

**Harassment & Discrimination Policy**

(applicable to Staff, Board and Volunteers)

It is **MFA’s** policy to treat all employees and interns with dignity and respect and to provide a work environment free from harassment and illegal discrimination based on race, color, national origin, religion, age, disability, sex (including pregnancy), sexual orientation, gender identity, veterans status, marital status, genetic information or any other factor protected by federal, state or local law. No individual should be subjected to harassment or discrimination by another employee, manager, client or visitor and all individuals should be aware of what harassment, both sexual and non-sexual, and discrimination are and what steps to take if harassment or discrimination occurs. **MFA** will take immediate steps to address complaints of discrimination or harassment based on any characteristic protected by law.

This policy applies to all work-related settings and activities, whether inside or outside the workplace, and includes business trips and business-related social events. **MFA’s** property (e.g. telephones, copy machines, facsimile machines, computers, and computer applications such as e-mail and Internet access) may not be used to engage in conduct that violates this policy. **MFA** policy against harassment covers employees, volunteers and other individuals who have a relationship with **MFA** which enables the organization to exercise some control over the individual’s conduct in places and activities that relate to **MFA’s** work (e.g. directors, officers, contractors, vendors, volunteers, etc.).

*Discrimination in general:* Discrimination includes unfavorable treatment of an individual with regard to employment actions such as hiring, promotion, termination, compensation, and other terms and conditions of employment based on race, color, national origin, religion, age, disability, sex (including pregnancy), sexual orientation, gender identity, veterans status, marital status, genetic information or any other factor protected by federal, state or local law.

*Harassment, including Sexual Harassment*: Harassment includes behavior that demonstrates hostility toward another individual based on any protected characteristic. Conduct constitutes harassment where:

1) Submission to such conduct is made a term or condition of an individual’s employment, either explicitly or implicitly,   
  
2) Submission to or rejection of such conduct is used as the basis for decisions affecting an individual’s employment, or   
  
3) Such conduct unreasonably interferes with an individual’s work performance or has the effect of creating an intimidating, hostile or offensive working environment.

Harassing conduct may include, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts, denigrating jokes; and written or graphic materials that denigrate or show hostility or aversion toward an individual or group and that is placed on the employer’s premises, circulated in the workplace, or generally published in a manner so as to be viewed by co-workers.

More specifically, sexual harassment includes unwelcome sexual advances, requests for sexual favors and other conduct of a sexual nature, or conduct based on an individual’s gender. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. These behaviors may include, but are not limited to: unwanted and unwelcome sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; other physical, verbal or visual conduct of a sexual nature; or conduct based on an individual’s gender.

*Complaint Procedure:* **MFA** encourages individuals who believe they are being subjected to harassment or discrimination to address the issue, regardless of the alleged offender’s identity or position. **MFA** has established the following procedure to facilitate the investigation and resolution of claims of harassment or discrimination:  
  
1) If possible, the individual affected should politely but firmly advise the offender that his or her behavior is unwelcome and request that it stop immediately. The offender may not realize that his or her behavior is offensive and often this action alone will end the unwelcome advances or behavior. It is not necessary for an individual to speak directly to the offender if he or she feels uncomfortable or believes that negative employment consequences may result.  
  
2) If for any reason an individual does not wish to address the offender directly, or if such action does not end the offensive conduct, the individual should notify the Executive Director of the offensive conduct. If the alleged wrongdoer is the Executive Director, the individual should report the conduct to a member of the Board. Any complaint of harassment or discrimination received by any member of management must be reported to the **President** or **Internal Vice President** of the Board.

*Investigation:* **Internal Vice President** will conduct an investigation of the complaint. IF the Internal Vice President is accused of harassment, the **President** will investigate. To the extent possible, the complaints, interviews with colleagues, and any documents discovered or generated during the investigative process, will remain confidential. The results of the investigation will be reported to the **Executive Director**, who will then determine a course of action. The response can include various kinds of disciplinary action, up to termination. Upon completion of the investigation, **MFA** will inform the employee who made the complaint of the results of the investigation.

If the alleged wrongdoer is the **Executive Director, the Board** will establish a committee to investigate the complaint and determine a course of action. The committee will be charged with initiating the investigation, conducting the investigation, and determining a response or course of action within a reasonable period of time. **MFA** will conduct follow-up interviews to determine that the appropriate steps were taken and the issues were resolved.

*Prohibition of Retaliation:* Retaliation against any individual who, in good faith, opposes harassment or discrimination, files a complaint, testifies or participates in an investigation of a claim of harassment or discrimination is prohibited and will be subject to disciplinary action. Acts of retaliation should be reported immediately.

*Consequences for Violations:* We consider harassment, discrimination or retaliation to be an act of misconduct and subject to appropriate disciplinary action, up to and including termination of employment. False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.  On the other hand, an employee will not be disciplined merely because the complaint is found to be without merit.