

## **The Federation, AFT Local 1388 Code of Conduct Policy (adopted August 06, 2020)**

### **Purpose**

The Federation is committed to fostering a respectful environment free of incivility, discrimination, and harassment, regardless of an individual's race, religion, color, sex, age, national origin, sexual orientation, disability, gender identity or expression, ancestry, pregnancy, or any other characteristic prohibited by law. Because the Federation expects its members to respect one another and to recognize and value individual differences, it will not tolerate discriminatory, harassing, bullying, or otherwise unacceptable behavior at any of its activities, events, or meetings. It adopts the following Code of Conduct, and expects those participating in any of its activities, events, or meetings or members acting on behalf of the Federation to abide by it.

### **Definitions**

#### **A. Discrimination**

It is discrimination to make any decision or judgment based on another person's race, religion, color, sex, age, national origin, sexual orientation, disability, gender identity or expression, ancestry, pregnancy, or any other characteristic protected by law.

#### **B. Harassment**

Harassment consists of unwelcome verbal, visual, or physical conduct that is based on another person's race, religion, color, sex, age, national origin, sexual orientation, disability, gender identity or expression, ancestry, pregnancy, or any other characteristic protected by law. It may include, but is not limited to, actions such as use of epithets, slurs, stereotyping, jokes, threatening, intimidating or hostile acts that relate to sex, gender identity, race, age, disability, or other legally protected categories. Harassment may also include written or graphic material that denigrates or shows hostility toward an individual or group based on protected characteristics, whether that material is sent by email, placed on walls, bulletin boards, computer screens, or other devices.

#### **C. Sexual and Gender Harassment**

Sexual harassment can involve unwelcome advances, requests for/offers of sexual favors, and other verbal, visual, or physical conduct of a sexual nature. It may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different genders. Depending on the circumstances, these behaviors may include, but are not limited to, unwanted or unwelcome sexual advances or requests for sexual favors; sexual jokes, innuendo and banter; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature. Gender-based harassment – not involving sexual activity or language but that is directed at someone because of their gender – is also prohibited.

#### **D. Incivility**

Incivility is defined as acting in an uncourteous and disrespectful manner, engaging in inappropriate language and unprofessional behavior when interacting and communicating with other Federation members. All Federation members are expected to treat other members with civility and respect, recognizing that disagreement and informed cordial debate are valued within the union.

### **Examples of Unacceptable Behavior**

Unacceptable behavior includes, but is not limited to, the following:

- aggressive, bullying, demeaning, or intimidating behavior
- discriminatory or harassing behavior

- harmful or offensive verbal or written comments or visual images that degrade an individual's race, religion, color, sex, age, national origin, sexual orientation, disability, gender identity or expression, ancestry, pregnancy, or any other characteristic protected by law
- inappropriate use of nudity and/or sexual images in work or public spaces
- unwelcome sexual attention or contact
- physical assault (including unwelcome touching or groping)
- real or implied threat of physical harm
- physically or emotionally violent behaviors
- inappropriate references, both subtle and explicit, to an individual's gender
- remarks that continue after the person has requested them to stop, or has indicated that they are offensive

### **Implementation and Response to Unacceptable Behavior**

If you are subject to what you believe is unacceptable behavior under this Code of Conduct, or witness such behavior, please inform the Federation President, who will collaborate with the Federation Executive Board to select an investigative committee of disinterested individuals. If the Federation President is the subject of the complaint, please inform the Federation Grievance Chair (in such circumstances the Grievance Chair will replace the Federation President in all the provisions listed below).

The complainant shall provide the investigative committee with a description of the alleged discrimination or harassment in as much detail as possible, including a description of what occurred, the date(s), time(s), and place(s) of the incident(s). The complainant also should provide the names of individuals whom he or she believes have information relevant to the investigation. The investigative committee may request that this information be provided in writing.

The investigative committee will conduct an investigation to determine whether the complaint is supported by substantial direct evidence that would establish a violation of this policy. At the conclusion of the investigation, the findings of the investigation and any recommendation from the committee will be communicated to the Executive Board. The complainant will be provided a notice of the committee's determination within 90 calendar days of the Federation receiving the complaint. The timeline will be tolled during a recognized District breaks (i.e. Winter and Spring break).

The Federation takes these complaints seriously and, at its discretion, may take any action deemed appropriate upon assessing the situation. Possible responses may include a warning to or expulsion of the alleged offender from Federation activities, events, meetings, or membership. Additionally, where appropriate, the Federation may initiate disciplinary proceedings for those who may be subject to Federation discipline per the Federation's member discipline policy.

Any complaint brought to the Federation's attention will be treated confidentially to the extent possible to properly assess the situation. The Federation will take all appropriate steps to ensure that the complainant is no longer subject to the unacceptable behavior.

The Federation will not tolerate retaliation against any individual who makes a complaint or participates in an investigation under this policy, regardless of the outcome of the investigation. The Federation will take all necessary steps to ensure that retaliation does not occur, and if it believes that retaliation has occurred, the Federation will take appropriate action in an effort to stop the retaliation.