

THE BUHL FOUNDATION NO HARASSMENT POLICY

POLICY

It is the policy of The Buhl Foundation to maintain a working environment free from sexual, racial, age-based, religious, ethnic, disability and other forms of legally impermissible harassment. Any behavior that contributes to such harassment will not be tolerated. Buhl Foundation's policy is broader than the legal definitions of unlawful harassment. Its policy prohibits harassing conduct even if it is not sufficiently severe or pervasive to meet the legal definition of a hostile environment.

Retaliation against any individual for complaining about alleged harassment or for cooperating with an investigation of alleged harassment will not be tolerated.

SCOPE

All Buhl Foundation employees and applicants are protected by this policy. It prohibits harassment not only by or toward Buhl Foundation employees, but also vendors, contractors, suppliers, visitors, trades people, and other non-employees on Buhl Foundation premises or conducting business with Buhl Foundation.

DEFINITIONS

A. Harassing Conduct (General)

Verbal, physical or visual conduct that relates to race, color, gender, national origin, age, disability, religion, or other protected classification, which has the purpose or effect of interfering with work performance or creating an intimidating, hostile or offensive working environment.

Examples include but are not limited to: (i) epithets, slurs, or threatening, intimidating, or hostile acts that relate to race, color, gender, national origin, age, disability, religion, or any other protected classification; (ii) written or graphic material on Buhl Foundation's premises or on Buhl Foundation business that reflects hostility or aversion toward an individual or group because of race, color, gender, national origin, age, disability, religion, or any other protected classification.

B. Sexually Harassing Conduct

Unwelcome touching, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when such conduct:

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

2. Is used as a basis for employment decisions, or
3. Has the purpose or effect of interfering with work performance or creating an otherwise intimidating, hostile or offensive working environment.

Examples of behaviors that would violate this policy include but are not limited to :

- Repeated flirtations;
- Sexual advances or propositions;
- Pressure for sexual favors;
- Jokes, stories, comments, or verbal abuse of a sexual nature;
- Offensive or degrading or derogatory words used to describe or refer to a person;
- Leering, whistling or other sexually suggestive conduct;
- The display in the workplace or while on Buhl Foundation business of sexually explicit or suggestive objects;
- Inquiries into or descriptions of one's sexual experiences or activities;
- Unnecessary physical contact.

Buhl Foundation expressly prohibits any employee from explicitly or implicitly linking any term or condition of employment to sexual or romantic conduct, even if the conduct is consensual.

COMPLAINT AND INVESTIGATION PROCESS

Any employee or applicant who feels s/he is a victim of – or is otherwise aware of – a violation of this policy should promptly inform the President or his/her supervisor. Any manager/supervisor who is advised or aware of a possible violation of this policy must contact the President.

The President will be responsible for handling and investigating all complaints. Because of the sensitivity of harassment issues, each situation will be promptly investigated in a manner designed to protect the privacy of those involved. Buhl Foundation in its discretion may take reasonably necessary or prudent interim measures pending the outcome of the investigation. If the President is the object of the complaint the matter should be referred to the Chairman of the Board of Directors.

CORRECTIVE ACTION

Buhl Foundation will take corrective action when it has reason to believe there has been a violation of this policy. Based on the totality of the circumstances Buhl Foundation will take reasonably appropriate disciplinary and/or remedial measures, up to and including discharge.

NO RETALIATION

No individual who reports or complains about harassment or improper conduct, or who assists Buhl Foundation in an investigation of harassment, will be subjected to retaliation. Any such retaliation will not be tolerated.

Approved: At the June 24, 1999 Board meeting