Anti-Harassment and Anti-Discrimination Policy

Replace each [Placeholder]. If you have employees in states with their own policy requirements (for example New York, California, Illinois or Connecticut), add the required elements and state agency contacts. Have employment counsel review before publishing.

1. OUR COMMITMENT

[Company Name] is committed to a workplace free from harassment, discrimination and retaliation. This policy applies to all employees, applicants, managers, officers and directors, and, where stated in their agreements, to interns, temporary workers, contractors and volunteers. It also protects employees from harassment by customers, clients, vendors and other non-employees.

This policy applies at work, at work-related events and travel, on calls and video meetings, and in electronic communications such as email, chat, text and social media whenever the conduct affects the workplace.

2. PROHIBITED DISCRIMINATION

We do not discriminate in recruitment, hiring, pay, training, promotion, discipline, termination or any other term or condition of employment based on race, color, religion, sex (including pregnancy, childbirth and related medical conditions), sexual orientation, gender identity or expression, national origin, ancestry, age (40 and over), physical or mental disability, genetic information, military or veteran status, [additional characteristics protected under state or local law, e.g. marital status, hairstyle associated with race, reproductive health decisions], or any other status protected by law.

3. WHAT HARASSMENT MEANS

Harassment is unwelcome conduct based on any protected characteristic listed above that is severe or pervasive enough to create an intimidating, hostile or offensive work environment, or that affects someone's employment. [Note: some states, such as New York and California, set a lower legal threshold; where that applies, adjust this sentence accordingly.] We prohibit such conduct even when it does not meet the legal definition of harassment, because it has no place in our workplace.

Examples include:

- Slurs, epithets, name-calling, or jokes about a protected characteristic
- Threats, intimidation, or physical contact such as blocking, cornering or unwanted touching
- Offensive images, memes, messages or objects shared in person or online
- Mocking someone's accent, religious dress, disability or gender identity, including repeatedly and deliberately using the wrong name or pronouns
- Comments or treatment based on stereotypes

4. SEXUAL HARASSMENT

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, as well as hostile conduct directed at someone because of their sex, when:

- submission to the conduct is made a condition of employment, or used as a basis for decisions such as hiring, scheduling, pay or promotion; or
- the conduct interferes with someone's work or creates an intimidating, hostile or offensive work

environment.

Examples include sexual comments or jokes, questions about someone's sex life, repeated requests for dates after someone has said no, sexual images or messages, unwanted touching, and sexual assault. Harassment can occur between people of any sex or gender.

5. MANAGER RESPONSIBILITIES

Managers and supervisors must model respectful behavior, act on conduct that may violate this policy even if no one complains, and report every complaint or observed incident to [HR contact] within [one business day]. Managers may not investigate complaints on their own or try to resolve them informally without involving HR. Romantic or sexual relationships between a manager and someone in their reporting line must be disclosed to HR under our [Workplace Relationships Policy].

6. HOW TO REPORT

If you experience or witness conduct that may violate this policy, report it as soon as possible through any of these channels. You do not have to report to the person involved or to your own manager.

- Your manager or any other manager
- Human Resources: [Name, email, phone]
- [Ethics hotline phone number and web link], available 24/7, with anonymous reporting where permitted by law
- [Senior leader or Legal contact] if the complaint involves HR or senior management

Reports can be made verbally or in writing. You may use our [Employee Complaint Form]. You may also contact the U.S. Equal Employment Opportunity Commission (EEOC) or your state or local fair employment agency: [state agency name and contact].

7. INVESTIGATION

We will take every report seriously and start a prompt, thorough and impartial investigation, normally within [two business days] of receiving it. The investigator will be someone with no conflict of interest and may be an outside investigator. Investigations usually include interviews with the person reporting, the person accused and witnesses, and a review of relevant documents and messages.

Information will be kept as confidential as possible and shared only with those who need it to investigate or act. We may take interim steps during the investigation, such as schedule changes or paid leave, to protect the people involved. Interim steps should not disadvantage the person who reported. Both the person who reported and the person accused will be told when the investigation is complete and, where appropriate, the outcome.

8. CORRECTIVE ACTION

If we find that this policy was violated, we will take prompt corrective action appropriate to the conduct, which may include training, a written warning, changes to reporting lines or schedules, suspension, or termination of employment or contract. Where a customer, vendor or other non-employee is responsible, we will take steps within our control, which may include ending the business relationship.

9. NO RETALIATION

Retaliation against anyone who reports a concern in good faith, takes part in an investigation, or opposes conduct they reasonably believe violates this policy is strictly prohibited. Retaliation includes discipline, demotion, schedule or pay changes, exclusion, threats or any other action that might discourage someone from reporting. Report retaliation through the same channels listed above. Knowingly false reports are also a violation of this policy, but a report that cannot be substantiated is not by itself a false report.

10. TRAINING AND REVIEW

All employees will receive harassment prevention training [at hire and every year / as required by state law], and managers will receive additional training on receiving and escalating complaints. This policy will be reviewed at least once a year. Effective date: [Date]. Questions: [HR contact].

EMPLOYEE ACKNOWLEDGMENT

☐ I have received and read the Anti-Harassment and Anti-Discrimination Policy and know how to report a concern.

Employee name

_____

_____ _____

Employee signature Date

Date

_____