



BROADNET GMRS Repeater System

SEXUAL HARASSMENT POLICY

ADOPTED
MARCH 2022

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ARTICLE I: PURPOSE

1.01 - PURPOSE

The Broadnet GMRS Repeater Systems is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All members are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the Broadnet GMRS Repeater Systems commitment to a discrimination-free work/social environment. Sexual harassment is against the law and all members have a legal right to a workplace free from sexual harassment and members are urged to report sexual harassment by filing a complaint internally with Broadnet GMRS Repeater Systems Board of Directors. Members can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

ARTICLE II: POLICY

2.01 - POLICY

The Broadnet GMRS Repeater Systems policy applies to all members, applicants for membership, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with Broadnet GMRS Repeater Systems. In the remainder of this document, the term members refer to this collective group.

Sexual harassment will not be tolerated. Any member or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).

Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the member reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Broadnet GMRS Repeater Systems will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any member of Broadnet GMRS Repeater Systems who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All members, paid or unpaid interns, or non-employees working in the workplace who believe they have been subject to such retaliation should inform Broadnet GMRS Repeater Systems Board of Directors. All members, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Broadnet GMRS Repeater Systems to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Members of every level who engage in sexual harassment, including directors and board members who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.

The Broadnet GMRS Repeater Systems will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. The Broadnet GMRS Repeater Systems Board of Directors will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All members, including directors and board members, are required to cooperate with any internal investigation of sexual harassment.

All members are encouraged to report any harassment or behaviors that violate this policy. Broadnet GMRS Repeater Systems will provide all employees a complaint form for employees to report harassment and file complaints.

The membership coordinator director or any board member is required to report any complaint that they receive, or any harassment that they observe or become aware of, to the entire board of directors.

This policy applies to all members, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all members and should be posted prominently in all work locations to the extent practicable and be provided to members upon acceptance into the organization.

2.02 - WHAT IS 'SEXUAL HARASSMENT'?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- A. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- B. Such conduct is made either explicitly or implicitly a term or condition of membership; or
- C. Submission to or rejection of such conduct is used as the basis for membership or decisions affecting an individual's membership.
- D. A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called quid pro quo harassment.

Any member who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Members may be subject to discipline for retaliating against others.

2.03 - EXAMPLES OF SEXUAL HARASSMENT:

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- A. Physical acts of a sexual nature, such as:
- B. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another member's body;
- C. Rape, sexual assault, molestation or attempts to commit these assaults.
- D. Unwanted sexual advances or propositions, such as:
- E. Requests for sexual favors accompanied by implied or overt threats concerning the target's performance evaluation, a promotion or other benefits or detriments;
- F. Subtle or obvious pressure for unwelcome sexual activities.
- G. Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- H. Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- I. Sexual or discriminatory displays or publications anywhere, such as:
- J. Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender.
- K. Bullying, yelling, name-calling.

2.04 - WHO CAN BE A TARGET OF SEXUAL HARASSMENT?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects members, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

2.05 - WHERE CAN SEXUAL HARASSMENT OCCUR?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by members can constitute unlawful harassment, even if they occur away from the workplace premises, on personal devices.

2.06 - RETALIATION

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be membership-related to constitute unlawful retaliation (e.g., threats of physical violence).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The State Human Rights Law protects any individual who has engaged in protected activity. Protected activity occurs when a person has:

- A. made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- B. testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- C. opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing the membership coordinator director or any board member of the harassment;
- D. reported that another member has been sexually harassed; or
- E. encouraged a fellow member to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

2.07 - REPORTING SEXUAL HARASSMENT

Preventing sexual harassment is everyone's responsibility.

The Broadnet GMRS Repeater Systems cannot prevent or remedy sexual harassment unless it knows about it. Any member, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to the membership coordinator director or any board member. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to the membership coordinator director or any board member.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all members are encouraged to use this complaint form. Members who are reporting sexual harassment on behalf of other members should use the complaint form and note that it is on another members behalf.

Members, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

2.08 - SUPERVISORY RESPONSIBILITIES

The membership coordinator director or any board members who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the entire board of directors.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, directors or board members will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Directors or board members will also be subject to discipline for engaging in any retaliation.

Complaint and Investigation of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any member may be required to cooperate as needed in an investigation of suspected sexual harassment. Broadnet GMRS Repeater Systems will not tolerate retaliation against members who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- A. Upon receipt of complaint, [person or office designated] will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If a complaint is verbal, encourage the individual to complete the 'Complaint Form' in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- B. If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- C. Request and review all relevant documents, including all electronic communications.
- D. Interview all parties involved, including any relevant witnesses;
- E. Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - F. A list of all documents reviewed, along with a detailed summary of relevant documents;
 - G. A list of names of those interviewed, along with a detailed summary of their statements;
 - H. A timeline of events;

- I. A summary of prior relevant incidents, reported or unreported; and
- J. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- K. Keep the written documentation and associated documents in a secure and confidential location.
- L. Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- M. Inform the individual who reported the right to file a complaint or charge externally as outlined in the next section.

ARTICLE III: LEGAL PROTECTIONS AND EXTERNAL REMEDIES

3.01 - LEGAL PROTRUSION AND EXTERNAL REMEDIES

Sexual harassment is not only prohibited by Broadnet GMRS Repeater Systems but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Broadnet GMRS Repeater Systems, members may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

CERTIFICATE OF ADOPTION OF CONFLICT-OF-INTEREST POLICY

I do hereby certify that the above stated Sexual Arasment Policy and Agreement for Broadnet GMRS Association were approved by the Broadnet GMRS Association’s board of directors on March 26, 2022, and constitute a complete copy of the Sexual Harasment Policy of the organization.



 Edwin J Rivera
 Board President
 Date: March 26, 2022

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