



# **POLICY AGAINST DISCRIMINATION, HARASSMENT, RETALIATION, AND BULLYING**

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It is Alianima's commitment to provide all employees with a safe workplace where there is no discrimination, harassment (including sexual harassment), retaliation, and bullying. In addition to promoting compliance with state and federal anti-discrimination laws, the aim of this policy is: (a) to protect employees from discrimination, harassment, retaliation, and bullying, including those not covered by current legislation, and (b) to create a culture in which every individual is treated with respect.

Alianima adopts a zero-tolerance policy for acts of discrimination, harassment, retaliation, and bullying in the workplace and will investigate all complaints involving any employee. Any employee proven to engage in discrimination, harassment, retaliation, or bullying will face disciplinary actions, which may include termination of contract.

All reports of discrimination, harassment, retaliation, and bullying will be taken seriously, investigated promptly, and there will be no retaliation against complainants. Complaints will be treated as confidential, and all records will be kept in a confidential file, separate from the complainant's personnel file. If necessary for the investigation or if there is an



imminent risk to an employee, limited disclosure of information may occur.

Alianima recognizes that harassment, especially sexual harassment, and retaliation can be manifestations of power dynamics and often occur between a supervisor and a direct subordinate or between a donor and a fundraising recipient. However, harassment, retaliation, and bullying can occur in any group of two or more individuals, regardless of gender, gender identity, or position held. Alianima understands the need to support employees in reporting their complaints and supervisors in exemplifying appropriate behavior.

Alianima acknowledges that sexual harassment can occur between individuals of the same sex or gender, including those who do not identify with any specific gender.

During business trips, no employee will be required to share accommodations with someone of a different sex or gender or with anyone who makes them feel vulnerable or unsafe. It is the responsibility of the employee to inform their supervisor if they are uncomfortable sharing a room with a specific sex, gender, or individual.

It is impossible to create a policy that outlines what should be done in every situation because circumstances vary. If individuals need guidance or advice regarding a specific situation or circumstance, complainants should contact their supervisor or a Designated Person, as defined and specified below.

## Definitions

**Discrimination** occurs when an individual receives differential treatment based on race, color, religion, sex, pregnancy, gender identity, sexual orientation, nationality, age, disability, genetic information, marital status, size, social status, or any other characteristic protected by law in the country of employment ('Protected Classes'). According to federal law, discrimination is illegal in employment decisions, including hiring, termination, compensation, job responsibilities, promotion, training, additional benefits, and any other term or condition of the employment contract.

**Harassment** is unwanted conduct that can be physical, verbal, or non-verbal and results in a hostile environment. According to federal law, harassment is illegal when the unwanted conduct is directed at a person belonging to the Protected Classes and when enduring this conduct becomes a condition for maintaining employment, or when the conduct is so severe or persistent that the work environment becomes intimidating, hostile, or abusive.

Alianima recognizes that current federal and state anti-discrimination legislation could not foresee all possibilities of behavior and all groups of people. Alianima expands the definition of discrimination to include any differential treatment in employment decisions based on any characteristic of a person unrelated to their professional qualifications, and harassment to include any unwanted conduct directed at any person that makes them

feel threatened, publicly humiliated, or intimidated.

Examples of **harassment** include, but are not limited to:

- Humiliation in front of colleagues or in private;
- Repeated unwanted comments or jokes, including bullying;
- Exerting, attempting to exert, or threatening to exert physical force against an employee in the workplace that causes or may cause physical harm to them;
- Comments that promote stereotyping of any of the Protected Classes;
- Comments about the ethnicity, race, religious affiliation, sexual orientation, gender, or age of an employee that are publicly humiliating, offensive, threatening, or that harm their role in the professional environment.

**Sexual harassment** encompasses unwanted conduct of a sexual nature. Examples of sexual harassment include, but are not limited to:

- Unwanted physical contact, including touching, patting, pinching, caressing, kissing, and hugging;
- Comments, stories, and jokes of a sexual nature, including comments about sexual performance;
- Repeated and unwanted social invitations for dates or physical intimacy;

- Use of threats or job-related rewards to solicit sexual favors;
- Comments about an employee's appearance or private life;
- Display of sexually explicit or suggestive material;
- Insults based on the employee's sex or gender identity;
- Physical violence, including sexual assault;
- Sending sexually explicit messages;
- Sexually suggestive gestures;
- Whistling;
- Lewd stares.

**Retaliation** is an adverse action that occurs when an employee reports harmful or illegal practices within their organization and faces disciplinary consequences from their supervisor or someone in a position of power. An employee may experience retaliation for making a complaint, participating in an investigation regarding a complaint, or being associated with a complaint. These situations constitute a serious violation of this policy and are subject to disciplinary action. Retaliation can take the form of intimidation (bullying), thereby creating a hostile work environment; exclusion of individuals involved in important or day-to-day matters; termination or punishment through other means.

Retaliation will not be tolerated by any party at any level. Acts of retaliation should be promptly reported to one of the Designated Persons by an external qualified party (such as a Discrimination and Harassment specialist, a human resources professional, or a lawyer), who will be identified along with the list of Designated Persons and will be taken seriously.

**Bullying** involves the continuous and deliberate misuse of power in relationships through repeated verbal, physical, and/or social behavior with the intention of causing physical, social, and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more individuals who feel unable to prevent it.

Some bullying behaviors include, but are not limited to:

- Derogatory epithets, insults, or stereotypes;
- Threatening, intimidating, or hostile acts;
- Use of violence or physical force;
- Non-consensual physical contact;
- Defamatory, crude, or explicit jokes; and
- Written or graphic material that defames or shows hostility, aversion, or disrespect to an individual or group and is displayed on walls or in any other workplace environment; shared verbally; or distributed among Alianima employees via email, phone (including voice messages), text messages, blogs, social media websites, or

any other means.

The **workplace** is defined as any place where work-related activities are conducted, including but not limited to physical work facilities, work-related conferences or training, business trips, work-related social events, such as donor dinners, and electronic communication related to work, such as email, chat, text messages, phone calls, and virtual meetings.

A **Designated Person** is an employee, counselor, mediator, or other professional that Alianima determines to be qualified to receive and investigate complaints of discrimination, harassment, retaliation, and bullying. The Designated Person must read and sign a copy of this Policy and undergo annual training on discrimination, harassment, retaliation, and bullying. This role does not have any requirements regarding gender identity, racial identity, sexual orientation, or other characteristics. Alianima is aware that this definition may need revision in the future.

### **Implementation**

- Alianima will disseminate this policy to its employees and freelancers who provide regular services to the organization.
- Additionally, at the time of hiring, all employees must sign the policy, indicating

that they have read and understood it.

- Alianima will include this policy in its code of conduct.
- The Executive Board will be responsible for ensuring that all employees are aware of this policy.
- Alianima will always have more than one Designated Person to receive complaints.
- The Designated Persons will be identified in the annual training for this policy.
- The list of Designated Persons will be available on Alianima's intranet.
- If an employee is unfamiliar with any of the Designated Persons, the Executive Director should be contacted.
- Designated Persons must sign a copy of this policy to certify that they have understood it and will adhere to it.

Alianima recognizes the importance of monitoring the implementation of this policy and will collect data anonymously to assess its use and effectiveness. The following actions will be carried out regularly:

- During the annual evaluation, employees will participate in a refresher training on the content of this policy. In the week following the training, a Designated Person will contact each employee individually and ask if they would like to schedule a



time to clarify any doubts about the policy.

- Six months after the annual evaluation, a Designated Person will contact each employee individually to inquire if anyone has witnessed any incidents of discrimination or harassment or if they have been a victim of such incidents. Designated Persons will determine the best way to communicate with employees.
- As part of the annual refresher training and its follow-up, as well as during the six-month check-in, Designated Persons must confirm that employees have their contact information and know how to make anonymous complaints.
- Designated Persons will report incident numbers, their resolution, and any recommendations to the President.
- It is the responsibility of the President to discuss these statistics with all Designated Persons and the Executive Board.
- The organization will regularly evaluate this policy and make necessary changes if needed.
- Every six months, the Executive Board will assess whether any regular service providers of Alianima have not yet received the policy and will deliver it to those who may not have received it.

### **Procedure for Filing a Complaint**

## **Self-Resolution**

Employees are encouraged to maintain written records of the date, time, details of the incident(s), and any witnesses if applicable. When comfortable, employees may attempt to resolve the situation by directly expressing their disapproval to the person whose conduct is offensive.

## **Initial Complaint**

If an employee does not feel comfortable confronting the alleged harasser to request that the behavior stop, or if the alleged harasser continues such behavior even after being asked to stop, the employee can contact a Designated Person to receive complaints of discrimination, harassment, retaliation, and bullying. Upon receiving a complaint, the Designated Person will:

- Record the date(s), time(s), and other details of the incident(s).
- Ensure that the complainant is familiar with the complaint resolution procedure.
- Identify the desired outcome of the complainant.
- Discuss and agree on the next step, whether it be an informal or formal complaint, understanding that an informal resolution does not preclude a later formal complaint if the complainant is not satisfied with the outcome.

- Inform the complainant of their right to seek legal advice if deemed necessary.
- Inform the complainant of their right to receive psychological support if deemed necessary.
- Respect the complainant's choice.
- Maintain confidential records of all conversations.
- Ensure that the above actions are completed within 3 business days after the initial conversation with the complainant.
- Require an external investigation for any complaint of sexual harassment against leadership or in which there may be a conflict of interest.

Alianima will conduct external investigations for any complaints of sexual harassment against the following: the Executive Board and anyone overseeing sexual harassment investigations; members of the organization's board of directors; and in cases in which there is a conflict of interest between the team member conducting or overseeing the investigations and the accused individual.

Investigations into complaints against leadership shall be carried out by an external qualified party (such as an expert in Discrimination and Harassment, Human Resources, or legal expertise).

## Informal Complaint

If an employee decides to resolve the issue informally, the Designated Person should:

- Offer the accused individual the opportunity to respond to the complaint.
- Ensure that the accused individual understands the complaint resolution procedure.
- If the complainant feels comfortable, facilitate a conversation between the parties to reach an informal resolution acceptable to the complainant.
- If the complainant does not feel comfortable, reach an informal resolution by talking separately with the complainant and the accused individual.
- If the Designated Person cannot reach an informal resolution acceptable to the complainant, they should consult with the President, who may refer the matter to a qualified mediator.
- Maintain confidential records of all measures taken to resolve the complaint.
- Inform the President, maintaining, as much as possible, the anonymity of the parties; if the President is the alleged victim or accused, inform a member of the Executive Board.
- Ensure that the above actions are completed within 7 business days from receiving

the complaint. If the Designated Person has difficulty meeting this deadline, they may work jointly with another Designated Person to fulfill these obligations.

- Follow-up two weeks after the conversation to ensure that the unwanted behavior has ceased.

### **Formal Complaint**

If an employee chooses to make a formal complaint or if the informal complaint mechanism does not lead to a satisfactory outcome for the complainant, a formal complaint procedure should be initiated. In such cases, the Designated Person who received the complaint will form a committee with all other Designated Persons, except those who may have a conflict of interest due to their relationship with the complainant or accused, or for any other reason. They should recuse themselves from the investigation and transfer it to another Designated Person or a third party. This committee will either conduct the investigation or refer the matter for external investigation.

Note: The measures below assume that the committee will conduct the investigation.

During the investigation, the following actions will be taken:

- Report the complaint to the President, maintaining, as much as possible, the anonymity of the parties. If the President is the alleged victim or accused, inform a member of the Executive Board.

- Interview the employee and the accused individually.
- Interview other relevant parties, such as witnesses, individually.
- Prepare a detailed report outlining the investigation, findings, and any recommendations. There may be instances where the committee cannot determine whether the incident(s) actually occurred. Therefore, the committee will focus on a measure that addresses the alleged incident appropriately and ensures the proper functioning of the workplace.

During the course of an investigation, Alianima may implement provisional measures as necessary, with the explicit aim of protecting all parties involved. The following provisions will be established and implemented:

At the conclusion of the investigation, the committee of Designated Persons will consult with the complainant regarding their preference for a provision, such as a plan for future interactions acceptable to all parties, an apology, a change in the work system, psychological support, a promotion (if the complainant has been demoted due to harassment), training for the accused individual, disciplinary action, suspension, or termination of the contract. Based on the complainant's input and the results of the investigation, the committee will determine a provision. If necessary, the committee may consult with the President to assist in defining the provision.

After defining the provision, the committee of Designated Persons shall:

- Maintain confidential records of all measures taken to resolve the complaint.
- Follow-up after one week to ensure that the recommendations have been implemented and that the complainant is satisfied with the outcome.
- If the complainant is dissatisfied, engage in a conversation to understand the reason for dissatisfaction and explore other possible provisions.
- Ensure that the above action is conducted within 30 calendar days from the date of the complaint.
- Note: If an employee makes multiple complaints against the same accused individual, and the Designated Person(s) determine that the complaints themselves represent a form of harassment, the complainant may be subject to disciplinary action.

### **Witnesses to Discrimination and Harassment**

An employee who is aware of acts of discrimination or harassment in the workplace, even if not directly involved, should report them to a Designated Person, who will document the incident and consult the alleged victim to determine if they would like to file a complaint. If yes, the Designated Person will follow the procedure described above. If not, the documentation of the alleged incident will be filed confidentially so that, in the event



that the alleged victim or accused becomes involved in another complaint or accusation, Designated Persons can refer to the documentation of the previous situation.

### **Complaints against Third Parties**

Alianima acknowledges that an employee may be a victim of discrimination or harassment by a non-employee who supports or does business with Alianima, such as donors, hosts, service providers, consultants, or volunteers ("third parties"). The employee who feels discriminated against or harassed by a third party is encouraged to file a complaint with a Designated Person, who will document it and take appropriate measures for the circumstances. For example, if a fundraiser files a complaint against a donor, with the employee's permission, the Designated Person may recommend to the respective supervisor that the fundraiser no longer be assigned to work with that donor.

### **Third-Party Complaints**

Alianima acknowledges that non-employees may be victims of discrimination or harassment by employees of the organization. This could be the case, for example, if a service provider is harassed by an employee at a work-related event. If a non-employee considers they have been harassed by an employee and reports the conduct to an Alianima member, a Designated Person will be assigned to the non-employee, who must



follow the same procedure for informal and formal complaints described above.

### **Anonymous Complaints**

It is possible for an individual, whether an employee or not, to submit an anonymous complaint by contacting a professional mediator who is not an employee of Alianima. The mediator will know the identity of the complainant, but the members of Alianima will not. The mediator will report the complaint to a Designated Person while keeping the identity of the complainant confidential. Alianima will not be able to conduct a complete investigation without interviewing the alleged witness or victim. However, if the complainant identifies the harasser, the Designated Person must interview them, maintaining confidential records of both the complainant and the accused person's response.

### **Conclusion**

Alianima is committed to growth and learning, creating room for improvements in the drafting and implementation of this policy, with the hope that the activists working for the organization contribute to a culture of justice and respect within the animal and environmental advocacy movement.

This document is freely offered to other organizations in need of a template to develop



their own policies against discrimination, harassment, retaliation, and bullying.