

Harassment and Sexual Harassment Policy

This policy applies to all Compassion Over Killing (“COK”) employees, including supervisors and directors, as well as to all interns, volunteers, and independent contractors (collectively referred to herein as “staff”).

COK is committed to promoting a work environment free of harassment and disrespectful or other unprofessional conduct. COK expressly prohibits harassment based on an individual’s race, color, national origin, religion, sex, creed, age, disability, marital status, veteran status, sexual orientation, gender identity, personal appearance, pregnancy, parental status, family responsibilities, or any other bases protected by federal, state, or local laws and regulations (collectively “Protected Bases”). COK also prohibits any form of harassment, including sexual harassment, sexual assault, sexual exploitation, and stalking. Each individual has the right to work in a professional atmosphere that is free from harassment. Violations of this policy will not be tolerated.

COK recognizes that harassment, particularly sexual harassment, can be a manifestation of power relationships and can occur between two or more people, regardless of their sex or gender identity and whether or not they are in a position of power. COK understands the need to support staff in making complaints and supervisors in modeling appropriate behavior.

Harassment is generally defined as unwelcome verbal, visual, or physical conduct, based upon a person’s Protected Bases, that denigrates or shows hostility or aversion toward an individual protected by this policy (e.g. gender, race, national origin), and which affects the person’s employment opportunities or benefits; has the purpose or effect of unreasonably interfering with the person’s work performance; or has the purpose or effect of creating an intimidating, hostile, or offensive working environment. Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group based on their Protected Bases.

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. Staff are prohibited from harassing other staff whether or not the incidents of harassment occur on COK premises and whether or not the incidents occur during working hours.

Examples of prohibited conduct

Though sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include the following:

- Physical assaults of a sexual nature, such as rape, sexual battery, sexual assault, molestation, or attempts to commit these assaults, and intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another staff member's body, or poking another staff member's body that is against a person's will or without consent.
- Unwelcome sexual advances, propositions, or other sexual comments, such as sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience.
- Preferential treatment or promises of preferential treatment to a staff member for submitting to sexual conduct, including soliciting or attempting to solicit any staff member to engage in sexual activity for compensation or reward.
- Subjecting, or threats of subjecting, a staff member to unwelcome sexual attention or conduct or intentionally making performance of the staff member's job more difficult because of that staff member's sex or gender.
- 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.
- Sexual displays or publications anywhere in COK's workplace or events by the COK staff.
- Retaliation for sexual harassment complaints.

Prevention and Training

Prevention, training, and clear communication are the first line of defense against harassment. In line with current best practices, COK commits to the following measures for prevention:

1. Upon commencement of employment, all new employees will receive a briefing on this policy, our expectations, processes, and resources with an opportunity to ask and have questions answered. All new employees will sign a document that they have read and understand the policy. The signed copy is kept in the employee's personnel file. New employees will also receive training about harassment within a year of starting employment.

2. All current employees will receive training about harassment in the workplace every year.
3. All supervisors will receive additional training about harassment in the workplace every two years.
4. Part of the annual performance review process for supervisors includes their role in maintaining a supportive work environment free from harassment as well as their handling of any harassment issues that may have occurred during the year.
5. This policy will be posted where all employees can access it easily.
6. This policy will be reviewed annually for updates. All updates will be communicated to all employees in a timely fashion.

Process and Reporting of Harassment

This policy is not limited strictly to workplace interactions, and harassment may happen in other locations, including at conferences, events, or COK-related functions.

Any COK staff who feels that they have been harassed or has witnessed or become aware of harassment in violation of these policies, whether internal or in interactions with contractors, donors, or other parties related or potentially related to COK, including COK volunteers, should bring the matter to the immediate attention of their supervisor, the Director of Operations, General Counsel, or Executive Director. 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.

COK 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 the purpose of fact-finding or efforts to resolve the complaint, or to comply with a court order. COK will also report all incidents and complaints to the Board of Directors and to all levels of management.

COK will promptly investigate all allegations of harassment, and take action as appropriate based on the outcome of the investigation. An investigation and its results will be treated as confidential to the extent feasible, and COK will take appropriate action based on the outcome of the investigation.

Non-Retaliation

No staff will be retaliated against for making a complaint in good faith regarding a violation of these policies, or for participating in good faith in an investigation pursuant to these policies. If a staff member feels they have been retaliated against, they should file a complaint using the procedures set forth in this policy.

The federal Equal Employment Opportunity Commission and corresponding state agencies investigate and prosecute complaints of prohibited harassment. Staff members who believe they have been harassed or who have been retaliated against for resisting, complaining, or participating in an investigation may file a complaint with the

appropriate federal and/or state agency. The nearest office can be found by visiting the federal agency website at www.eeoc.gov or the appropriate state agency website of the staff member's state.

Duties of Supervisors

Supervisors must deal expeditiously and fairly with allegations of sexual harassment within their departments whether or not there has been a written or formal complaint.

They must:

- Take all complaints or concerns of alleged or possible harassment seriously no matter how minor or who is involved.
- Ensure that harassment or inappropriate sexually oriented conduct is immediately reported to the Executive Director, Director of Operations, or General Counsel so that a prompt investigation can occur.
- Take any appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.

Supervisors who knowingly allow or tolerate sexual harassment or retaliation, including the failure to immediately report such misconduct to an appropriate party, are in violation of this policy and subject to discipline.

Written Statement & Complaint Resolution Procedures

Once a staff member has reported the conduct to an appropriate party, the staff member will be asked to provide a written statement about the alleged misconduct. The Executive Director, Director of Operations, or General Counsel may assist the complainant in completing the statement. The written statement will initiate a formal investigation into an alleged violation of this policy.

To ensure the prompt and thorough investigation of sexual harassment complaint, the complainant should provide as much of the following information as is possible:

1. The name, department, and position of the person or persons allegedly causing the harassment.
2. A description of the incident(s), including the date(s), location(s), and the presence of any witnesses.
3. The effect of the incident(s) on the complainant's ability to perform their job, or on other terms or conditions of their role at COK.
4. The names of other individuals who might have been subject to the same or similar harassment.
5. What, if any, steps the complainant has taken to try to stop the harassment. (Note: a COK staff member has no obligation to confront the respondent or take any affirmative steps to stop harassment, but if any such steps have taken place, they should be detailed in the complaint.)
6. Any other information the complainant believes to be relevant to the harassment complaint.

Investigation Process & Operations

All allegations of harassment will be taken seriously and promptly investigated. Upon receipt of a complaint, the Executive Director, Director of Operations, or General Counsel must perform an investigation into the complaint. This investigative duty includes the responsibilities of:

1. Ensuring 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 sexual harassment complaint.
2. Explaining COK's sexual harassment policy and investigation procedures to the complainant and the respondent.
3. Exploring informal means of resolving sexual harassment complaints.
4. Notifying the police if criminal activities are alleged.
5. Arranging for an investigation of the alleged harassment and the preparation of a written report.
6. Submitting a written report summarizing the results of the investigation and making recommendations to the appropriate COK officials.
7. Notifying the complainant and the respondent of the corrective actions to be taken, if any, and administering those actions.

Discipline

COK will operate a zero tolerance policy for harassment in the workplace. Staff members who violate this policy are subject to appropriate discipline ranging from a written reprimand to termination at the discretion of COK. 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

COK will maintain the confidentiality of information shared throughout the complaint process. However, disclosures may be required for the purpose of 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 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. The Executive Director, Operations Director, or General Counsel can answer any questions relating to the procedures for handling

information regarding sexual harassment complaints and investigations to complainants and respondents.

Anonymous and Third Party Reporting

Staff members may make anonymous and third party reports of conduct alleged to violate this policy. The individual making the report is encouraged to provide as much detailed information as possible to allow for a thorough investigation and appropriate response. COK may be limited in its ability to investigate an anonymous or third party report unless sufficient information is provided.

Administration

This policy will be administered through the Executive Director, Operations Director, and General Counsel.

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

The Executive Director will provide COK Directors and the Board of Directors a summary of any harassment issues on an annual basis.