



Title: HR Policy Manual: Section 2: Workplace Rules of Engagement and Conduct	Author: Human Resources	Date: 2022-01-03
		Version: 6.0

The Observatory has developed this policy to ensure that all its employees can work in an environment free from harassment, discrimination, and retaliation. The Observatory will make every reasonable effort to communicate this policy to all persons through periodic training, posted policy statement, and maintenance of the policy to ensure that all concerned are familiar with these policies and aware that any violation of such policies will be investigated and resolved appropriately.

All reports of harassment will be handled in a confidential manner and all allegations will be investigated promptly. All persons involved will be given a full and fair opportunity to present information relevant to the complaint and the privacy of everyone involved will be respected.

2.12.1.1 Equal Employment Opportunity

It is the policy of the Observatory to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, age, disability, gender identity, gender expression, sexual orientation, marital status, national origin, or any other characteristic protected by law. The Observatory prohibits any such discrimination or harassment.

Further, as an equal opportunity and affirmative action employer, we maintain a non-discrimination policy, which supports a safe and productive workplace for all employees.

In order to protect the rights and safety of any transgender or gender non-conforming employee the Observatory has a plan, which clarifies how our non-discrimination policies support the needs of each of these employees in order to support and maximize their workplace integration (See HR Policy 2.13.1.2 Human Relationships).

2.12.1.2 Definitions of Harassment

(1) **Sexual harassment** constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines (EEOC), as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include a range of subtle as well as obvious behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: (i) unwanted sexual advances or requests for sexual favors; (ii) sexual jokes and innuendos; (iii) verbal abuse of a sexual nature; (iv) commentary about an individual's body, sexual prowess, or sexual deficiencies; (v) leering, whistling, or touching; (vi) insulting or obscene comments or gestures; (vii) display in the workplace of sexually suggestive objects or pictures; and (viii) other physical, verbal, or visual conduct of a sexual nature.

(2) **Harassment on the basis of any other protected characteristic** is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of their race, color, religion, sex, sexual orientation, national origin, age, disability, marital status, citizenship, or any other characteristic protected by law or that of their relatives,



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friends, or associates and that: (i) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: (i) epithets, slurs, or negative stereotyping; (ii) threatening, intimidating, or hostile acts; (iii) denigrating jokes; and (iv) written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

2.12.1.3 Individuals and Conduct Covered

These policies apply to all applicants, employees, and visitors, whether related to conduct engaged in by fellow employees or someone not directly connected to the Observatory (e.g., visitors, outside consultants, or vendors).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

2.12.1.4 Reporting an Incident of Harassment, Discrimination, or Retaliation

The Observatory encourages reporting of all perceived incidents of discriminations, harassment, or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor, any member of the management, the Site Human Resources Manager, or any Ombuds representative.

If, for any reason, an individual does not wish to address the offender directly, or if such action does not successfully end the offensive conduct, the individual should notify the Site Human Resources Manager who may, if the individual so requests, talk to the alleged offender on the individual's behalf.

An individual reporting harassment, discrimination, or retaliation should be aware that the Observatory may decide it is necessary to take formal action to address such conduct beyond an informal discussion. This decision will be discussed with the individual.

The Observatory encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreversibly strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassments.

Any reported allegations of discrimination, harassment, or retaliation will be investigated promptly and confidentially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.



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2.12.1.5 Retaliation Prohibited

The Observatory encourages reporting of all perceived incidents of discrimination or harassment. It is the policy to investigate such reports. **The Observatory prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.**

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, is subject to disciplinary action. Acts of retaliation should be reported immediately to the Site Human Resources Manager and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination, or retaliation will be dealt with appropriately. Responsive action may include, for example: (i) training; (ii) referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase; (iii) reassignment; (iv) temporary suspension without pay; or (v) discharge, as the Observatory believes appropriate under the circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to the Observatory Director.

False and malicious complaints of discrimination, harassment, or retaliation as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

Following an investigation, the AD, Human Resources, in consultation with the cognizant Assistant Director and the Observatory Director, will decide the final action to be taken, including disciplinary action if appropriate. **The goal of all actions undertaken will be to stop any harassment or discrimination that may have been identified and to prevent any further occurrence.**

2.12.1.6 Features

- (1) This complaint procedure can be used by all employees, including temporary and part-time, co-op and summer students, and visitors to the Observatory.
- (2) All persons involved will be given a full and fair opportunity to present information relevant to the complaint.
- (3) The privacy rights of those involved will be respected. Information received while a question or request for advice is being discussed or a complaint is being investigated will be held confidential and disclosed only to the extent necessary to resolve the matter.
- (4) Complaints should be raised promptly and will be addressed in a timely manner.**

2.13 Code of Ethics and Standards of Conduct

2.13.1 Principles and Values

2.13.1.1 General

From its beginnings more than fifty years ago, the Observatory has embraced certain principles and values that have become integral to its success. Every employee should make a personal commitment to these principles: