

# Fair Treatment Practices

FOR EMPLOYEES OF NORTHERN RIVERS FAMILY OF SERVICES AND MEMBER AGENCIES

## 1. Policy Overview

Northern Rivers Family of Services (NRFS) has developed the following fair treatment practices to enable the Agency and its employees to provide excellent services to children and families in support of the Agency's mission.

NRFS is committed to each employee's success and will provide the tools, resources, and support necessary to enable employees to succeed in their jobs. NRFS' supervisory relationships are supportive and based on mutual trust and respect. Individual development is encouraged and supported as part of this relationship. We and will enable each employee to support our clients to build a better future.

NRFS is committed to maintaining a workplace free from any form of harassment, including sexual harassment. Sexual and other forms of harassment are forms of workplace discrimination. All employees are required to work in a manner that prevents any form of harassment in the workplace. This policy is one component of NRFS' commitment to a discrimination-free work environment. Harassment, including sexual harassment, is against the law, and all employees have a legal right to a workplace free from any form of harassment, including sexual harassment, and employees are urged to report harassment, including sexual harassment, by filing a complaint internally with NRFS. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws.

## 2. Programs or Staff Impacted

- This policy applies to all NRFS employees, applicants for employment, interns, whether paid or unpaid, contractors, and persons conducting business, regardless of immigration status, with NRFS. All must follow and uphold this policy.
- This policy will be provided to all employees upon hire and will be posted with all agency policies.

## 3. Policy Definitions

- "Northern Rivers Family Services" or "Northern Rivers" or "NRFS" or "the organization" is defined as Northern Rivers Family of Services and its member agencies, Northeast Parent & Child Society, Parson Child & Family Center, and Unlimited Potential.
- "Staff member" or "staff" is defined as any employee of NRFS and its member agencies, Northeast Parent & Child Society, Parsons Child & Family Center, and Unlimited Potential; interns; volunteers; independent contractors; and vendors of NRFS and its member agencies.
- "Employee" or "employees" for this policy includes the collective group comprising all NRFS employees; applicants for employment; interns, whether paid or unpaid; contractors; and persons conducting business, regardless of immigration status, with NRFS.



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## 4. Procedure

### 4.1 Equal Employment Opportunity

NRFS is an Equal Opportunity Employer. NRFS' Equal Employment Opportunity Policy is designed to apply to recruiting, hiring, promotion, compensation, professional development practices, and other terms and conditions of employment, without regard to an applicant's or employee's race, color, creed, religion, sex, age, national origin, disability, employment status, military status, marital or domestic violence victim status, sexual orientation, gender identity, genetic information, predisposition or carrier status, veteran status or any other protected characteristic as established by federal and state law. Likewise, the Agency prohibits employees, vendors, suppliers, visitors, clients, and any other nonemployee from discriminating against NRFS employees based on these protected characteristics. This policy applies to all terms and conditions of employment including, but not limited to recruiting, hiring, placement, promotion, termination, layoff, transfer, leave of absence, compensation, benefits, training, and social and recreational programs. Each employee is responsible for helping NRFS maintain a climate that provides equal opportunity for all.

### 4.2 Accommodations for Individuals with Disabilities

NRFS is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"), the Americans with Disabilities Act Amendments Act, as well as the New York State Human Rights Law to ensure equal employment opportunity for all qualified persons with disabilities. It is NRFS' policy not to discriminate against any qualified individual with a disability with regard to any terms or conditions of employment because of the individual's disability or perceived disability. This also extends to prohibit discrimination based on a person's relationship or association with a disabled individual.

In accordance with applicable federal and state law, NRFS will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA and New York State Human Rights Law, who has made NRFS aware of his or her disability and the need for an accommodation, provided that such accommodation does not constitute an undue hardship on the Agency.

Any qualified applicant or employee with a disability who requires an accommodation in order to perform the essential functions of his or her job should contact Human Resources management and suggest appropriate methods of reasonable accommodation. NRFS encourages individuals with disabilities to come forward and request reasonable accommodations. All information concerning disabilities will be considered confidential and will be released only in accordance with applicable legal requirements. The Human Resources department is responsible for implementing this policy, including resolution of reasonable accommodation, safety, and undue hardship issues.

### 4.3 Workplace Harassment and Discrimination Prevention Policies

NRFS is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, NRFS expects that all relationships among persons at NRFS will be businesslike and free of bias, prejudice, discrimination, and harassment.

NRFS has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination, and retaliation. NRFS will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be promptly investigated and resolved appropriately.

Any employee who has questions or concerns about these policies should talk with Human Resources management or any member of the Human Resources department.

These policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion to avoid allegations of harassment. The law and the policies of NRFS prohibit disparate treatment on the basis of any protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination, and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

Although NRFS respects the right of employees to access and use personal websites, social networking sites and similar forms of electronic expression during non-working hours and off NRFS premises, and does not intend for its policies to unlawfully restrict an employee's right to engage in any of the rights guaranteed to them by Section 7 of the National Labor Relations Act, any use of such forms of electronic expression to harass or discriminate is unlawful and prohibited by this policy. (Also see Social Media Policy.)

Those violating the Agency's policy prohibiting discrimination, harassment, or retaliation may be subject to disciplinary action, up to and including termination of employment.

#### **4.4 Sexual Harassment**

Sexual Harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.

##### **Retaliation prohibition**

No person covered by this policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. NRFS will not tolerate such retaliation against anyone who, in good faith reports or provides information about suspected sexual harassment. Any employee of NRFS who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or nonemployees working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, any member of management, or Human Resources management. All employees, paid or unpaid interns, or nonemployees who believe they have been a victim of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

Sexual harassment, as well as all forms of harassment, is offensive, is a violation of our policies, is unlawful, and subjects NRFS to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.

NRFS will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. NRFS will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of harassment, including sexual harassment.

All employees are encouraged to report any harassment or behaviors that violate this policy. NRFS will provide all employees a complaint form for employees to report harassment and file complaints.

Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe to Human Resources management.

### **What is “sexual harassment”?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity, and the status of being transgender.

Sexual harassment includes unwelcome conduct, which is either of a sexual nature or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment.
- Such conduct is made either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation, or physical violence that are of a sexual nature or that are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone that are offensive or objectionable to the recipient, that cause the recipient discomfort or humiliation, or that interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should complain so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of sexual harassment**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical assaults of a sexual nature, such as:
  - Touching, pinching, patting, grabbing, brushing against another employee’s body or poking another employees’ body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target’s job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person’s sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people’s ideas or perceptions about how individuals of a particular sex should act or look.

- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, and the status of being transgender, such as:
  - Interfering with, destroying, or damaging a person's workstation, tools, or equipment, or otherwise interfering with the individual's ability to perform the job
  - Sabotaging an individual's work
  - Bullying, yelling, name-calling

### **Who can be a target of sexual harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York law protects employees, paid or unpaid interns, and nonemployees, including independent contractors and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker, or anyone in the workplace, including an independent contractor, contract worker, vendor, client, customer, or visitor.

### **Where can sexual harassment occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or not during work hours.

## **4.5 Harassment**

Harassment on the basis of any protected characteristic is also strictly prohibited. Under this policy, harassment is considered verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual (or his or her relatives or friends) because of his or her race, color, religion, creed, sex, age, national origin, disability, employment status, military status, marital or domestic violence victim status, sexual orientation, gender identity, genetic information, predisposition or carrier status, veteran status, or any other characteristic protected by federal or state law, and that: (a) has the purpose or effect of creating an intimidating, hostile, or offensive work environment, (b) has the purpose or effect of unreasonably interfering with an individual's work performance, and/or (c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by email, phone (including voice messages), text messages, social networking sites, or other means.

This policy prohibits not only behavior that constitutes unlawful harassment, but also other inappropriate or unprofessional behavior that may reasonably be considered offensive or otherwise inappropriate. Such behavior will be subject to disciplinary action up to and including termination of employment.

## **4.6 Workplace Violence**

The safety and security of employees is of the utmost importance to NRFS. The Agency is committed to the prevention of workplace violence. Acts or threats of physical violence including intimidation, coercion, and/or harassment, which involve or affect employees, visitors, guests, or other individuals will not be tolerated. Violations of this policy may lead to disciplinary action up

to and including termination of employment. In appropriate circumstances, the Agency will report instances of workplace violence to law enforcement. The Agency considers any threat of violence or potential violence as legitimate and will take immediate appropriate action.

Workplace violence is any intentional conduct that is sufficiently severe, offensive, or intimidating to cause an individual to reasonably fear for his or her personal safety or the safety of his or her family, friends, and/or property such that employment conditions are altered or a hostile, abusive, or intimidating work environment is created. Specific examples of conduct that may constitute threats or acts of violence under this policy include, but are not limited to, the following:

- Provoking a fight, fighting, or horseplay while on Agency property or at any location while representing the Agency
- Threats or acts of physical or aggressive harm directed toward another individual or his or her family, friends, associates, or property
- The intentional destruction or threat of destruction of Agency property or another employee's property
- Harassing or threatening phone calls
- Surveillance or stalking
- Veiled threats of physical harm or similar intimidation

The Agency will continually strive to prevent and minimize the potential of violence in the workplace. The prohibition against threats and acts of violence applies to all persons involved in the Agency's operation, including but not limited to regular personnel, contract and temporary workers, and anyone else on the property, attending Agency-sponsored events, and conducting Agency business.

Employees are prohibited from possessing firearms or weapons of any kind while on the Agency's premises, in Agency vehicles at any time or in personal vehicles while conducting business for the Agency, or at any other location, worksite, customer location, client location, or other location during working hours or while representing NRFS.

Agency-owned or controlled property is defined as the space in any building, including the parking and outside areas of buildings, where NRFS is an owner or tenant and maintains a business presence.

Agency-sponsored event is defined as one which is promoted and communicated by NRFS through both formal and informal means.

Conducting Agency business includes but is not limited to visits to customer and vendor sites, visits to clients, attendance at conferences and trade shows, and other business activity that may be conducted at hotels, restaurants, or other meeting places.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on community resources or Agency property shall be removed from the premises as quickly as safety permits and shall remain off Agency premises pending the outcome of an investigation.

In order to prevent and minimize potential violence in the workplace, all individuals who apply for or obtain a protective or restraining order that lists Agency locations as being protected areas must provide to Human Resources a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order that is granted, and a copy of any protective or restraining order that is made permanent.

#### **4.7 Individuals and Areas Covered**

These policies apply to all employees including managers, whether related to conduct engaged in by fellow employees or by someone not directly connected to the Agency (e.g., an outside vendor, consultant, or customer).

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. Conduct prohibited by these policies that takes place outside of work but that may impact the safety or well-being of Agency employees or has the potential to affect employee productivity at work, shall also be covered by this policy and is prohibited.

An employee who witnesses or becomes aware of any threats or acts of violence, or observes any suspicious individuals or activity, should inform any member of management immediately.

#### **4.8 Retaliation Prohibition**

NRFS encourages reporting of all perceived incidents of discrimination or harassment. It is the Agency's policy to promptly and thoroughly investigate such reports. NRFS prohibits retaliation against any individual who makes a good faith complaint about discrimination or harassment or who participates in an investigation of such a complaint.

##### **What is "retaliation"?**

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a harassment claim, including sexual harassment. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- Made a complaint of harassment, including sexual harassment, either internally or with any anti-discrimination agency
- Testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law
- Opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment
- Reported that another employee has been sexually harassed
- Encouraged a another employee to report harassment

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

#### **4.9 Reporting Discrimination and Harassment, including Sexual Harassment**

Preventing harassment, including sexual harassment, is everyone's responsibility. NRFS cannot prevent or remedy harassment unless it knows about it. Any employee, paid or unpaid intern, or nonemployee who has been subjected to behavior that may constitute harassment, including sexual harassment, is encouraged to report such behavior to a supervisor, manager, or Human Resources management. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or Human Resources management.

NRFS encourages reporting of all incidents or perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should immediately discuss their concerns with their immediate Supervisor, any member of management, Human Resources, or any supervisor. In addition, NRFS encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. The Agency recognizes, however, that an individual may prefer to pursue the matter through its complaint procedure, which is described below.

All employees are responsible for notifying their supervisor, director, member of management, or Human Resources management of any threats that they have witnessed, received, or have been told about that another employee has witnessed or received, whether on or off the premises. Even without an actual threat, employees should also report to a Supervisor or Human Resources any behavior they have witnessed which they regard as threatening or violent, when that behavior might be carried out on an Agency-controlled site, or at an Agency-sponsored event, or when that behavior might occur between employees off the premises.

Employees are responsible for making a report, without fear of retaliation, regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is included as an addendum to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting harassment, including sexual harassment, on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns, or nonemployees who believe they have been a target of any form of harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

#### **4.10 Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected harassment, including sexual harassment, observe what may be sexually harassing behavior, or for any reason suspect that harassment, including sexual harassment is occurring, are required to report such suspected discrimination, harassment, or sexual harassment to Human Resources management.

In addition to being subject to discipline if they engaged in harassing conduct, including sexually harassing conduct, themselves, supervisors and managers will be subject to discipline for failing to report suspected harassment, including sexual harassment or otherwise knowingly allowing harassment, including sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

#### **4.11 Complaint and Investigation of Discrimination and Harassment, including Sexual Harassment**

For the purposes of providing a safe work environment, the compliant procedure provides several resources to which an employee may report harassment, workplace violence, discrimination, or retaliation. Individuals who believe they have been the victim of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their immediate Supervisor, Human Resources, or any member of management.

NRFS encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents

of harassment. As soon as a member of management is made or becomes aware of a harassment situation they must immediately notify Human Resources management or a member of the Senior Management Team. Failure to report violations of this policy may result in disciplinary action, up to and including termination of employment.

All complaints or information about harassment, including sexual harassment, discrimination, workforce violence, bullying, or retaliation will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible. We follow all procedures of fair treatment when we investigate a complaint. All employees are required to cooperate in any such investigation. All complaints will be promptly, thoroughly, and discreetly investigated by a member of the Human Resources Department or designee. All persons involved, including complainants, witnesses, and alleged harassers will be accorded due process to protect their rights to a fair and impartial investigation.

NFRS will not tolerate retaliation against employees who file complaints, support another's complaint, or participate in an investigation regarding a violation of this policy.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. The Agency cannot guarantee complete confidentiality.

Investigations will be done in accordance with the following steps:

- Upon receipt of a complaint, designated personnel will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If complaint is verbal, we will encourage the individual to complete the "Complaint Form" in writing. If the employee does not complete a written report, we will turn a verbal report into a written report based on the verbal reporting.
- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents
  - A list of names of those interviewed, along with a detailed summary of their statements
  - A timeline of events
  - A summary of prior relevant incidents, reported or unreported
  - The basis for the decision and final resolution of the complaint, together with any corrective actions action(s)
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of his or her right to file a complaint or charge externally as outlined below.

No employee will be subjected to discipline, or any other adverse treatment, because he or she has made a complaint of harassment, discrimination, workplace violence, or retaliation. Any employee who is not satisfied with the Agency's response to the original complaint is required to report his or her dissatisfaction to the Chief Human Resources Officer within five business days of being notified of the final decision.

Misconduct constituting harassment, discrimination, or retaliation will be dealt with appropriately.

Responsive action may include, for example, training, referral to counseling, or disciplinary action such as a warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as the Agency believes appropriate under the circumstances. The Agency reserves the right to take disciplinary action in cases of inappropriate behavior even when that behavior does not amount to a violation of the law or our policy. False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

#### **4.12 Legal Protections and External Remedies**

All forms of discrimination and harassment, including sexual harassment, are not only prohibited by NRFS but are also prohibited by state, federal, and, where applicable, local law. Aside from the internal process at NRFS, employees may also choose to pursue legal remedies with the following governmental entities at any time and may seek the advice of an attorney. In addition to those outlined below, employees in certain industries may have additional legal protections.

##### **New York State Division of Human Rights**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York state with regard to sexual harassment, and protects employees, paid or unpaid interns, and nonemployees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York state Supreme Court.

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, he or she can sue directly in state court under the HRL within three years of the alleged sexual harassment. An individual may not file with DHR if he or she has already filed an HRL complaint in state court. Complaining internally to NRFS does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment or discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment or discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment or redress the damage caused, including paying monetary damages, attorney's fees, and civil fines.

DHR's main office contact information is NYS Division of Human Rights, One Fordham Plaza, 4th Floor, Bronx, New York 10458. You may call 718.741.8400 or visit [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact DHR at 888.392.3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized, and mailed to DHR. The website also contains contact information for DHR's regional offices across New York state.

## **Civil Rights Act of 1964**

The U.S. Equal Employment Opportunity Commission (EEOC) enforces federal antidiscrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 800.669.4000 (TTY, 800.669.6820), visiting the website at [www.eeoc.gov](http://www.eeoc.gov), or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### **Local protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city, or town in which they live to find out if such a law exists.

### **Contact the local police department**

If the harassment involves physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

## **5. Training**

All employees will be trained at hire as soon as practicable and annually thereafter.

## **6. Additional Protocols**

Additional protocols may be developed to implement this policy.

## **7. Disciplinary Action**

Failure to comply with this policy may result in disciplinary action as outlined in NRFS Human Resources' policy.