



Girard College Non-Discrimination and Equal Employment Opportunity Policies

1-1 Equal Employment Opportunity

Girard College is an Equal Opportunity Employer that does not discriminate based on actual or perceived race, creed, color, religion, alienage or national origin, ancestry, citizenship status, age, disability or handicap, sex, marital status, veteran status, sexual orientation, genetic information, arrest record, or any other characteristic protected by applicable federal, state or local laws. Our management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

Accommodations for Individuals with Disabilities: Girard College will make reasonable accommodations, as required by law, for the known physical or mental disabilities of an otherwise qualified applicant or employee, unless doing so would impose an undue hardship upon Girard College's business operations. An accommodation is not reasonable if, even with the accommodation, the employee is unable to perform essential job duties in a manner that would not endanger the employee's health or safety of the employee or others.

Any applicant or employee who believes they require an accommodation to perform the essential functions of the job should contact the Employee's Supervisor and/or Human Resources to request such an accommodation. Employees should specify what accommodation they need to perform the job and submit supporting medical documentation explaining the underlying physical or mental disability and the basis for the requested accommodation. Girard College then will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made. Girard College will evaluate requested accommodations, and as appropriate identify other possible accommodations, if any. The employee will be notified of Girard College's decision regarding the request within a reasonable period. Girard College treats all medical information submitted as part of the accommodation process in a confidential manner.

Girard College will endeavor to accommodate the sincere religious beliefs of its employees to the extent such accommodation does not pose an undue hardship on Girard College's operations. If employees wish to request such an accommodation, they should contact the Employee's Supervisor and/or Human Resources.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Employee's Supervisor and/or Human Resources. Girard College will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact the Employee's Supervisor and/or Human Resources. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations.

1-2 Non-Harassment/Workplace Bullying

It is Girard College's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by Girard College.

The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one harasses or bullies another individual in the workplace, including while on Girard College premises, while on Girard College business (regardless of being on Girard College premises) or while representing the Girard College. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws is also unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Workplace Bullying Defined

Girard College defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Such behavior violates the Core Values of Girard College (RESPECT, RESPONSIBILITY, INTEGRITY, COURAGE, and COMPASSION) and is not tolerated. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. Girard College considers the following types of behavior. Examples of bullying:

- Verbal bullying: slandering, ridiculing, or maligning a person or his/her family; persistent name-calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- Physical bullying: Pushing, shoving, kicking, poking, tripping, assaulting, or threatening physical assault; damage to a person's work area or property.
- Gesture bullying: Non-verbal threatening gestures or glances that convey threatening messages.
- Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to always behave in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:

- submission to that conduct or those advances, or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that violate this policy include:

1. Unwelcome flirtations, leering, whistling, touching, pinching, assault, blocking normal movement.
2. Requests for sexual favors or demands for sexual favors in exchange for favorable treatment.

3. Obscene or vulgar gestures, posters, or comments.
4. Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies.
5. Propositions or suggestive or insulting comments of a sexual nature.
6. Derogatory cartoons, posters, and drawings.
7. Sexually explicit e-mails, text messages or voicemails.
8. Uninvited touching of a sexual nature.
9. Unwelcome sexually related comments.
10. Conversation about one's own or someone else's sex life.
11. Conduct or comments consistently targeted at only one gender, even if the content is not sexual.
12. Teasing or other conduct directed toward a person because of the person's gender.

Other Forms of Harassment:

Quid Pro Quo Harassment, Discriminatory Harassment and a Hostile Work Environment can result from various methods of communication or contact, including verbal and physical acts, innuendos, written words, pictures, as well as e-mail and other electronic forms of communication.

Quid Pro Quo Harassment

Quid Pro Quo harassment is a form of sexual harassment. It occurs when a manager or supervisor threatens an individual with loss of job benefit, or changes working conditions because the employee will not submit to sexual demands. It also occurs when sexual activity is required in return for getting or keeping a job or job-related benefit.

Quid Pro Quo harassment occurs between a manager/supervisor and employee due to the nature of the manager/subordinate relationship. A manager/supervisor is defined as someone who can affect individual working conditions because he/she can act such as hiring, firing, promoting, disciplining, and deciding pay increases or decreases.

Discriminatory Harassment

Discriminatory harassment consists of unwelcome verbal or physical acts against another person, differential treatment of an individual because of his or her race, color, religion, sex, age, national origin, sexual orientation, marital status, disability, veteran's status or other protected classifications to the extent required by applicable laws, where such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

Hostile Work Environment

Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance, or creates an intimidating, hostile, or offensive working environment.

Quid Pro Quo Harassment

1. some benefit is achieved in return for a favor that is usually sexual in nature.
2. employee is submitted to unwelcome sexual conduct in exchange for a job- related award or to avoid a job-related penalty.
3. harassment that occurs between a manager/supervisor and employee due to the nature of the manager/subordinate relationship

Discriminatory Harassment

Prohibited acts of discriminatory harassment can take a variety of forms ranging from subtle racial or religious joking to actual physical contact or violence. At times, the offender may be unaware that his or her conduct is offensive or harassing to others, which will not excuse a violation of this policy. Examples of conduct that could be considered discriminatory harassment include:

1. Offensive statements, materials, gossip, unwelcome jokes, or gestures directed toward another, which involve the other's race, color, religion, sex, age, national origin, sexual orientation, marital status, disability, veteran's status, or other protected classifications to the extent required by applicable laws, or similar degrading comments about another.
2. Preferential treatment of another employee, or a promise of preferential treatment to an employee on the basis of his or her race, color, religion, sex, age, national origin, sexual orientation, marital status, disability, veteran's status, or other protected classifications to the extent required by applicable laws; or the denial or threat of denial of employment, employment benefits or advancement on the basis of his or her race, color, religion, sex, age, national origin, sexual orientation, marital status, disability, veteran's status, or other protected classifications to the extent required by applicable laws
3. The display of offensive pictures, cartoons or other materials involving race, color, religion, sex, age, national origin, sexual orientation, marital status, disability, veteran's status, or other protected classifications to the extent required by applicable laws.
4. Physical assault against another or against another's property because of the other's race, color, religion, sex, age, national origin, sexual orientation, marital status, disability, veteran's status, or other protected classifications to the extent required by applicable laws.
5. Marital status, disability, veteran's status, or other protected classifications to the extent required by applicable laws.
6. Retaliation against an individual for disclosing, reporting, complaining about discriminatory harassing conduct, or participating in a harassment investigation.

Discriminatory harassment may occur between employees of the same or different rank and between persons of the same or different race, color, religion, sex, age, national origin, sexual orientation, marital status, disability, veterans' status, or other protected classifications to the extent required by applicable laws.

All employees are encouraged to express displeasure at offensive conduct by telling the individual engaging in the conduct that it is unwelcome or offensive, and are required to report that conduct, through the use of the Girard College's complaint procedures.

Hostile Work Environment

1. Offensive conduct can be verbal, physical or both.
2. Conduct is repetitive and frequent.
3. Conduct is hostile and openly offensive.
4. The alleged harasser is a co-worker or supervisor.
5. Co-workers joined in perpetuating the harassment.
6. Harassment is directed at more than one individual.

Girard College will not tolerate, condone, or allow discrimination, sexual harassment, discriminatory harassment or any form of harassment or hostile work environment, whether engaged-in by fellow employees, supervisors or others affiliated with Girard College or by outside vendors, visitors or other non-employees who conduct business with Girard College.

Any individual who believes that he or she is being subjected to conduct or actions by another person that violate this Policy is encouraged to notify the offender promptly and firmly that his or her behavior is unwelcome or inappropriate. If such informal, direct communication would be either ineffective or impossible, the following steps should be taken to report discrimination or sexual or discriminatory harassment:

Reporting of Incidents

Any employee who believes that he or she has been subjected to discrimination or any form of harassment prohibited by this Policy, or who has witnessed such discrimination or harassment, is required to immediately report the circumstances in accordance with the procedure set forth below. In addition, all management and supervisory personnel have an affirmative duty to promptly report any discrimination or harassment that they observe, that is made known to them by others, or that they reasonably suspect has occurred. The following procedures are designed to investigate and resolve a complaint. A report/complaint can be initiated in the following manner:

1. Reporting the matter to the employee's own immediate supervisor in the form of a written summary of his/her concerns, or if orally reported, a written summary by his/her supervisor of the expressed concerns, which the employee will sign.
2. If the matter involves the employee's own immediate supervisor or if, for any reason, the employee feels uncomfortable talking to his or her immediate supervisor, the employee may report the matter to VP/Director of Human Resources.

Investigation of Report/Complaint

Once a complaint has been received, it will be promptly and fairly investigated. To the extent practicable, confidentiality, consistent with a full and fair investigation, will be maintained. If appropriate, the representative of Girard College investigating the complaint may designate another supervisory or management employee to assist him or her in the investigation or engage outside investigators.

The investigation may include interviews with the employee(s) who made the initial report and the person(s) towards whom the suspected discrimination or harassment was directed, the employee(s) suspected of the discrimination or the incident. Relevant documents may also be reviewed. All employees have an affirmative duty to cooperate with any investigation by providing truthful and accurate information.

Results

After the investigation is completed, the person responsible for investigating the complaint shall advise relevant management of the findings of the investigation. The employee(s) who made the initial report, the employee(s) to whom the alleged discrimination or harassment was directed, and the employee(s) accused of the discrimination or harassment will be informed of the findings. In response to the findings, such action as appropriate to prevent any future unacceptable conduct, up to and including discharge of any employee found to have violated this Policy, will be taken within the discretion of management.

Time Frame for Reporting of Complaint

The prompt reporting of complaints is required so that prompt response and appropriate action may be taken. Due to the sensitivity of these problems and because of the emotional toll such misconduct may have on the individual, there is no fixed deadline for reporting discrimination or harassment. Delayed reporting of complaints will not in and of itself preclude appropriate action, but it may offset the quality of the investigation.

Protection Against Retaliation

There will not be any retaliation against an individual who in good faith reports discrimination or harassment. Retaliation itself is a violation of this Non- Discrimination and Harassment Policy and should be reported immediately. Any person found to have retaliated against another individual for reporting discrimination or harassment, or in any way interfering in an

investigation pursuant to this Policy, will be subject to disciplinary action, up to and including discharge.

Disciplinary Sanctions

Any employee found to have engaged in conduct that violates this Policy will be disciplined as appropriate in the discretion of management. An employee in violation of this Policy shall be subject to the full range of institutional disciplinary sanctions and procedures. This includes, without limitation, discharge, and other disciplinary actions.

Discipline for a violation of this Policy need not be progressive but will be determined by all the facts and circumstances including the severity of the offense and the identity of the offender (including previous disciplinary history). Where a hostile work environment has been found to exist, management will take prompt and effective action to eliminate the conduct creating such an environment, including the replacement of supervision and the reassignment of employees.

If an investigation results in a finding that the complainant knowingly or maliciously made a false accusation against another of discrimination or sexual or discriminatory harassment, the complainant will be subject to appropriate sanctions, including the possibility of termination of employment.

RESPONSIBILITY:

- a. Senior administrative staff and department heads are responsible for ensuring that all managers, supervisors, and employees are periodically briefed on this policy.
- b. All management and supervisory staff are responsible for ensuring compliance with the policy.
- c. Employees are responsible for observing the standards of conduct outlined in the policy and for cooperating in the investigation of any alleged discrimination or harassment.