

## POLICY AGAINST DISCRIMINATION AND HARASSMENT

The Johnstown Symphony Orchestra (the “JSO”) is committed to creating a respectful, courteous environment free from discrimination and conduct that is harassing, coercive, or disruptive, including sexual harassment. All employees, customers, volunteers and vendors of the JSO are expected to abide by this policy.

It is the policy of JSO to make personnel decisions without regard to age, race, sex, color, national origin, religion, disability, sexual orientation, or veteran status, and we endeavor to provide employees and volunteers with a workplace free of harassment. JSO has a zero-tolerance policy regarding such harassment. To help ensure a workplace free of all types of harassment, employees and volunteers are responsible for reporting incidents of harassment.

### What is discrimination?

Discrimination is the unfair or prejudicial treatment of different categories of people or things, particularly on the basis of race, age, or sex. Discrimination on the basis of race, religious beliefs, color, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation (commonly referred to as “protected grounds”) is prohibited.

### What is harassment?

Harassment is conduct or behavior that is known or ought reasonably to be known to be unwelcome and that:

- Creates or contributes to an intimidating, hostile or offensive work environment,
- Interferes with an individual’s work performance,
- Adversely affects a worker’s relationship with the JSO or co-workers, or
- Denies individual dignity and respect.

Harassment may be exhibited in many ways, including but not limited to verbal, physical or cyber conduct, comments, coercion, intimidation, ridicule, verbal or physical abuse, threats, blackmail, derogatory remarks, jokes, innuendo, insults or taunts. The conduct does not need to be intentional to constitute harassment.

### SEXUAL HARASSMENT

Harassment includes sexual harassment. Sexual harassment may include, but is not limited to, unwanted sexual advances, unwanted requests for sexual favors and other unwanted or unsolicited verbal or physical conduct of a sexual or gender related nature (including, but not limited to, touching, unwanted gestures of affection, leering, rough or vulgar humor, pictures or materials of a pornographic, sexual and/or illicit nature, comments, suggestions, innuendoes, gender-related insults or taunts, and requests



or demands of a sexual nature). Sexual harassment includes any unwelcome sexual or gender-based behavior that adversely affects, or threatens to affect, directly or indirectly, a person's working conditions, job security or prospects for earnings.

#### REPORTING HARASSMENT

It is the responsibility of employees/volunteers who experience or witness harassment in the workplace to report such conduct to an immediate supervisor. If the employee's immediate supervisor is the cause of the harassing conduct, or if the employee who experiences/witnesses such conduct feels uncomfortable reporting the conduct to his/her immediate supervisor, then he/she must report such conduct to the President of the Board of Trustees. Such reports will be kept as confidential as reasonably possible. A prompt, thorough and fair investigation will then be made. Investigations will be conducted, insofar as reasonably possible, to protect the privacy and minimize suspicion toward all parties concerned. After review of all the evidence, the JSO Board of Trustees will make a determination as to whether the claim has been substantiated and follow up with the claimant to bring forth closure.

All officers, directors, managers and supervisors are required to report any harassment or conduct prohibited by this policy that they have witnessed or have reason to suspect has occurred.

#### NO RETALIATION

No employee will suffer reprisal for reporting harassment or any other unlawful conduct or for initiating or assisting in any action or proceeding regarding unlawful harassment or discrimination. No adverse employment action, such as a change in compensation, assignment, evaluation, etc., shall occur as a result of reporting a charge of harassment or for assisting in an investigation of such a charge. However, the deliberate filing of false or unfounded claims of harassment will result in immediate discipline, up to and including termination. Any incidents of further harassment or retaliation should be reported immediately to an immediate supervisor, or the Executive Director.

#### DISCIPLINE

If the claim is substantiated, immediate and appropriate action against the individual will be taken, including up to and including reprimand, warning, demotion and termination.

To protect those employees reporting harassment, any employee (including management) who discusses confidential reports of harassment with individuals who are not involved with the investigatory or discipline process is subject to disciplinary action, up to and including termination.

The JSO's harassment policy is widely available to all on the public website. If at any time an employee would like a paper or electronic copy, it is available by contacting the JSO office at the address/phone listed on the first page of this document.

