



June 2016

NCAE MODEL MANAGEMENT POLICY:

ANTI-HARASMENT POLICY STATEMENT¹

[*Name of Business*] supports the right of all employees to operate in a workplace free of all forms of harassment - including sexual harassment and bullying. Harassment violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Genetic Information Nondiscrimination Act of 2008. [*Name of Business*] prohibits unlawful harassment, discrimination, and retaliation for all employees and customers of [*Name of Business*].

[*Name of Business*]'s goal is to maintain a workplace setting that fosters respect for each and every individual as well as appropriate workplace conduct in all employee and customer interactions. Harassment is defined as the following:

1. Unwelcome conduct derived from a person's race, complexion, religious beliefs, sex, gender, sexual orientation, age, national origin, or any disability. Behavior that creates an inappropriate work environment and that is prohibited includes, but is not limited to, bullying, slurs - racial or otherwise, stereotyping, disrespectful comments - both written and verbal, as well as any material that insults a group.
2. Sexual harassment is defined as any unwanted sexual advantages, requests for sexual favors, as well as visual, verbal, and physical conduct of a sexual nature. This can

¹ This policy must be given to all employees. Supervisors should be informed of the importance of strict compliance with this policy and to monitor the business premises for compliance. If the employer has an Employee Handbook, this policy should be included. Employees should sign and date an acknowledgement that they have received this policy. If a farm labor contractor (FLC) is used to provide workers, a copy of this policy must be given to the FLC and explained. If the business has a written agreement with the FLC, this policy should be included in the agreement. The FLC must be instructed to explain the policy to its employees. The contractor must be informed that strict compliance with this policy is a condition of doing business and the FLC must enforce this policy with its employees, otherwise the business is entitled to terminate its agreement with the FLC.

include sex-based harassment of a person who is the same sex as the harasser. Examples of sexual harassment include, but are not limited to, situations where submission to such listed sexual conduct is used as a condition of one's employment, situations where submission to or rejection of such conduct is used to make employment-related decisions, engaging in verbal or written abuse of a sexual nature using graphic descriptions of a person's body, utilizing sexually degrading or sexually charged words to describe someone, sending sexually explicit or suggestive forms of communication to another person, or making sexual gestures of any kind in any form to another employee or customer.

3. Other offensive conduct may include, but is not limited to, offensive jokes, name calling, epithets, physical assaults, verbal threats, both physical and verbal intimidation, ridicule, taunting, jeering, insults, offensive objects and pictures, or any behavior that could interfere with workplace performance.

[*Name of Business*] maintains a zero-tolerance policy for any form of harassment listed above and an employee that believes this policy is being violated should immediately report the issue to any senior manager or supervisor (other than any manager or supervisor who is believed to have violated this policy in that case). After being informed of any case of harassment, [*Name of Business*] will act to stop any further harassment by completing these steps:

1. Fully informing the complainant of their rights and of any obligation they may have to secure those rights.
- 2, Fully investigating the complaint with an investigation that is immediate, in-depth, and objective. Along with this, making sure a determination is made in a timely manner with the results communicated to the complainant as well as the alleged harasser.
- 3 Taking prompt and effective action to address the situation. Appropriate action first being taken against the harasser if warranted, and then steps be taken to prevent any further harassment of this kind.

No employee will ever suffer any retaliation for using this outlined harassment policy to resolve a concern, failing to practice any behavior prohibited by this policy, filing a complaint to begin this process, or participating in an investigation or other proceeding conducted by [*Name of Business*].