

## **THE MUSSAR INSTITUTE HARASSMENT AND DISCRIMINATION POLICY / CODE OF CONDUCT**

The Mussar Institute (TMI) is committed to providing a safe, respectful, and equitable work environment, learning environment, and community. Every individual is entitled to an atmosphere that promotes respect and is free from discrimination and disrespectful or offensive behavior, both online and in person. We prohibit behavior that is discriminatory, bullying, or harassing. Therefore, TMI expects that all interactions among persons within TMI will be respectful, professional, and free of bias, prejudice, and harassment.

### **Discrimination**

TMI does not and will not discriminate on the basis of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age (40 or older), disability, and genetic information (including family medical history).

We will take measures to ensure nondiscrimination in employment, recruitment, advertisements for employment, selection and assignment, compensation, termination, promotion, and other conditions of employment against any employee, contractor, volunteer, or job applicant. We will also ensure that these measures are taken to ensure nondiscrimination in course and program participation and access run by TMI. We are committed to providing an inclusive and welcoming environment for all employees, students, participants, interns, applicants, contractors, customers, vendors, volunteers, guests, and donors.

Examples of discrimination include:

- a. holding individuals of a particular protected class to a different standard for purposes of hiring, promotion, or evaluation;
- b. hiring, terminating, or promoting individuals because of stereotypes based on their gender, race, age, or other protected characteristics;
- c. promoting someone because they share an identity with the hiring manager and will “fit” better, even if others are better qualified;
- d. limiting someone who manifests a visible/audible or invisible/inaudible disability from public facing roles because of the disability.

### **Unlawful Harassment**

It is an objective of TMI to promote a respectful work environment. Accordingly, TMI prohibits communication or conduct that is degrading, coercive, or has the purpose or effect of interfering with an individual’s work performance and development. In applying

this policy, TMI will accommodate employees or contractors who are legitimately exercising their right to discuss the terms and conditions of their employment or contract.

TMI will not tolerate conduct that intentionally or unintentionally results in prohibited harassment of or by employees, interns, applicants, contractors, customers, vendors, volunteers, guests, donors, or others with whom we have a relationship. This policy applies to workplace conduct and to conduct during work-related activities, including organization-sponsored social events, on or off organizational premises, including parking lots and facilities, in public spaces, and in any online environment.

Individuals who feel harassed are not required to directly object to the conduct for it to be harassing. The individual reporting harassing conduct does not need to be the intended target of the harassment. Third parties who are repeatedly exposed to offensive behavior, even if they are not its target, can find that such conduct creates an offensive and hostile work environment.

Examples of unlawful harassment include:

- a. use of slurs, negative stereotypes, or other insulting, degrading, or embarrassing comments to or about a person's identity or protected characteristics;
- b. posting or sharing images that are insulting, degrading, or stereotyping based on identity or protected characteristics;
- c. talking or seeking unnecessary or unwanted proximity to another person (e.g., repeatedly moving closer to a conversation-partner who has attempted to distance themselves);
- d. online stalking including texting, phone, Zoom, social media, or other ways of repeatedly contacting another person;
- e. shunning or ostracizing someone based on their identity or protected characteristics;
- f. unwelcome touching, and verbal or non-verbal invitations to engage in behaviors inappropriate to the work and/or learning environment;
- g. using identity or protected characteristics as the basis for jokes or insults.

## **Sexual Harassment**

One type of harassment prohibited by this policy and by law is sexual harassment. Sexual harassment arises from unwanted conduct (a) that is of sexual nature or (b) that is not of a sexual nature but is based on sex, when:

- a. submission to the conduct is made either explicitly or implicitly a term of employment;
- b. Submission to or rejection of the conduct is used as the basis for employment decisions; or
- c. Such conduct substantially interferes with an individual's work performance, opportunity to learn, ability to participate in organizational programs, or creates an intimidating, hostile, or offensive working or learning atmosphere.

Sexual harassment is not limited by the gender identity or expression of the parties involved. The fact that conduct of a sexual or sexually offensive nature between two individuals was at one time consensual does not mean that it cannot later become unwanted.

Examples of sexual harassment include, whether online, on the phone, or in person:

- d. persistently and/or deliberately misgendering a person or misusing an individual's pronouns;
- e. touching in any manner, especially after being informed that it makes a person uncomfortable;
- f. making comments about a person's body, attractiveness, or desirability;
- g. displaying or distributing of materials that are sexually explicit or contain identity-based insults;
- h. making unwelcome advances or implying that acquiescing to advances could be advantageous to a person;
- i. staring at or ogling a person's body, including lingering looks at the breasts, buttocks, or genital area of another person;
- j. Requiring that persons tolerate any of the above behavior.