

Montgomery County LGBT Business Council's Sexual Harassment Policy

Sexual harassment is not only prohibited by Montgomery County LGBT Business Council, but is also prohibited by federal, state, and, in some cases, local law.

Montgomery County LGBT Business Council is proud of its professional and accepting work environment, and will take all necessary steps to ensure that the work environment remains pleasant for all who work here. All members must treat each other with courtesy, consideration, and professionalism.

Sexual harassment is a form of workplace discrimination and a form of member misconduct. Sexual harassment is against the law and will not be tolerated. This policy applies to all directors, members, event attendees, applicants for leadership, interns (paid or unpaid), contractors, volunteers, and persons conducting business with Montgomery County LGBT Business Council. Any of these groups of people can be a victim or a perpetrator of sexual harassment.

Sexual harassment is any conduct based on an individual's sex that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's opportunities or membership enjoyment.

Examples of sexual harassment include, but are not limited to: vulgar or offensive conversation or jokes of a sexual nature; unwelcome comments about an individual's physical characteristics; teasing, slurs, threats, derogatory comments, or other similar verbal, non-verbal, or physical conduct directed toward a person because of the individual's sex and/or gender, which is sufficiently severe or pervasive to create an unprofessional and hostile professional environment.

Examples of conduct that could constitute sexual harassment include: unwelcome sexual advances; requests for sexual favors; obscene gestures; displaying sexually graphic magazines, calendars, posters, or Internet sites; sending sexually explicit e-mail, voice-mail, or other electronic transmissions; or other verbal, non-verbal, or physical conduct of a sexual nature, such as uninvited or non-consensual touching or sexually-related comments. In addition to the above, any disrespectful behavior that manifests through insulting or degrading sexual remarks or conduct, and/or threats, demands, or suggestions that a member's status is contingent upon the members' toleration of or acquiescence to sexual advances, may constitute sexual harassment. Sexual harassment can also include disrespectful behavior based on stereotyping, which occurs when conduct or personality traits are considered inappropriate because they may not conform to other people's ideas or perceptions another's appearance.

Sexual harassment can take place in professional environments, but it can also take place outside of the physical location of events. Calls, texts, e-mails, and social media usage by members can constitute unlawful workplace harassment, even if they occur away from the organization's premises, on personal devices, or during personal hours.

All board members and members have a duty to report any instances of harassment, whether the harassment is directed toward them, another board member, or a member, and whether the harassment is

committed by a board member, fellow member, or non-member. If you feel that you have been subjected to sexual harassment, or if you witness conduct that you believe is sexual harassment, report the matter immediately to AJ Willis or any other board member of management with whom you feel comfortable. Reports of sexual harassment can be made verbally or in writing.

All board members who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior, or for any reason suspect that sexual harassment is occurring, are required to report such harassment to Brittany Kohler and AJ Willis.

If you are not sure to whom you should speak about an issue of sexual harassment, or if you have not received an acknowledgement of your report within five (5) business days after reporting any incident of what you perceive to be sexual harassment, immediately contact the Brittany Kohler.

All reports of sexual harassment will be promptly investigated and completed as soon as possible. Corrective or disciplinary action, up to and including termination, will be taken where appropriate. Such corrective or disciplinary action may be taken against any individual engaging in sexual harassment, as well as against supervisory and managerial personnel who knowingly allow such behavior to continue.

The process of an investigation will likely vary from case to case. Investigations may include, but are not limited to: review of the allegations; review of any interim actions taken while the matter is being investigated; collection and review of documents relevant to the complaint, including, but not limited to, e-mails, phone records, texts, and social media posts; interviews with the parties involved; notification of any corrective or disciplinary actions; and informing the individuals(s) who reported sexual harassment of the right to file a complaint or charge externally.

Information resulting from complaints filed under this policy will be kept confidential by Montgomery County LGBT Business Council Directors to the extent possible. Please understand that information may need to be shared with a limited number of people in order to conduct an adequate investigation.

It is unlawful and against Montgomery County's policy to retaliate against a member or director for any of the following: making a complaint of sexual harassment either internally or with any anti-discrimination agency; cooperating in an investigation of a sexual harassment complaint or any proceeding about such a complaint; opposing sexual harassment; informing management of possible sexual harassment; or encouraging someone to report sexual harassment. Such retaliation is grounds for corrective or disciplinary action, up to and including professional termination and/or membership termination.

Original Signed by:

AJ Willis, Esquire

Co-Director of Montgomery County LGBT Business Council Legal Department