



POLICY TITLE: ANTI-HARASSMENT POLICY (Updated 5/1/2024, 7/10/24)

POLICY NUMBER: 2

DEVELOPED BY: Ocean Park Association (OPA) Personnel Subcommittee Members February 2024

APPROVED BY: Executive Committee on 2/29/24

POLICY: This policy is considered as the definitive document and supersedes any other documents including the employee handbook.

OVERVIEW: The Ocean Park Association (OPA) opposes harassment including sexual harassment. The OPA is committed to preventing such conduct within the OPA and to taking prompt action to stop and to address harassment when it occurs.

SCOPE: This policy applies to Full and Part Time employees, contractual employees, temporary and seasonal employees, OPA committee and Board members, volunteers in leadership positions- such as on a committee, and 3rd party vendors.

PURPOSE: The purpose of this policy is to ensure that the OPA provides an environment free of harassment including sexual harassment.

RESPONSIBILITIES: The Executive Director is responsible for implementation and for assuring compliance with the policy.

The OPA is committed to a workplace free of harassment. It is against our policy, and it is illegal under state and federal law, for any person, of any gender, to engage in harassment of another employee or any individual based on characteristic or status of gender, sexual orientation, sexual identity, race, color, ethnicity, age, disability, religion, or any other protected status. OPA is committed to preventing and addressing harassment if and when it occurs.

Sexual harassment is a form of sex discrimination and it is illegal. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to that conduct is made either explicitly or implicitly a term of employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that individual; or (3) the conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include conduct toward any and all individuals included in the Scope of this Policy. Third party vendor harassment is illegal and will also be addressed.

Some examples of sexual harassment include but are not limited to:

- Touching or grabbing any part of an individual's body after that person has indicated that such physical contact was unwelcome
- Touching or grabbing a sexual part of another person's body
- Continuing to ask an individual to socialize when that person has indicated they are not interested
- Displaying sexually suggestive images or content
- Sending sexually suggestive communications
- Telling sexual jokes or using sexually vulgar or explicit language
- Derogatory remarks relating to an individual's sex, gender or sexual orientation

OPA expects and requires individuals covered by the scope of this policy to treat each other with respect and professionalism. Conduct that does not rise to harassment may nevertheless fall below OPA standards and

expectations of professional conduct, and such conduct may be cause of discipline.

If a person believes that he/she/they, or another individual, has experienced sexual or other illegal harassment, the Executive Director must be informed as soon as possible.

In situations where the allegation of harassment is against the Executive Director, or if the individual is not comfortable informing the Executive Director, the allegation should be reported to the OPA President. After a report has been made, the Executive Director or President should confidentially seek the counsel of the Personnel Committee to investigate the issue.

The OPA will treat the concern with as much confidentiality as possible. The OPA will investigate appropriately and take prompt remedial action if warranted. Those reporting are protected by law from any retaliation based on the action of making a complaint or bringing a concern to OPA's attention.

Anyone covered by the scope of this Policy who has been found by the Executive Director or President of the OPA to have harassed another employee or individual will be subject to sanctions appropriate to the circumstances, ranging from a verbal warning up to and including dismissal. The OPA will take appropriate and prompt action to stop harassment from any third party.

Everyone covered by the Scope of this policy will be required to participate in a anti-harassment/sexual harassment training program and read and sign the harassment policy within 30 days of initial involvement with the OPA. In addition, at least every three years individuals are required to participate in a refresher program. This training is to ensure that all leaders are on the same page with the steps to be taken within this policy and how to report if harassment has been experienced or witnessed. Having training of this type, is considered a standard best practice, and is required by the state of Maine for employees and agents of an Employer/Organization.

According to the Maine Human Rights Commission an agent is:

“someone who is acting on behalf of or performing work for someone else.

If a member of the Board or an unpaid volunteer is acting on behalf of an employer, or performing work for the employer, they are an agent and the organization would be liable for their actions.” [Personal Email, 7/10/24]

The exception to this practice would be those who are Third-Party Vendors or are here for one day, a single event or presentation. In these instances people may be provided with a harassment policy statement that they can acknowledge and sign. This could be a stand alone or added to any standing contract or agreement.

Volunteers have the right to opt out of this training; opting out of this required training means that the volunteer is no longer interested in serving the OPA in their leadership volunteer capacity, whether nominated, appointed, or elected.

While the OPA has a compliant process and will act to address any concern or complaint of harassment of individuals covered in the Scope of this Policy, individuals also have the legal right to file a complaint with the Maine Human Rights Commission and are protected by law from any retaliation. An individual has 300 days from the date of the discrimination, harassment, or retaliation within which to file a claim with the Maine Human Rights Commission.

For more information contact www.maine.gov/mhrc and search on the topic of sexual harassment or contact the Maine Human Rights Commission.

Maine Human Rights Commission
State House Station #31
Augusta, Maine 04333
(207) 624-6290

See next page for signature page.

Acknowledgement/Receipt of Harassment Policy

I have received, read and understand the contents of this policy. I acknowledge that it is my responsibility to comply with the harassment policy and help create an equitable and caring community. I understand that I will consult the Executive Director regarding any questions I have about this policy.

NAME (printed): _____

I am a (Circle one): Volunteer Employee

SIGNATURE: _____

Thank you for your willingness to create a community that respects and cares for all people. DATE SIGNED: _____

EXECUTIVE DIRECTOR'S SIGNATURE: _____

NAME (printed): _____