

## **EQUAL EMPLOYMENT OPPORTUNITY**

The SAEDC is committed to providing equal employment opportunity to all people without regard to race, color, religion, creed, sex, sexual orientation, gender identity or expression, national origin, age, marital status, familial status, status as a victim of domestic violence, ancestry, disability, predisposing genetic characteristics, military or veteran status, or status in any other group protected by federal, state, or local law. This policy applies to all terms and conditions of employment, including but not limited to, hiring, promotion, discipline, termination, layoff, recall, transfer, leaves of absence, compensation, training, work activities, and any other terms, conditions, and privileges of employment.

SAEDC also complies with the law regarding reasonable accommodation for employees with disabilities, and for employees' religious beliefs, practices, and observances.

Any employee engaging in a discriminatory practice will be subject to discipline, up to and including termination.

If you have a complaint about Equal Employment Opportunity, please direct your concerns to the Executive Director or to the Agency's Personnel Chair pursuant to SAEDC's Non-Discrimination, Non-Harassment, and Anti-Retaliation Policy.

If you have questions regarding this policy or its requirements, you should contact the agency Executive Director at (607) 776-3316.

### **Non-Discrimination, Non-Harassment, and Anti-Retaliation Policy**

#### **1. General**

SAEDC prohibits discrimination and harassment on the basis of any protected status, including, but not limited to race, color, religion, creed, sex, sexual orientation, gender identity or expression, national origin, age, marital status, familial status, status as a victim of domestic violence, ancestry, disability, predisposing genetic characteristics, military or veteran status, or status in any other group protected by federal, state, or local law.

SAEDC believes that all employees should be provided with a work environment that is free from discriminatory and harassing behavior of any sort. Accordingly, SCIDA forbids and will not tolerate discrimination or harassment by or against employees, applicants, volunteers, or vendors.

This policy also prohibits retaliation for complaints of discrimination or harassment, complaints of other violations of law or SAEDC policy, or for an employee's participation in any investigation conducted by SCIDA management/officials or governmental agencies/officers.

SAEDC will not tolerate any form of retribution when employees report concerns/complaints. Retaliation/retribution against any employee for complaining about discrimination, harassment, or

violations of law or SAEDC Policy is strictly prohibited and will result in disciplinary action, up and including termination.

## 2. Definitions/Descriptions

SAEDC is committed to a working environment which is free from physical, psychological, or verbal harassment based on legally protected characteristic. Discrimination and harassment can assume many forms. Discrimination may involve a tangible employment action, such as firing, demotion, or denial of promotion, or more subtle changes in working conditions. The term “harassment” includes but is not limited to:

- ◆ Using demeaning or inappropriate terms that relate to an individual or group’s protected status (e.g., race, gender, disability status, religion, etc.);
- ◆ Using indecent gestures;
- ◆ Engaging in hostile physical contact;
- ◆ Offensive verbal conduct such as crude and offensive language with sexual or derogatory overtones on the basis of a protected category;
- ◆ Telling off-color jokes;
- ◆ Display of offensive pictures, drawings or photographs;
- ◆ Offensive written communications, such as, emails, social media posts, text messages, direct messages; and/or
- ◆ Offensive remarks, comments, jokes, or slurs pertaining to an individual’s race, sex/gender, national origin, religion, age, disability, etc. in any form of communication, including postings online.

SAEDC specifically notes that the above-described conduct constitutes harassment, especially when such conduct has the purpose of affecting or interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment. It is very important for all persons covered by this policy to understand that harassment will not be tolerated. Harassment takes many forms, for example: Male to female; female to male; female to female; or male to male; joking, name-calling, or ridiculing among the same race, religion, and/or national origin or as between different races, religions, and national origins.

If you have any questions about what constitutes discriminatory or harassing behavior or what conduct is otherwise prohibited by this policy, please contact the agency Executive Director

## 3. Individuals Covered By This Policy

All SAEDC employees and officials and any person that works/provides services for SAEDC in any capacity whatsoever are covered by this policy and are prohibited from engaging in any form of discriminatory, harassing, or retaliatory conduct. SAEDC also will not tolerate discrimination or harassment by non-employees toward SAEDC personnel, officers, and/or visitors. Non-

employees who engage in such discrimination or harassment may be denied access to SAEDC / SAEDC facilities.

No member of management has the authority to suggest to any employee or applicant that employment, continued employment, or future advancement will be affected in any way by the individual entering into (or refusing to enter into) any form of a personal/dating/sexual relationship with a member of management.

The prohibitions set forth in this policy apply to all employees, supervisors, co-workers, customers, vendors, agents and any other third party directly or indirectly connected to SAEDC and/or who enters SAEDC property. Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events. Off-duty conduct of a discriminatory and/or harassing nature that may carry over and/or have a negative effect on coworkers and/or the work environment is also prohibited.

#### 4. Reporting Complaints of Discrimination, Harassment and/or Retaliation

Any individual who believes that they have been subject to discrimination, harassment, or retaliation on the basis of race, religion, color, sex, marital status, familial status, pregnancy, disability, sexual orientation, gender identity or expression, age, national origin, ancestry, genetic predisposition, military status, veteran status, status as a victim of domestic violence, or any other protected criteria, as well as any individual that observes such discrimination, harassment, or retaliation, must immediately report the incident to the agency Executive Director. If the agency Executive Director is the object of the complaint, the allegations should be reported to the agency Personnel Committee Chair. Complaints will be investigated pursuant to SAEDC's New Discrimination and Harassment Complaint Procedures specified below.

False or malicious complaints of harassment, discrimination, and/or retaliation, as opposed to complaints which are not substantiated but are made in good faith, may be subject to appropriate disciplinary action, up to an including termination of employment.

#### 5. Investigation Procedure

All complaints of discrimination, harassment, and retaliation will be promptly, thoroughly, and impartially investigated. Investigations will be conducted by the agency Executive Director and may also include supervisors or SAEDC's attorneys. Only those persons determined by SAEDC to be reasonably necessary for the investigation and/or resolution of the situation will be involved in the investigatory process. All individuals who participate in the investigation are required and directed to treat the matter with strict confidentiality and discretion. A violation of this directive is, in itself, a potential ground for disciplinary action.

If the allegations of discrimination, harassment, and/or retaliation are made against one of SAEDC's Board Members, Officers, or Supervisors, SAEDC may appoint a third party who is not involved with SCIDA's day-to-day operations to conduct the investigation.

Both the complaining party and the accused will be informed (in some manner as deemed appropriate by SAEDC) of the investigator's determination and resolution of the complaint, subject to rules and processes surrounding confidentiality of personnel information. If an incident is proven to constitute discrimination, harassment, or retaliation, the offending party will be subject to disciplinary action, which may include counseling, a letter of reprimand, suspension without pay, or termination of employment. Non-employees may face the limitation or termination of their affiliation with SAEDC or the limitation or denial of their access to its premises/events/activities.

## 6. No Retaliation Allowed

Individuals must feel free and comfortable to raise concerns and make reports without fear of reprisal or retaliation. Employees will not be subjected to discrimination, harassment, intimidation, threats, coercion, retaliation, or other adverse employment action because he/she/they have filed a good faith complaint; assisted in an investigation, compliance evaluation, hearing, or any other protected activity; opposed any unlawful act or practice; or exercised any other right protected by law, rule, regulation, or policy.

### **Accommodation of Individuals with Disabilities Policy**

SAEDC is committed to providing equal employment opportunities to qualified individuals with disabilities. This commitment includes making reasonable accommodation to qualified persons with disabilities to enable them to perform the essential functions of their jobs, unless to do so poses an undue hardship or a direct threat to health or safety.

For purposes of this Policy the following definitions apply:

- Qualified individuals with disabilities are defined as individuals with disabilities who can perform the essential functions of the job in question with or without reasonable accommodation. The term disability is defined by applicable state and federal law.
- Reasonable accommodation is any change or adjustment to a job, the work environment or the way things usually are done that enables a qualified individual with a disability to perform the essential functions of the job and that does not pose an undue hardship for SAEDC or create a direct threat to health or safety.

Employees with physical or mental health conditions that may qualify as disabilities as defined by law should make the agency Executive Director aware of their need for an accommodation as soon as it arises. SAEDC will work with each individual to define their job-related needs and to try to reasonably accommodate those needs. Frequently, when a qualified individual with a disability requests a reasonable accommodation, the appropriate accommodation is easily agreed upon. While an employee may recommend a specific accommodation, the ultimate decision as to whether a particular accommodation will be made rests with SAEDC. If more than one

accommodation will enable the individual to perform his/her job, SAEDC reserves the right to choose which accommodation it will make. At times, SAEDC may need your permission to obtain additional information from your physician or other medical or rehabilitation professionals. SAEDC will not seek genetic information in connection with requests for accommodation. All medical information received by SAEDC in connection with a request for accommodation will be treated as confidential.

If you have questions regarding this policy or its requirements, you should contact the agency Executive Director at (607)776-3316.

Approved and adopted this 28<sup>th</sup> day of March, 2024.