

 Oakdale Electric Cooperative		Board Policy
Policy Name: Discrimination and Harassment		Policy No: 3.06
Last Reviewed/Revised: 06-06-2023		Page 1 of 4

I. OBJECTIVE

To maintain a work environment that is free of unlawful discrimination and harassment.

II. POLICY CONTENT

The Cooperative is committed to maintaining a workforce free of unlawful discrimination and harassment. Discrimination, harassment (including sexual harassment), and retaliation for reporting discrimination or harassment or supporting a complaint are prohibited under this policy and will not be tolerated. Any substantiated acts of discrimination, harassment, or retaliation will be met with appropriate disciplinary action, up to and including termination.

A. **Application.** This policy applies to all Cooperative directors, employees, and any other person in the Cooperative's workplace.

B. **Definitions**

1. **Non-Discrimination.** The Cooperative shall provide equal employment opportunity and conduct all personnel activities without regard to age, race, creed, color, disability, marital status, sex, sexual orientation, national origin, ancestry, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters, or any other protected basis under local, state, or federal law.
 - a. Non-discrimination applies to all terms, conditions and privileges of employment including, but not limited to, recruitment, selection, placement, promotion, transfer, demotion, layoff, compensation, benefits, training and termination.
2. **Harassment.** Harassment is unwelcome conduct based on a person's age, race, creed, color, disability, marital status, sex, sexual orientation, national origin, ancestry, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in

any communication about religious matters or political matters, or any other protected basis under local, state, or federal law.

- a. Harassment is any conduct aimed at a particular employee or group of employees based upon any protected basis and that may have the purpose or effect of substantially interfering with employees' work performance or creating an offensive or hostile work environment.
- b. Harassment includes, but is not limited to:
 - i. physical, verbal, and written conduct,
 - ii. name calling,
 - iii. letters and emails,
 - iv. offensive jokes,
 - v. physical assaults or threats,
 - vi. intimidation, ridicule or mockery,
 - vii. insults or put-downs,
 - viii. offensive objects or pictures, and
 - ix. interference with work performance.

3. Sexual Harassment. Sexual harassment takes many forms but generally means unwelcome sexual conduct that includes sexual advances, requests for sexual favors, and verbal or physical contact of a sexual nature and includes situations where:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decision affecting such individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

4. Examples of Sexual Harassment. Sexual harassment includes conduct directed by a person at another person of the same or opposite gender and includes, but is not limited to:

- a. Explicit or implicit promise of career advancement in return for sexual favors;
- b. Explicit or implicit threats that an individual's career will be adversely affected if sexual demands are rejected;
- c. Deliberate, repeated, unsolicited gestures, or physical actions of a sexual nature such as touching, pinching or patting another

person, including leaning over, cornering, massaging, or brushing up against a person;

- d. Sexually-oriented joking or abuse, whether verbal or written, repeated unsolicited comments of a sexual nature, unwanted teasing, remarks or questions, cat calls, and sexual innuendos or stories;
- e. Inappropriate cartoons, photographs, videos, illustrations, or literature of sexual nature which create a hostile work environment for an employee.

C. **Reporting**

- 1. Employees who experience any type of discrimination, harassment, or retaliation, or who witness any such conduct, are encouraged to directly inform the person(s) engaging in that conduct that it is unwelcome and must stop.
- 2. Employees should promptly report incidents of discrimination, harassment, and retaliation in accordance with the Cooperative's Policy *3.08 Reporting and Investigating Violations*.

D. **Non-retaliation**. The Cooperative will not tolerate any reprisal or retaliation against any person reporting a possible violation of this policy or participating in an investigation of a possible violation. Any act of retaliation shall be considered a separate violation of this policy and subject to appropriate discipline.

E. **Training and Education**. The Cooperative shall ensure that all employees and directors are educated about this policy and about preventing and addressing discrimination and harassment in the workplace generally.

- 1. The General Manager & CEO is responsible for ensuring that all employees receive and review a current version of this policy and understand its contents. The General Manager & CEO shall ensure that all personnel receive appropriate training on discrimination and harassment in the workplace.
- 2. The Board Chairman shall ensure that all directors receive appropriate training on this policy and on discrimination and harassment in the workplace.

III. RESPONSIBILITY

Board, Management, and Employees

Original Effective Date: 1/18/2022	Reviewed Date (no revisions): 06-06-2023	Revised Date(s):
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