

# Portland VA Research Foundation

## Unlawful Harassment & Discrimination Policy Addendum

This policy is an addition to the current Employee Handbook. Please read this addendum carefully since it is important to familiarize yourself with both your rights and responsibilities as an employee. It is each employee's responsibility to comply with these policies. This Handbook addendum supersedes the policies of any earlier version of the Handbook you may have received.

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The Portland VA Research Foundation fosters an environment where every employee feels productive and comfortable. It's our policy that all employees be able to work in a setting free from all forms of unlawful discrimination and retaliation.

Harassment is verbal or physical conduct that demeans or shows hostility or aversion toward an individual because of his/her race, color, religion, gender (sex), national origin, age, veteran status, sexual orientation, gender identity, disability, genetic information or that of his/her relatives, friends or associates and that:

- Has the purpose or effect of creating an intimidating, hostile or offensive working environment;
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to the following: (1) epithets, slurs, negative stereotyping, demeaning comments or labels, or threatening, intimidating or hostile acts that relate to race, color, religion, gender (sex), national origin, age, veteran status, sexual orientation, gender identity, disability, genetic information; and (2) written or graphic material that demeans or shows hostility or aversion toward an individual or group because of race, color, religion, gender (sex), national origin, age, veteran status, sexual orientation, gender identity, disability, genetic information and that is placed on walls, bulletin boards, computers or elsewhere on the employer's premises, or circulated in the workplace.

### **Sexual Harassment**

Sexual harassment is a form of gender (sex) discrimination. The Equal Employment Opportunity Commission has defined sexual harassment as follows:

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

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

Prohibited sexual harassment may include, but is not limited to: sexual jokes, calendars, posters, cartoons, magazines, derogatory or physically descriptive comments about or toward another employee; sexually suggestive comments; inappropriate use of company communications including E-mail and telephone; unwelcome touching or physical contact; punishment or favoritism on the basis of an employee's sex; sexual slurs; negative sexual stereotyping.

Sexual assault is also a form of gender (sex) discrimination. This includes unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

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Harassment, sexual assault, or other forms of discrimination will not be tolerated in our workplace. It is against the policies of PVARF for any employee to harass or sexually assault another employee. This includes acts between managers and employees; it also includes acts between one employee and another or inappropriate workplace conduct between a third party (such as a visitor, vendor, customer or independent contractor) and an employee.

### **Reports of Harassment**

If you believe that you have been harassed, sexually assaulted, or otherwise experienced discrimination, report the incident immediately. The report should be directed to either:

1. To your supervisor or manager
2. To Human Resources
3. To the Executive Director

You may report an incident to Human Resources without first contacting your manager. PVARF will not retaliate against an employee who in good faith reports discrimination, sexual assault or harassment to the Company or participates in an investigation. Retaliation will not be tolerated in our workplace. Reports of discrimination, sexual assault, harassment or retaliation will be investigated fairly. All employees are encouraged to report and document any acts of discrimination, sexual assault or harassment. PVARF will attempt to maintain confidentiality, consistent with the Company's need to conduct an adequate investigation, and to take prompt corrective action in response to any discrimination, sexual assault, harassment or retaliation.

PVARF cannot require or coerce any employee to enter a nondisclosure or non-disparagement agreement provision related to reports of violations of this policy. A nondisclosure agreement provision is any contractual obligation which has the intended purpose or effect of prohibiting the disclosure of information, except as provided by the agreement. A non-disparagement agreement is any contractual obligation which has the intended purpose or effect of prohibiting disparaging, or negative comments of any nature against a party. If an employee voluntarily requests to enter a nondisclosure or non-disparagement agreement with your employer after experiencing harassment, discrimination, or sexual assault, the employee will have seven days to revoke the agreement prior to its effective date.

The applicable statute of limitations to alleged violations occurring under Oregon laws prohibiting (1) Discrimination because of race, color, religion, sex, sexual orientation, national origin, marital status, age, or expunged juvenile record, (2) Discrimination against person for service in uniformed service, and (3) Discrimination because of disability is five years from the date of the occurrence.