

I. Sexual Harassment Policy

Policy Prohibiting Sexual and Other Harassment, Discrimination and Retaliation

YouthBuild PCS is committed to a work environment in which all individuals are treated with respect and dignity. YouthBuild DC specifically prohibits sexual harassment and other harassment and discrimination of applicants, employees, and service providers on the basis of race, color, religion, national origin, sex, age, pregnancy, childbirth or related medical conditions, veteran status, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, political affiliation, disability, matriculation, familial status, source of income, credit information, citizenship, or any other characteristic prohibited by federal, state or local law. Sexual harassment and other harassment and discrimination is unacceptable and will not be tolerated, whether at YouthBuild PCS or in other work-related settings, such as business trips or business-related social events. Engaging in such conduct violates this policy, even if the conduct falls short of unlawful harassment or discrimination.

Any staff member, including supervisors, involved in harassment, discrimination, retaliation, or other conduct prohibited by this policy, will be subject to appropriate disciplinary action, up to and including termination.

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1. Sexual Harassment

Sexual harassment is generally defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or

condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. No employee or applicant should be subjected to unsolicited and unwelcome sexual overtures, nor should any employee or applicant be led to believe that an employment opportunity or benefit will in any way depend upon "cooperation" of a sexual nature.

Sexual harassment may involve individuals of the same or different sex or gender and may include a range of behaviors including, for example:

- Unwanted sexual advances or propositions
- Offering employment benefits in exchange for sexual favors
- Leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, calendars, posters or signs
- Making or using derogatory comments about a partner's body or dress, slurs, epithets or sexually suggestive joke, or sexual innuendo
- Foul or obscene language
- Written communications of a sexual nature whether in hard copy or digital, suggestive or obscene letters, notes, emails, texts, or invitations
- Unwanted touching, assault, impeding, intimidation, violence, or blocking movements
- Making or threatening retaliation after a negative response to sexual advances or for reporting or threatening to report sexual harassment

Particular caution and judgment must be exercised in any romantic and/or sexual relationships between YouthBuild PCS personnel because it is sometimes difficult to distinguish between consensual and unwelcome situations. Sexual harassment does not refer to occasional compliments of a socially acceptable nature, or consensual personal and social relationships without a discriminatory employment effect. It refers to behavior that is not welcome and that is personally intimidating, hostile, or offensive.

This policy prohibiting discrimination and harassment, whether sexual or of another nature, is not limited to relationships between and among employees and prospective employees, but also extends to interaction with customers, suppliers, and others having a business relationship with YouthBuild PCS. No employee shall ever subject any student, supplier, or other person having a relationship with YouthBuild PCS to sexual harassment or other unlawful harassment or discrimination of any nature, including that conduct described above. Furthermore, no employee or applicant will be required to suffer discrimination or harassment, including sexual harassment, by any student, vendor, or supplier. Any unwelcome sexual overtures or other forms of sexual or unlawful harassment or discrimination advanced by a student, vendor, or supplier should be reported immediately.

2. General Harassment

Harassment on other grounds, including race, color, religion, national origin, age, pregnancy, childbirth or related medical conditions, veteran status, marital status,

personal appearance, sexual orientation, gender identity or expression, family responsibilities, political affiliation, disability, matriculation, familial status, source of income, credit information, citizenship, or any other characteristic prohibited by federal, state or local law is also prohibited. Prohibited harassment may include, but is not limited to, epithets, slurs, derogatory comments or jokes, intimidation, negative stereotyping, threats, assault or any physical interference with the employee's normal work or movement, and other conduct that the individual might reasonably find to be offensive and which is directed at an individual employee, or the employee's relatives, friends or associates. Harassment may also include written or graphic material placed on walls, e-mail, bulletin boards or elsewhere on the YouthBuild PCS's premises, or circulated in the workplace that denigrates, shows hostility or aversion towards an individual or group because of the characteristics identified above.

3. Abusive Conduct

Bullying, or abusive conduct, is a form of prohibited harassment that involves unwanted aggressive behavior, including verbal, physical, social or psychological intimidation that is typically repetitive and involves an imbalance of power. Bullying does not have to be based on a protected classification to violate this policy.

Examples of bullying include:

- Verbal abuse, such as the use of patently offensive, demeaning and harmful derogatory remarks, insults and epithets
- Verbal or physical conduct that is threatening, intimidating or obscene
- Pushing, shoving, kicking, poking, tripping, assaulting, or threatening physical assault, or intentionally damaging a person's work area or property, or
- Sabotage, or deliberately subverting, obstructing or disrupting another person's work performance

Conduct that is abusive, bullying, offensive or otherwise fails to align with YouthBuild PCS's mission and values, and supports an inclusive workplace is prohibited by this policy.

4. Responsibility

All staff members share in the responsibility for assuring that, by their behavior, these policies are effective and apply uniformly to everyone. Any staff member who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, should report the incident to his/her/their immediate supervisor or Director of Data and Operations.

5. Reporting and Investigation

YouthBuild PCS encourages those who believe they have been the subjects of harassment, discrimination, retaliation, or any other conduct that may violate this policy, and those who believe they have witnessed harassment, discrimination, retaliation, or any other conduct that may violate this policy, to raise their concerns, regardless of the

identity of the offender. In particular, any employee who feels that they have been subjected to or witnessed discrimination, harassment, retaliation or other conduct in violation of this policy should immediately notify their supervisor or the Director of Data and Operations. Those not comfortable reporting to their supervisor or the Director of Data and Operations should contact the Head of School or Chair of the Board of Directors (boardchair@youthbuildpcs.org).

Supervisors who receive complaints or otherwise learn about harassment, discrimination or retaliation are required to make a report to the Director of Data and Operations or Head of School, or will be will be subject to appropriate disciplinary action.

YouthBuild PCS will fully investigate all complaints, and will maintain confidentiality to the extent possible given the YouthBuild PCS's duty to investigate the complaint. Anyone who is found to have engaged in discrimination, harassment, retaliation, or other conduct in violation of this policy, will be subject to appropriate disciplinary action depending on the circumstances, including possibly termination of employment.

6. No Retaliation (Whistleblower Policy)

No adverse employment action will be taken against any staff member for making a good-faith report of alleged discrimination or harassment. Retaliation is a serious violation of YouthBuild PCS's policy. Any staff member found to have engaged in retaliation will be subject to discipline, up to and including termination. Concerns about attempted retaliation should be raised (and will be handled) in the same manner as any other concern about equal opportunity rights. Making a knowingly false complaint, however, may result in disciplinary action, including possibly termination of employment.

Staff members with questions or concerns about the YouthBuild PCS policy on harassment in the workplace are urged to speak with the Head of School.

II. Equal Opportunity

Statement of Equal Employment Opportunity

It is the policy of YouthBuild PCS that there shall be no discrimination with respect to employment or any of the terms and conditions of employment, on the basis race, color, religion, national origin, sex, age, pregnancy, childbirth or related medical conditions, veteran status, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, political affiliation, disability, matriculation, familial status, source of income, credit information, citizenship, or any other characteristic prohibited by federal, state or local law. Any staff member, including supervisors, involved in improper discriminatory practices will be subject to appropriate disciplinary action, up to and including termination.

III. Drug-Free Workplace

Drugs and Alcohol

YouthBuild PCS is committed to providing a drug free, safe working environment. Consistent with YouthBuild PCS's obligations under federal law and the organization's mission, YouthBuild PCS has formulated a policy regarding drugs and alcohol and controlled substance abuse. This policy, set forth below, is applicable to all YouthBuild PCS staff members regardless of work location or employment status.

Alcohol, drug, and controlled substance abuse in the workplace reflects a national problem. YouthBuild PCS has a strong commitment to its staff members to provide an alcohol, drug, and controlled substance free work environment. Likewise, YouthBuild PCS is committed to providing this type of work environment for the community.

Alcohol is defined as a beverage that has an alcoholic content in excess of .5% by volume.

Drugs are defined as any physical or mind-altering substance or any "controlled substance" or "controlled dangerous substance" as defined by federal or local statutes. These include, but are not limited to, any nonprescription drug or narcotic, heroin, cocaine, or marijuana, or a prescribed drug that is abused or not used in accordance with a physician's evaluation.

The unlawful manufacture, distribution, dispensation, possession or use of drugs is prohibited in the workplace. Any staff member found to be unlawfully using, manufacturing, selling, distributing, dispensing, possessing, or trafficking in drugs in the workplace or at any time during his/her/their employment with YouthBuild PCS will be considered in violation of YouthBuild PCS's drug and alcohol policy. You may use legally prescribed drugs on the job only if they do not impair your ability to perform the essential functions of your job effectively and safely without endangering yourself or others.

Any staff member found to be under the influence of alcohol on YouthBuild PCS property or while performing assigned duties elsewhere will be considered in violation of YouthBuild PCS's drug and alcohol policy.

Violators of this policy may be subject to a full range of disciplinary actions, up to and including termination. Any employee who has knowledge of a violation of this drug and alcohol has a duty to report such conduct promptly to the Director of Data and Operations or Head of School.

YouthBuild PCS reserves the right to search any staff member's personal effects brought on YouthBuild PCS property as well as a staff member's work area if a staff member is suspected of being involved in alcohol, drug, or controlled substance abuse activities.

Staff members must notify YouthBuild PCS in writing of any criminal drug statute conviction in the workplace within five (5) calendar days of the conviction. A criminal drug conviction may result in immediate termination, but YouthBuild PCS reserves the

right to recommend treatment for a drug or alcohol problem and make further employment contingent on successful completion of such a program. Employees undergoing counseling or treatment will not be exempt from YouthBuild PCS' rules, policies, procedures, or disciplinary application.

4. Smoke Free/Tobacco Free

YouthBuild PCS is committed to a smoke-free/tobacco-free work environment. Smoking and other use of tobacco products is cited by the medical community as the most preventable cause of certain diseases, disabilities, and death.

Smoking or use of other tobacco products is not permitted inside of YouthBuild PCS's offices and facilities. Staff members who smoke or use other tobacco products, are asked to refrain from smoking in front of any YouthBuild PCS facility to permit easy access by students, other staff members and visitors to the facilities.

IV. Complaint Resolution

Dispute Resolution

YouthBuild PCS recognizes that workplace disputes may call for various forms of resolution.

1. Employee Resolution

YouthBuild PCS encourages employees to resolve disputes promptly and cordially among each other prior to a situation escalating, when possible. If such a resolution is impossible, the employee should contact his/her/their direct supervisor. If the co-worker belongs to the same department, the supervisor may address the concern directly with the other employee, organize a meeting between the employees, or take any other ameliorative steps to resolve the situation. If the co-worker belongs to a different department, the supervisor will take these steps in conjunction with the other employee's direct supervisor and in consultation with the Director of Data and Operations, as needed. In either case, the supervisor will generally respond to the employee's concern within 10 business days.

If the complaint is not resolved, the employee may make a complaint to the Director of Data and Operations or Head of School in writing to seek resolution. The recipient of the complaint, or his/her/their designee, will seek to verbally mediate the conflict among both parties within 10 business days of the receipt of the complaint. Should the complaint not be resolved to the satisfaction of both parties, the complainant may file a formal complaint as outlined below.

2. Filing a Formal Complaint

All complaints regarding sexual and other harassment, discrimination and retaliation, should be reported following the procedure explained in the Reporting and Investigation section in the *Policy Prohibiting Sexual and Other Harassment, Discrimination and Retaliation*.

All other Formal Complaints must be reported in writing and include the following information: complainant's name, date of incident (if known), description of complaint, and resolution sought. Employees are encouraged to seek out resolution among co-workers and/or supervisors before filing a Formal Complaint.

In situations in which an employee wishes to bring a complaint against a co-worker and/or supervisor to the attention of the Director of Data and Operations or Head of School, the following procedure is to be utilized:

The complainant should provide in writing, including a description of his/her/their complaint and any resolution(s) attempted to date. The Director of Data and Operations or his/her/their designee will investigate the complaint within 10 business days of receiving the complaint. If more time is needed, the complainant will be notified in writing of the extended timeline. The investigation may include interviews, document reviews, or any other necessary investigation. A third-party may be used to support or conduct the investigation if the Director of Data and Operations deems it necessary.

If a complaint is filed against an employee, that employee will be notified of the complaint in writing within two (2) business days of the receipt of the complaint. The nature of the complaint will be shared with the employee but the complainant may remain anonymous based on the nature of the complaint. The Director of Data and Operations will determine based on the complaint if the employee may remain at work or should be on paid-administrative leave pending an investigation based on the allegations of the complaint.

An investigation will be conducted by the Director of Data and Operations or his/her/their designee and may include interviewing all relevant parties, review of all relevant documents, or any additional information provided.

Except when otherwise indicated in the YouthBuild follows the complaint resolution process described in this section. Following an investigation, YouthBuild will take such action that it deems necessary to reach a resolution:

- No Violation: In the event that the investigation discloses no violation of policy or is inconclusive, all parties deemed necessary by YouthBuild, including the complainant and the alleged offender, will be so advised.
- Violation: In the event that the investigation discloses a violation of policy, YouthBuild will normally communicate its findings to both the complainant and

the alleged offender. Based upon the totality of the circumstances, appropriate disciplinary and/or other corrective action, up to and including termination, will then be taken. The action taken will be reasonably calculated to prevent any further unacceptable conduct. It is within YouthBuild's discretion to determine the appropriate corrective action.

If the complainant or alleged offender is not satisfied with the resolution, they may appeal to the Head of School, who will render a final decision within 10 business days of receipt of the appeal. If additional time is needed, the Head of School will notify all parties in writing. The decision of the Head of School is final.

In the event that the complaint is against the Head of School, the complaint should be filed with the Chair of the Board of Directors (boardchair@youthbuildpcs.org) in writing. Generally within 10 business days, the Chair of the Board of Directors will investigate accordingly and respond to the employee's complaint. All decisions of the Board Chair are final.

In the event an investigation of a complaint fails to reveal a violation of policy and instead reveals that any person, including the complainant, has abused the policy by lodging a knowingly false or frivolous complaint by fabricating facts, by failing to tell the truth, or by knowingly omitting important facts, YouthBuild may take appropriate disciplinary and/or other corrective action.

V. Whistleblower Policy (see also "No Retaliation," above under "Sexual Harassment")

Code of Ethics

Adherence by all staff members and others acting on behalf of YouthBuild PCS to standards of ethical conduct is an integral part of YouthBuild PCS's long-range goals of attracting high quality staff members, ensuring proper stewardship of its resources, and providing needed services to the community. Of course, no written policy can state the appropriate standards of conduct or course of action for all situations and thus staff members are instructed to consider the examples set forth below and use common sense when conducting business or acting on behalf of YouthBuild PCS.

- **Respect and Dignity:** Support the creation and maintenance of an environment in which all people are treated with equal respect and dignity and the abuse of power is not tolerated.
- **Communication:** Communicate judgments, opinions, and other information – both positive and negative – fairly and thoughtfully.
- **Computer Use:** Use and convey electronic communications and systems in a responsible manner.
- **Confidentiality:** Use confidential information acquired in the course of YouthBuild PCS affiliation only for official and legal purposes and not for personal or illegal advantage, during or after such affiliation; disclose confidential

information acquired in the course of employment on a need-to-know basis and only when authorized to do so.

- **Conflicts of Interest and Commitment:** Notify appropriate parties of potential conflicts in accordance with applicable YouthBuild PCS conflicts policies; avoid any activity that hinders carrying out responsibilities of YouthBuild PCS.
- **Financial Transactions:** Conduct, process, and report all financial transactions with integrity.
- **Grants and Contracts:** Adhere to grant and contractual obligations of YouthBuild PCS including proper allocation of expenses; comply with applicable laws and regulations governing the receipt and disbursement of funds.
- **Intellectual Property:** Honor non-disclosure agreements; abide by all rules and laws governing the use of copyrighted materials, patented ideas, licenses, and proprietary information; properly attribute the work of others.
- **Kickbacks:** Do not make or accept payments in order to improperly obtain a contract or subcontract relating to a prime contract.
- **Stewardship:** Use YouthBuild PCS resources or assets legally and properly; refrain from engaging in unnecessary or excessive personal use of YouthBuild PCS facilities, business systems, equipment, staff members, consultants, contractors, or voluntary help unless written permission is obtained in accordance with applicable procedures.

1. Reporting a violation

Staff members are asked to report to appropriate YouthBuild PCS officials violations of these, and any other, policies of YouthBuild PCS. Staff members who fail to report violations may be subject to appropriate disciplinary action up to and including termination.

2. Retaliation (Whistleblower Policy)

YouthBuild PCS will not tolerate retaliation toward or harassment of staff members who report violations. The identity of individuals providing information concerning violations will be protected within legal limits. Individuals who take retaliatory action may be subject to disciplinary action up to and including termination.

3. Abuse of this Policy

YouthBuild PCS is committed to protecting the rights of both the accused and the accuser in the reporting of any violation of this policy. Therefore, individuals who attempt to discredit others through inappropriate use of this policy may be subject to disciplinary action up to and including termination.