



## **ANTI-DISCRIMINATION, HARASSMENT, AND RETALIATION POLICY**

**Revised 8.20.20**

The Mountain Artists Guild (“the Guild”) is committed to an environment in which all individuals are treated with respect and dignity. Each individual has the right to work and participate as a member or volunteer of the Guild and to participate in Guild events or activities in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, The Guild expects that all relationships among persons, including management staff, officers, directors, members, volunteers and Guild event attendees will be business-like and free of bias, prejudice and harassment.

This policy has been enacted by the Board to ensure that all employees, officers, directors, volunteers, members and event attendees can actively participate in the Guild’s activities in an environment free from unlawful harassment, discrimination, retaliation, and other forms of inappropriate and/or offensive conduct. The Guild’s Board of Directors will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be investigated and resolved appropriately. Any person who has questions or concerns about these policies should contact the Guild President.

These policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in any Guild activities or programs. In other words, no one should make the mistake of engaging in discrimination or exclusion to avoid allegations of harassment. The law and the policies of the Guild strictly prohibit disparate treatment on the basis of sex or any other protected characteristic with regard to participation in Guild governance, program volunteer or member activities or other Guild events or conferences. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

### **Policy Against Discrimination and Harassment**

Discrimination and harassment on any protected basis is strictly prohibited, including but not necessarily limited to a person’s race, color, national origin, religion, age, sex, gender, disability, veteran’s status, genetic test results and protected activity, etc. Retaliation for filing a complaint of discrimination or harassment, for participating in any

investigation, proceeding or litigation under the applicable employment laws and/or for opposing any applicable unlawful employment practice is also strictly prohibited. Unlawful discrimination/harassment or retaliation violates state and federal civil rights laws and will not be tolerated.

Harassment is a form of discrimination. In keeping with this commitment, the Guild will not tolerate harassment by anyone in the workplace, including any employee, supervisor, manager, owner, co-worker or third party. Harassment generally consists of unwelcome conduct, whether verbal, physical or visual, that is based on a person's race, color, national origin, religion, age, sex, disability, veteran's status, genetic test results, protected activity and/or on the basis of any other characteristic protected by federal, state or local law. Harassment may include epithets, offensive jokes, the display or circulation of offensive printed or visual material, offensive physical actions or comments that disparage, demean or show disrespect to another individual in the workplace. Harassing conduct may also affect job benefits, interfere with an individual's work performance, or create an intimidating, hostile or offensive work environment. All such harassing conduct is strictly prohibited.

Sexual harassment is a specific type of harassment that deserves special mention. Unwelcome sexual advances, requests for sexual favors, or other physical, verbal or visual conduct based on sex may constitute harassment when:

- (1) submission to the conduct is required as a term or condition of employment;
- (2) submission to or rejection of the conduct is the basis for decisions affecting an individual's employment; or
- (3) such conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment that unreasonably interferes with an individual's work performance.

Sexual harassment may include sexual propositions, sexually suggestive touching, sexual innuendos, suggestive comments, sexually oriented jokes or teasing, or unwelcome physical contact such as patting, pinching, grabbing, groping, kissing or fondling. The Guild will not tolerate unwanted touching under any circumstances.

Please note that the Guild's standards are stricter than the law requires. Therefore, all of the conduct referenced above is considered inappropriate workplace conduct and is prohibited by this policy, even if such conduct does not rise to the level of harassment, discrimination or retaliation as defined under the law.

All Guild employees are responsible for helping to enforce this policy. Any violation of this policy is considered serious misconduct and will subject the offending individual to strong disciplinary action, up to and including termination.

Anyone who believes they may have been the victim of discrimination, harassment, retaliation or other inappropriate workplace conduct, or who believes they may have witnessed any such conduct or that this policy has been violated, should immediately notify the current President of Mountain Artists Guild ([president@mountainartistsguild.org](mailto:president@mountainartistsguild.org)) so the situation can be promptly investigated and remedied. The complaint does not have to be in writing. If the President is the person who is responsible for the alleged inappropriate workplace conduct or reporting the situation to the President fails to remedy the situation, complaints should be immediately reported to the Vice-President of Mountain Artists Guild ([vicepresident@mountainartistsguild.org](mailto:vicepresident@mountainartistsguild.org)). If for any reason the Vice-President is not available or does not provide a satisfactory response, the complaint should be made to the Secretary of Mountain Artists Guild ([secretary@mountainartistsguild.com](mailto:secretary@mountainartistsguild.com)).

The Guild will investigate all complaints in a prompt, thorough and impartial manner and appropriate corrective action will be taken if a violation of this policy is found to have occurred. The investigation will be kept confidential to the extent practically possible or legally permissible. However, given the nature of an investigation, confidentiality cannot be guaranteed and employees are free to discuss any workplace concerns. If an investigation confirms that a violation of this policy has occurred, the Guild will take prompt corrective action, which may include discipline up to and including immediate termination of employment.

The Guild also forbids any retaliation against anyone who has made a complaint, reported a possible violation of this policy or who has cooperated in the investigation. In addition, The Guild also strictly prohibits retaliation against any employee or applicant engaging in protected activity under the Arizona Civil Rights Act and/or applicable any federal employment discrimination laws, including the opposing of any practice which is unlawful under these laws or for making a charge, testifying, assisting or participating in the administrative process of the Office of the Arizona Attorney General, Civil Rights Division, and/or the Equal Employment Opportunity Commission.

### **Termination of Membership for Discriminatory Conduct**

The Mountain Artists Guild expects members to comport themselves with the highest levels of dignity and respect for all individuals and to promote public trust in our organization. The Mountain Artists Guild condemns all forms of racism and bigotry. It is the explicit policy and commitment of the Mountain Artists Guild that it does not discriminate on the basis of race, age, ethnicity, gender, sexual orientation, gender identity, national origin, disability, or religion.

The Mountain Artists Guild reserves the right to terminate membership for discriminatory conduct by a member. Discriminatory conduct may include a member's personal social media posts or other communications.