

## **Policy Against Harassment and Sexual Harassment**

*Board Approved March 23, 2023*

### **Purpose**

Chicago Dancemakers Forum expects every employee to show respect for all of our colleagues, co-workers, community partners, contractors, grantees, employees, and vendors. Compliance with this policy furthers Chicago Dancemakers Forum's mission, promotes creativity, minimizes disputes, and enhances our efficacy. Accordingly, this policy forbids any unwelcome conduct that is based on an individual's race, color, religion, sex (including pregnancy, childbirth, and medical conditions related to pregnancy, childbirth, or breastfeeding), sex stereotyping (including assumptions about a person's appearance or behavior, gender roles, gender expression, or gender identity), gender, gender identity, gender expression, national origin, age, mental or physical disability, ancestry, medical condition, marital status, military or veteran status, citizenship status, sexual orientation, genetic information, order of protection status, their association with a person with a disability, unfavorable military discharge, arrest record (or criminal history record ordered expunged, sealed, or impounded), and conviction record (subject to applicable legal exceptions) or any other protected status of an individual or that individual's associates or relatives. We interpret these protected statuses broadly. Chicago Dancemakers Forum is committed to providing a work environment that is free of unlawful discrimination, including harassment that is based on any legally protected status. Chicago Dancemakers Forum will not tolerate any form of harassment that violates this policy.

### **Coverage**

This policy and the law forbid any employee, manager, supervisor, officer, director, community partner, grantee, vendor, or any other third party that an employee encounters in connection with Chicago Dancemakers Forum business, to harass, discriminate, or retaliate against any Chicago Dancemakers Forum employee, applicant, contractor, intern, or volunteer, on the basis of any legally protected status or activity. This policy also prohibits offensive conduct that does not rise to a violation of law, as explained below.

### **Prohibited Conduct**

The conduct prohibited by this policy, whether verbal, physical, or visual (including on social media), includes any discriminatory employment action and any unwelcome conduct that is inflicted on someone because of that individual's protected status. Among the types of unwelcome conduct prohibited by this policy

are epithets, microaggressions, slurs, negative stereotyping, intimidating acts, and the circulation or posting of written or graphic materials that are degrading or show hostility toward individuals because of their protected status. Chicago Dancemakers Forum prohibits that conduct in the workplace, even if the conduct is not sufficiently severe or pervasive to constitute unlawful harassment.

### **Sexual Harassment**

Sexual harassment deserves special mention. Harassing conduct based on gender often is sexual in nature but sometimes is not. This policy forbids harassment based on gender regardless of whether the offensive conduct is sexual in nature. Any unwelcome conduct based on gender is also forbidden by this policy regardless of whether the individual engaged in harassment and the individual being harassed are of the same or are of different genders.

According to the U.S. Equal Employment Opportunity Commission (“EEOC”), unwelcome sexual advances, requests for sexual favors, and other verbal, physical or visual conduct based on sex constitute unlawful sexual harassment when (1) submission to such conduct becomes an implicit or explicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for any employment decision, (3) the conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment. Sexual harassment includes sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual’s employment position.

This policy forbids harassment based on gender regardless of whether it rises to the level of a legal violation. **Examples of gender-based harassment forbidden by this policy include, but are not limited to (1) offensive sex-oriented verbal kidding, teasing, or jokes, (2) unwanted sexual flirtations, advances, or propositions, (3) verbal abuse of a sexual nature, (4) graphic or degrading comments about an individual’s appearance or sexual activity, (5) offensive visual conduct, including leering, making sexual gestures, the display of offensive sexually suggestive objects or pictures, cartoons, or posters, (6) unwelcome pressure for sexual activity, (7) offensively suggestive or obscene letters, notes, or invitations, (8) inappropriate or unwanted physical contact such as patting, grabbing, pinching, or brushing against another’s body, and (9) sexual favoritism.**

### **Employee Responsibility**

Everyone at Chicago Dancemakers Forum is encouraged and empowered to help assure that our workplace is free from prohibited discrimination or harassment.

### **Avoiding Prohibited Conduct**

Everyone is expected to avoid any behavior or conduct that could reasonably be interpreted as prohibited harassment. No employees, not even the highest ranking individuals in Chicago Dancemakers Forum, are exempt from the requirements of this policy. Employees are also encouraged and empowered to directly inform any person in the workplace whose conduct the employee finds unwelcome that the conduct is unwanted.

### **Reporting Prohibited Conduct**

All incidents of alleged discrimination, harassment, retaliation, or other conduct inconsistent with this policy must be reported in a timely manner, and wherever possible, immediately.

Any manager or supervisor who is aware of conduct inconsistent with this policy or who receives a report of conduct inconsistent with this policy must report it immediately to Chicago Dancemakers Forum's Executive Director or the Board chair.

### **Reporting Procedures**

If you feel you have experienced or witnessed any conduct that is inconsistent with or prohibited by this policy, you are to immediately notify the Executive Director or the Board Chair. In the event that the complaint is about the Executive Director or the Board Chair, employees should report their claim to any member of the Board of Directors. These are the individuals authorized by this policy to receive and act upon complaints of discrimination, harassment, and retaliation on behalf of Chicago Dancemakers Forum. This policy does **not** require reporting discrimination, harassment, or retaliation directly to an employee's immediate supervisor or to any individual who is creating the harassment, discrimination, or retaliation.

### **Response to Reports**

All reports describing conduct that is inconsistent with this policy will be investigated promptly and effectively. To that end, parties involved in the situation (including the reporting party, anyone identified as the target of the behavior (if

different than the reporting party) and anyone who allegedly violated this policy) will be offered an opportunity to be interviewed or to otherwise respond to a report under this policy. Chicago Dancemakers Forum may put certain interim measures in place, such as a leave of absence, while the investigation proceeds. Chicago Dancemakers Forum will take further appropriate action once the report has been investigated. That action may be a conclusion that a violation occurred, as explained immediately below. Chicago Dancemakers Forum might also conclude, depending on the circumstances, either that no violation of policy occurred or that Chicago Dancemakers Forum cannot conclude whether or not a violation occurred.

If an investigation reveals a violation of this policy or other inappropriate conduct has occurred, then Chicago Dancemakers Forum will take corrective action, which may include discipline up to and including dismissal, reassignment, changes in reporting relationships, training, or other measures Chicago Dancemakers Forum deems appropriate under the circumstances, regardless of the job positions of the parties involved. Chicago Dancemakers Forum may take corrective action for any inappropriate conduct discovered in investigating reports made under this policy, regardless of whether the conduct amounts to a violation of law or even a violation of this policy. If the person who engaged in harassment is not employed by Chicago Dancemakers Forum, then Chicago Dancemakers Forum will take whatever corrective action is reasonable and appropriate under the circumstances. This can include, but is not limited to, contract termination.

All Chicago Dancemakers Forum employees working in Chicago will be required to participate in annual sexual harassment prevention training and bystander training in accordance with Chicago and Illinois law.

### **Policy Against Retaliation**

Chicago Dancemakers Forum forbids that any employee treat any other employee, former employee, or applicant adversely for reporting harassment, discrimination, or retaliation, for assisting another employee or applicant in making a report, for cooperating in an investigation into such alleged conduct, or for filing an administrative claim with the EEOC or a state governmental agency. Retaliation for reporting sexual harassment is prohibited, and illegal, in Chicago. All employees who experience or witness any conduct they believe to be retaliatory are to immediately follow the reporting procedures stated above.

### **Government Agencies**

As outlined above, Chicago Dancemakers Forum expects employees to report any conduct inconsistent with this policy, so that it can investigate and take

appropriate remedial action. In addition to these procedures described above, any employee who feels they have been subjected to unlawful discrimination or harassment, including sexual harassment, may also file a charge of discrimination with the Illinois Department of Human Rights within 300 days of the harassment. That charge will be investigated and, if there is substantial evidence that discrimination or harassment has occurred, a complaint may be filed with the Illinois Human Rights Commission, or employees may file a complaint in Illinois state court on their own behalf.

The Department of Human Rights can be contacted at:

State of Illinois  
Department of Human Rights  
555 W. Monroe St., Suite 700  
Chicago, Illinois 60661  
(312) 814-6200

Employees who believe they have experienced sexual harassment may also contact the Illinois Sexual Harassment and Discrimination Helpline at 1-877-236-7703, and employees in Chicago may report discrimination and harassment, including sexual harassment, to the Chicago Commission on Human Relations ((312) 744-4111) within 365 days of the discrimination or harassment.

### **Confidentiality**

In investigating and in imposing any corrective action, Chicago Dancemakers Forum will attempt to preserve confidentiality to the extent that the needs of the situation permit.

### **Acceptance of Policy**

All Chicago Dancemakers Forum employees have a personal responsibility to conduct themselves in compliance with this policy and to report any observations of conduct inconsistent with this policy. If you have any questions concerning this policy, then please contact the Executive Director or the Board Chair.