

UTAH DEFENSE ALLIANCE, INC.

Adopted June 18, 2007

Anti-Harassment Policy

- 1) *Purpose.* The purpose of this anti-harassment policy is to provide all board members, volunteers, contractors and employees a working environment at Utah Defense Alliance, Inc. (“UDA”) that is free from harassment based upon race, religion, national origin, color, sex, age, disability, or any protected activity and to comply with state and federal laws regarding harassment.
- 2) *Policy.* UDA strives to create and maintain an environment where everyone is treated with dignity, decency and respect, with the absence of harassment including intimidation, oppression and exploitation. UDA is fully committed to the principle of non-harassment in all practices and decisions. UDA elects board members, chooses volunteers and contractors and serves our community with the expectation that each person will treat each other with dignity, decency and respect free from harassment. If a person, while serving in their capacity with UDA, is engaged in unlawful harassment and a written complaint is filed, then corrective action shall be taken.
 - a) *Unlawful harassment.* Unlawful harassment is behavior or conduct that is unwelcome, pervasive, demeaning, ridiculing, derisive, or coercive, and results in a hostile, offensive, or intimidating work environment based upon race, religion, national origin, color, sex, age, disability, or any other legally protected status or activity. For example, unlawful harassment may include offensive comments, jokes, suggestions or physical gestures, or visual displays that are directed to an individual’s race, religion, or sex.
 - b) *Corrective action.* Corrective action is an appropriate remedy that is commensurate with the nature of the violation and may include, but is not limited to, removal from the Board, cancellation of a contract or termination of employment.
- 3) *Communications between complainant and alleged harasser.* Individuals affected by alleged unlawful harassment shall not be required to confront the alleged harasser before filing a complaint. However, there may be situations where the affected individual may recognize that the alleged harasser is not aware that his or her conduct is harassing and the affected individual may feel comfortable speaking directly to the alleged harasser. If the affected individual does not feel comfortable speaking directly to the alleged harasser or after speaking directly to the alleged harasser the harassing conduct does not stop, then the affected individual should file a complaint. Once a complaint has been filed, the alleged harasser shall not initiate communication with the complainant regarding allegations of harassment.
- 4) *Complaint procedure.*
 - a) Individuals affected by unlawful harassment may file a complaint and engage in an administrative process free from bias, collusion, intimidation or retaliation. Individuals who feel they are being subjected to unlawful harassment should do the following:
 - i) document the occurrence;
 - ii) continue to perform;

- iii) identify a witness, if applicable;
 - iv) file a written complaint of unlawful harassment with the Executive Director or President, or if one of them is the complainant or alleged harasser, then the written complaint shall be made to either of the Vice Presidents. Complaints may be submitted by any volunteer, independent contractor, employee or witness. Complaints should identify the alleged unlawful conduct, identify the individual or individuals involved, and any individual who witnessed any of the conduct that is the subject of the complaint.
- b) All complaints of unlawful harassment shall be timely investigated through a thorough and neutral investigation by the Executive Director, President or Vice Presidents or as designated by them, upon following receipt of the complaint. The investigation may include interviews with:
- i) the complainant,
 - ii) the alleged harasser, and
 - iii) any others as deemed appropriate to investigate the complaint.
- c) Neither the complainant nor the alleged harasser will be entitled to participate in the determination of whether a violation of policy has occurred, other than as a witness.
- d) UDA will endeavor to maintain the confidentiality of the complainant to the extent possible in light of the need to investigate the complaint.
- e) Once the investigation is complete, the investigator(s) shall communicate either orally or in writing, the findings and resolution of the complaint to both the complainant and the alleged harasser. Resolution of the complaint may include one or a combination of, but is not limited to, the following:
- i) disciplinary action;
 - ii) cancellation of a contract;
 - iii) if criminal, then the matter may be referred to the proper authority for prosecution;
 - iv) if an investigation of unlawful harassment reveals that the accusations of a policy violation are unfounded, the findings shall be documented, and the investigation terminated.
- 5) *Retaliation.* No person may retaliate against anyone who opposes a practice forbidden under this policy, or has filed a charge, testified, assisted or participated in any manner in an investigation, proceeding or hearing under this policy, or is otherwise engaged in protected activity. Any act of retaliation toward the complainant, witnesses or others involved in the investigation shall be subject to corrective action or disciplinary action. For example, prohibited retaliatory actions include, but are not limited to:
- a) open hostility to complainant, alleged harasser, or others involved;
 - b) exclusion or ostracism of the complainant, alleged harasser, or others involved;
 - c) creation of or the continued existence of a hostile work environment;
 - d) harassing remarks about the complainant, alleged harasser, or others involved;
 - e) special attention to or assignment of the complainant, alleged harasser, or others involved to demeaning duties not otherwise performed;
 - f) tokenism or patronizing behavior;

- g) unreasonable supervisory imposed time restrictions in preparing complaints or compiling evidence of unlawfully harassing activities or behaviors.
- 6) *Records.* A separate, protected record of all unlawful harassment complaints shall be maintained and stored in UDA's Executive Director's office or in the possession of an authorized officer. Removal or disposal of records in the protected file may only be done with the approval of the Executive Director, President and either of the Vice Presidents and only after minimum timelines specified herein have been met.
 - a) Records shall be kept for a minimum of three years from the resolution of the complaint or investigative proceeding.
 - b) All information contained in the complaint file shall be classified as confidential and shall not be disclosed, revealed, or otherwise disseminated without permission from the complainant or by majority vote of the Executive committee.
- 7) *Affirmation.* Each director, principal officer and member of a committee with governing board delegated powers shall sign or positively respond to an e-mail stating and affirming such person:
 - a) Has received a copy of the Anti-Harassment policy,
 - b) Has read and understands the policy, and
 - c) Has agreed to comply with the policy.

The undersigned, Ken Warnick, certifies that I am the duly appointed secretary of Utah Defense Alliance, Inc. and that the above is a true and correct copy of the Anti-Harassment policy adopted at the meeting of the Directors, thereof, convened and held in accordance with the Bylaws of Utah Defense Alliance, Inc. on June 18, 2007, and that such policy is now in full force and effect.

IN WITNESS THEREOF, I have affixed my name as secretary of Utah Defense Alliance, Inc. to this original copy of the Anti-Harassment policy on this ____ day of _____, 2007.

Ken Warnick, Secretary