

Bismarck Mandan Symphony Orchestra's Policy to Prevent Harassment

Bismarck Mandan Symphony Orchestra is committed to creating and sustaining an environment in which all individuals are treated with decency, respect, and dignity. Bismarck Mandan Symphony Orchestra will not tolerate unlawful discrimination or harassment of any kind. Each individual has the right to work in a professional atmosphere that promotes equal opportunities and prohibits discriminatory practices, including harassment. Therefore, Bismarck Mandan Symphony Orchestra expects that all relationships among persons at Bismarck Mandan Symphony Orchestra will be business-like and free of bias, prejudice, discrimination, and harassment.

I. PROHIBITION OF UNLAWFUL HARASSMENT

In order to fulfill this commitment, Bismarck Mandan Symphony Orchestra maintains a strict policy of prohibiting unlawful harassment of any kind, including sexual harassment and harassment based on race, color, religion, national origin, sexual orientation, gender identity or expression, sex, age, status with receipt of public assistance, physical or mental disability or any other characteristic protected by state, federal or local employment discrimination laws. This policy applies to all of Bismarck Mandan Symphony Orchestra's board members, officers, employees, musicians, independent contractors, volunteers, vendors, and other agents.

Everyone, regardless of their position within Bismarck Mandan Symphony Orchestra, is covered by and is expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against anyone who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but is not limited to, verbal or written reprimand, or termination of the person's relationship with Bismarck Mandan Symphony Orchestra.

II. DEFINITION OF SEXUAL HARASSMENT

Sexual harassment includes, but is not limited to, making unwanted sexual advances and requests for sexual favors where either:

- A. Submission to such conduct is made an explicit or implicit term or condition of employment or continued affiliation with Bismarck Mandan Symphony Orchestra; or
- B. Submission to or rejection of such conduct by an individual is used as the basis of employment decisions affecting such individual; or
- C. Such conduct has the purpose or effect of substantially interfering with an individual's work or participation at Bismarck Mandan Symphony Orchestra or creates an intimidating, hostile, or offensive working environment.

People who violate this policy are subject to discipline up to and including the possibility of immediate discharge.

III. Definition of Other Harassment

Examples of unlawful harassment include, but are not limited to:

- A. Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, or comments.
- B. Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings, gestures, including such conduct as contained in e-mail, faxes or social media posts.
- C. Distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of race, color, religion, national origin, sexual orientation, gender identity or expression, sex, age, physical or mental disability, or status with receipt of public assistance.
- D. Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work directed at someone because of their sex or other protected characteristic.
- E. Threats and demands to submit to sexual requests in order keep one's job or avoid some other loss.
- F. Offers of employment benefits in return for sexual favors.
- G. Retaliation for having reported or threatened to report unlawful harassment.

IV. REPORTING AND INVESTIGATION

Any person who believes he or she has been harassed by someone affiliated with Bismarck Mandan Symphony Orchestra should promptly report the facts of the incident or incidents and the names of the individual(s) involved to the Executive Director. If the complaint is against the Executive Director, complaints may be directly reported to the Board Chair. The Executive Director must report all complaints to the Board of Directors. Based on the seriousness of the complaint, the Board may direct the Executive Director to investigate or may hire a third-party investigator. The investigator shall conduct a thorough investigation and report their findings to the Board with an assessment of whether policy was violated.

If a violation of policy has occurred, the Board shall take effective remedial action in accordance with the circumstances involved. Anyone determined by the Bismarck Mandan Symphony Orchestra to be in violation of policy will be subject to appropriate disciplinary action, up to and including termination. After the investigation, the complainant shall be told if the investigation revealed that Bismarck Mandan Symphony Orchestra Policy to Prevent Harassment was violated.

V. PROHIBITION ON RETALIATION

People will not be retaliated against for filing a complaint and/or assisting with investigation of a complaint. Further, Bismarck Mandan Symphony Orchestra will not tolerate or permit retaliation against any complainant or anyone assisting in a harassment investigation.

VI. ACKNOWLEDGEMENT

This acknowledges that I have received a copy of Bismarck Mandan Symphony Orchestra's policy to Prevent Sexual Harassment. I acknowledge that I am expected to read, understand, and adhere to this policy. I understand that if I have questions regarding the contents of this policy, I should ask the Executive Director for clarification.

Signature: _____

Printed Name: _____

Date: _____