

# Dispute Resolution Center of Thurston County

## Policies & Procedures

### Policy on Anti-harassment & Anti-discrimination

#### Statement of Policy

The Dispute Resolution Center (DRC) of Thurston County strives to provide employment, volunteer, and dispute resolution opportunities in an environment free from discrimination, harassment, retaliation and/or sexual assault. The DRC is committed to maintaining an environment that encourages and fosters appropriate conduct among all persons and respect for individual values.

Accordingly, the DRC is committed to enforcing this Non-Discrimination and Anti-Harassment Policy with and among all individuals involved with the DRC, including its Board members, staff, volunteers, conciliators, and mediators. The DRC prohibits discrimination on the basis of race; sex; sexual orientation; gender and/or gender identity/expression; religion; age; color; creed; national origin; ethnicity; physical, mental or sensory disability; marital status; pregnancy; genetic information; citizenship status; veteran or military status; or on any other legally prohibited basis under applicable federal, state, or local law. Such discrimination or harassment violates this policy and will not be tolerated, regardless of a party's involvement with the DRC.

It is a violation of both this policy and applicable law to exercise any form of retaliation against anyone who has complained of or formally reported discrimination, harassment, or sexual assault, or who has participated in an investigation of such a complaint, regardless of whether the complaint relates to the complaining person or someone else. Such a violation will not be tolerated, regardless of a party's involvement with the DRC.

#### Definitions

*Discrimination* is adverse treatment of any person based on the protected class or category of persons to whom he/she belongs, rather than on the basis of his/her individual merit, with respect to the terms, conditions, or privileges of serving as a DRC Board member, staff person, volunteer, conciliator, or mediator.

*Harassment* is unwelcome, legally prohibited verbal or physical conduct directed toward, or differential treatment of, a person because of his/her membership in any protected group or on any other prohibited basis (e.g., race, gender and/or gender identity or expression, color, creed, religion, age, national origin, ethnicity, disability, veteran or military status, sex, sexual orientation, pregnancy, genetic information,

marital status or citizenship status. The harasser can be a Board member, co-worker, volunteer, conciliator, or mediator.

Examples of such conduct include, but are not limited to:

- Offensive or degrading remarks, verbal abuse, or other hostile behavior, such as insulting, teasing, mocking, degrading or ridiculing another person or group;
- Racial slurs, derogatory remarks about a person's accent, or display of racially offensive symbols;
- Unwelcome or inappropriate physical contact, comments, questions, advances, jokes, epithets or demands;
- Physical assault or stalking;
- Displays or electronic transmission of derogatory, demeaning, or hostile materials; and
- Unwillingness to train, evaluate, assist, or work with a person who is involved with the DRC as a Board member, co-worker, volunteer, conciliator, or mediator.

A *hostile work environment* results from harassing conduct that has the purpose or effect of unreasonably interfering with a person's DRC-related duties or activities or creates an intimidating, hostile or offensive environment at the DRC.

*Sexual harassment* is a form of harassment that consists of making unwelcome sexual advances or requests for sexual favors, or engaging in other verbal or physical acts of a sexual or sex-based nature where such conduct interferes with the person's DRC-related duties or activities or creates an intimidating, hostile or offensive environment at the DRC.

*Retaliation* is any adverse action taken against an individual because he or she filed a charge of discrimination, complained to the DRC or a government agency about discrimination at the DRC, or participated in an employment discrimination proceeding (such as an internal investigation or lawsuit), including as a witness. Retaliation also includes adverse action taken against someone who is associated with the complainant, such as a family member of the complainant.

Examples of retaliation include termination, demotion, refusal to promote, or any other adverse action that would discourage a reasonable person from opposing perceived discrimination.

*Sexual assault* is a sexual act against the will and without the consent of a person or where the person is incapable of giving consent. This includes conduct that would be considered criminal under the Revised Code of Washington.

## **Procedure for Reporting Harassment, Discrimination, or Retaliation**

Any person who experiences or witnesses conduct that appears to be discrimination, harassment, or retaliation should report it to the DRC Executive Director or, if that person is the complaint's subject, the DRC Board President. The DRC of Thurston County encourages such reports and takes them seriously.

The DRC of Thurston County will not retaliate against any Board member, staff person, volunteer, conciliator, or mediator who makes a good-faith complaint of discrimination, harassment, or retaliation. See *also* DRC Employee Protection (Whistleblower) Policy, (amended 06/21/18).

## **Investigation and Remedial Action**

Staff or other persons who receive complaints of harassment, discrimination, or retaliation from a person involved with the DRC, whether the complainant is a paid staff member, board member, volunteer, conciliator, or mediator, must immediately notify the DRC Executive Director or the DRC Board President. The Executive Director or Board President will promptly complete an Incident Report Form. Incident Report Forms are available in the Executive Director's Office.

The Executive Director or Board President will then take the Incident Report Form to the full Board for recommended action. The Board's procedure under this policy is to consider whether investigation is warranted and, if so, who will begin investigating the report or complaint of prohibited harassment, discrimination, or retaliation.

The DRC will maintain the confidentiality of the complainant, and the privacy of the persons involved, to the greatest extent possible, consistent with its goal of conducting a thorough and complete investigation and to the extent permitted by law.

All investigations will be conducted on a case-by-case basis by the full Board of Directors or their designees, including staff members, volunteers, conciliators, mediators, law enforcement, victims' advocates, and others, excepting those board members, if any, who are accused of the prohibited conduct.

If an investigation confirms that a violation of this policy or of DRC's standards of conduct has occurred, the DRC Board will take appropriate, prompt, effective remedial action to end the offending person's harassing, discriminatory, or retaliatory behavior. This remedial action may include termination of a compensated staff person's employment, removal of a volunteer from the program or a Board member from the Board or limiting the offending person's access to the DRC of Thurston County.

Adopted by Board, August 12, 2013

Amended by Board, June 21, 2018

Reviewed without Amendment, 2019, 2020, and 2021.