

Harassment Policy

The Building Owners and Managers Association, Oakland/East Bay, Incorporated is committed to providing a work environment free of harassment, disrespectful or other unprofessional conduct. Volunteer leaders play an important role in assuring this.

Discrimination, Harassment, and Retaliation Prevention

As further described below, Association policy and the law prohibit discrimination and harassment based on an individual's race, ancestry, religion or religious creed (including religious dress and grooming practices), color, age (40 and over), sex, gender, sexual orientation, gender identity or expression, genetic information, national origin (including language use restrictions), marital status, medical condition (including cancer and genetic characteristics), physical or mental disability (including HIV and AIDS), military or veteran status, pregnancy, childbirth, breastfeeding and related medical conditions, denial of Family and Medical Care leave, or any other classification protected by federal, state, or local laws, regulations, or ordinances. Our policy and the law prohibit coworkers, supervisors, managers, members, vendors, customers, independent contractors and third parties, from engaging in such conduct.

Equal Employment Opportunity/Anti-Discrimination

The Society is an equal opportunity employer. We enthusiastically accept our responsibility to make employment decisions without regard to any of the categories listed above. Our management is dedicated to ensuring the fulfillment of this policy with respect to hiring, placement, promotion, transfer, demotion, layoff, termination, recruitment advertising, pay, and other forms of compensation, training, and general treatment during employment.

We also recognize and support our obligation to reasonably accommodate employees with disabilities or religious beliefs or practices who are able to perform the essential functions of their positions, with or without reasonable accommodation. The Society will provide reasonable accommodation to any such employee, unless doing so would impose an undue hardship on the Society. If you believe you need a reasonable accommodation, please discuss the matter with your supervisor or Human Resources.

No Harassment

The Society does not tolerate harassment of our job applicants, independent contractors, volunteers, interns, employees, members, or any other professional contact by another employee, vendor, member, customer, or any third party based on any of the protected bases identified above. The Society has zero tolerance for harassment and is committed to a workplace free of any harassment.

Harassment Defined. "Harassment" as used in this policy includes disrespectful or unprofessional conduct based on any of the protected characteristics listed above. Harassment

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can be verbal (such as slurs, jokes, insults, epithets, gestures, or teasing), graphic (such as offensive posters, symbols, cartoons, drawings, computer displays, or emails) or physical conduct (such as physically threatening another person, blocking someone's way, etc.). Such conduct violates this policy, even if it is not unlawful. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a professional and respectful manner.

Sexual Harassment Defined. "Sexual harassment" as used in this policy may include all of the above actions, as well as other unwelcome sex-based conduct (even if not motivated by sexual desire), such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature.

Prohibited Conduct- Examples of conduct that violate this policy include:

Unwelcome sexual advances, flirtations, advances, leering, whistling, touching, pinching, assault, blocking normal movement

Requests for sexual favors or demands for sexual favors in exchange for favorable treatment

Obscene or vulgar gestures or comments based on any protected characteristic

Derogatory cartoons, posters, or drawings based on any protected characteristic

Uninvited touching of a sexual nature

Conduct or comments consistently targeted at only one gender, even if the content is not sexual

Teasing or other similar conduct directed toward a person because of any protected characteristic

All such conduct is unacceptable in the workplace and in any work-related settings, such as business trips and business-related social functions, regardless of who is engaging in the conduct.

Reporting Complaints

If you believe someone has violated this policy, please bring the matter to the attention of your supervisor, the BOMA Executive Director orally or in writing. If you make a complaint under this policy and do not receive a satisfactory response within five (5) business days, please contact the Executive Vice President immediately.

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Any supervisor who learns of any potential misconduct related to this policy must immediately report the matter to the Executive Vice President, so the Society can try to resolve the claim internally.

As further described below, when an employee or other individual brings a complaint under this policy, the Society's complaint process ensures such complaints receive:

The Society's designation of confidentiality, to the extent possible;

- A timely response;
- An impartial and timely investigation by qualified personnel;
- Documentation and tracking for reasonable progress;
- Appropriate options for remedial actions and resolutions; and
- Timely closure.

When the Society receives allegations of potential misconduct related to this policy, it will conduct a fair, timely, impartial, and thorough investigation, commensurate with the circumstances. The investigation will provide all parties appropriate due process and reach reasonable conclusions based on the evidence collected. To the extent possible, the Society will endeavor to keep the reporting employee's concerns and the investigation confidential. Of course, the Society cannot promise complete confidentiality because there are circumstances in which it may need to speak with others about the complaint or investigation (for example, witnesses you identify).

All employees are expected to fully cooperate with Society-initiated investigations. This includes, but is not limited to, maintaining an appropriate level of discretion regarding the investigation and disclosing any and all information that may be pertinent to the investigation. Upon completion of the investigation, if misconduct that violates this policy is found, the Society will take appropriate remedial measures and preventive action.

The Society hopes you will take advantage of this complaint process so we can take steps to address and resolve your concerns. However, you may also bring your complaints to the California Department of Fair Employment and Housing or the Equal Employment Opportunity Commission. You can find contact information for these agencies in the phone book or on the Internet.

No Retaliation

The Society prohibits retaliation for reporting perceived violations of this policy, requesting a reasonable accommodation, or participating in the investigation of a complaint. If you believe someone has violated this policy against retaliation, please notify the Society immediately as provided in "Reporting Complaints" above.