

## ELMHURST SWIM TEAM POLICY AGAINST HARASSMENT

(revised March 8, 2016)

ELMHURST SWIM TEAM is committed to providing a work environment which is free of unlawful harassment and intimidation. ELMHURST SWIM TEAM prohibits harassment because of sex (including sexual harassment, harassment due to pregnancy, childbirth or related medical conditions, and gender harassment) and harassment because of race, religion, color, national origin, medical condition, physical or mental disability, age, or any other basis protected by federal, state, or local law, regulation, or ordinance.

This anti-harassment policy applies to all individuals involved in the operation of the company, and prohibits unlawful harassment not only by ELMHURST SWIM TEAM's employees, supervisors, volunteers and officers, but also to vendors, customers, and others with whom ELMHURST SWIM TEAM does business. In other words, ELMHURST SWIM TEAM will not tolerate any harassment of its employees by anyone.

Violations of this policy by an employee will subject the employee to discipline, up to and including termination. ELMHURST SWIM TEAM will take all reasonable steps to prevent or eliminate harassment by employees or by non-employees—such as customers, clients, suppliers—who are likely to have workplace contact with our employees and volunteers. Additionally, ELMHURST SWIM TEAM may report violators to the appropriate authorities for civil or criminal action. Retaliation of any kind against employees who, in good faith, bring harassment complaints or assist in investigating such complaints is strictly prohibited.

### EXAMPLES OF PROHIBITED UNLAWFUL HARASSMENT

Prohibited unlawful harassment because of sex, race, religion, color, national origin, medical condition, physical or mental disability, age, or any other protected basis may include, but is not limited to, the following behavior:

1. Verbal actions such as slurs, comments, jokes or epithets which are derogatory towards a person's sex, race, religion, color, national origin, medical condition, physical or mental disability, age, or any other protected basis or unwanted sexual invitations, advances or comments;
2. Visual conduct such as sexually-oriented, pornographic and /or derogatory photographs, posters, drawings, cartoons, gestures, e-mail or Internet sites that ridicule, denigrate, insult, belittle or show hostility towards an individual or group because of sex, race, religion, color, national origin, medical condition, physical or mental disability, age, or any other protected basis;
3. Retaliation against any employee for making a good faith allegation of harassment or for participating in such an investigation.

## SEXUAL HARASSMENT

ELMHURST SWIM TEAM strives to maintain a workplace free of all types of unlawful harassment, including sexual harassment and intimidation. Sexual harassment is defined as “unwelcome” sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; or
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may also include but is not limited to: explicit sexual propositions; sexual innuendo; suggestive comments; vulgar, abusive, humiliating or threatening language; vulgar or obscene printed, drawn, recorded or visual materials; practical jokes of a sexual nature; physical contact such as pinching, patting or purposely brushing or rubbing against another body or other inappropriate behavior in the workplace. All such behavior is strictly prohibited. Harassment of a sexual nature is not only prohibited in the work place, but is also a violation of various state and federal laws and may subject the individual harasser to liability for any such unlawful conduct.

## PROCEDURE FOR REPORTING HARASSMENT

Any employee who believes he or she is the victim of any type of harassment, including sexual harassment, should immediately report such actions to the Head Coach, the President or to any ELMHURST SWIM TEAM board member. Employees may select any person within the mentioned group above for the purpose of making a report and do so based on the employee’s comfort level. Please DO NOT report to someone who is involved in the alleged harassment. Employees are encouraged to timely or promptly make their complaints in writing, although verbal complaints will also be promptly investigated in accordance with the terms of this policy. All complaints, verbal or written, will be taken seriously and handled as promptly, thoroughly and confidentially as possible.

## INVESTIGATING ALLEGED HARASSMENT

ELMHURST SWIM TEAM will fully and completely investigate any report of alleged harassment and will take appropriate corrective action depending on the results of the investigation and the severity of the conduct. This can include disciplining or terminating any individual who is found to have violated this prohibition against harassment. The complaining employee will be informed of the action taken. An employee who engages in acts of harassment

contrary to ELMHURST SWIM TEAM policy may be personally liable in any legal action brought against him/her.

Interviews, allegations, statements and identities will be kept confidential to the extent possible and allowed by law. However, the goal of confidentiality will not be a deterrent to an effective investigation, as it may be necessary to reveal certain information to the person that is the subject of the complaint or to others. Employees should also be aware that ELMHURST SWIM TEAM has a duty to prevent and correct harassment even when the complaining employee asks that no action be taken and the complaint be kept confidential.

Exercising rights under this policy does not in any way affect an employee's right to seek relief through the Illinois Department of Human Rights, the Equal Employment Opportunity Commission, or a court of proper jurisdiction for any complaint for which a remedy is provided under federal or state law.

Please note that while ELMHURST SWIM TEAM policies set forth the goal of promoting a workplace that is free of discrimination, sexual harassment, and other discriminatory harassment, these policies are not designed or intended to limit ELMHURST SWIM TEAM's authority to discipline employees or take remedial action for conduct deemed inappropriate or otherwise unacceptable by ELMHURST SWIM TEAM, regardless of whether that conduct rises to the level of unlawful discrimination or harassment.

#### RETALIATION POLICY

Retaliation in any form is prohibited. Retaliation against any employee for making a good faith allegation of harassment or for participating in such an investigation is prohibited. Any employee who violates this policy is subject to disciplinary action up to and including termination.

#### NOTE CONCERNING APPLICATION OF OTHER POLICIES

Please note that ELMHURST SWIM TEAM enforces this policy against harassment. This policy is not be the only policy applicable to the circumstances. Not only do USA Swimming and Illinois Swimming, Inc. have their own policies, but the owners and operators of the facilities where ELMHURST SWIM TEAM offers its programs have distinct policies. Any person violating this policy may also be the subject of an investigation by the employer(s) of that person.