

INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 150 MEMBER ANTI-HARASSMENT & NON-DISCRIMINATION POLICY

POLICY:

The International Union of Operating Engineers, Local 150 ("Union") strives to maintain a meeting place that fosters mutual member respect and promotes an environment free from all forms of discrimination, including but not limited to sexual and other unlawful harassment. The Union prohibits conduct at Union meetings and/or Union-sponsored events that constitute unlawful harassment, discrimination and retaliation by any Union member, Union Officer, Union employee, as well as any third parties such as vendors. This prohibition includes harassment based on sex, race, religion, color, gender, gender identity, gender expression, national origin or ancestry, physical and/or mental disability, medical condition, marital status, age, sexual orientation, military status or any other basis protected by federal, state or local law. The Union prohibits retaliation against individuals who raise complaints of discrimination or harassment or who participate in investigations of discrimination or harassment. The Union will take preventative, corrective and/or disciplinary action against members for any behavior found to violate this policy.

DEFINITION:

The term "harassment" is used in this policy to refer to both sexual and other forms of harassment.

Sexual harassment is unwelcome sexual advances, requests for sexual favor or verbal conduct or physical contacts of a sexual nature when:

- a. Submission to such conduct is either implied or stated to be a term or condition of participation in Union events or services such as meetings or the Hiring Hall;
- b. Such conduct that has the purpose or effect of creating a hostile, offensive, humiliating or intimidating environment which interferes either directly or indirectly of a member's right to participate in Union events or services such as meetings, in a manner that is free from all forms of discrimination or harassment;

Sexual harassment does not need to be motivated by sexual desire to be unlawful or violate this policy. Examples of conduct which may result in sexual harassment may include, but are not limited to, the following:

- a. Verbal – Unwelcomed conduct such as the use of suggestive, derogatory or vulgar comments; the use of sexual innuendo or slurs; making unwanted sexual advances, invitations or comments; pestering for dates or sexual favors; propositions, threats or suggestive or insulting sounds or spreading rumors about sexual activity.
- b. Visual/Non-Verbal – Unwelcomed conduct such as the display of sexually suggestive and/or derogatory objects, pictures, posters, written material, cartoons or drawings; the use of computer-generated images of a sexual nature; the use of obscene gestures or leering.

- c. Physical – Unwelcomed conduct such as unwanted touching, pinching, kissing, patting or hugging; the blocking of, or interfering with normal movement; stalking; assault; battery.

Other forms of harassment non-sexual in nature are also a violation of this policy. Such conduct may include, but is not limited to, the following:

- a. Making gestures, threats, derogatory comments or slurs that may be offensive to individuals in a particular group during meetings.
- b. Bullying behavior that is threatening, or intimidates, or that is verbally abusive or results in other disruptive actions during meetings.

COMPLAINT PROCEDURE:

Any member who feels he/she has become aware of, observes or who has been subjected to any form of harassment and/or discrimination has a responsibility to report or make a complaint about the conduct as soon as possible. The member shall make such complaint or charge of sexual harassment, harassment or discrimination to the attention of the Harassment Complaint Officer or other designee (currently Deanna Distasio, Union Attorney at 6200 Joliet Road, Countryside, Illinois 60525, (708) 482-8800, ext. 4122).

A member making a complaint shall provide details of the incidents, names of individuals involved and names of any potential witnesses. The complainant may be asked to submit a written complaint. If the complainant does not wish to provide a written complaint, the investigator shall prepare a written summary of the allegations. The investigator will immediately report the complaint to the Union's President/Business Manager, General Counsel, and the Accounting Manager or such other officer designated to retain evidence such as surveillance tapes. The Union will immediately undertake an effective, thorough and objective investigation of the allegations. The alleged offender will be notified of the charges and given an opportunity to respond. All relevant witnesses will be interviewed. All evidence will be considered, including videotapes from Union meetings or any other evidence the Union deems necessary to investigate the complaint.

The Union will attempt to maintain confidentiality but cannot promise complete confidentiality, because the Union's duty to investigate and take corrective action may require the disclosure of information to other individuals. All investigations will be documented at each step of the investigation. A reasonable conclusion will be made based on all of the evidence collected and appropriate remedial actions and resolutions will be decided by the President/Business Manager. The President/Business Manager shall provide a written decision to the involved member(s). The member shall be asked to confirm that any remedial action is satisfactory and/or identify any additional expectations. Any party may request further consideration of any part of the decision made by the President/Business Manager within seven (7) days of receipt of the decision.

Given the nature of this type of harassment, the Union recognizes that false allegations of sexual or other harassment have serious effects on the lives of innocent men and women, therefore, false accusation will be considered a form of harassment subject to remedial action. Nevertheless, the Union prohibits retaliation of any kind against members who in good faith

report harassment and/or discrimination, participate in an investigation or who otherwise assist in investigating such complaints. If a member feels he/she has been subjected to any form of retaliation, he/she shall immediately report the complaint of retaliation to the Harassment Complaint Officer.

PLEASE TAKE NOTICE that although this policy contains no deadline for initiating a harassment complaint, such complaints should be made as quickly as possible. Evidence such as that which may be contained in surveillance tapes may be lost if there is a delay in initiating a complaint. The surveillance system has a limited capacity to store data, which can be as little as ten days, which is routinely taped over, and/or may not work at all.