

APPENDIX C ANTI-HARASSMENT POLICY

(REVISED: June 25, 2026)

This policy applies to all phases of the employment relationship, including recruitment, testing, hiring, promotion/demotion, transfer, layoff, termination, compensation, benefits, and selection for training. This policy applies to all RCEA officials and personnel, including, full- and part-time employees, temporary employees, interns, supervisors, managers, directors, Board members, Committee members and persons working under contract for RCEA, and to anyone whom an employee interacts with in the course of RCEA business (including customers, visitors, vendors, and partners).

RCEA is committed to maintaining a workplace where every employee is treated with respect. RCEA has zero tolerance for unlawful harassment, discrimination, retaliation, intimidation, bullying, or abusive conduct. Conduct need not violate a specific statute to violate this Policy; behavior that undermines a respectful, professional workplace may still be addressed under RCEA standards.

This Policy will be provided:

1. When hired or appointed;
2. When the Policy is amended;
3. Upon request; and
4. To any person who files a complaint under this Policy.

This policy will be discussed at staff level meetings on a regular basis.

Definitions

Protected Classifications

RCEA prohibits harassment or discrimination based on any protected characteristic under applicable law, including those listed in the handbook's Harassment Policy section (Article X).

Protected characteristics may include, for example: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, and any other protected classification under applicable law.

This includes harassment/discrimination based on perception that a person has a protected characteristic, or association with someone who has (or is perceived to have) a protected characteristic.

Harassment

Harassment may consist of offensive verbal, physical, visual, or written conduct when such conduct is based on or related to an individual's membership in a protected classification, and when:

1. Submission to the offensive conduct is an explicit or implicit term or condition of employment; or
2. Submission to or rejection of the offensive conduct forms the basis for an employment decision affecting the employee; or
3. The offensive conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Harassment can occur in person or through digital/remote methods, including email, chat/messages, video meetings, phones/texts, social media, shared documents, or any other communication method used for work.

Examples of what may constitute prohibited harassment include, but are not limited to, the following:

1. Kidding or joking about sex or membership in a protected class;
2. Unwanted hugs, pats, or similar physical contact;
3. Assault, impeding or blocking movement, or any physical interference with normal work or movement;
4. Cartoons, posters, e-mails, messages, and other materials referring to sex or protected class status;
5. Threats intended to induce sexual favors;
6. Continued suggestions or invitations to social events outside the workplace after being told such suggestions are unwelcome;
7. Degrading words or offensive terms of a sexual nature or based on protected class status;
8. Prolonged staring or leering at a person; and
9. Similar conduct directed at an individual on the basis of protected status

Discrimination

Discrimination is an adverse employment action (for example: refusal to hire, termination, demotion, or denial of promotion) based on a protected characteristic or protected activity. (This Policy prohibits discrimination and provides reporting routes; other handbook sections also address Equal Employment Opportunity.)

Retaliation

Retaliation is any adverse action taken because an individual:

- Reports or opposes conduct prohibited by this Policy;
- Files a complaint internally or externally;

- Participates in an investigation or proceeding; or
- Supports another individual's complaint.

Retaliation is strictly prohibited.

Intimidation, Bullying, and Abusive Conduct

RCEA prohibits workplace intimidation or bullying, including at offsite work-related locations such as trainings or events, regardless of protected class status.

Prohibited intimidation or bullying generally consists of severe or pervasive physical or verbal conduct that has or can reasonably be predicted to:

- Place an employee in reasonable fear of harm to person or property;
- Cause a substantially detrimental effect on physical or mental health; or
- Cause a substantial interference with the ability to work.

It may include intentional written, visual, verbal, or physical acts, including electronic conduct (email, texting, calls, internet, chat misuse, camera/video misuse).

Internal Reporting Procedure

Any employee who believes that they have been the victim of conduct prohibited by the Policy should report it as soon as possible using any of the following channels (whichever the employee feel most comfortable):

- Immediate supervisor, or, in the alternative,
- Executive Director or
- Human Resource Manager; or
- Deputy Executive Director

If the complaint involves the Executive Director, the employee should report the matter directly to the Chair of the Board of Directors or to the RCEA's General Counsel. Contact information for the Chair of the Board and/or General Counsel may be obtained in confidence from the Clerk of the Board.

Employees may use the **complaint form** at the end of this Appendix, but a report may also be made verbally or in writing.

Supervisor/Manager Duty to Report

Supervisors, managers, and directors who observe or otherwise become aware of conduct that may violate this Policy have a duty to promptly notify the Executive Director (or, if the Executive Director is implicated, the Chair of the Board or General Counsel) so that the matter can be addressed.

Interim Measures

RCEA may implement interim measures during an investigation as appropriate (for example: temporary changes in reporting relationships, schedules, work location, or directives to avoid contact). Interim measures are not disciplinary conclusions and do not imply wrongdoing.

External Reporting Procedure

Employees may also file external complaints with:

- The California Civil Rights Department (CRD)
- The U.S. Equal Employment Opportunity Commission (EEOC).

For workplace complaints, CRD's website explains how to file, how long a person has to file, and when a "right-to-sue" notice is required before going to court.

RCEA encourages employees to report internally so concerns can be addressed promptly, but internal reporting is not required to access external agencies.

Investigation

The Executive Director is the person designated by RCEA to investigate complaints under this Policy. The Executive Director may delegate an investigation at their discretion, including retaining an outside investigator, and is encouraged to consult with legal counsel.

Investigation Standards

Immediately upon receiving an allegation of conduct prohibited by this policy, RCEA will conduct a fair, timely, thorough, and impartial investigation that reaches reasonable conclusions based on the evidence collected. The investigation will proceed and conclude as soon as feasible without compromising the investigation's thoroughness or fairness.

At a minimum the investigator shall:

- Provide a copy of this policy to the complaining party, the accused party and any other applicable persons;
- Conduct an effective, thorough, and objective investigation, including interviews with:
 - (1) the complaining party;
 - (2) the accused party; and
 - (3) relevant witnesses or other with reasonably relevant information;
- Review factual information gathered;
- Determine whether a violation of this policy has occurred, given the totality of circumstances;
- Promptly report the results and findings of the investigation to appropriate persons (the complainant and accused); and
- Take reasonable steps to protect against retaliation.

During the investigation, the complaining party may identify the type of relief they believe is warranted, which may be considered in determining appropriate outcomes if a violation is

confirmed.

Internal Documentation Procedure

When an allegation of prohibited conduct is made, the person receiving the complaint shall promptly prepare a report of the complaint documenting the date(s) of the occurrence(s), parties involved, allegations, and facts known to the reporting person and submit it to the Executive Director (or alternate authority if the Executive Director is implicated). The report should avoid conclusory statements.

- The investigator shall make and keep a written record of the investigation, including:
- Notes of interviews and responses from the complainant, accused, and witnesses; and
- Any documentary evidence collected.

Based on the investigated record and any other relevant information, RCEA will determine, within a reasonable period of time, whether the reported conduct constitutes prohibited conduct under this Policy, considering the record as a whole and the totality of circumstances.

Confidentiality

All records and information relating to the investigation and resulting corrective action shall be confidential, except to the extent disclosure is required by law, necessary to complete the investigation and implement corrective action. Information relating to the investigation may be shared on a limited basis only as necessary.

Remedies/Corrective Action

If RCEA determines that the complaint is founded, RCEA will take immediate and appropriate corrective action, consistent with the law and applicable personnel rules, to prevent reoccurrence and remedy impacts to the extent reasonably necessary.

If discipline is imposed, RCEA will communicate that appropriate action was taken to the complainant, but may limit detail to protect privacy rights of the accused.

Training and Prevention

RCEA will provide harassment prevention training as required by California law. Government Code section 12950.1 requires employers with 5 or more employees to provide at least two hours of training to supervisory employees and one hour to nonsupervisory employees every two years, and to train new employees within specified timeframes.

That law also requires that training includes prevention of abusive conduct and training inclusive of harassment based on gender identity, gender expression, and sexual orientation.

Retaliation Prohibition

Retaliation against anyone for opposing conduct prohibited by this policy or for filing a complaint with or otherwise participating in an investigation or proceeding or hearing (internal or external) is strictly prohibited and may result in disciplinary action, up to and including, termination of employment.

Employee Obligation

Employees are encouraged and expected to report concerns promptly and to cooperate in investigations.

Knowingly making a false complaint or knowingly providing false or misleading information during an investigation may be grounds for disciplinary action up to and including termination.