

# **Freedom Swim Club, Inc.**

## **Harassment-Free Environment**

(Version September 2017)

### **Our Philosophy**

The Club is committed to maintaining an environment in which all individuals are treated with respect and dignity. In keeping with this commitment, we will not tolerate harassment by anyone, including any manager, employee, contractor, vendor, member or visitor. We encourage you to report all information relating to harassment regardless of the title, stature or identity of the alleged harasser or alleged victim. Our commitment is to promptly investigate all complaints of harassment and to take effective and timely remedial action to stop such conduct from occurring. Anyone found to have engaged in harassment will be subject to corrective action, including expulsion or termination.

### **Definition of Harassment**

Harassment consists of unwelcome conduct, whether verbal, visual or physical, that is based on an individuals protected status, such as sex, sexual orientation, race, color, ancestry, national origin, religion, veteran status, age, physical or mental disability or any other protected group status.

Sexual harassment, which is a specific type of harassment, consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when such conduct is severe or pervasive enough to render the Club intimidating, coercive, hostile or offensive to the reasonable person (sometimes referred to as hostile environment harassment).

Sexual harassment can occur between members of the same sex or the opposite sex. Examples include, but are not limited to:

1. Unwelcome sexual advances, propositions or innuendoes,
2. Demands for sexual favors,
3. Physical touching or any other unwelcome or offensive physical contact,
4. Unwelcome jokes, kidding or teasing,
5. Epithets, slurs or negative stereotyping,
6. Vulgar, offensive or obscene language or gestures,
7. Display of vulgar, offensive or obscene pictures, photographs or cartoons,
8. E-mails, telephone calls or voice-mail messages of a vulgar, offensive or obscene nature,
9. Verbal abuse,
10. Whistling, leering or staring in an offensive or inappropriate manner,
11. Commentary about an individuals body, sexual prowess or sexual deficiencies, and
12. Surreptitious taking of photos of a sexual nature by any means, including cell phone cameras

### **Those Covered by This Policy**

This policy covers employees, members, independent contractors, vendors or visitors. You have a responsibility to conduct yourself in an appropriate manner and are encouraged to promptly report all information regarding harassment following the procedures outlined in the following sections.

### **Reporting a Complaint of Harassment**

If you believe that you are being harassed, we encourage you to promptly notify the offender(s) that the behavior is unwelcome, harassing, and must stop immediately. While we encourage you to engage in such self-help to stop harassment, we also recognize that the facts of any particular situation may make such a confrontation uncomfortable or otherwise ineffective. In the event that you choose not to confront the harasser(s) directly, you should inform the Club Manager or Vice

President, Administrative. If you witness or have information regarding harassment, we encourage you to report such information to the Club Manager or to the Vice President, Administrative. You are encouraged to promptly report such claims or information so that we may conduct a prompt investigation and take effective remedial action to stop the harassment. While we will investigate all complaints of harassment, reporting complaints or providing information in an untimely manner may affect our ability to conduct a thorough investigation, thus affecting our ability to take effective remedial action.

### **Investigating All Harassment Complaints**

The Board of Directors is responsible for overseeing harassment investigations, determining whether harassment has occurred, and deciding the appropriate level of corrective action for those who violate the policy. All complaints and information regarding harassment will be taken seriously and will be investigated promptly and thoroughly. We will take reasonable steps to conduct the investigation in a confidential manner. To the extent that the nature of the complaint and the investigation permits, only those involved in the investigation process, including the alleged harasser or any witnesses, will be informed of the alleged victims identity or the nature of the complaint. However, it is also possible that information regarding the complaint and the investigation will be revealed during the course of legal proceedings.

### **Retaliation Is Prohibited**

Retaliation against any individual who makes a good faith complaint or provides any information regarding harassment, including participation in a harassment investigation, will not be tolerated. Any individual who engages in retaliation is in violation of this policy and will be subject to corrective action, including expulsion or termination. Complaints of and information regarding retaliation are subject to the same reporting, investigation and remedial procedures as harassment claims.

### **Remedial Action**

At the conclusion of the investigation, both the alleged victim and the alleged harasser will be informed of the findings and intended actions to be taken. Individuals who are found to have engaged in harassment, retaliation or other inappropriate conduct will be subject to disciplinary action as explained in Article V., Section 1. (d) of the Club's bylaws, including expulsion or termination. If the investigation results in a finding that an individual falsely accused another of harassment or retaliation in a knowing or malicious manner or otherwise knowingly or maliciously provided false information during the course of the investigation, that individual will be subject to appropriate disciplinary action as explained in Article V., Section 1. (d) of the Club's bylaws, including expulsion or termination. While this policy sets forth our standards for promoting an environment that is free from harassment, it does not limit our authority or ability to discipline or take any other remedial action for conduct that we find to be inappropriate, regardless of whether that conduct meets the definition of harassment.

### **In Conclusion**

We are committed to enforcing this policy in order to ensure that everyone is able to enjoy the Club in an environment that is free from harassment and retaliation.