

Grand Canyon River Guides, Inc.

Nondiscrimination, Anti-Harassment, Anti-Retaliation, And Anti- Sexual Harassment Policy

Grand Canyon River Guides, Inc. (GCRG) is committed to fostering a safe and welcoming work environment as well as a positive river culture in which all individuals are treated with absolute respect and dignity, while emphasizing open and honest communication and accountability. Each individual has the right to work in a safe, supportive, professional atmosphere that promotes equal opportunities, and prohibits discriminatory practices, including all forms of harassment. Therefore, GCRG expects that all relationships among persons in the workplace will be professional and free of bias, prejudice, discrimination, and harassment. *The bottom line is: treat others the way they wish to be treated, and if you see something, say something.*

In order to keep this commitment, GCRG maintains a strict policy of prohibiting unwelcome and unlawful harassment based on race, color, religion, national origin, sexual orientation, gender identity or expression, sex, age, physical or mental disability or any other characteristic protected by applicable federal laws, including (but not limited to) Title VII of the Civil Rights Act, as well as state and local employment discrimination laws.

These workplace standards and GCRG's zero-tolerance policy apply to all employees, including supervisors and non-supervisory employees, and to non-employees (i.e. volunteers including officers, directors, and other associated individuals such as vendors, consultants, GCRG program participants, guests, etc....) who engage in unlawful harassment or discrimination in the workplace, including during GCRG-sponsored events and trainings.

GCRG 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 investigated and resolved appropriately.

Equal employment opportunity

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

Retaliation

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

Harassment

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment may be verbal, written, electronic, or include physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his/her/their relatives, friends or associates, 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, 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 (and in any work-related settings outside the workplace), on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

The Sexual Harassment Policy Statement

GCRG is committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work including sexual harassment.

GCRG will operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary or other appropriate action, up to and including dismissal from employment.

All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimized or retaliated against for making such a complaint in good faith or for participating in an investigation.

Definition of sexual harassment in a workplace

Sexual harassment is defined as any unwanted and unwelcome conduct of a sexual nature (29 C.F.R. § 1604.11(a)) which makes a person feel offended, humiliated and/or intimidated. It consists of making unwelcomed sexual advances or requests for sexual favors, or engaging in other verbal or physical acts of a sexual or sex-based nature that interferes with an employee's work performance. It also includes the creation of a hostile, intimidating, or offensive work environment for any employee or non-employee, including where submission to such conduct is explicitly or implicitly a basis for employment decision-making affecting the individual. It further includes situations where a person is asked to engage in sexual activity as a condition of that person's employment.

Sexual harassment can involve one or more incidents and actions constituting harassment and may be physical, verbal and non-verbal. Examples of conduct or behavior which constitute sexual harassment include, *but are not limited to*:

Physical sexual conduct

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate or excessive touching
- Physical violence, including sexual assault
- The use of job-related threats or rewards to solicit sexual favors

Verbal sexual conduct

- Sexual, suggestive or obscene comments or questions on a worker's appearance, body parts, age, private life, etc.
- Sexual comments, stories, jokes, or propositions, whether verbal or written
- Spreading sexual rumors or stories
- Unwelcome sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy after an indication that such interest is not desired
- Insults based on the gender identity of the worker
- Condescending or paternalistic remarks
- Suggesting or implying that failure to accept a request for a date or sex would adversely affect the employee in respect to a performance evaluation or promotion.
- Supervisors or managers explicitly or implicitly suggesting sex in return for hiring, compensation, promotion, or retention decisions
- Sending sexually explicit messages (by phone or by email)

Non-verbal sexual conduct

- Display of sexually explicit or suggestive material

- Sexually-suggestive gestures such as whistling or leering

Anyone can be a victim of sexual harassment, regardless of their gender identity and of the gender identity of the harasser. GCRG recognizes that sexual harassment may also occur between people of the same gender. **What matters is that the sexual conduct is *unwanted and unwelcome* by the person against whom the conduct is directed.**

GCRG recognizes that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and employee. As such, managers, supervisors, and anyone who reviews or rates other GCRG volunteers or program participants are held to the highest standard of exemplary conduct.

Anyone, including employees of GCRG, volunteers, casual workers, contractors, program participants, speakers, or others who sexually harasses another will be reprimanded and remedial action taken in accordance with this internal policy.

All sexual harassment is strictly prohibited whether it takes place within Grand Canyon River Guides' premises or outside, including *but not limited to* GCRG social events, business trips, training sessions (including on or off-river), educational events or conferences sponsored by GCRG.

Discrimination, Harassment, and Retaliation Reporting Procedure

When safe to do so, anyone who is subject to harassment, discrimination, or retaliation should, if possible, inform the alleged offender that the conduct is unwanted and unwelcome. Oftentimes, an open and honest conversation will help resolve the problem.

GCRG recognizes that discrimination, harassment and retaliation may occur in unequal relationships (i.e. between a supervisor and his/her/their employee) and that it may not be possible for the victim to inform the offending person.

If a victim cannot directly and safely approach an alleged harasser or if attempts to communicate are not successful, he/she/they can approach one of the designated individuals responsible for receiving complaints under GCRG's Nondiscrimination, Anti-Harassment, Anti-Retaliation, and Anti-Sexual Harassment Policy. This designated person could be any of the following:

- GCRG's Executive Director
- Any of the sitting officers/directors of GCRG (see names on the GCRG website, gcr.org), who will then refer the complaint to GCRG's ED.
- Or if the issue occurs on a Guides Training Seminar river trip, you may report to the trip leader or another trusted individual, who will then refer it to GCRG's ED, or one of the sitting board members, as soon as practicable.

Complaint Follow Up:

GCRG leadership may at their discretion engage an independent third party to investigate complaints and implement subsequent remedial actions such as professional mediation, and/or other agreed-upon resolution measures. GCRG leadership or their designee will:

- Respond to complainant in a timely manner
- Immediately record the dates, times and facts of the incident(s).
- Undertake a prompt, thorough, objective and good faith investigation of the discrimination, harassment or retaliation allegations.
- Offer appropriate support for the complainant including counseling if desired and designating a specific person who will be responsible for following up on the complaint.
- Interview the complainant, the alleged offender, and other relevant third parties separately and as discreetly as is practicable.
- Review all relevant statements, information, and documentary evidence available to the investigator.
- Communicate with complainant regarding the progress of the investigation.
- Ascertain the views of the complainant as to the desired outcome.
- Ensure that the complainant understands the organization's procedures for dealing with the complaint.
- Give the alleged harasser opportunity to respond to the complaint and ensure they understand the complaint mechanism.
- Ensure that the victim knows that they may lodge the complaint outside of GCRG through the relevant federal legal framework, such as directly with the Equal Employment Opportunity Commission through its online portal (<https://publicportal.eeoc.gov/portal/>) or in person at the nearest EEOC office or my mail. Learn how to file an EEOC complaint by calling 1-800-669-4000 or at <https://www.eeoc.gov/employees/hotofile.cfm>.
- Facilitate a discussion(s) between both parties to achieve a resolution which is acceptable to the complainant and respondent. Discussion options can range from restorative practices (focusing on healing and a shared agreement about how the offender can repair harm, ensuring accountability), professional mediation, or other acceptable methods.
- Keep a confidential record of all discussions and actions taken for a period of five (5) years.
- Respect the choice of the victim.
- Determine whether or not the incident(s) took place using a preponderance of the evidence evidentiary standard. GCRG shall provide complainant and respondent a written summary of the investigation conducted and the findings and conclusions of the investigator.
- Determine and implement appropriate remedial measures for the harasser (up to and including termination), in accordance with the circumstances involved and in consideration of any resolution action agreed upon during the facilitated discussions mentioned above. Please note, a person committing sexual harassment may also be held legally liable for his/hers/their actions under applicable law.

- Follow up to ensure that the behavior has stopped, and that the complainant is satisfied with the outcome.

Any individual who knowingly makes a false or malicious claim of harassment, discrimination, or retaliation information shall be subject to appropriate corrective and remedial measures, up to and including termination. Any employee that GCRG determines has provided false or materially misleading information during a harassment, discrimination, or retaliation investigation, will be subject to appropriate corrective and remedial measures.

GCRG understands the need to support victims in making complaints. Throughout the complaint procedure, the complainant is entitled to be helped by a counselor with special training to assist victims of sexual harassment. If they so choose, GCRG will refer victims to the Whale Foundation (dedicated to the health and welfare of the river guiding community) for this valuable expertise and support. GCRG may further take any appropriate remedial action to ensure the health, safety, and welfare of complainant, respondent, or any other individual.

GCRG recognizes that because harassment in any form often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward. GCRG highly encourages all employees and others involved with GCRG programs or activities to speak up for yourself and others, be an ally, communicate openly, honestly, and respectfully, and where warranted, make timely reports of these incidents to protect the people directly impacted, to reduce occurrences in the future, and to protect others.

Policy Implementation

GCRG will ensure that this policy is widely disseminated to all relevant persons and made available on the GCRG website, www.gcr.org. All new employees and nonemployees must be trained on the content of this policy as part of their induction into the organization.

Policy Monitoring & Effectiveness

GCRG recognizes the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective.

Supervisors, managers and those responsible for dealing with sexual harassment cases will report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. As a result of this report, Grand Canyon River Guides will evaluate the effectiveness of this policy and make any changes needed.

Employee and Non-Employee Acknowledgement

*This acknowledges that I have received a copy of **Grand Canyon River Guides' Nondiscrimination, Anti-Retaliation, Anti-Harassment, and Anti-Sexual Harassment Policy**. I acknowledge that I am expected to read, understand and adhere to Grand Canyon River Guides' policy. I understand that if I have questions regarding the contents of this policy, I should ask the Executive Director of GCRG for clarification.*

Employee/Non-Employee Signature

Date

Employee/Non-Employee Typed or Printed Name