

## SAMPLE HARASSMENT / RELATIONSHIP POLICY

For Summarization of Harassment and Relationship Policy:

1. Improv Utopia, Inc. will allow no romantic or sexual relationships between a teacher / counselor /campers or other supervisory volunteer and his or her staff (any camper who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts.
2. **Reporting an incident:** An individual who feels harassed, discriminated or retaliated against may initiate the complaint process by filing a complaint in writing with Improv Utopia at Nick Armstrong [nick@improvutopia.com](mailto:nick@improvutopia.com) / Patricia Forman [patricia@improvutopia.com](mailto:patricia@improvutopia.com). No formal action will be taken against any person under this policy unless Improv Utopia has received a written and signed complaint containing sufficient details to determine if the policy may have been violated.
- 3.

### Objective

Improv Utopia strives to create and maintain an environment in which people are treated with dignity, decency and respect. The community found at Improv Utopia camps and events should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Campers and teachers alike should be able to work and learn in a safe, yet stimulating atmosphere which builds community. The accomplishment of this goal is essential to the mission of Improv Utopia. For that reason, Improv Utopia will not tolerate harassment of any kind. Through enforcement of this policy and by education of campers and teachers, Improv Utopia hopes to prevent and correct behavior that violates this policy.

All campers and teachers are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate action will be taken against any camper or teacher who violates this policy. Based on the seriousness of the offense, this may include a ban from future events / camps.

### Prohibited Conduct Under This Policy

Improv Utopia, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

#### Discrimination

It is a violation of Improv Utopia's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory conditions; or to use discriminatory evaluative standards in employment or camper selection if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, gender, sexual orientation, gender identity, genetic information or marital status.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act 1964, the Age Discrimination Act of 1975, and

## SAMPLE HARASSMENT / RELATIONSHIP POLICY

the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including a ban from all future camps and events.

### Harassment

Improv Utopia prohibits harassment, including sexual harassment, of any kind, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce any camper, teacher, volunteer, or any person working for or on behalf of Improv Utopia. Verbal taunting (including racial and ethnic slurs) that, in the camper's opinion, impairs his or her ability to perform or learn is included in the definition of harassment.

- The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:
- Verbal harassment includes comments that are offensive or unwelcome regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs and negative stereotyping.
- Nonverbal harassment includes 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 national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital or other protected status.
- Sexual harassment

Sexual harassment is a form of unlawful discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under Improv Utopia's anti-harassment policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . . when . . . submission to or rejection of such conduct is used as the basis for employment decisions . . . or such conduct has the purpose or effect of . . . creating an intimidating, hostile or offensive working environment.

There are two types of sexual harassment:

"Quid pro quo" harassment, where submission to harassment is used as the basis for employment (or membership in a team, or class placement) decisions. Employee benefits such as raises, promotions and better working hours are directly linked to compliance with sexual advances. Therefore, only someone in a supervisory capacity (with the authority to grant such benefits) can engage in quid pro quo harassment.

## SAMPLE HARASSMENT / RELATIONSHIP POLICY

Examples: A supervisor promising an employee a raise if she goes on a date with him; a manager telling an employee she will fire him if he does not have sex with her.

“Hostile work environment,” where the harassment creates an offensive and unpleasant working environment. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or customers. Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials or even unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

Is made explicitly or implicitly a term or condition of employment.

Is used as a basis for an employment decision.

Unreasonably interferes with an employee’s work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or “kidding” that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.

Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets and Internet postings; or other form of communication that is sexual in nature and offensive.

Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling and forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, noncoercive interactions between employees, including men and women, that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

Camper or Potential Camper Investigation of Claim

In the event someone has registered a complaint about a camper or a potential camper that will be attending our one of our camps, an investigation will be launched immediately by Improv

## SAMPLE HARASSMENT / RELATIONSHIP POLICY

Utopia to determine if the camper is a threat to Improv Utopia or its campers. An investigation may include:

1. Contacting all parties involved and getting a statement via e-mail or phone call.
2. Contacting their home theater or the location where the incident(s) may have taken place
3. Contacting witnesses or seeking out information from other possible victims or companies

Human Resources Department

Improv Utopia will keep all of this information anonymous and will not share any names of parties involved. After the information is received, Improv Utopia and its board will determine whether the camper, that the complaint has been lodged against, will be banned permanently from Camp or temporarily expelled. If the camper, that has a complaint against them, is attending a camp, the board may vote to remove them from camp by a unanimous vote.

### Retaliation

No hardship, loss, benefit or penalty may be imposed on an employee in response to:

Filing or responding to a bona fide complaint of discrimination or harassment.

Appearing as a witness in the investigation of a complaint.

Serving as an investigator of a complaint.

Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process is a violation of this policy. Any person who is found to have violated this aspect of the policy will be subject to sanctions up to and including termination of employment.

### Consensual Romantic or Sexual Relationships

Improv Utopia will allow no romantic or sexual relationships between a teacher / counselor /campers or other supervisory volunteer and his or her staff (any camper who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in decisions affecting the camper. Moreover, given the uneven balance of power within such relationships, consent by the camper is suspect and may be viewed by others or, at a later date, by the camper as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy environment. If there is such a relationship, the parties need to be aware that one or both may be moved to a different cabin / class, or other actions may be taken. Relationships that exist within a reasonable amount of time prior to camp are acceptable but must be fully disclosed.

If any employee of Improv Utopia enters into a consensual relationship that is romantic or sexual in nature with a camper, or if one of the parties is in a supervisory capacity in the same cabin/class to which the other party is assigned, the parties must notify the appropriate corporate officer. Because of potential issues regarding quid pro quo harassment, Improv Utopia has made reporting mandatory. This requirement does not apply to employees who are not in the same cabin or classes or to parties who do not supervise the other.

## SAMPLE HARASSMENT / RELATIONSHIP POLICY

Once the relationship is made known to Improv Utopia, the company will review the situation in light of all the facts (reporting relationship between the parties, effect on other campers, responsibilities of the parties, etc.) and will determine whether one or both parties need to be moved to another class / cabin. If it is determined that one party must be moved, and there are classes / cabins available for both, the parties may decide who will be the one to move to the new class or cabin. If the parties cannot amicably come to a decision, or the party is not chosen for the class or cabin to which he or she applied, the parties will contact Improv Utopia, which will decide which party should be moved. That decision will be based on which move will be least disruptive to the organization as a whole. If it is determined that one or both parties must be moved, but no other classes or cabins are available for either party, the parties will be given the option of terminating their relationship or resigning.

### Complaint Process

Improv Utopia will courteously treat any person who invokes this complaint procedure, and the company will handle all complaints swiftly and confidentially to the extent possible in light of the need to take appropriate corrective action. Lodging a complaint will in no way be used against the camper or teacher or have an adverse impact on the individual's cabin or class assignment. Because of the damaging nature of harassment to the victims and to the entire community, aggrieved campers are strongly urged to use this procedure. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation.

### Complaint procedure

Improv Utopia has established the following procedure for lodging a complaint of harassment, discrimination or retaliation. The company will treat all aspects of the procedure confidentially to the extent reasonably possible.

An individual who feels harassed, discriminated or retaliated against may initiate the complaint process by filing a complaint in writing with Improv Utopia / Nick Armstrong [nick@improvutopia.com](mailto:nick@improvutopia.com) / Patricia Forman [patricia@improvutopia.com](mailto:patricia@improvutopia.com). No formal action will be taken against any person under this policy unless Improv Utopia has received a written and signed complaint containing sufficient details to determine if the policy may have been violated.

Upon receiving a complaint or being advised that violation of this policy may be occurring, the HR director will notify the company and review the complaint with the company's legal counsel. Within five working days of receiving the complaint, the Improv Utopia will notify the person(s) charged [hereafter referred to as "respondent(s)"] of a complaint and initiate the investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.

During the investigation, Improv Utopia, together with legal counsel, will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.

## SAMPLE HARASSMENT / RELATIONSHIP POLICY

Within 15 business days of the complaint being filed (or the matter being referred to the Improv Utopia), the director or other person conducting the investigation will conclude the investigation and submit a written report of his or her findings to the company.

If it is determined that harassment or discrimination in violation of this policy has occurred, the director will recommend appropriate disciplinary action. The appropriate action will depend on the following factors: a) the severity, frequency and pervasiveness of the conduct; b) prior complaints made by the complainant; c) prior complaints made against the respondent; and d) the quality of the evidence (e.g., first-hand knowledge, credible corroboration).

If the investigation is inconclusive or if it is determined that there has been no violation of policy but potentially problematic conduct may have occurred, the director may recommend appropriate preventive action.

Within five days after the investigation is concluded, the director will meet with the complainant and the respondent separately, notify them of the findings of the investigation, and inform them of the action being recommended.

The complainant and the respondent may submit statements to the director challenging the factual basis of the findings. Any such statement must be submitted no later than five working days after the meeting with the director in which the findings of the investigation are discussed.

Within 10 days from the date the director meets with the complainant and respondent, Improv Utopia will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the director and other staff as may be appropriate, and decide what action, if any, will be taken. The director will report the company's decision to the complainant, the respondent and the appropriate management assigned to the department(s) in which the complainant and the respondent work. Improv Utopia's decision will be in writing and will include findings of fact and a statement for or against action. If action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

### Alternative legal remedies

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts.