



PREVENTION OF WORKPLACE HARASSMENT AND DISCRIMINATION

It is the policy of The Purple Rose Theatre Company to maintain a working environment that encourages mutual respect, promotes respectful and congenial relationships between employees and prohibits all forms of unlawful discrimination, including sexual harassment and harassment based on an individual's membership in any other "Protected Class," perceived membership in a Protected Class, or association with other individuals who are members of a Protected Class or perceived members of a Protected Class.

"Protected Classes" include race, color, religion, sex, national origin, pregnancy, disability, age, military or veteran status, marital status, sexual orientation, gender identity (including sex stereotyping), genetic information, height, weight, and any other protected characteristic under applicable federal, state and local laws.

Discrimination and harassment based on membership in a Protected Class, including sexual harassment, are a violation of this policy and are unlawful. The Purple Rose Theatre will not tolerate or condone any discrimination or harassment. Violation of this policy will subject the violator to disciplinary action, up to and including termination.

This policy protects The Purple Rose Theatre's employees, contractors, and volunteers from discrimination and harassment by anyone, including supervisors, managers, co-workers, contractors, vendors, patrons, donors, volunteers, or other third parties. Individuals may file a complaint under this policy regarding incidents experienced personally or incidents observed in the workplace.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related matters that take place off-site, such as during business trips, business meetings and business-related social events. Similarly unacceptable under this policy is participation in work-related activities whether in or outside the workplace, which are inconsistent with a professional atmosphere that promotes equal employment opportunity or that are exclusionary with respect to any individual's membership in a Protected Class.

PROHIBITED HARASSMENT

Harassment in any manner or form is expressly prohibited and will not be tolerated by The Purple Rose Theatre. Accordingly, The Purple Rose Theatre board and management staff is committed to vigorously enforcing this policy against harassment, including but not limited to sexual harassment, at all levels within The Purple Rose Theatre.

For purposes of this policy, harassment is unwelcome verbal, non-verbal or physical conduct that denigrates or shows differential treatment or hostility or aversion towards an individual because of the individual's membership or perceived membership in a Protected Class, or that of his/her/their relatives, friends or associates. Harassment may take many forms, and may occur in person, through written letters, e-mail or other electronic communications, or by phone.

Examples of harassment prohibited by this policy, include, but are not limited to:

- epithets, slurs, quips, or negative stereotyping that relate to a Protected Class;
- threatening, intimidating or hostile acts that relate to a Protected Class;
- written or graphic material (including graffiti) that denigrates or shows hostility or aversion toward an individual or group because of a Protected Class and that is placed on walls, bulletin boards, or elsewhere on The Purple Rose Theatre's premises, or circulated or displayed in the workplace;
- jokes, pranks or other forms of humor that are demeaning or hostile with regard to a Protected Class;
- ridicule of beliefs or cultures, including disparagement of ethnic or cultural figures; or
- references or symbols related to hate groups.

Sexual harassment is a form of harassment prohibited by this policy. For purposes of this policy, sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, non-verbal or physical conduct of a sexual or sex-based nature when any of the following occur: (i) submission to such conduct or communication is made either explicitly or implicitly a term or condition of an individual's employment by a supervisory employee or manager; (ii) submission to or rejection of such conduct or communication is used by a supervisory employee or manager as the basis for decisions that affect an individual's employment opportunities in a tangible way; or (iii) such conduct or communication unreasonably interferes with the employee's work performance, has the purpose or effect of creating an intimidating, hostile or offensive work environment for a reasonable individual or otherwise adversely affects an individual's employment opportunities.

Sexual harassment may involve individuals of the same or different genders.

Examples of sexual harassment may include, but are not limited to:

- coerced sexual acts or physical sexual conduct;
- express or implied demands for sexual favors in exchange for favorable reviews, assignments, promotions, continued employment or promises of continued employment;
- touching or assaulting an individual's body;
- visual conduct that includes, staring in a sexual manner or making sexual gestures;
- graphic, verbal commentary about an individual's body or sexuality;
- unwelcome or offensive sexual jokes, sexual language, sexual epithets, sexual gossip, sexual comments or sexual inquiries;
- unwelcome flirtations, advances or propositions;
- making or threatening reprisals or continuing to make sexual advances after an employee has indicated that he/she/they is not interested;
- sexually suggestive or obscene comments or gestures;
- the display in the workplace of graphic and sexually suggestive objects, pictures, drawings, cartoons, or graffiti; or
- verbal abuse of a sexual nature.

COMPLAINT PROCEDURE

The Purple Rose Theatre Company strongly urges the reporting of all incidents of discrimination, harassment and retaliation, regardless of the offender's identity or position, so that an effective and thorough investigation can be conducted, and effective remedial action can be taken when appropriate. Complaints will be accepted in writing or orally.

Individuals who believe they have experienced, or managers or supervisors who have learned of, conduct that is contrary to this policy or who have concerns about such matters (regardless of whether such conduct is directly reported to them) must contact one of the individuals listed below:

Katie Hubbard, *Managing Director* - khubbard@purplerosetheatre.org

Amy Klain, *Company Manager* - amy@purplerosetheatre.org

***EmPowerHR* - 1-888-818-0707 (Employee help line)**

You may also contact any of these individuals if you have questions regarding this policy.

Complaints should be in writing on The Purple Rose Theatre's Harassment and Discrimination Complaint Form. However, use of The Purple Rose Theatre's form is not required. All complaints should fully describe the situation, give the names of witnesses and the individual involved, dates and times of events, and provide a full description of what was said or done.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of discrimination and harassment. Therefore, while no fixed reporting period has been established, employees are strongly urged to promptly report complaints or concerns so that rapid and constructive action can be taken. An employee must not use peer pressure to discourage another employee from making a complaint under this policy.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to discriminatory or harassing conduct from promptly advising the offender that his/her/their behavior is unwelcome and requesting that it be discontinued.

An individual is not required to make a determination of whether the conduct or communication is a violation of this policy. For that reason, individuals shall report any perceived violation of this policy.

CONFIDENTIALITY

When The Purple Rose Theatre receives a complaint of discrimination or harassment, The Purple Rose Theatre will endeavor to treat it as confidential, to the extent practical and appropriate under the circumstances. The Purple Rose Theatre, however, has a legal obligation to act on all information it receives, if it believes an individual may be engaging in wrongful conduct or violating the law, and The Purple Rose Theatre cannot therefore promise or assure absolute confidentiality.

INVESTIGATIVE PROCEDURE

All reports of harassment will be treated seriously and promptly investigated. The investigation may include interviews with all involved employees, including the alleged harasser or discriminator, and any employees who are aware of facts or incidents alleged to have occurred. Outside experts, consultants, or attorneys may be enlisted to assist with the investigation. The Purple Rose Theatre will take no adverse action against an individual who in good faith complains of discrimination, harassment, or participates in the investigation of such allegations.

At the conclusion of the investigation, The Purple Rose Theatre will advise any individual who has made a complaint under this policy that the investigation has concluded and share other information as may be appropriate under the circumstances.

If it is determined that harassment or discrimination has occurred, prompt, remedial action will be taken, as determined by The Purple Rose Theatre. This may include, among other things, the following actions:

- Restore any lost terms, conditions or benefits of employment to the complaining employee.
- Discipline the harasser. This discipline can include written disciplinary warnings, transfer, demotion, suspension, and termination, in The Purple Rose Theatre's sole discretion.
- If the harassment is from a vendor, client, patron, donor, or other third party, The Purple Rose Theatre will take appropriate action to stop the complained-of conduct.

The Purple Rose Theatre Company also reserves the right to require counseling, training and/or monitoring as a condition of continued employment even where a violation is not found. In addition, conduct that is unlawful may subject employees to civil and, in some cases, criminal liability. This policy is not written, nor intended to, restrict management's authority regarding disciplinary or employment decisions concerning employee behavior that is deemed unacceptable, regardless of whether the behavior constitutes discrimination or harassment.

The Purple Rose Theatre recognizes that false accusations of discrimination or harassment, while rare, can cause serious harm to innocent persons. If an investigation results in a finding that the complainant knowingly, falsely accused another person of discrimination or harassment, the complainant will be subject to disciplinary action, in The Purple Rose Theatre's sole discretion, up to and including termination of employment.

RETALIATION IS PROHIBITED

Retaliation against an individual because of a report of discrimination or harassment, or participation in an investigation into a claim of discrimination or harassment, is a serious violation of this policy and is strictly prohibited. Any person who engages in such retaliation will be subject to disciplinary action, in The Purple Rose Theatre's sole discretion, up to and including termination of employment. Adverse acts or omissions that would be sufficient to discourage a reasonable employee from making or supporting a complaint of discrimination or harassment, will be considered retaliation under this policy.

Revised 8/31/2020