

**Southwest Neighborhoods, Inc. (SWNI)
Personnel Policy**

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SWNI Personnel Policy. Also see:

- SWNI Bylaws and other adopted policies and procedures
- SWNI Office Manual

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INTRODUCTION

The purpose of the Personnel Policy is to provide for the efficient and consistent guidelines for the administration of SWNI and the programs under its direction.

This policy is not intended as a complete statement of employee rights and responsibilities and is not a contract of employment. Any employment at SWNI is “at will” and may be terminated by either party at any time for any reason.

SWNI retains the flexibility to change, substitute, interpret and discontinue the policies described at its discretion. The Board of Directors retains the authority to revise or amend these policies, as they deem appropriate.

Every employee is responsible for reading and understanding these personnel policies and procedures as well as SWNI bylaws and other adopted policies and procedures. Employees should consult with the Executive Director on any question of interpretation and before decisions are made or actions taken if any doubt exists. All employees are expected to review and acknowledge these policies annually, along with the Conflict of Interest and Whistleblower statements.

NEW HIRES, ORIENTATION, AND EVALUATION

Orientation:

A proper introduction and orientation to a new job is essential to the success of a new employee and has important effects on initial adjustment and subsequent progress and length of employment. When a new employee is hired, the Executive Director, in conjunction with the Executive Committee, provides orientation and training. The orientation and training is tracked on an orientation checklist to confirm that all relevant information is transmitted and is intended to be completed within the first 90-days of employment.

Employment Authorization:

The Immigration Reform and Control Act of 1986 requires SWNI to ensure that its employees are authorized for employment in the United States. Therefore, only individuals lawfully authorized for employment in the United States are employed by SWNI. In conformance with the Immigration Reform and Control Act of 1986, SWNI must collect certain information and review certain documentation concerning the employment authorization of individuals hired after November 6, 1986. This information and documentation is used only for compliance with the Immigration Reform and Control Act of 1986 and not for any unlawful purpose. If an employee’s employment authorization changes or terminates after the start date of employment, employees must inform SWNI immediately.

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Performance and Evaluation:

SWNI recognizes the importance for the morale and skill development of its employees of receiving on-going feedback about their job performance. The Executive Director reviews new employee performance and provides feedback during the employee's first 90-days. During the first 90 days employees have the opportunity to determine whether the employee is suited for the job and SWNI has the opportunity to determine whether the employee is satisfying the job requirements and responsibilities. SWNI maintains an at-will employment relationship with all employees at all times both during and after this initial 90-day review period.

Employees generally receive written performance evaluations annually. However, performance reviews are an on-going process and may be provided more often as needed. At the time of performance evaluation, both the employee and the Personnel Committee generally meet and review the employee's performance, with input from neighborhood association chairs and representatives. SWNI generally establishes goals for each employee, and employees are evaluated based on these goals. Performance evaluation is intended as a two-way discussion and provides a time for both the Personnel Committee and employee to analyze the job and set specific goals to improve performance. Written performance evaluations are generally placed in the employee's personnel file.

EMPLOYEE CLASSIFICATIONS

SWNI employees are subject to the following employment classifications. These classifications, explained below, are used for salary administration and other personnel matters.

Exempt or Non-Exempt Employee:

All employees are classified as either Exempt or Non-Exempt based on the classifications set by state and federal law. A salaried employee who holds an executive, administrative, professional or supervisory position (as defined by federal Fair Labor Standards Act or FLSA or corresponding state law) is classified as "exempt." Such employees are exempt from overtime.

Employees who are subject to overtime requirements of the Fair Labor Standards Act or corresponding state law, are classified as "non-exempt" and are entitled to overtime pay for hours worked over 40 in a workweek.

Regular Full-Time or Regular Part-Time Employee:

An employee who is hired for an indefinite duration and has been assigned to a position within SWNI is classified as a "regular" employee. Regular Employees are further classified as follows:

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1. Regular Full-Time: A regular employee who is regularly scheduled to work 36 hours per week or more.
2. Regular Part-Time: A regular employee who is regularly scheduled to work less than 36 hours per week.

Temporary Employee:

Those employees whose service is intended to be of limited duration, such as during summer months only to complete a specific job, or for a specific project are classified as a “temporary” employee. Temporary employees are NOT eligible for any organization benefits, including paid leave, holidays, or insurance. If a regular position becomes available, temporary employees are encouraged to apply, but are not guaranteed any continuation of employee. Temporary employees, like all SWNI employees, are at-will at all times.

EMPLOYEE RECORDS

SWNI maintains employee personnel records necessary for the administration of the organization and to comply with both federal and state law. Employees may review those personnel records of the employee that are used or have been used to determine the Employee’s qualification for employment, promotion, additional compensation or employment termination or other disciplinary action upon a written request to the Executive Director and with reasonable notice. Access to personnel records is otherwise limited to SWNI management personnel or Board members with a demonstrated need to know.

Anniversary Date:

The first day of regular employment shall be the Anniversary Date.

COMPENSATION AND BENEFITS

Basis for Pay:

The Executive Director, in consultation with the Board of Directors shall establish salaries for all employee positions. Salary levels are generally reviewed annually, and SWNI strives to set salary ranges commensurate with the skill and performance required for the position, and, to the extent funding is available, at or around the levels paid by comparable nonprofit organizations in the community.

Benefits:

The following is an overview of the current benefits offered by SWNI to eligible employees. This is intended as an overview only. SWNI reserves the right to modify or discontinue benefits at any time. In all cases, the terms of the benefits plans are governed by the respective plan document.

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Health Insurance:

Regular full-time employees are eligible to participate in the SWNI health plan.

Under the current health plan, SWNI offers employee-only health insurance to eligible employees beginning on the first day of the calendar month following 30 days of service. SWNI employees may enroll annually during open enrollment subject to the terms of the health plan.

TIMEKEEPING

Hours of Work and Workweek:

The regular workweek is Saturday through Friday. The normal SWNI workday is from 9:00 am to 5:30 pm with a half hour unpaid lunch period, Monday through Friday. SWNI provides employees one paid 15-minute break for every 4-hour work period, in accordance with applicable law. Due to the nature of their work some employees may have different schedules, as determined by the Executive Director.

Overtime:

Non-exempt employees are not authorized to work overtime without advance approval from the Executive Director. SWNI pays overtime to non-exempt employees who work more than 40 hours in any workweek, at the rate of 1.5 times the employee's regular rate of pay. Overtime must be reported on the time sheet to the nearest tenth of the hour.

For exempt employees, the workday and workweek are expected to flex with the needs of the job and the needs of the organization. SWNI strives to equitably manage job duties and staffing levels to minimize work outside of the normal SWNI workday, but from time-to-time additional hours of work may be required to complete assignments and deadlines. Exempt employees do not receive additional compensation for overtime work.

Pay Days:

SWNI's paydays are the fifteenth and the last day of each month. If a payday falls on a weekend or a holiday, the payday is moved to the day before the weekend or holiday. All appropriate wage and payroll deductions shall be taken out of each paycheck as required by state and federal law.

Review Your Pay Stub:

SWNI works hard to ensure that all employees are paid correctly, but mistakes can happen. Employees should review each paycheck and pay stub when it is received to make sure the pay is correct. If an error has occurred or if an employee has any

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questions about a paycheck or pay stub, the employee should promptly report the matter to the Executive Director.

Recording and Reporting:

All employees are required to record their time worked each day on a SWNI-approved timesheet. Employees must verify that work hours were recorded accurately and that the pay is correct for all hours worked. The Executive Director maintains the time records for each employee, including information on time worked, paid time off earned, sick leave accumulated, etc.

Questions about deductions from employee pay or if employee pay does not accurately reflect hours recorded on his/her timesheet should be reported immediately to the Executive Director. SWNI makes every effort to investigate and ensure that pay is correct.

Employees must report all hours worked. Non-exempt employees are not permitted to work overtime without advance authorization by the Executive Director. Non-exempt employees are not permitted to start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless directed to do so by the Executive Director and in accordance with state and federal laws. Any questions about when or how many hours an employee is expected to work should be referred to the Executive Director.

It is a violation of SWNI's policy for anyone to instruct or encourage another employee to work "off the clock," to incorrectly report hours worked, or to alter another employee's time records. If anyone directs or encourages any incorrect reporting of hours worked, or to alter another employee's time records, report the incident immediately to the Executive Director or the Board of Directors.

ATTENDANCE

Absence Notification:

Employees are expected to attend work on time as scheduled. SWNI recognizes that illness or emergency situations may be unavoidable, but employees are expected to call in for each day that he or she is late or absent.

If an employee knows that he/she will be late for work or absent because of illness or other reasons, it is his/her responsibility to contact the Executive Director as soon as possible prior to the start of the employee's regularly scheduled workday. This enables the Executive Director to make necessary arrangements to continue the employee's functions while he/she is gone. Failure on the employee's part to notify the Executive Director may be considered absence without authorization. All absences increase the workload of other employees. Employees with excessive absenteeism or tardiness may be subject to corrective action, up to and including termination, to the limits of applicable law.

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Extreme Weather Conditions:

From time-to-time, extreme weather conditions may interfere with an employee's ability to get to work.

All SWNI meetings are cancelled if Portland Public Schools are closed. However, the SWNI Office remains open if possible, at the discretion of the Executive Director. SWNI recognizes that storms cause problems for people with whom we work and our goal is to respond as effectively as possible within the guidelines of common sense. In a crises situation persons unable to reach SWNI may call the Office of Neighborhood Involvement (ONI) at 503-823-4519.

In extreme weather conditions, SWNI provides pay as follows:

1. SWNI attempts to open within two hours of regular time (9:00 am). Employees who arrive at the office within two hours of normal starting time receive full pay for their regularly scheduled work hours.
2. Employees who arrive more than two hours late receive pay based upon the number of hours actually worked. This means that the full-time employee who arrives 2.5 hours late, gets paid for 5.5 hours, whereas the full-time employee who arrives 2 hours late gets paid for 8.
3. Employees who choose to stay home because of extreme weather conditions must use accrued Paid Time Off, if any is available. Those without Paid Time Off leave may take the time off without pay.
4. If a decision is made by the Executive Director to close the office, employees are paid their regular wages during the closure.

Paid Time Off:

All regular full time employees and regular part time employees regularly scheduled to work twenty (20) or more hours per week accrue Paid Time Off beginning on their date of hire (Anniversary Date). Temporary employees do not accrue Paid Time Off. No Paid-Time Off may be taken within the first six (6) months of regular employment unless specifically authorized in writing at the time of hire. Employees may use Paid Time Off if absence from work does not unduly provide an impediment to completion of an assigned task or prevent other staff from completion of their work assignments. The Executive Director must approve scheduled Paid Time Off in advance and the employee should request such leave as early as possible in advance.

Employees accrue Paid Time Off beginning from their date of hire at a rate of 3.34 hours per pay period (a total of 80 hours per year). The Paid Time Off accrual increases after five years of service, as follows:

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Regular Full Time Employees (36 or more hours per week)	Paid Time Off accruals per year	Sick leave accruals per year
0 - 5 years	80 hours (3.34 hours per pay period)	104 hours (4.34 hours per pay period)
More than 5 years and less than 10 years	120 hours (5 hours per pay period)	104 hours (4.34 hours per pay period)
10 or more years	160 hours (6.67 hours per pay period)	104 hours (4.34 hours per pay period)

Regular Part Time Employees (20 or more hours per week and less than 36 hours per week)	Paid Time Off accruals per year	Sick leave accruals per year
0 - 5 years	40 hours (1.67 hours per pay period)	52 (2.17 hours per pay period)
More than 5 years and less than 10 years	60 hours (2.5 hours per pay period)	52 (2.17 hours per pay period)
10 or more years	80 hours (3.34 hours per pay period)	52 (2.17 hours per pay period)

The following details also apply to accrual and use of Paid Time Off:

- Each regular full time employee accrues Paid Time Off at the rates set forth above, depending upon the employee's years of service.
- Each regular part-time employee who regularly is scheduled to work 20 or more hours per week, but less than 36 hours per week, accrues Paid Time Off at 50% of the rate for a full time employee with the same years of service (in accordance with the chart above).
- Regular part-time employees who work less than 20 hours a week and temporary employees are not eligible for Paid Time Off.
- Paid Time Off must be used in increments of 1 hour or more.
- An employee may not accrue more than the annual Paid Time Off accrual limit. For example, a regular full-time employee with 0-5 years of service may not accrue more than 160 hours of Paid Time Off at any time. If an employee's

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accrual balance reaches this limit, the employee does not accrue additional Paid Time Off until he or she has taken Paid Time Off and reduced the balance below 160 hours.

- If a SWNI-paid holiday occurs during a period of Paid Time Off, holiday pay applies to that date, and the employee's Paid Time Off accrual is not be debited for that date.
- If a regular employee terminates employment with a Paid Time Off balance remaining, the employee shall receive the equivalent amount of pay up to a maximum of 160 hours for regular full-time employees (80 hours for regular part-time employees).

Sick Leave:

Sick leave is earned by employees as follows and described in the table above. Sick Leave may be accrued up to a maximum of 208 hours. Regular employees accrue sick leave beginning with their date of hire, but may not use Sick Leave until they have completed 6 months of regular employment.

- Regular full time employees earn Sick Leave at the annual rate of 104 hours.
- Regular part time employees regularly scheduled to work 20 or more hours but less than 36 hours per week, earn Sick Leave at the annual rate of 52 hours.

Use of Sick Leave:

- Sick Leave is to be utilized when an employee is unable to work because of illness or injury, pregnancy, or because of medical, dental, or optical examination.
- In the case of illness in the immediate family, if the employee is required to stay home to care for the family member, the absence shall be charged to Sick Leave.
- Sick Leave is charged in units of one-hour.
- An employee who is unable to report for duty must inform the Executive Director as soon as possible.
- Upon termination of employment, Sick Leave will not be paid in cash or time off.
- The maximum number of Sick Leave hours which may accrue, is limited to 208 hours.
- In extenuating circumstances, the Executive Committee will have the discretion to allow a limited amount of extended leave.

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Family and Medical Leave:

Because SWNI has fewer than 25 employees, SWNI is not covered by the Oregon Family Leave Act or the federal Family and Medical Leave Act. However, SWNI recognizes the importance of allowing employees time off in circumstances similar to those covered by the law — for example, when an employee gives birth (“disability leave”), wants to spend time with a new child after adoption or recovery from childbirth (“parental leave”), or when certain immediate members of the family have serious medical problems requiring the employee’s presence (“family and medical leave”). Keeping in mind that SWNI is a relatively small organization, employees who need time off for these purposes should request family and medical leave.

If an employee is sick and has worked a minimum of six months as a SWNI employee, the employee is eligible to use accrued Sick Leave, then accrued Paid Time Off during family and medical leave.

SWNI shall pay health insurance premiums for the month in which an employee begins family and medical leave, and pay such premiums for the first full month after an employee begins family and medical leave. After that, the employee will be responsible for the health benefits premium payment.

Holidays:

1. SWNI regular employees shall receive their regular pay for the following paid holidays on the days observed by the US Government:
 - a) New Year's Day
 - b) Martin Luther King Jr.'s Birthday
 - c) President's Day
 - d) Memorial Day
 - e) Independence Day
 - f) Labor Day
 - g) Veterans Day
 - h) Thanksgiving Day and the Friday after
 - i) Christmas Day

2. Regular part-time employees are to receive 4 hours of holiday pay during any pay period in which a holiday falls, regardless of whether the holiday is on a regularly scheduled workday.

Additional Circumstances for Absence from Employment:

1. **Jury Duty:** Regular employees who are called for jury duty receive their full pay for time required. The employee shall keep any travel related expenses and jury duty compensation. The employee is expected to report to work whenever

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excused from jury duty for any workday or any portion of the regularly scheduled workday.

2. **Death in the immediate family:** SWNI provides three days of pay to regular employees in the event of a death in the immediate family (24 hours of pay for regular full-time employees; 12 hours of pay for regular part-time employees). This includes parents, stepparents, children, stepchildren, siblings, spouse, or same sex domestic partner. Employees needing additional time off may use available, accrued Sick Leave or Paid Time Off, or request a leave without pay subject to approval by the Executive Director.
3. **Professional Conferences:** Regular employees may, after approval in advance by the Executive Director, attend professional conferences and/or training institutes without loss of pay or time, and with the expense paid within budgeting limitations and the requirements of the funding source.
4. **Military Leave:** SWNI provides military leave to armed service members and their family members to the full extent of applicable law. Military leave is generally leave without pay for active duty or training in the United States Armed Forces, including annual military duty for reserves. Employees must notify the Executive Director and provide a copy of the military service orders as soon as possible prior to the commencement of the leave.

Employees on military leave are afforded reemployment rights and retain full seniority benefits for all prior service upon reemployment in accordance with applicable federal and state law.

5. **Others Leaves in Accordance with Law:** SWNI provides unpaid leave in accordance with applicable law. This may include leave to victims of domestic violence, sexual assault or stalking, leave related to a workplace injury, or leave as a disability accommodation. To request a leave, contact the Executive Director.

Extended Leave:

Regular employees in an unusual or emergency situation not covered under other SWNI leave policies may request an unpaid personal leave in writing. SWNI may grant a regular employee unpaid personal leave at its discretion, once an employee has used all accrued Paid Time Off and Sick Leave. Generally, no time off is given for the purpose of obtaining or working at another job or for starting another business. It is completely within SWNI's discretion whether an unpaid personal leave is granted.

A grant for unpaid personal leave must be approved by the Executive Director. Reinstatement of your employment and benefits is not guaranteed, except as required by law. Following an unpaid personal leave, SWNI attempts to return you to your former position unless it has been eliminated or filled because of the critical nature of the work. Otherwise, SWNI may assign you to a similar position, if a similar position is available.

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Employees who fail to return on the agreed expiration date of a leave of absence, or who have not requested or do not have an approved extension for additional leave, are considered to have voluntarily terminated.

EMPLOYEE CONDUCT

General Conduct and Appearance:

All employees are required at all times to conduct themselves in such a manner as to reflect positively upon SWNI. Employees are expected to observe reasonable standards of neatness and good grooming at all times.

Political Activities:

At no time may any employee of SWNI state, imply or in any way suggest that SWNI holds any position in support of, or in opposition to, any candidate for public office or ballot measure.

Outside Employment:

As long as outside employment does not interfere with the employee's work for SWNI, outside employment is permitted. The Executive Committee may restrict such outside employment if it is in anyway detrimental to or in conflict with the interests of SWNI.

Community Relations:

Employees must always keep in mind that a good relationship between the community residents and SWNI is of paramount importance. Employees are expected to treat residents with every courtesy.

Use of Technology:

Computers, computer files, e-mail systems, software and other technology furnished to employees and volunteers are SWNI property intended for business use. All such use is to be for the benefit of SWNI or any affiliated organizations. The equipment, services, and technology provided remain at all times the property of SWNI. As such, SWNI reserves the right to monitor:

- use of its assets
- internet, social media, and email traffic
- data composed, sent, or received, and
- data stored in our computer systems.

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SWNI purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, SWNI, its employees, and volunteers does not have the right to reproduce such software for use on more than one computer. Illegal duplication of software and its related documentation is prohibited.

SWNI strives to maintain a workplace free of harassment and sensitive to the diversity of its employees, volunteers, and community. SWNI prohibits the use of computers, the e-mail system, the Internet, social media and other technology in ways that are disruptive, offensive to others, or harmful to morale.

If an employee publishes or allows to become public any personal information about the employee, another employee, SWNI, partner or affiliate, a volunteer, or any other person or organization in any medium including print, digital, online or broadcast that:

1. interferes with any employee's work;
2. disrupts the flow of work in the office or delivery of services to partners or affiliates;
3. has the potential or effect of involving the employee, other staff, or SWNI in any kind of dispute or conflict with others;
4. creates a harassing, demeaning or hostile work environment for any employee or volunteer;
5. harms the goodwill and reputation of SWNI in the community at large or places in doubt the reliability, trustworthiness or sound judgment of the person who is the subject of the information;

then the employee responsible for the publication may be subject to appropriate disciplinary action up to and potentially including the termination of employment.

In addition, any use of social media, email, the Internet, or other technology that involves any kind of criminal activity or harms the rights of others may result in criminal prosecution or civil liability to those harmed.

EMPLOYEE DISCIPLINE AND TERMINATION

Violation of Policies:

Any violation of SWNI bylaws, policies and procedures may result in discharge, suspension or other disciplinary action. The Executive Director shall determine when to discipline an employee, and the appropriate disciplinary action to be imposed, in consultation with the SWNI Board of Directors and in accordance with SWNI's bylaws.

The primary responsibility for employee discipline rests with the Executive Director. In the case of the Executive Director, the primary responsibility for discipline rests with the SWNI President and Executive Committee. When misconduct occurs, action must redirect the employee through the use of appropriate discipline or discharge.

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SWNI manages employee performance, including discipline and discharge, in an orderly, consistent and fair manner. In general, SWNI may consider the following options to improving employee performance, but in all cases, employment with SWNI is at-will.

1. Oral reprimand given by the Executive Director with a written note to be included in the employee's personnel file.
2. Written reprimand and counseling by the Executive Director included in the employee's personnel file.
3. Written reprimand to be included in the personnel file in conjunction with a one-to five-day suspension without pay, depending on the severity of the offense.
4. Discharge, which may or may not be preceded by a suspension to allow a review meeting with the Executive Director.

SEPARATION FROM SERVICE

Reasons for Separation:

1. Dismissal: SWNI may terminate an employee's service at any time without notice. The Executive Director, with Board approval in accordance with the bylaws, has full discretion to determine when separation is appropriate.
2. Resignation: In order to create a professional and smooth transition, SWNI employees are encouraged to provide at least two weeks advance notice of their resignation. However, in some cases at SWNI's discretion, SWNI may elect to end the employment relationship immediately upon notice of resignation.
3. Layoff: Because most funds that support SWNI are obtained on a yearly basis, no guarantee of continuing employment, either verbal or written can be made.

The SWNI Board may layoff employees for lack of work or other changes that have taken place. If at all possible SWNI attempts to provide at least two (2) weeks of notice before such a layoff is to take place. Layoff decisions are made at the discretion of SWNI, which generally gives consideration to both performance and seniority.

Upon termination, an employee shall receive all wages earned through the date of termination along with payment for any accrued or accumulated Paid Time Off up to the limits stated in the Paid Time Off policy. Final paychecks shall be provided in accordance with the timeframes set by applicable law.

HARASSMENT, DISCRIMINATION AND RETALIATION

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Policy Against Workplace Harassment, Discrimination and Retaliation:

SWNI is committed to a work environment that is free of illegal bias, prejudice, harassment, discrimination, and retaliation and where all individuals are treated with respect and dignity. Every individual has the right to work in a professional atmosphere that prohibits discriminatory practices.

Workplace harassment, discrimination, and retaliation manifests itself in two primary ways:

1. In forms of harassment, discrimination, and retaliation that violate laws; and
2. In forms of harassment, discrimination, and retaliation that may not violate laws, but which violate this policy because they are not conducive to creating a productive, respectful and professional work environment for employees and volunteers that is consistent with the intent of this policy.

This policy covers both types of harassment, discrimination, and retaliation. Employees and volunteers are expected to talk with the Executive Director or the President about harassment, discrimination, and retaliation they experience regardless of its origin. The Executive Director or President receiving such complaint is expected to take appropriate corrective action to stop the harassment, discrimination, and retaliation.

The intent of this policy is to prohibit conduct that is unlawful but also to prohibit and stop inappropriate conduct based on protected status before it rises to the level of unlawful discrimination, harassment, and retaliation.

It is SWNI's policy to prohibit workplace harassment, discrimination, and retaliation on the basis of race, religion, gender, marital status, familial status, national origin, age, mental or physical disability (as defined by the Americans with Disabilities Act and state and local law), sexual orientation, gender identity, source of income, military or veteran status, or other protected status under applicable law in any personnel action.

Harassment, discrimination, and retaliation are prohibited in the workplace or in any work-related setting outside the workplace. Every employee and volunteer shares the responsibility for bringing to the Executive Director or President's attention conduct that interferes with providing a work environment free of illegal discrimination, harassment, and retaliation.

Who is covered by this policy:

This policy covers all employees, volunteers and applicants for employment with SWNI.

Definitions:

The definitions in this policy are designed to be consistent with SWNI's goal of stopping inappropriate behavior before that behavior is unlawful. Therefore, these definitions not

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only define unlawful behavior but also define inappropriate behavior prohibited by this policy.

Harassment: verbal or physical conduct that is derogatory or shows hostility towards an individual because of his or her race, religion, sex, marital status, familial status, national origin, age, mental or physical disability (as defined by the Americans with Disabilities Act and state and local law), sexual orientation, gender identity, source of income, military or veteran status, or other protected status under applicable law and:

1. Has the purpose or effect of creating an intimidating, hostile, abusive, or offensive work environment; or
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise adversely affects an individual's employment and employment-related opportunities.

In addition to unlawful harassment, harassment under this policy also includes inappropriate verbal or physical conduct because of an individual's protected status. The intent of the person engaging in the inappropriate conduct does not matter.

Sexual Harassment: unwanted sexual advances, requests for sexual favors, and other sexually oriented verbal or physical conduct constitutes sexual harassment under this policy where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct is used as a basis for employment decisions affecting such individual; or
3. 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.

Discrimination: Unequal or different treatment of an individual in any personnel action on the basis of race, religion, sex, sexual orientation, gender identity, age, mental or physical disability (as defined by the Americans with Disabilities Act and state and local law), marital status, national origin or other protected class under applicable law.

This policy prohibits inappropriate language, jokes, written or graphic materials in the workplace or work related setting. Inappropriate materials placed on walls or elsewhere in SWNI premises or circulated in the workplace is prohibited; this includes sending inappropriate jokes or other written or graphic materials via e-mail, the internet, by fax, cell phone, mobile data computer or any other electronic means or downloading this material from the internet.

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Religious Accommodation:

SWNI is committed to providing a reasonable accommodation of an employee's sincerely held religious beliefs and practices unless such an accommodation would create an undue hardship or would be contrary to other provisions of this policy. A reasonable accommodation may include allowing the employee to use Paid Time Off for a holy day or other religious observations; wearing religious clothing in the workplace to the extent it does not conflict with other legitimate policies regarding uniforms and safety gear; and such other accommodation as may be reasonable to provide.

Disability Accommodation:

SWNI is committed to providing a reasonable accommodation to qualified employees with disabilities unless such an accommodation would create an undue hardship or would be contrary to other provisions of this policy. Any employee seeking an accommodation on account of a disability should contact the Executive Director. SWNI maintains all medical information confidential to the extent required by applicable law.

Retaliation Prohibited:

SWNI will not tolerate retaliation against any individual who reports discrimination or harassment, testifies, assists, or participates in any manner in an investigation, proceeding or hearing, regardless of the outcome of the complaint. Conduct that would likely deter an individual from reporting or supporting a claim may constitute retaliation. Retaliation can occur even if the underlying complaint of harassment or discrimination is not substantiated. Examples of retaliation towards an individual include demotion, suspension, failing to hire or consider hiring, failing to treat impartially when making employment related decisions, assigning the individual the least desirable jobs. It may also include more subtle forms such as shunning by co-workers.

Confidentiality:

All information received in connection with inquiries, or with the filing, investigation, and resolution of workplace harassment, discrimination, and retaliation complaints is treated as highly sensitive. Employees and volunteers authorized by SWNI to receive and investigate complaints are required to maintain confidentiality to the extent possible. It is expected and anticipated that all parties involved in complaints observe the same standard of sensitivity. It is emphasized that this practice is in the best interest of all parties; however, absolute confidentiality cannot be guaranteed.

COMPLAINT PROCEDURES

SWNI maintains an open door policy and employees are encouraged to bring forward their questions, concerns, or complaints to their supervisor, the Executive Director, or the President at any time. Employees and volunteers who have experienced conduct they believe is contrary to SWNI Bylaws and Policies have an obligation to bring it to the

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attention of the Executive Director or the President. Every employee and volunteer shares the responsibility for bringing to SWNI's attention conduct that interferes with providing a work environment free of harassment, retaliation and illegal discrimination, or otherwise interferes with the mission of SWNI.

Any person, including SWNI employees and volunteers, may also exercise the grievance procedures set forth in the SWNI Bylaws. The grievance procedure includes submitting the complaint or problem in writing to the Executive Director with a copy to the President. If the problem is not resolved to the satisfaction of the employee by the written response, the employee may appeal in writing to the Board of Directors.