Third Parties*

Northwest Veg recognizes that an employee can be subject to harassment from a non-employee who supports or conducts business with Northwest Veg, such as a donor, overnight host, contractor, consultant, or volunteer ("third party"). An employee who believes that they have been harassed by a third party is encouraged to file a complaint with a Designated Person. The Designated Person will document the complaint and take whatever action is appropriate in the circumstances. For example, if a fundraiser files a complaint about a donor, the Designated Person may, with the permission of the employee, recommend to their supervisor that the employee no longer be required to work with that donor.

#### *Complaints By Third Parties*

Northwest Veg recognizes that a non-employee can be subject to harassment from Northwest Veg employees, such as a volunteer being harassed by an employee at a work-related conference. If a non-employee believes that they have been harassed by an employee and reports the conduct to a Northwest Veg employee, contractor, or board member, the third party will be referred to a Designated Person. The Designated Person will follow the procedure for informal and formal complaints above.

#### *Anonymous Complaints*

An employee or third party may file an anonymous complaint by contacting a professional mediator who is not an employee of Northwest Veg. The identity of the complainant will be known to the mediator, but not to staff at Northwest Veg. The mediator will communicate the complaint to a Designated Person at Northwest Veg while keeping the identity of the complainant anonymous. Northwest Veg will not be able to conduct a thorough investigation without interviewing the alleged witness or victim. However, if the complainant identifies a harasser, the Designated Person will interview the alleged harasser and keep a confidential record of both the complaint and the response from the alleged harasser.

## **IV. OTHER AVAILABLE PROCEDURES**

The procedures available under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a victim of discrimination or sexual harassment under local, state, or federal law.

## **V. ADMINISTRATION**





This policy will be administered through the Executive Director.

All reports or complaints of harassment or discrimination are maintained in Operations records for five years.

The Executive Director will provide Northwest Veg Directors and the Board of Directors with a summary of any harassment or discrimination issues on an annual basis.