

## **Introduction**

The System Dynamics Society (SDS) is committed to maintaining a workplace free from discrimination, harassment, and retaliation by or against employees, applicants for employment, interns, whether paid or unpaid, contractors, vendors, members, directors, or other persons conducting business with or for SDS. All individuals covered by this policy are required to work in a manner that prevents discrimination, harassment, and retaliation in the workplace. This policy is not limited to the physical workplace itself. It also applies when employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute discrimination, harassment, or retaliation, even if they occur away from the workplace premises, on personal devices or during non-work hours.

## **Discrimination**

Discrimination is the treatment of an individual based on that individual's protected trait. Protected traits include age, race, religion, ethnicity, sexual orientation, gender identity, gender expression, disability, physical appearance, body size, marital status, nationality, political affiliation, ability status, educational background, or any characteristic protected by law. Differences in treatment are not discrimination under this policy where those differences are permitted or required by law.

## **Harassment**

Harassment is abuse, intimidation/threats/coercion, assault and/or other unwelcome conduct related to a protected trait, where the conduct has the purpose or effect of:

- unreasonably interfering with an individual's work environment; or
- creating an intimidating, hostile, degrading, humiliating, or offensive environment for the employee.

Harassment includes verbal, visual, or physical conduct directed at an individual because of a protected trait, including slurs, insults, insulting/derogatory pictures, assault, blocking ingress/egress, and other unwelcome behaviors.

## **Sexual Harassment**

Sexual harassment is harassment that is sexual in nature or based on an individual's sex. Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

The following describes some of the types of conduct that may violate this policy and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, name-calling.

Sexual harassment can occur between any individuals, regardless of their sex or gender. It may include same-sex or opposite-sex harassment. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

## **Retaliation**

Retaliation is any adverse action or credible threat of adverse action taken by an employer or any individual doing work for or on behalf of an employer, in response to:

- a complaint or report of discrimination, harassment, or retaliation;
  
- participating or assisting in a proceeding in response to a report of discrimination, harassment, or retaliation;
  
- opposing discrimination, harassment, or retaliation;
- encouraging a fellow employee to report discrimination, harassment, or retaliation; or
  
- engaging in lawfully protected activities.

Adverse action need not be job-related or occur in the workplace to constitute prohibited retaliation (e.g., threats of physical violence outside of work hours). SDS prohibits retaliation against any individual engaging in the above activities in good faith, even if the alleged discrimination or harassment does not turn out to rise to the level of a violation of law. However, the retaliation provision is not intended to protect persons making intentionally false complaints of discrimination or harassment, or refusing to participate in an investigation.

Discrimination, Harassment, and Retaliation of any kind are considered a form of employee misconduct. Individuals who engage in Discrimination, Harassment, and/or Retaliation and employees who knowingly allow Discrimination, Harassment, and/or Retaliation to continue will be subject to discipline, up to and including termination of employment.

In addition to being a violation of Company policy, sexual harassment and certain other types of discrimination, harassment, and retaliation are prohibited by federal, state, and (in some cases) local laws. Title VII of the Civil Rights Act of 1964 and the New York Human Rights Law prohibit discrimination based on sex and other protected traits. An individual may file a complaint with the New York State Division of Human Rights, the U.S. Equal Employment Opportunity Commission (“EEOC”), a city or county equal employment opportunity office (where applicable), or, in some cases, in federal or state court. Additionally, unlawful harassing conduct may constitute criminal activity, which may be reported to law enforcement. Damages may include lost wages, lost benefits, damages for emotional distress, and attorney fees.

This policy prohibits not only behavior that constitutes unlawful harassment, but also other inappropriate or unprofessional behavior that may reasonably be considered offensive or otherwise inappropriate.

Discrimination, Harassment, or Retaliation may not occur in the performance of the Employer's business, at an Employer-sponsored event, or on Employer property. Discrimination, Harassment, and Retaliation is also prohibited in off-duty conduct between individuals who work together on Employer business.

## **Addressing Discrimination, Harassment, and Retaliation**

**Preventing discrimination, harassment, and retaliation is everyone's responsibility.** SDS cannot prevent or remedy discrimination, harassment, or retaliation unless it knows about it. All individuals covered by this policy aware of potential violations of this policy must promptly report such behavior to the System Dynamics Society by notifying the Executive Director, the Board President, or [respect@systemdynamics.org](mailto:respect@systemdynamics.org).

Reports of harassment may be made verbally or in writing. A reporting form is attached to this Policy for those seeking to report a potential violation of this policy in writing.

## **Supervisory Responsibilities**

All supervisors and managers who receive a report or information about suspected discrimination, harassment, or retaliation, observe what may be discriminatory, harassing, or retaliatory behavior or for any reason suspect that discrimination, harassment, or discrimination is occurring, **are required** to report such conduct to the Executive Director, or President.

In addition to being subject to discipline if they engage in conduct in violation of this policy themselves, supervisors and managers will be subject to discipline for failing to report suspected discrimination, harassment, or retaliation or otherwise knowingly allowing such conduct to continue.

## **Investigation of Discrimination, Harassment, and Retaliation Reports**

**All** reports of discrimination, harassment, and/or retaliation will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be handled discreetly to the extent possible.

Any employee may be required to participate fully in an investigation of suspected discrimination, harassment, or retaliation and to provide truthful and complete information. Employees may be required to provide names of witnesses, substantiating documentation (notes, emails, etc.), and any other relevant information to facilitate the investigation.

SDS will promptly notify the individual who reported and the individual(s) about whom the report was made of the final determination. SDS will implement any corrective actions to be taken in response to the investigation findings. Based upon the seriousness of the offense, disciplinary action may include verbal or written counseling, suspension or termination of employment. For non-employees, SDS may take other action, including suspension or termination of the Society's relationship with the offending party.

## Form for Reporting Discrimination, Harassment, and Retaliation Concerns

System Dynamics Society (SDS) prohibits all forms of discrimination, harassment, and/or retaliation, by or against employees, representatives, vendors, contractors, or other persons doing business with or for SDS. To that end, SDS encourages employees who believe they have been subjected to, witnessed, or otherwise know of discrimination, harassment, or retaliation to promptly report any such violations.

If you believe that someone has violated our policy against discrimination, harassment, and retaliation, you are encouraged to complete this form and submit it to the Executive Director or the President. You may also report your concerns verbally or in another manner. This information is important to help us investigate your concerns.

### YOUR INFORMATION

*Please provide us with your contact information.*

Name: \_\_\_\_\_

Work Address: \_\_\_\_\_

Preferred Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Job Title: \_\_\_\_\_

Preferred Communication Method: \_\_\_\_\_

### REPORT INFORMATION

*Please provide information regarding the individual(s) you believe may have violated Company policy.*

Individual(s) name \_\_\_\_\_

Work Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Job Title: \_\_\_\_\_

Relationship to you:  Supervisor  Subordinate  Co-Worker  Other

2. Please describe the conduct or incident(s) that is the basis of this report and your reasons for concluding that the conduct may violate company policy. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) misconduct occurred:

Is the misconduct continuing? \_\_\_ Yes \_\_\_ No

4. Please list the name and contact information of any witnesses or individuals that may have information related to your report:

Individual(s) name \_\_\_\_\_

Work Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Job Title: \_\_\_\_\_

Individual(s) name \_\_\_\_\_

Work Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Job Title: \_\_\_\_\_

I affirm that the information I am providing is true and complete, to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_