

NCECA RESPECTFUL CULTURE, HARASSMENT PREVENTION, AND EQUAL EMPLOYMENT OPPORTUNITY POLICY

The National Council on Education for the Ceramic Arts (NCECA) is an equal opportunity employer.

NCECA's policies against discrimination and harassment apply not only to applicants and employees, but also to consultants, contractors, interns, presenters, exhibitors, subcontractors, vendors, volunteers, other persons providing services pursuant to a contract, and anyone who participates in our programs.

1.1 Nondiscrimination, Objectionable Conduct, and Harassment

NCECA is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes respect and equal employment opportunities, and that prohibits discriminatory practices and abusive behavior, including harassment. Therefore, NCECA expects that all relationships among persons in the workplace will be respectful, professional, and free of bias, prejudice, and harassment.

1.2 General Policy

It is the policy of NCECA that no applicant or employee will be discriminated against, given preference, or harassed due to their age; ancestry; caregiver status; citizenship; color; credit history, except as it may relate to job duties; creed; atypical cognitive or physical abilities; family status; gender expression; gender identity; lawful occupation; lawful source of income; marital status; mental or physical impairment; national origin; protection order status; parental status; partnership status; predisposing genetic characteristic; pregnancy; race; record of arrest; record of conviction, except as it may relate to job duties; religion; salary history; sex; sexual and reproductive health decisions; sexual orientation; status as a victim of domestic violence, stalking, or sex offenses; status with regard to public assistance; uniformed service; use of a service animal as defined in the Americans with Disabilities Act; veteran status; other group identity; or other characteristic protected by law. This policy applies to recruiting, hiring, promotions, upgrading, layoffs, compensation, benefits, termination, leaves, training, and all other privileges, terms, and conditions of employment.

All decisions affecting employment (including hiring, retention, promotion, compensation, assignment, and other aspects of NCECA's work environment) shall be made on the basis of qualifications, performance, and other pertinent work-related factors.

It is an objective of NCECA to promote a respectful work environment. Accordingly, NCECA generally prohibits communication or conduct that is offensive, degrading, coercive, or disruptive, or that has the purpose or effect of interfering with an individual's work performance or development. In applying this policy, NCECA will accommodate employees who are legitimately exercising their right to discuss the terms and conditions of their employment.

Sexual harassment is a form of employee misconduct. Sanctions will be enforced against individuals engaging in sexual harassment, and against supervisory and managerial personnel who knowingly allow such behavior to continue.

It is against the law and against NCECA policies to retaliate against anyone who in good faith has complained of sexual harassment, has complained about any other provision of this policy, has opposed any practice forbidden under this policy or under applicable human rights law, or has testified or assisted in any related investigation or proceeding.

Violation of any part of this policy will lead to discipline, up to and including discharge.

1.3 Application and Examples

1.3.1 Prohibited conduct, including sexual harassment and other objectionable behavior

Preventing harassment and other offensive conduct requires awareness of the effects that one's actions may have on others. It is not a sufficient excuse that an alleged harasser "meant no harm" or "was just kidding." Instead, the determination of whether the standards of this policy have been violated is to be made from the perspective of a reasonable person in the position of one who experienced the communication or conduct, as determined by NCECA management.

Following are some examples of conduct that would violate this policy. These behaviors are prohibited, regardless of whether the person who complains about it was a target of the conduct.

- Use of offensive or demeaning terms that have sexual connotation
- Objectionable physical closeness, behavior, or contact
- Invitations or suggestions which are known (or should be known) to be unwelcome and which concern social contact or events (whether or not work-related)
- Any indication, expressed or implied, that a person's being hired, job security, job assignment, performance evaluation, terms or conditions of employment, or opportunities for advancement may be affected by that person's granting or denying sexual favors
- Any action relating to a person's job status that is, in fact, affected by that person's granting or denying sexual favors
- Any indication, expressed or implied, that a person's being hired, job security, job assignment, performance evaluation, terms or conditions of employment, or opportunities for advancement may be affected by that person's engaging in or refraining from engaging in conduct that in the determination of NCECA management is not work related
- Deliberate or careless creation of an atmosphere of harassment or intimidation, including but not limited to stalking (whether physical or virtual)
- Conduct or communication, including electronic communication, that would offend a reasonable person, including but not limited to unwelcome

attention; remarks or conduct having sexual innuendo; humor involving race, sex, or other classifications; or comments intended or construed as being derogatory to an entire class of persons

- Use of slurs or denigrating language based on group identity
- Application of stereotypes
- Referring to someone's protected class or other features of their identity in the course of discussing performance or discipline
- Actual, threatened, or implied retaliation against a person for complaining about a violation of these policies or for cooperating with an investigation into a complaint
- Persistently abusive conduct such as
 - Intentional exclusion or social isolation
 - Excessive monitoring or micro-managing
 - Being held to a different standard than others in one's work group
 - Consistently ignoring or interrupting an employee in front of others
 - Personal attacks (unjustifiably angry outbursts, excessive profanity, name calling)
 - Encouraging others to turn against a targeted employee
 - Sabotage of work product or undermining an employee's work performance

Conduct prohibited by these policies is not limited to regular business hours or regular business locations. It may occur during or in connection with work-related conferences, social events, ceremonies or receptions, and other non-work-related occasions. It may also result from the conduct or communication, including electronic communication, of non-employees in a work context, e.g., vendors.

1.3.2 Sexual harassment

In addition to the policies and examples provided above, sexual harassment has particular elements. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender, gender expression, gender identity, and/or the status of being transgender. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- 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, even if the reporting individual is not the intended target of the sexual harassment;

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

Sexual harassment can occur between any individuals, regardless of their sex or gender—by males against females, by females against males, and by or between individuals of the same or opposite sex or of any gender. The harasser or the harassed person can be a superior, a subordinate, a coworker, or anyone in the workplace, including an independent contractor, contract worker, vendor, client, customer, or visitor. The harasser or the harassed person can be a congregant. Sexual harassment may be a single incident or a series of harassing acts. Any harassing conduct, even a single incident, may be addressed under this policy.

Social relationships between employees that are fully welcomed by both individuals are not necessarily prohibited by this policy. However, employees should be aware of the risks (a) that welcomeness by one party may later be withdrawn and (b) that one person's perception of the other's interest may not be accurate. These risks are particularly high when there is a supervisory relationship between the employees. The existence at one time of a social relationship between employees does not mean that harassment or offensive conduct in violation of this policy could not occur at a later time.

Intimate or romantic relationships between a supervisor and subordinate employee are prohibited by NCECA policy. If such a relationship develops and it is fully consensual and welcome by both parties, the employee(s) must disclose the matter to the NCECA Executive Director, or alternatively, the Chair of the Respectful Culture Committee or the NCECA President of the Board of Directors. NCECA will take appropriate action. Such action may include reassignment of location, reassignment of duties, or a determination that one or both employees must choose between their current position and continuing their relationship.

If the discriminatory or harassing conduct involved unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may also constitute a crime. In such an instance, employees are encouraged to contact the local police department.

1.4 Procedure

If you are witnessing or experiencing discriminatory, harassing, or other offensive behavior, you have the right (but are not required) to demand that the other person stop the offending conduct immediately. Regardless of whether you demand that the other person stop the offending conduct, you are required to report the matter to a manager. If possible, you should report the matter to your supervisor. If reporting the behavior to your supervisor is not possible or you feel it would not be effective, or if your supervisor is engaging in the behavior, then you should report it to the Chair of the Respectful Culture Committee or the President of the Board of Directors. If the behavior involves the Chair of the Respectful Culture Committee or the President of the Board of Directors, or you feel reporting to them would be ineffective, you should report to the Secretary of the Board of Directors.

Reports of suspected violations of this policy may be made verbally or in writing. It is not required to use NCECA's form to report a problem, but one can be found at the end of this

policy or can be obtained from the Chair of the Respectful Culture Committee or the President of the Board of Directors.

Managers and supervisors are required to report any complaint that they receive, or any violation of the policies provided in Section 1.2 above that they observe or become aware of, to the Chair of the Respectful Culture Committee or the President of the Board of Directors.

NCECA will investigate all reported violations of the policies expressed in this section. The identities of persons participating in the investigation and the information they provide will never be shared with individuals who do not have a legal or legitimate operational need to know.

The investigatory procedure will vary from case to case, but will typically include the following: review of the complaint; designation of an investigator, who may be external to NCECA; acquisition and review of oral interviews, written submissions, and other requested records; an oral report by the investigator to leadership of NCECA; and possibly but not always a written report. NCECA will notify the complainant(s) and respondent(s) of the conclusions of the investigation and any actions that leadership has determined to be appropriate.

Violations will result in disciplinary action up to and including termination of employees. Where such actions involve non-employees, NCECA will take action appropriate for the circumstances.

All employees are required to cooperate with an investigation. No person shall be retaliated against for complaining in good faith about a violation of these policies or for cooperating with an investigation into a complaint.

1.5 Report Form

If you believe that you have experienced, or if you have witnessed, discrimination, sexual or other harassment, or any violation of these policies, you may use the [report form](#) to report the matter, or you may submit a report via email to reports@nceca.net. You do not have to use this form to report a violation of these policies, however it would be helpful.

2. Accommodations

NCECA will accommodate a range of employee concerns as provided below.

It is against the law and against NCECA policies to retaliate against anyone who in good faith requests an accommodation under these policies, or who has complained about a violation of any of these policies, or who has opposed any practice forbidden under these policies or under applicable human rights law, or who has testified or assisted in any related investigation or proceeding.

2.1 Religious Observations

It is a policy of NCECA to accommodate the practices required by each employee's religious beliefs, as long as NCECA is made aware of the requirements and such accommodation would not create an undue hardship for NCECA or its operations.

Employees requesting such accommodation should make a request to the Executive Director or to the Chair of the Respectful Culture Committee or the President of the Board of Directors. The Executive Director will then meet with the employee to discuss potential accommodations.

An employee shall not be entitled to premium wages or premium benefits for work performed during hours to which such premium wages or premium benefits would ordinarily be applicable, if the employee is working during such hours only as an accommodation to their sincerely held religious requirements.

2.2 Mental or Physical Impairments

NCECA will not discriminate against any qualified employee or applicant with regard to any terms or conditions of employment due to that person's individual's disability, perceived disability, or past disability, as long as the employee can perform the essential functions of the job with or without reasonable accommodation. Consistent with this policy, NCECA will provide reasonable accommodation to a qualified individual with a disability, as defined by applicable law, who has made NCECA aware of their disability, provided that such accommodation would not result in an undue hardship to NCECA and the individual does not pose a direct threat to health or safety.

Employees seeking an accommodation may submit a request to the Executive Director or to the Chair of the Respectful Culture Committee or the President of the Board of Directors. On receipt of an accommodation request, the Executive Director will meet with the requesting individual to discuss and identify the limitations resulting from the disability, whether additional information is needed, and the potential accommodation that NCECA might make to overcome those limitations. NCECA treats information relating to health or impairments as confidential.

2.3 Victims of Domestic Violence, Sex Offenses, or Stalking

NCECA will provide reasonable accommodations to employees who have experienced domestic violence, a sex offense, or stalking, provided that such accommodation would not result in an undue hardship to NCECA. The range of potential accommodations includes time off work, if necessary for employees to do any of the following:

- To seek medical attention for injuries caused by domestic violence, including for a child who is a victim of domestic violence;
- To obtain services from a domestic violence shelter, program, or rape crisis center;
- To obtain psychological counseling related to an incident or incidents of domestic violence, including for a child who is a victim of domestic violence;
- To participate in safety planning and taking other actions to increase safety from future incidents of domestic violence, including temporary or permanent relocation; and/or

- To obtain legal services, assist in the prosecution of the offense, or appear in court in relation to the incident of domestic violence.

Employees seeking an accommodation may submit a request to the Executive Director or to the Chair of the Respectful Culture Committee or the President of the Board of Directors. On receipt of an accommodation request, the Executive Director will meet with the requesting individual to discuss and identify the possible accommodation options.

NCECA may charge the time off provided as an accommodation under this policy to the employee's accrued and available paid time off; otherwise, the time off may be unpaid. Employees are entitled to continue their existing health insurance coverage, if any, during any such absence.

Employees requiring leave must provide NCECA with advance notice where feasible. If advance notice cannot be provided, NCECA may require certification of the need for leave in the form of a police report, court order, or documentation from a medical professional, advocate, or counselor.

NCECA treats information relating to an employee's status as a victim of domestic violence, sexual offense, or stalking as confidential.

2.4 Pregnant or Nursing Employees

NCECA will provide reasonable accommodations to pregnant employees who notify management of their need for adjustments in their work assignments or scheduling.

NCECA will make reasonable efforts to provide a room or other location in close proximity to the employee's work area for the employee to express milk in private for the employee's nursing child for up to three years following the child's birth or as otherwise required by applicable law.

Additional accommodations for employees returning to work from parental leave, including flexible work hours, may be made upon consultation with the Executive Director or to the Chair of the Respectful Culture Committee or the President of the Board of Directors.