

## **EQUAL EMPLOYMENT OPPORTUNITY, NON-DISCRIMINATION AND ANTI-VIOLENCE**

### **Section 1: Policy**

Tu Casa is dedicated to equal employment opportunities in any term, condition or privilege of employment. Tu Casa does not discriminate against applicants or employees on the basis of age, race, sex, sexual orientation, gender expression, color, religion, national origin, disability, veteran status, or any other characteristic protected by state or federal law. This policy applies to all employees, including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

Tu Casa prohibits retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. If employees believe there has been a violation of Tu Casa's EEO or retaliation standard, please follow the complaint procedure contained in the sexual harassment policy.

Tu Casa intends to maintain a work environment free of unlawful harassment. Unlawful harassment includes verbal, physical or visual conduct, which substantially impairs an employee's ability to perform the job or creating an intimidating, hostile or offensive work environment. Such conduct may include, but is not limited to derogatory or vulgar comments regarding a person's race, color, national origin, ancestry, creed, religion sex, age, disability, veteran status, citizenship, or sexual orientation, or distribution of any electronic or written graphic material containing such comments.

Tu Casa intends to maintain a work environment free from intimidation, threats, or violent acts. This includes, but is not limited to, intimidating, threatening or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, carrying weapons on to Tu Casa property, or any other act, which, in management's opinion, is inappropriate to the work place. In addition, offensive comments regarding violent events and/or behavior are not tolerated. Employees should directly contact proper law enforcement authorities and the Executive Director if they believe there is a serious threat to the safety and health of themselves or others.

### **Section 2: Consensual Amorous Relationships**

This clause applies to all staff. Violations of this clause shall be grounds for discipline, up to and including dismissal.

A. Definitions: "Consensual Amorous Relationship" means a dating, sexual, physical, romantic, domestic cohabitation or domestic partnership relationship and any other similar relationship that goes beyond professional consideration or friendship.

B. Purpose of the Policy: Professionalism is fostered by an atmosphere of mutual trust and respect. Professionals recognize that they are required to make decisions regarding those who they teach, advise, supervise, discipline or evaluate based on professional rather than personal considerations and in a manner that will not endanger this atmosphere of mutual trust and respect. They should be aware of the possibility that an apparent Consensual Amorous Relationship with a colleague or supervisee may be interpreted (either now or at a later date) as nonconsensual and, therefore, sexual harassment.

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The power differential inherent in supervisor-supervisee relationships may compromise the supervisee's ability to decide and thus call into question the bona fide consensual nature of the relationship. The potential exists for the supervisee to perceive a coercive element in suggestions regarding activities outside those appropriate to professional relationships.

Staff needs to be aware of potential conflicts of interest and the possible compromise of their professional capacity that may result from a relationship that goes beyond professional consideration or friendship. They also need to be aware that a Consensual Amorous relationship may give rise to a perception on the part of others that the evaluative capacity of the Professional has been compromised.

It is a violation of this clause for a staff member to undertake or attempt to undertake a Consensual Amorous Relationship or permit one to develop with a supervisee who is subject to that person's advisement, supervision, discipline or evaluation, even when both parties appear to have consented to the relationship.

Tu Casa therefore discourages all such relationships.

### **Section 3: Sexual Harassment**

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature or that is motivated by another person's gender when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Inappropriate sexual conduct that could lead to a claim of sexual harassment is expressly prohibited by this policy. Such conduct includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mail.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as an unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

### **Section 4: Reporting Discrimination/Harassment**

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Should any employee believe that he or she has been subjected to unlawful discrimination and/or unlawful harassment including sexual harassment, the employee should immediately notify the Executive Director who will promptly investigate the matter and take appropriate corrective action. The employee's complaint will be kept as confidential as practical. If the Executive Director is not available or the employee feels that they cannot go the Executive Director, the employee may contact the President or Vice President of Tu Casa's Board. If the employee feels that they cannot go to these individuals with the complaint, they should immediately notify the Treasurer or Secretary of Tu Casa's Board. If an investigation confirms a violation of this policy, disciplinary action up to and including discharge may be taken against any employee violating this policy.

Tu Casa prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If employee perceives retaliation for making a complaint or participating in the investigation, they should follow the complaint procedure outlined above. The situation will be promptly investigated.