Anti-Harassment, Anti-Bullying Policy

The Billy DeFrank LGBTQ Community Center (“The Center”) is committed to providing an environment that is free from all forms of discrimination and conduct that can be considered harassing, bullying, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on the following is strictly prohibited and will not be tolerated:

- SEX
- RACE
- COLOR
- GENDER IDENTITY
- NATIONAL ORIGIN
- ANCESTRY
- CITIZENSHIP STATUS
- AGE
- RELIGION
- MARITAL STATUS
- DISABILITY
- MEDICAL CONDITION
- SEXUAL ORIENTATION
- PREGNANCY AND CHILDBIRTH
- ANY OTHER BASIS PROTECTED BY LAW

This policy applies to any and all acts of discrimination, harassment, bullying, and intimidation. It applies to all volunteers (employees), guests and patrons of the Center. This includes attendees at Center-related or sponsored events, and volunteers (employees) and guests traveling on Center-related business. It also applies to written communications about the Center, its events, its volunteers (employees), guests, in email, instant message, text message (SMS) or social networks.

HARASSMENT
Harassment interferes with work performance; creates an intimidating, hostile, or offensive work environment.

Sexual Harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same or opposite sex as the harasser. The following is a partial list of impermissible conduct or harassment examples:
MISSION: The Billy DeFrank LGBTQ Community Center provides community, leadership, advocacy, services and support to the Silicon Valley’s LGBTQ People and their Allies.

- UNWANTED SEXUAL ADVANCES.
- OFFERING ANYTHING IN EXCHANGE FOR SEXUAL FAVORS.
- MAKING OR THREATENING REPRISALS AFTER A NEGATIVE RESPONSE TO SEXUAL ADVANCES.
- VISUAL CONDUCT THAT INCLUDES LEERING, MAKING SEXUAL GESTURES, OR DISPLAYING OF SEXUALLY SUGGESTIVE OBJECTS OR PICTURES, CARTOONS OR POSTERS.
- VERBAL CONDUCT THAT INCLUDES MAKING OR USING DEROGATORY COMMENTS, EPIRHETS, SLURS, OR JOKES.
- VERBAL SEXUAL ADVANCES OR PROPOSITIONS.
- VERBAL ABUSE OF A SEXUAL NATURE, GRAPHIC VERBAL COMMENTARIES ABOUT AN INDIVIDUAL’S BODY, SEXUALLY DEGRADING WORDS USED TO DESCRIBE AN INDIVIDUAL, OR SUGGESTIVE OR OBSCENE LETTERS, NOTES, OR INVITATIONS.
- PHYSICAL CONDUCT THAT INCLUDES TOUCHING, ASSAULTING, OR IMPEDING OR BLOCKING MOVEMENTS.

Sexual Harassment:
Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- SUBMISSION TO SUCH CONDUCT IS MADE EITHER EXPLICITLY OR IMPLICITLY A TERM OR CONDITION OF VOLUNTEERING OR EMPLOYMENT
- SUBMISSION OR REJECTION OF THE CONDUCT IS USED AS A BASIS FOR MAKING VOLUNTEER OR EMPLOYMENT DECISIONS;
- THE CONDUCT HAS THE PURPOSE OR EFFECT OF INTERFERING WITH WORK PERFORMANCE OR CREATING AN INTIMIDATING, HOSTILE, OR OFFENSIVE ENVIRONMENT AT THE CENTER; OR,
- SEXUAL FAVORS, E.G. UNWANTED SEXUAL ADVANCES, WHICH CONDITION AN EMPLOYMENT BENEFIT UPON AN EXCHANGE OF SEXUAL FAVORS.

Bullying:
Bullying is unwelcome or unreasonable behavior that demeans, intimidates or humiliates people, either individually or as members of a group. Bullying behavior, though it can occur in isolated incidences, typically follows a pattern of persistent, intimidating actions, some examples of which are listed below:
MISSION: The Billy DeFrank LGBTQ Community Center provides community, leadership, advocacy, services and support to the Silicon Valley’s LGBTQ People and their Allies.

- VERBAL COMMUNICATIONS, INCLUDING ABUSIVE AND OFFENSIVE LANGUAGE; INSULTS; TEASING; SPREADING RUMORS AND INNUENDO; CRITICIZING ACTIONS, APPEARANCE OR BEHAVIOR WITHOUT FOUNDATION; AND TRIVIALIZING THE CONTRIBUTIONS, WORK OR ACHIEVEMENTS OF OTHERS.
- WORKPLACE MANIPULATION, INCLUDING ISOLATING INDIVIDUALS FROM NORMAL WORK INTERACTIONS; EXCESSIVE SUPERVISION, DEMANDS OR DELEGATION OF DUTIES; AND SETTING UNREALISTIC DEADLINES FOR TASK COMPLETION.
- PSYCHOLOGICAL MANIPULATION, INCLUDING UNFAIRLY BLAMING INDIVIDUALS FOR MISTAKES; SETTING PEOPLE UP FOR FAILURE; DELIBERATELY EXCLUDING PEOPLE FROM GROUP PROJECTS OR ACTIVITIES; PERFORMING PRACTICAL JOKES; AND BELITTLING OR DISREGARDING OTHERS’ OPINIONS OR SUGGESTIONS.
- MOBBING, THE BULLYING OR SOCIAL ISOLATION OF A PERSON THROUGH COLLECTIVE UNJUSTIFIED ACCUSATIONS, HUMILIATION, HARASSMENT, GROUP INTIMIDATION OR EMOTIONAL ABUSE

Any of the above conduct by or towards any volunteer (employee), guest, client, vendor or anyone else who does business with The Center will not be tolerated. Any volunteer (employee) who violates this policy will be subject to disciplinary action, up to and including termination of their volunteer engagement (employment).

Reporting an Event: Complaint Procedure for Discrimination and Harassment Claims

To the extent a customer, vendor or other person with whom The Center does business engages in unlawful harassment or discrimination, The Center will take appropriate corrective action. If you experience or witness sexual or other unlawful harassment at the Center, you must complete a written incident report immediately. A copy must be provided to the Board President or delegated representative. If the Board President or delegated representative is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact any other Manager on Duty (MOD). You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Complaints or reports of discrimination or harassment should be directed to the Board President or any of the Board Directors as soon as possible after the incident. The Board of Directors or their designees, who in some cases may be an outside investigator, will promptly
MISSION: The Billy DeFrank LGBTQ Community Center provides community, leadership, advocacy, services and support to the Silicon Valley’s LGBTQ People and their Allies.

investigate complaints of harassment or discrimination discreetly as possible. Upon concluding the investigation, the investigator shall report his/her findings to the Board of Directors who will make the final determination regarding the complaint, and what corrective action, including discipline up to and including immediate termination, as appropriate. At that point, the Board of Directors or their designee will advise the complainant that the investigation has concluded and, depending on the circumstances and interests involved, the results of the investigation. To the extent reasonably possible, The Board of Directors will keep complaints and the terms of the resolution confidential.

Retaliation:
To the extent that a volunteer (employee) is not satisfied with The Center’s handling of a harassment or discrimination complaint, he or she may also contact the appropriate state or federal enforcement agency for legal relief. The law provides protection from retaliation for opposing or reporting unlawful harassment or discrimination or for otherwise participating in processes connected with an investigation, proceeding or hearing conducted by The Center or a government agency with respect to such complaints. The Center will take disciplinary action up to and including termination of any volunteer (employee) who retaliates against another volunteer (employee) for engaging in any of these protected activities.

The Center will not retaliate or discriminate against any individual for making a complaint of harassment or discrimination or for participating in the investigation of any such complaint.

Additional Information:
Any questions about this policy or requests for further information regarding general or sexual harassment or discrimination of any kind should be directed to the Board President.

A volunteer (employee) or guest who engages in sexual harassment, including any Board Member or Manager (MoD) who knows about the harassment and took no action to stop it, may be held personally liable for monetary damages. The Center will NOT pay damages assessed personally against a volunteer (employee), Manager or Board Member.

Signed: ________________________________ Date __________

Print Name: ________________________________