

## **SQUAW VALLEY COMMUNITY OF WRITERS POLICY ON SEXUAL HARASSMENT**

### **A. Introduction**

The Squaw Valley Community of Writers (“Community”) is committed to creating and maintaining a community where all persons who participate in the Community's workplace and activities can work and learn together in an atmosphere free of all forms of harassment, exploitation, or intimidation. Every member of the Community should be aware that the Community is strongly opposed to sexual harassment, and that such behavior is prohibited both by law and by Community policy. The Community will respond promptly and effectively to reports of sexual harassment, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy. This policy applies to all of the Community's activities and to all locations where the Community engages in business activities (the “locations”).

### **B. Definition of Sexual Harassment**

Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when submission to or rejection of this conduct explicitly or implicitly affects a person's employment, unreasonably interferes with a person's work performance, or creates an intimidating, hostile or offensive working environment. In the interest of preventing sexual harassment, the Community will respond to reports of any such conduct.

Sexual harassment may include incidents between any members of the Community community as well incidents involving participants in Community activities and programs, such as staff, vendors, contractors, participants and visitors. Sexual harassment may occur in hierarchical relationships or between peers, or between persons of the same sex or opposite sex. In determining whether the reported conduct constitutes sexual harassment, consideration shall be given to the record of the conduct as a whole and to the totality of the circumstances, including the context in which the conduct occurred.

This policy covers unwelcome conduct of a sexual nature. While romantic relationships between members of the Community may begin as consensual, they may evolve into situations that lead to charges of sexual harassment, subject to this policy.

Harassment that is not sexual in nature but is based on gender, sex-stereotyping, or sexual orientation also is prohibited by the Community's nondiscrimination policies if it is sufficiently severe to deny or limit a person's ability to participate in or benefit from Community employment, participation or services. While discrimination based on these factors may be distinguished from sexual harassment, these types of discrimination may contribute to the creation of a hostile work environment. Thus, in determining whether a hostile environment due to sexual harassment exists, the Community may take into account acts of discrimination based on gender, sex-stereotyping, or sexual orientation.

### **C. Retaliation**

This policy also prohibits retaliation against a person who reports sexual harassment, assists someone with a report of sexual harassment, or participates in any manner in an investigation or resolution of a sexual harassment report. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

### **D. Dissemination of the Policy, Educational Programs, and Employee Training**

As part of the Community's commitment to providing a harassment-free working and learning environment, this policy shall be disseminated widely to the Community through publications, website, new employee orientations and other appropriate channels of communication. The locations shall make educational materials available to all members of the Community to promote compliance with this policy and familiarity with local reporting procedures. In addition, the locations shall designate Community employees responsible for reporting sexual harassment and provide training to those designated employees. Generally, such persons include officers, supervisors and managers. Each location shall post a copy of this policy in a prominent place on its website.

### **E. Reports of Sexual Harassment**

Any member of the Community community may report conduct that may constitute sexual harassment under this policy. In addition, supervisors, managers, and other designated employees are responsible for taking whatever action is necessary to prevent sexual harassment, to correct it when it occurs, and to report it promptly to the Executive Director (Sexual Harassment Officer) or other appropriate official designated to review and investigate sexual harassment complaints. An individual also may file a complaint or

grievance alleging sexual harassment under the applicable Community complaint resolution or grievance procedure.

#### **F. Response to Sexual Harassment**

The locations shall provide a prompt and effective response to reports of sexual harassment. A prompt and effective response may include early resolution, formal investigation, and/or targeted training or educational programs. Upon findings of sexual harassment, the Community may offer remedies to the individual or individuals harmed by the harassment consistent with applicable complaint resolution and grievance procedures. Such remedies may include counseling, changes to job assignments, termination of participation or other appropriate interventions. Any member of the Community community who is found to have engaged in sexual harassment is subject to disciplinary action up to and including termination of participation or dismissal. Generally, disciplinary action will be recommended when the harassing conduct is sufficiently severe, persistent, or pervasive that it alters the conditions of employment or limits the opportunity to participate in or benefit from Community activities. Any manager, supervisor, or designated employee responsible for reporting or responding to sexual harassment who knew about the harassment and took no action to stop it or failed to report the prohibited harassment also may be subject to disciplinary action. Conduct by an employee that is sexual harassment or retaliation in violation of this policy is considered to be outside the normal course and scope of employment.

#### **G. Intentionally False Reports**

Because sexual harassment frequently involves interactions between persons that are not witnessed by others, reports of sexual harassment cannot always be substantiated by additional evidence. Lack of corroborating evidence or “proof” should not discourage individuals from reporting sexual harassment under this policy. However, individuals who make reports that are later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action under the applicable Community disciplinary procedure. This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

#### **H. Additional Enforcement Information**

The federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) also investigate complaints of unlawful harassment in employment. These agencies may serve as neutral fact finders and attempt to facilitate the voluntary resolution of disputes with the parties. For more information, contact the nearest office of the EEOC or DFEH listed in the telephone directory.