

Policy 2.01: Equal Employment Opportunity/Harassment Policy

Policy: OHL is committed to equal employment opportunity for all qualified persons. We recognize and appreciate each employee's work and contribution to our success. We believe that our employees are entitled to be treated fairly and with respect.

We provide equal opportunity and equal treatment in all aspects of employment to all employees and to all applicants for employment without regard to their race, color, religion, sex (including pregnancy, childbirth and related medical conditions), national origin, age (40 and over), genetic information, citizenship, military service or military obligations.

We provide equal opportunity and equal treatment for qualified individuals with disabilities, and we will make reasonable accommodations to ensure equal employment opportunities for qualified disabled individuals. A disabled individual is qualified for a job if he or she meets the qualifications for the job and can perform the essential job duties of the job with or without reasonable accommodation and without posing a direct threat to the health or safety of the individual or to others.

OHL prohibits *discrimination* against any applicant or employee because of race, color, religion, sex (including pregnancy, childbirth and related medical conditions), national origin, age (40 and over), genetic information, citizenship, military service or military obligations. “*Discrimination*” includes recommending, taking or permitting any adverse employment action with regard to any term or condition of employment (*for e.g.*, hiring, promotion, pay or benefits, discipline and termination). Odyssey House Louisiana prohibits *retaliation* against any employee who complains about prohibited discrimination or harassment, including a complaint under our “complaint procedure” (*see below*). “*Retaliation*” includes threatening, taking or knowingly permitting any materially adverse employment action.

We expect all employees and Supervisors to respect the professional dignity of fellow employees and to treat fellow employees in a courteous and professional manner. Odyssey House Louisiana will not tolerate any form of *harassment* of our employees, including harassment by Supervisors or other employees, customers, vendors, suppliers, or any other person. Prohibited harassment includes any hostile, intimidating, threatening, offensive, insulting, demeaning, profane or vulgar words or conduct. Specifically forbidden is harassment because of a person's sex, race, color, national origin, religion, age, or disability. Some *examples of prohibited* harassment include:

- Offensive, insulting or demeaning remarks, gestures, jokes, pranks, slurs, pictures, e-mails (sending or forwarding), and graffiti about a person's sex, race, color, national origin, religion, age or disability.
- Supervisors' use of threatening, intimidating, or insulting words, or actions in dealing with employees under their supervision, particularly any derogatory comments about an employee or about an employee's job performance related to the employee's race, color, sex, national origin, citizenship, religion, age or disability.
- Any Supervisor in any way discouraging an employee from using our “complaint procedure” (*described below*) to assert a discrimination, retaliation, or harassment complaint under this policy, including stating, implying or threatening that any adverse employment action of any kind will be taken or allowed against an employee who asserts a complaint under our *EEO/Harassment Policy*.

Discrimination or retaliation against or harassment of our employees is prohibited and will result in disciplinary action, which may include termination.

We maintain a professional workplace that is free from *sexual harassment*. Supervisors shall not threaten or insinuate that an employee's refusal to submit to sexual advances or any other form of sexual harassment

will adversely affect the employee's continued employment, pay, benefits, working conditions or job opportunities. Similarly, Supervisors shall not state or imply that submission to sexual advances or any other form of sexual harassment will in any way enhance an employee's employment opportunities, hours, pay, benefits or any other terms or conditions of employment. **No Supervisor has any authority to take any adverse employment action against an employee, including termination, demotion, disciplinary action or reducing the employee's work hours, benefits or pay, because the employee refuses to submit to sexual advances or any other form of sexual harassment. Similarly, no Supervisor has any authority to give an employee preferential treatment because the employee does submit to sexual advances or any other form of sexual harassment.**

Any verbal or physical conduct of a sexual nature that could contribute to a hostile or offensive workplace for any employee, whether committed by a Supervisor, an employee or any other person (including a customer, vendor, supplier) is prohibited. *Examples* of prohibited conduct include:

- Use of profane or vulgar language;
- Unwelcome sexual flirtations, sexual advances or sexual propositions;
- Sexually-oriented or suggestive jokes or comments;
- Comments about a person's body or sex life;
- Sexually degrading words, including sexual slang, used to describe any person;
- Physical contact of a sexual nature, including unwelcome or inappropriate touching, pinching, patting, grabbing or hugging;
- The display in the work place of sexually oriented or suggestive pictures or objects;
- Sexually suggestive or vulgar graffiti, including words and drawings;
- A Supervisor's threatening *or in any way suggesting* that an employee will suffer any kind of employment consequences, such as demotion, termination, suspension or denial of any employment benefit, if she/he does not agree to sexual demands or if she/he complains about offensive sexual behavior or any other form of harassment;
- Comments suggesting that an employee will receive favorable employment treatment in exchange for sexual favors.
- Use of e-mail or accessing intranet or Internet websites in a manner that would violate this policy.

Complaint Procedure:

You must promptly report any incident of harassment, discrimination, retaliation, or any other violation of our EEO/Harassment Policy, directly to our HR Director, who is our designated EEO Officer (Telephone 504-821-9211 Ext. 7807). **To ensure that the HR Director can promptly investigate and, if appropriate, take prompt and effective corrective action, it is essential that you promptly notify the EEO Officer. Reporting it to your Supervisor is *not* sufficient.**

If your complaint is against or otherwise involves the HR Director, if you do not believe the HR Director has addressed your complaint adequately or appropriately, or if for any other reason you do not believe the HR Director can fairly receive and address your complaint, you must report any incident of harassment or other violation of our *EEO/Harassment Policy* directly to the Chief Executive Office (Telephone 504-821-9211 Ext. 7811).

If any Supervisor in any way discourages you from using our “complaint procedure” including stating, threatening or implying that any adverse employment action of any kind will be taken against you if you do so, you must report it immediately to the HR Director or the Chief Executive Officer.

All Supervisors have a responsibility to enforce our *EEO/Harassment Policy*. This responsibility includes immediately stopping any harassment that is observed or reported and reporting any violations directly to the HR Director or the Chief Executive Officer. Failure to do so will result in disciplinary action, which may include termination.

The HR Director will thoroughly investigate all complaints. The employee will be required to prepare a *written report* detailing the alleged harassment, discrimination, retaliation, or any other violation of our

Policy and to sign and date the report. To the extent practicable, the investigation will be confidential with due regard for the sensitive nature of such complaints. If, after completing our investigation, we determine that a complaint is valid, we will take prompt and appropriate corrective and/or disciplinary action against the person or persons engaging in such conduct. Depending upon the severity of the violation of our policy, appropriate discipline may be termination.

We encourage you to come forward if you have a complaint. We assure you that no adverse action will be taken or allowed against any employee who in good faith reports harassment, discrimination, retaliation, or any other violation of our *EEO/Harassment Policy* under our “complaint procedure.”

The EEO laws prohibit punishing job applicants or employees for asserting their rights to be free from employment discrimination including harassment. Asserting these EEO rights is called "protected activity," and it can take many forms. For example, it is unlawful to retaliate against applicants or employees for:

- filing or being a witness in an EEO charge, complaint, investigation, or lawsuit
- communicating with a Supervisor about employment discrimination, including harassment
- answering questions during an employer investigation of alleged harassment
- refusing to follow orders that would result in discrimination
- resisting sexual advances, or intervening to protect others
- requesting accommodation of a disability or for a religious practice

Participating in a complaint process is protected from retaliation under all circumstances. Other acts to oppose discrimination are protected as long as the employee was acting on a reasonable belief that something in the workplace may violate EEO laws, even if he or she did not use legal terminology to describe it.

Engaging in EEO activity, however, does not shield an employee from all discipline or discharge. Employers are free to discipline or terminate workers if motivated by *non-retaliatory and non-discriminatory* reasons that would otherwise result in such consequences. However, an employer is not allowed to do anything in response to EEO activity that would discourage someone from resisting or complaining about future discrimination.

For example, depending on the facts, it could be retaliation if an employer acts because of the employee's EEO activity to:

- reprimand the employee or give a performance evaluation that is lower than it should be;
- transfer the employee to a less desirable position;
- engage in verbal or physical abuse;
- threaten to make, or actually make reports to authorities (such as reporting immigration status or contacting the police);
- increase scrutiny;
- spread false rumors, treat a family member negatively (for example, cancel a contract with the person's spouse); or
- make the person's work more difficult (for example, punishing an employee for an EEO complaint by purposefully changing his work schedule to conflict with family responsibilities).

If your complaint is against or otherwise involves the HR Director, if you do not believe the HR Director has addressed your complaint adequately or appropriately, or if for any other reason you do not believe the HR Director can fairly receive and address your complaint, you must report any incident of harassment or other violation of our *EEO/Harassment Policy* directly to the Chief Executive Officer (Telephone 504-821-9211 Ext. 7811).

If your complaint is against or otherwise involves CEO, the Board of Directors will be notified.

If your complaint is against the HR Director or any member of Executive Management (CEO, COO, CFO), an outside investigator will conduct the investigation.

If any Supervisor in any way discourages you from using our “complaint procedure” including stating, threatening or implying that any adverse employment action of any kind will be taken against you if you do so, you must report it immediately to the HR Director the Chief Executive Officer/Chief Operations Officer/Chief Financial Officer.

OHL is committed to providing staff with a confidential non-retaliatory mechanism to report potential compliance issues and has established a confidential Compliance Hotline for this purpose. This policy outlines the procedure for reviewing these confidential communications to ensure that all potential compliance issues are investigated and corrective action is taken when compliance issues are submitted via the Compliance Hotline. It is every employee’s responsibility to report possible compliance issues. The Compliance Hotline number is 504-370-0011. Please see the Compliance Hotline Policy for additional information.