



PURPOSE

This Policy is intended to preserve the dignity, respect, and professionalism of the workplace as well as to protect the right of employees, board members, and volunteers to be free from discrimination, sexual harassment, harassment (other than sexual), retaliation, and inappropriate conduct toward others based on a State or federally protected characteristic.

Further, the Foundation prohibits retaliation for filing a complaint under the Policy or similar State or federal law, for participating in an investigation or proceeding under the Policy, for performing duties under the Policy, or for otherwise opposing conduct prohibited by the Policy.

As a preventive measure, the Foundation will not tolerate inappropriate conduct toward others based on a protected characteristic even if the conduct does not meet the Policy definition of discrimination, retaliation, sexual harassment, or harassment.

Inappropriate conduct toward others, discrimination, sexual harassment, harassment (other than sexual), and retaliation are contrary to the values of the Foundation. As such, all members of the Foundation including board members, employees, and volunteers are responsible for conducting themselves in accordance with this Policy and its associated Procedures.

Persons who violate the Policy will be subject to action up to and including termination of employment or volunteer service, or removal from board service.

POLICY

All members of the Foundation board, its employees, and its volunteers are required to conduct themselves in accordance with the entirety of this Policy of Equity (Policy), and all applicable local, county, State, and federal laws. All Foundation board members, volunteers, and employees are responsible for understanding and abiding by these definitions of prohibited conduct.

PROTECTED CHARACTERISTICS

The following characteristics are subject to protection by this Policy:

- Age (40 and over)
- Ancestry
- Color
- Ethnicity



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- Religious Creed (including religious dress and grooming practices)
 - Denial of family and medical care leave
 - Disability (including mental and physical disability)
 - Marital Status
 - Medical Condition
 - Genetic Information
 - Military and Veteran Status
 - National Origin (including language use restrictions)
 - Race
 - Sex (including pregnancy, childbirth, breastfeeding, and medical conditions related to pregnancy, childbirth, or breastfeeding)
 - Gender
 - Gender Identity
 - Gender Expression
 - Sexual Orientation
 - Any other characteristic protected by State or federal law

SCOPE OF COVERAGE

For purposes of this Policy “Foundation” includes, but is not limited to, Foundation employees, board members, contractors, applicants for employment, unpaid volunteers and interns, and persons providing services pursuant to a contract. Complaints raised by members of the public, patrons, or otherwise not members of the Foundation may be investigated under the Policy in appropriate circumstances.

Location: This Policy prohibits discrimination, unlawful harassment, retaliation, and inappropriate conduct toward others based on a protected status, whether in the workplace or in an environment with a nexus to the workplace.

Communication System/Equipment: This Policy also applies to the use of any communication system or equipment in the workplace, including but not limited to, electronic mail, internet, intranet, telephone lines, computers, facsimile machines, voicemail, radio, cell phones, and mobile digital terminals.

DISCRIMINATION

Discrimination is the disparate or adverse treatment of an individual based on or because of any of the protected characteristics as defined in this Policy.

HARASSMENT (OTHER THAN SEXUAL)

Harassment is conduct which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, offensive, or abusive work environment based on or because of any of the protected characteristics defined in this Policy.

INAPPROPRIATE CONDUCT TOWARD OTHERS

Inappropriate conduct toward others is any physical, verbal, or visual conduct (based on or because of any of the protected characteristics defined in this Policy) when such conduct reasonably would be considered inappropriate for the workplace.

This provision is intended to stop inappropriate conduct based on a protected characteristic before it becomes discrimination, sexual harassment, retaliation, or harassment under the Policy.

As such, the conduct need not meet legally actionable State and/or federal standards to violate this Policy. An isolated derogatory comment, joke, racial slur, sexual innuendo, etc. may constitute conduct that violates this Policy. Similarly, the conduct need not be unwelcome to the party against whom it is directed; if the conduct reasonably would be considered inappropriate by the Foundation for the workplace, it may violate this Policy.

SEXUAL HARASSMENT

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature which meets any one of the following criteria:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, board service, or volunteer status;
- Submission to or rejection of such conduct by an individual is used as the basis for employment, board membership, or volunteer service decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with the individual's employment, board service, or volunteer service or creating an intimidating, hostile, offensive, or abusive working environment, and a reasonable



person subjected to the conduct would find that the harassment so altered working conditions as to make it difficult to do the job.

THIRD-PERSON HARASSMENT

Third-person harassment is indirect harassment of a bystander, even if the person engaging in the conduct is unaware of the presence of the bystander. When an individual engages in potentially harassing behavior, he or she assumes the risk that someone may pass by or otherwise witness the behavior. The Foundation considers this to be the same as directing the harassment toward that individual.

RETALIATION

This Policy prohibits retaliation. Retaliation for the purposes of this Policy is an adverse employment action against another for: 1) reporting a protected incident; 2) filing a complaint of conduct or opposing conduct that violates this Policy or related State or federal law; or 3) participating in an investigation, administrative proceeding, or otherwise exercising their rights or performing their duties under this Policy or related State or federal law.

DUTIES OF BOARD MEMBERS

Board members have an affirmative duty to report potential violations of this Policy to the President. Board members are also responsible for:

- Being aware of, abiding by, and understanding the Policy and Procedures, as well as any modifications that may be made to them;
- Actively monitoring the work environment to ensure that conduct that potentially violates the Policy is not occurring;
- Stopping conduct that potentially violates the Policy and taking immediate and appropriate administrative action whether or not the involved parties are within their line of supervision; and

DUTY TO COOPERATE

All Foundation board members, employees, and volunteers must cooperate fully in any administrative investigation related to this Policy.

EXAMPLES OF CONDUCT THAT MAY VIOLATE THIS POLICY

Depending on the facts and circumstances, below are examples of conduct that may violate this Policy. This list is not exhaustive:

- Posting, sending, forwarding, soliciting, or displaying in the workplace any materials, documents or images that conflict with this Policy;



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- Verbal conduct such as whistling and cat calls, using or making lewd or derogatory noises or making graphic comments about another person's body, or participating in discussions about sexual experiences and/or desires;
 - Verbal conduct such as using sexually, racially or ethnically degrading words or names, using or making racial or ethnic epithets, slurs, or jokes;
 - Verbal conduct such as comments or gestures about a person's physical appearance which have a racial, sexual, disability-related, religious, age, or ethnic connotation or derogatory comments about religious differences and practices;
 - Physical conduct such as touching, pinching, massaging, hugging, kissing, rubbing the body or making sexual gestures;
 - Visual conduct such as staring, leering, displaying or circulating sexually suggestive objects, pictures, posters, photographs, cartoons, calendars, drawings, magazines, computer images or graphics;
 - Sexual advances or propositions, including repeated requests for a date;
 - Preferential treatment or promises of preferential treatment for submitting to sexual conduct;
 - Adverse employment actions such as a hiring decision, discharge, demotion, or lack of promotion based on or because of any of the protected characteristics delineated in this Policy.

REPORTING POTENTIAL VIOLATIONS OF THIS POLICY

Any person who believes they have been subjected to conduct that potentially violates this Policy has the right to, without undue obstruction or interference, report the potential violation to any board member or the director of the Department of Animal Care and Control. The recipient of the complaint must take all complaints of alleged violations of this Policy seriously, report the complaint to the President, and take any appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigation.

INVESTIGATIVE PROCESS AND CORRECTIVE ACTION

All complaints filed under the Policy will undergo a fair, complete, and timely investigation, followed by a reasonable conclusion drawn from the evidence collected. The Foundation will take appropriate corrective action if misconduct is revealed, including, but not limited to, counseling, training, written warning, written reprimand, suspension, demotion, discharge from employment or volunteer service, or removal from the board. The President will determine if an in-house investigation will be conducted or if a third party will be contracted to complete the investigation.



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CONFIDENTIALITY

The Foundation will maintain all complaint-related information in confidence to the extent possible given the obligation to conduct a full and fair investigation and to the extent permitted by law.

Abby J Douglass

Abby J Douglass (Jun 3, 2020 18:34 PDT)

Abby Douglass, President

Jun 3, 2020

Date