

## **HARASSMENT POLICY AND PROCEDURE**

The JATC affirms a serious commitment to providing a harassment free environment at all JATC workplaces and activities. Mutual respect must be the basis of all our interactions. Any form of harassment, including racial, sexual or other, threatens the fairness and dignity we seek to secure for all workers.

To this end, the JATC policy has long conformed with the directives of Title VII of the Civil Rights Act to prohibit discrimination based on race, religion, sex, national origin or age and we have issued policies and conducted training on this subject.

Accordingly, the JATC will not tolerate behavior by its employees or others doing business on JATC property which is likely to undermine the dignity or self-esteem of an individual, or create an intimidating, hostile or offensive environment. Harassment or discrimination based on religion, sex, race, color, national origin, sexual orientation, mental or physical disability, age or genetic information is strictly prohibited. Additionally, the JATC is committed to helping eradicate such behavior in the field on behalf of its bargaining unit members ("members"). The following updates and reaffirms any previous JATC policy on harassment.

### **PROHIBITED CONDUCT**

#### **A. *General Harassment***

Any harassing or discriminatory conduct that is based on religion, sex, race, color, national origin, sexual orientation, mental or physical disability, age or genetic information is strictly prohibited. Harassment includes any unwelcome verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her religion, sex, race, color, national origin, sexual orientation, mental or physical disability, age or genetic information. Examples of prohibited conduct include, but are not limited to:

- Slurs and epithets
- Negative stereotyping
- Emails, cartoons, or other visual displays that depict groups or individuals in a derogatory way
- Jokes or other comments of a derogatory nature

#### **B. *Sexual Harassment***

Sexual harassment is not a joke. It can create feelings of uneasiness, humiliation and discomfort because of the perceived power differential of the harasser over the victim of harassment. There are two principles fundamental to the trade union movement: human rights and solidarity. Sexual harassment strikes at the heart of both.

Sexual harassment includes harassment based on another person's gender or harassment based on pregnancy or childbirth. Sexual harassment includes behavior of a sexual nature that is unwelcome and personally offensive to its recipients. It can also be behavior that is simply abusive, with no sexual element, if it is directed at an individual because of his or her sex. Behavior that may be acceptable in a social setting may not be appropriate in the workplace. Similarly, behavior that may have been tolerated on a construction site or in a manufacturing plant may not be appropriate in an office setting.

Sexual harassment is illegal discrimination in the United States. Examples of prohibited conduct include, but are not limited to:

- Innuendos, slurs, sexually suggestive comments, rumors, jokes of a sexual nature and lewd comments
- Sexually suggestive objects or pictures
- Leering, whistling and obscene gestures
- Unwanted physical contact of a sexual nature, including brushing up against the body, pinching and blocking or impeding movement
- Implied or expressed promises of benefits for granting sexual favors
- Implied or expressed threats or reprisals for refusing to comply with sexually-oriented requests
- Displays or communications of pornographic material

### **COMPLAINT AND INVESTIGATION PROCEDURE FOR JATC STAFF AND MEMBERS**

Every effort will be made to investigate and resolve complaints of harassment expeditiously and in as confidential a manner as is possible. Each employee and member is responsible for supporting and adhering to this policy. Employees and members should not tolerate inappropriate behavior. An employee or member should promptly report any offending behavior, whether the behavior is directed towards him or her personally or to others. If an individual is determined to have engaged in sexual harassment, appropriate discipline will be imposed, up to and including termination.

The procedure is as follows:

1. If you believe you have been sexually harassed, you are to report the alleged incident(s) to the Apprenticeship Coordinator so an investigation may be conducted. If the Apprenticeship Coordinator is unavailable and/or is the alleged harasser, you are to report the alleged incident(s) to the Chairman of the JATC. If both the Apprenticeship Coordinator and the Chairman of the JATC are unavailable and/or are the alleged harassers, you are to report the alleged incident(s) to the Secretary of the JATC.
2. The Apprenticeship Coordinator or trustee to whom the alleged harassment is reported will promptly and thoroughly investigate all claims of harassment and/or discrimination. Complaints will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. This means the allegations will be shared only with those who have a need to know so the JATC can conduct an effective investigation and take appropriate action to prevent any further violations of this policy.
3. If the investigation establishes that harassment has occurred, prompt, effective and appropriate action will be taken. This may include corrective action necessary to end and to remedy the harassment and to prevent it from recurring. Action also will include, as appropriate, imposition of discipline against the harasser ranging from reprimand to termination.
4. There will be no retaliation or other adverse action against anyone who makes a good faith complaint or who provides information in the course of the investigation of such complaint.

This policy and procedure covers officers, employees of the JATC as well as co-workers, supervisors and vendors who interact with apprentices. If you have any questions about this policy and procedure please contact the Apprenticeship Coordinator.