

# **HARASSMENT POLICY (Squaxin Island Tribe)**

## **Policy**

The Squaxin Island Tribe is committed to courteous and considerate treatment of its employees. It is the intent of the Tribe that all employees work in an environment that is free from discrimination and/or harassment of any employee by another employee, supervisor, manager, contractor, vendor, customer, or other non-employee. All employees who witness, experience, or otherwise possess information on an incident of harassment shall make a harassment complaint. All complaints that are brought to the attention of the Tribal Administration will be promptly and thoroughly investigated. If it is determined that harassment occurred, the Tribe will take immediate and appropriate corrective action to resolve the situation.

The Tribe will not tolerate harassment of any kind, including but not limited to harassment for the following reasons: race, national origin, religion, disability, pregnancy, age, military status, sex, sexual orientation or any other status protected by applicable laws. Examples of prohibited harassment include, but are not limited to, jokes, derogatory comments, nicknames, verbal/non-verbal innuendo, or offensive conduct of any kind that insults or holds up to ridicule a member of a protected class.

The Tribe will not tolerate harassment in any form, including but not limited to physical, verbal, written, recorded, or electronically transmitted, and further maintains that all employees, at all levels of the Tribe, must avoid offensive and/or inappropriate behavior at work and/or at any time they are on Tribe business or they are representing the Tribe in any way.

## **Sexual Harassment:**

While no form of harassment shall be tolerated, sexual harassment is considered by the Tribe as particularly offensive. Sexual harassment is defined as the unwelcome sexual conduct that affects an individual's employment. An employee's conduct will be considered unwelcome and in violation of this section when the employee knows or should know it is unwelcome to the person subjected to the conduct. Non-exclusive examples of prohibited sexual harassment include unwelcome physical conduct (such as touching, blocking, staring, making sexual gestures, and making or displaying sexual drawings or photographs) and unwelcome verbal conduct (such as sexual propositions, slurs, insults, jokes, and other sexual comments).

Sexual harassment can be classified as one of two types:

1. Quid Pro Quo harassment is where submissions to the conduct is a term or condition for employment or is used as a basis for an employment decision.
2. Hostile work environment harassment is harassment that has the effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile or offensive work environment. A claim could be based on but not limited to threatening, demeaning, hostile or offensive conduct. Generally a series of incidences is needed to create a hostile environment claim and the strength of the claim depends on the number and intensity of such incidents.

## **Complaint Procedure**

An employee shall make a complaint about witnessing or experiencing harassing behavior of any kind to the supervisor of the alleged harasser, the employee's immediate supervisor, or the Human Resources Director. Complaints may be submitted either orally or in writing. When submitted orally, the notified individual or investigator should take the complaint down in writing and obtain the employee's verification that the prepared statement is correct.

The Tribe shall promptly and thoroughly investigate complaints or reports of violation of this Section. An employee who has filed a complaint or a report pursuant to this Section may inquire, at any time, about the status of an investigation. Any and all employees of the Tribe shall fully co-operate with any investigator performing an investigation.

If it is determined an employee of the Tribe committed an act of harassment, corrective action will include appropriate disciplinary action up to and including dismissal of the offending employee, and assurances given to the appropriate parties that:

1. The harassment will cease;
2. The harassment will not reoccur; and
3. There will be no retaliation as a result of the harassment being reported.

Anyone found to have filed a complaint/report of harassment when such accusation is determined to be deliberately dishonest or in bad faith, shall be deemed to have violated this Section, and such individual shall be appropriately disciplined, up to and including termination.

The Tribe will protect the confidentiality of all complaints and reports of harassment to the extent possible and practicable.

#### **No Retaliation**

No reprisal, retaliation, or other adverse action will be taken against any employee for making a good faith complaint or report of harassment, or for assisting in a good faith investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to the employee's immediate supervisor or the Human Resources Director. All such reports will be investigated and any supervisor or other employee found to have retaliated against an employee for filing a good faith harassment complaint will be appropriately disciplined, up to and including termination.