

**Society of Professional Engineering Employees in Aerospace,
International Federation of Professional and Technical Engineers
Local 2001**

Staff

Sexual Harassment Policy and Complaint Procedure

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SPEEA, IFPTE Local 2001 Staff Sexual Harassment Policy and Complaint Procedure

Purpose

SPEEA will not tolerate sexual harassment.

The purpose of this policy is to protect the rights of SPEEA staff to be free from unlawful sexual harassment and to set forth a procedure for promptly investigating and taking appropriate remedial action in dealing with unlawful sexual harassment and inappropriate behavior.

SPEEA's mission in protecting the rights of SPEEA staff is to create a comfortable work environment where everyone is treated fairly with trust, compassion and respect. SPEEA encourages employees to report unwanted and inappropriate behavior.

Sexual Harassment Policy

SPEEA is committed to fostering and maintaining a work environment free from unlawful sexual harassment and inappropriate behavior by anyone with whom you must interact with in the course of your work for SPEEA, including but not limited to SPEEA represented employees, SPEEA staff, retirees, and third parties. Sexual harassment is unacceptable and will not be tolerated.

What is Sexual Harassment?

The Equal Employment Opportunity Commission ("EEOC") defines sexual harassment as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The complainant as well as the harasser may identify as any gender. The complainant does not have to be of the opposite sex
- The harasser can be the complainant's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee

- The complainant does not have to be the person harassed but could be anyone affected by the offensive conduct
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim (doesn't have to result in demotion or loss of job)
- The harasser's conduct must be unwelcome

There are two general categories of sexual harassment:

1. Hostile Work Environment
 - Harassment that is frequent or severe enough to interfere with your ability to perform your job. The behavior must be directed at you because of your gender, and creates an intimidating, hostile or offensive working environment.
2. Quid Pro Quo:
 - Harassment that occurs when a supervisor or manager asks for sexual favors from you in return for employment benefits such as a promotion, salary increase, career development opportunities, special projects or other benefits related to your job.

Examples of sexually harassing conduct

SPEEA encourages reporting even if the complainant is not sure the incident fits into any of the above categories.

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

- Sexual advances, whether or not they involve physical touching
- Request for sexual favors in exchange for actual or promised job benefits
- Lewd or sexually suggestive comments, jokes, innuendoes, or gestures
- Repeated requests to spend time together
- Displaying sexually suggestive objects, pictures, magazines, or cartoons
- Comments about an individual's body
- Inappropriately touching an individual's body, including:
 - "Accidentally" brushing up against someone
 - Intentional invasion of personal space
- Inquiries or discussion about sexual experiences or activities, or other written or oral references to sexual conduct
- Unwelcome gifts

Definitions

Alleged Harasser

A person accused, but not proven or determined guilty, of engaging in sexual harassment or inappropriate behavior.

Complainant

The party who reports sexual harassment or inappropriate behavior.

Impact Statement

A statement prepared by the complainant describing the damage or suffering they have experienced as a result of the reported sexual harassment or inappropriate behavior. Upon a determination that a complaint has been substantiated, the Executive Director and/or Executive Board members may take the impact statement into account when recommending and/or imposing discipline.

Inappropriate Behavior

Not right or suited for some purpose or situation; not in line with societal expectations or standards.

Retaliation

Punishing job applicants or employees for asserting their rights to be free from employment discrimination, including harassment.

Third Party

A third party includes any person who is not a SPEEA bargaining unit member or SPEEA employee with whom you come into contact in connection with your employment with SPEEA. Examples of third parties include, but are not limited to, SPEEA guests, retirees, vendors, contractors, non-represented employees, and employees of organizations with which SPEEA does business or collaborates.

Complaint Filing Process

SPEEA and the labor movement value human dignity and mutual respect. While SPEEA is committed to taking prompt corrective actions to end harassment and inappropriate conduct, it can only do so when its employees make SPEEA management aware of actual and potential problems. Therefore,

1. SPEEA expects employees to report any conduct they suspect may violate SPEEA's policy against sexual harassment. SPEEA encourages its staff to report inappropriate or unwanted behavior even if the complainant is not sure the incident constitutes sexual harassment.
2. SPEEA employees should report such concerns to the SPEEA Executive Director. Complainants should make contact by whatever means is most comfortable to them – in person, by phone, or via email. This policy includes a Sexual Harassment Complaint Form (see Attachment B) to help you identify key facts to report. Using the Complaint Form is optional. All reports of harassment will be taken seriously and acted on regardless of the method of reporting.

If the complaint is about the Executive Director's conduct, reports should be made to the SPEEA President. Again, the Sexual Harassment Complaint Form is available for your use, but is not mandatory.

3. SPEEA will review and investigate all complaints of harassment or inappropriate conduct, keeping the facts of the report and the investigation as confidential as possible. Investigations typically begin by interviewing the complainant and gathering all information the complainant can provide about the situation, followed by interviews of any other witnesses and the alleged harasser. Complainants should provide all documentary evidence (such as emails, notes, etc.) at the time of their interview and be available to answer follow-up questions, if needed, as the investigation proceeds. Complainants may want to prepare an Impact Statement at this time for SPEEA executives to consider in the event the complaint is substantiated.
4. All individuals involved in the investigatory interviews will be instructed that the information provided in such interviews should be kept confidential. Individuals who disclose confidential information acquired in investigatory interviews shall be subject to discipline by SPEEA.
5. SPEEA will notify the complainant when its investigation is complete. The complainant shall be advised of whether the complaint was substantiated. If SPEEA substantiated the complaint, SPEEA will also consider any Impact Statement submitted by the complainant and notify the complainant of what steps SPEEA has taken to remedy the situation and prevent its recurrence.

If SPEEA decides to discipline a staff member found to have violated this policy, the complainant may be told that discipline has been administered. SPEEA is not obligated to share the details of the discipline imposed.

In the event that a third party or SPEEA-represented employee is found to have violated this policy, SPEEA staff who interact directly with SPEEA-represented employees may be put on notice regarding the nature of the substantiated complaint and the steps SPEEA has taken to remedy the situation and prevent its recurrence.

6. **No person – whether the complainant, a witness, or SPEEA-represented employee – shall suffer retaliation by SPEEA for participating in the investigative process.** Individuals who engage in retaliatory behavior shall be subject to discipline by SPEEA.

Only a Report to SPEEA Triggers Corrective Action

Reporting your concerns is important because it puts SPEEA on notice that it must take action to ensure a safe and discrimination-free work environment for you and all SPEEA employees.

We understand that sometimes, that's easier said than done. Barriers to reporting can include:

- Hoping the situation will resolve on its own;
- Feelings of embarrassment, humiliation, or shame;
- Disbelief – questioning whether it actually happened;
- Uncertainty about whether the conduct you experienced or witnessed actually violates this policy; or
- Fear of retaliation or harm to your or others' reputations.

SPEEA understands these are valid feelings and encourages you not to allow them to stand in the way of notifying SPEEA of suspected violations. All complainants making good-faith reports will be taken seriously and treated with respect. Don't wait until an uncomfortable situation goes from bad to worse. Please let SPEEA know as soon as you can.

Some avenues for reporting harassment or inappropriate conduct that *do not put SPEEA on notice* include:

Contacting Union Steward - SPEEA employees have, and may want to use, the option of contacting their staff union steward about suspected harassment. Making a report to your staff union is a separate process, outside of SPEEA policy. Keep in mind, that unless you have also followed the SPEEA Complaint Filing Process, SPEEA will not have notice of your concerns unless and until your union steward raises it with SPEEA.

Talking with Co-Workers – Speaking with trusted co-workers can provide personal support and confidence. SPEEA applauds these support systems. Just remember that talking with your co-workers (regardless of whether they have a “team lead” role or “director” in their title) does not put SPEEA on notice of policy violations. To put SPEEA on notice, you must follow the Complaint Filing Process outlined in this policy on page 6.

Only reports to the appropriate SPEEA executive put SPEEA on notice and trigger corrective action.

Optional tools for addressing unwanted behavior

If you witnessed or experienced sexual harassment/inappropriate behavior, you have the option to inform the alleged harasser either verbally or in writing that such conduct is unwelcome, offensive and must stop.

If you do not wish to communicate directly with the alleged harasser, either verbally or in writing, or if such communication has been ineffective, the employee has the option to report the allegations of sexual harassment or inappropriate behavior to the parties outlined in this policy.

Below are two suggestions for confronting unwanted behavior on your own, with or without filing a complaint:

Optional Tool 1 - Talking points

If you want to confront the alleged harasser, either in person or by phone, below are a few ideas for talking points:

When You Witnessed the Conduct

- State you have a concern with their behavior if you witnessed unwanted/inappropriate behavior - note date/action if appropriate

Sample action statements

- "I saw this happen"
- "I heard you say _____"
- "I witnessed _____"

Sample response statements

- "I did not like it"
- "I was offended"
- "It was unwelcome"

When You Experienced the Conduct

- State the action(s) that made you feel uncomfortable, bothered you, and/or were offensive.

Sample action statements

- "When you said _____"
- "When you had physical contact with me at _____"
- "When you suggested to me _____"

Sample response statements

- "I did not like it"
- "It offended me"
- "It was unwelcome"

- Tell the person to stop the *unwanted* behavior
 - "I expect you to stop behaving this way in my presence."

- “I request that you stop this behavior now that you know it is unwanted/makes me uncomfortable.”
- Tell the person you expect them to behave professionally going forward
- Inform the person of SPEEA’s staff policy regarding sexual harassment and inappropriate behavior – online at www.speea.org

Optional Tool 2 - Email Template Draft

If you would like to send an email message, this template is provided as a starting point for you to fill in a few details related to what you witnessed or experienced:

To: XXXX

Subject: Concern with behavior

Your actions on (insert date) were unwelcome. (Cite specifics if possible). Even if it was not your intent, your actions made me uncomfortable and the behavior was *offensive* and *unwanted*. I expect you to stop behaving this way.

SPEEA has a staff policy regarding sexual harassment and inappropriate behavior in the workplace. Please refer to this at www.speea.org if you have questions.

I expect that from here on you will conduct yourself professionally around me and others. If there is a repeat of this or similar behavior, I will follow the SPEEA sexual harassment policy above and report your behavior/conduct.

The right to be free of inappropriate behavior in the work place is a worker’s right wherever they may work. I hope you will honor SPEEA’s staff policy.

Name

Dissemination of Policy

All SPEEA Staff, Executive Board, Council Officers and Council Representatives shall receive a copy of this policy upon being hired or elected to their position. This policy will also be distributed in the following manner:

- Policy will be included in the Council Rep training and Council Rep Training Handbook
- Policy will be reviewed once a year at a SPEEA Council meeting by either the Executive Director or Executive Board
- SPEEA's Code of Conduct will be:
 - prominently posted at all SPEEA locations for SPEEA represented employees, SPEEA staff, retirees, and third parties to see
 - attached to per diem checks when traveling

Attachment A

Complaint Filing Process - Questions to Consider

Below are some questions to think about if you are considering filing a complaint. You should be prepared to provide the following information whether you use the complaint form (Attachment B) or prefer to have a conversation when reporting an incident:

Who was involved?

- Name the person(s) responsible
- Are you aware of others who have complained about this person?
- Identify witnesses if possible

What happened?

- Describe the incident in detail (this might be embarrassing, but candor is needed)
- Provide a chronology of events
- Provide evidence if appropriate (e.g. texts, emails, photos, gifts)

When and where did this happen?

- Date, time, location of the incident
- Has this happened more than once?

How did it affect you?

- What kind of impact has it had on your work/involvement with SPEEA?
- Were you physically harmed or threatened with harm? (if yes, please inform someone right away)

Have you addressed this behavior yourself?

- Describe when, where and how
- Did the behavior stop?
- Do you know how you would like to see the situation resolved?

Attachment B

Sexual Harassment Complaint Form

SPEEA takes all complaints of sexual harassment or inappropriate behavior seriously.

SPEEA prohibits any retaliation.

Keep in mind:

- You do not have to use this form to file a complaint.
 - If you prefer to report your complaint verbally, please contact the Executive Director directly or reference the policy.
- Information submitted on this form is treated confidentially (names and other identifying information may be disclosed when necessary for investigation purposes).
- Please see SPEEA Complaint Filing Process for additional information on how and where to file this form.

PART I

Complainant's name: _____

Best contact telephone number: _____

Job location: _____

PART 2

Person(s) responsible for the alleged harassment/inappropriate behavior:

Name(s): _____

Job location (if known): _____

Management Co-worker SPEEA Bargaining Unit Member Third Party/Other: _____

PART 3

1. Date and time of the incident: _____

2. Location of incident: _____

3. Did it occur during your working hours? Yes No

4. Describe the incident [include names, dates, locations, chronology, details (we understand this can be embarrassing, but please be candid)]:

5a. Are you or others in danger of physical harm from or because of the behavior?

Attachment B

Sexual Harassment Complaint Form

5b. Yes No

5c. If you selected 'Yes', please describe:

6. How did/does the behavior affect you?

7. How did you feel?

8. Did you talk to anyone about the incident? If so, please provide details of your conversation and their contact information:

9a. Was it the first and only incident? Yes No

9b. If not, please list all incidents including time, place and nature of the events (include names, dates, locations, chronology, details):

Attachment B

Sexual Harassment Complaint Form

10. Have you asked that the behavior stop or attempted to resolve/address it yourself? Yes No If Yes, when and please provide details:

11. Please list all witnesses who may have heard or seen the incident(s) – include name(s) and contact information like work and/or cell phone number and email address:

12a. Is there any supplemental evidence that may be relevant? Examples include documents, personal notes, security cam video, text messages, posts, phone messages, emails, photos, other recordings, gifts and physical evidence.

12b. If you do not have the supplemental evidence, who does?

Attachment B

Sexual Harassment Complaint Form

13. Do you know if the alleged harasser(s) has engaged in any kind of inappropriate behavior before?
 Yes No If Yes, please provide details:

14. Can you think of someone SPEEA may want to talk with who is also aware of the behavior?

15. Is there anything else you think is relevant for SPEEA to consider?

16. Do you know how you would like to see the situation resolved?

Attachment B

Sexual Harassment Complaint Form

In order to expedite the investigation of your complaint, please read, sign, and return a copy of this consent and complaint form. Please make a copy for your records.

- As a complainant, I understand that in the course of the investigation of my complaint, it may become necessary to reveal my identity or identifying information about me to person(s) at the organization under investigation or to other persons, agencies, organizations, or entities.

Complainant's signature: _____ Date: _____



CODE OF CONDUCT

Respect is at the heart of the labor movement, and we demonstrate that in all we do.

The strength of our solidarity depends on recognizing and honoring the worth of each other. SPEEA and the labor movement value human dignity. We believe people should treat each other with respect and consideration. We expect that behavior from everyone who interacts with SPEEA, its members, staff and allies.

Harassment – in any form – has no place here. When you participate in any SPEEA-related event, you are expected to adhere to SPEEA's values, and respect all with whom you come into contact. If you feel harassed, you will be heard. Please immediately bring the matter to SPEEA staff's attention.

What is harassment?

Harassment is any behavior that degrades, demeans, humiliates, hurts a person, or makes you feel unsafe, and that a reasonable person should understand would be unwelcome.

Harassment can take many forms. The most extreme forms include the outright use of racial slurs or sexual touching. However, harassment can also include off-hand derogatory comments, inappropriate "jokes" or subjects of conversation, unwanted sexual overtures and unnecessary physical contact. Harassing behavior may not always appear discriminatory, and sometimes takes the form of hostility, verbal aggression, coercive or manipulative use of power, stereotyping, spreading rumors, pointed exclusion or isolation of a person, and/or insulting a person's appearance, habits, attitudes or private life. Such conduct undermines human dignity.

If you are unsure whether a behavior would violate this Code of Conduct, err on the side of caution and refrain from the behavior.

What if you feel harassed?

If you believe you are being harassed, you have the right to make it known, either on your own or through a third party, that the abusive behavior is unwelcome and will not be tolerated.

If you believe you have been harassed while participating in a SPEEA-related activity, you should report the incident immediately to a SPEEA staff member.

SPEEA takes complaints seriously and may, at its discretion, take action that it deems appropriate after assessing the situation. Retaliation is not tolerated and, if it occurs, appropriate action may be taken if necessary.

Freedom from harassment is a workers' rights issue. That makes it a union issue.

In the labor movement, an injury to one is an injury to us all. It is important to recognize and call out harassment when you see it. Together, we can make the labor movement stronger.