

Sexual Harassment Prevention Policy of
The Fine Arts Orchestral Society

The Fine Arts Orchestral Society is proud of its professional and congenial work environment, and will take all necessary steps to ensure that the work environment remains pleasant for all who work here. All employees must treat each other with courtesy, consideration, and professionalism. Sexual harassment is a form of workplace discrimination and a form of employee misconduct. All employees are to work in a manner that prevents sexual harassment in the workplace. Sexual harassment is against the law and will not be tolerated. This policy applies to all employees, applicants for employment, interns (paid or unpaid), contractors, volunteers, and persons conducting business with the **Fine Arts Orchestral Society**. Any of these groups of people can be a victim or a perpetrator of sexual harassment.

Sexual harassment is any conduct based on an individual's sex that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities. Examples of sexual harassment include, but are not limited to: vulgar or offensive conversation or jokes of a sexual nature; unwelcome comments about an employee's physical characteristics; teasing, slurs, threats, derogatory comments, or other similar verbal, non-verbal, or physical conduct directed toward a person because of the individual's sex, which is sufficiently severe or pervasive to create an unprofessional and hostile working environment. Examples of conduct that could constitute sexual harassment include: unwelcome sexual advances; requests for sexual favors; obscene gestures; displaying sexually graphic magazines, calendars, posters, or Internet sites; sending sexually explicit e-mail, voice-mail, or other electronic transmissions; or other verbal, nonverbal, or physical conduct of a sexual nature, such as uninvited or non-consensual touching or sexually-related comments. In addition to the above, any disrespectful behavior that manifests through insulting or degrading sexual remarks or conduct, and/or threats, demands, or suggestions that an employee's work status is contingent upon the employee's toleration of or acquiescence to sexual advances, may constitute sexual harassment. Sexual harassment can also include disrespectful behavior based on sex stereotyping, which occurs when conduct or personality traits are considered inappropriate because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.

Everyone in the workplace has a duty to report any instances of harassment, whether the harassment is directed toward you or another employee and whether the harassment is committed by a supervisor, fellow employee, or non-employee. If you feel that you have been subjected to sexual harassment, or if you witness conduct that you believe is sexual harassment, report the matter immediately to **Madeline Mignone**, or any other member of management with whom you feel comfortable. Reports of sexual harassment can be made verbally or in writing.

You may also download this complaint form:

<https://www.ny.gov/sites/ny.gov/files/atoms/files/CombatHarassmentComplaint%20Form.pdf>

Anyone who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior, or for any reason suspect that sexual harassment is occurring, are required to report such harassment to **Madeline Mignone**. If you are not sure to whom you should speak about an issue of sexual harassment, or if you have not received an acknowledgement of your report within five (5) business days after reporting any incident of what you perceive to be sexual harassment, immediately contact **Victoria Fludd-Jimpson**. If you need to contact someone during off-hours, you may call **914-793-0909**, and someone will contact you.

All reports of sexual harassment will be promptly investigated and completed as soon as possible. Corrective or disciplinary action, up to and including termination, will be taken where appropriate. Such corrective or disciplinary action may be taken against any individual engaging in sexual harassment, as well as against supervisory and managerial personnel who knowingly allow such behavior to continue. The process of an investigation will likely vary from case to case. Investigations may include, but are not limited to: review of the allegations; review of any interim actions taken while the matter is being investigated; collection and review of documents relevant to the complaint, including, but not limited to, e-mails, phone records, texts, and social media posts; interviews with the parties involved; notification of any corrective or disciplinary actions; and informing the individual(s) who reported sexual harassment of the right to file a complaint or charge externally. Information resulting from complaints filed under this policy will be kept confidential by the **Fine Arts Orchestral Society** to the extent possible. Please understand that information may need to be shared with a limited number of people in order to conduct an adequate investigation. It is unlawful and against **Fine Arts Orchestral Society's** policy to retaliate against an employee for any of the following: making a complaint of sexual harassment either internally or with any antidiscrimination agency; cooperating in an investigation of a sexual harassment complaint or any proceeding about such a complaint; opposing sexual harassment; informing management of possible sexual harassment; or encouraging someone to report sexual harassment. Such retaliation is grounds for corrective or disciplinary action, up to and including termination.

Complaints may also be submitted in writing to:

The Fine Arts Orchestral Society
P. O. Box 705
Yonkers, NY 10704

Sexual harassment is not only prohibited by **Fine Arts Orchestral Society** but is also prohibited by federal, state, and, in some cases, local law. Aside from the internal reporting procedure that is described in this policy, employees may also choose to pursue legal remedies with the governmental agencies listed in this policy. A private attorney is not required to file a complaint with a governmental agency, though an individual may choose to engage an attorney. Most agencies do not charge a fee for filing a complaint of sexual harassment.

The following are agencies that complaints may be made to:

Westchester Human Rights Commission

An employee who works in Westchester County, New York can file a complaint of sexual harassment with the Westchester Human Rights Commission ("WHRC") within one year of the alleged harassment. You can reach the WHRC via the information provided below. 112 East Post Rd., 3rd Fl. White Plains, NY 10601 Phone: (914) 995-7710 Fax: (914) 995-7720
<https://humanrights.westchestergov.com/file-a-complaint/>

New York State Department of Human Rights

The New York State Human Rights Law (“HRL”) (codified as N.Y. Executive Law, Art. 15, § 290 et seq.) applies to all employers in New York State with regards to sexual harassment, and protects employees, paid or unpaid interns, and non-employees, regardless of immigration status. A complaint of a violation of the HRL can be filed with the New York State Department of Human Rights (“DHR”) and may be filed any time within one year of the alleged sexual harassment.

If an individual did not file a complaint with the DHR, they can sue directly in state court under the HRL within three years of the alleged sexual harassment. The DHR’s main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. The phone number is 718-741-8400 and the website is www.dhr.ny.gov.

United States Equal Employment Opportunity Commission

The United States Equal Employment Opportunity Commission (the “EEOC”) enforces federal anti-discrimination laws, including Title VII of the 1964 Civil Rights Act (codified as 42U.S.C § 2000 et seq.). An employee alleging sexual harassment can file a “Charge of Discrimination” with the EEOC. The EEOC has a number of field offices where complaints can be filed. You may contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), at www.eeoc.gov, or via email at info@eeoc.gov.

An individual can file a complaint with the EEOC anytime within 300 days from the alleged harassment.