

Policy Against Unlawful Harassment, Discrimination and Retaliation

The Mexican American Bar Association (“MABA”) is committed to providing a work environment that is free of unlawful harassment, discrimination and retaliation. In furtherance of this commitment, MABA strictly prohibits all forms of unlawful discrimination and harassment, including: discrimination or harassment on the basis of race, religion, color, sex, gender identity and expression, sexual orientation, national origin, ancestry, citizenship status, uniformed services member and veteran status, marital status, pregnancy, age, protected medical condition, genetic information, disability or any other category protected by applicable state or federal law.

MABA’s policy against unlawful harassment, discrimination and retaliation applies to all employees, including supervisors, managers, board members, as well as to all unpaid interns and volunteers. MABA prohibits managers, supervisors, board members and employees from harassing co-workers, fellow board members, as well as MABA’s members, vendors, suppliers, independent contractors and others doing business with MABA. Any such harassment will subject an employee to disciplinary action, up to and including immediate termination. With regards to board members, any such harassment will subject the board member to disciplinary action, up to and including expulsion from the board. MABA likewise prohibits its members, vendors, suppliers, independent contractors and others doing business with MABA from harassing our employees.

Examples of Prohibited Sexual Harassment: Sexual harassment includes a broad spectrum of conduct including harassment based on sex, gender, gender identity or expression, and sexual orientation. By way of illustration only, and not limitation, some examples of unlawful and unacceptable behavior include:

- unwanted sexual advances;
- offering an employment benefit (such as a raise, promotion or career advancement) in exchange for sexual favors, or threatening an employment detriment (such as termination or demotion) for an employee’s failure to engage in sexual activity;
- visual conduct, such as leering, making sexual gestures, and displaying or posting sexually suggestive objects or pictures, cartoons or posters;
- verbal sexual advances, propositions, requests or comments;
- sending or posting sexually-related messages, videos or messages via text, instant messaging, or social media;
- verbal abuse of a sexual nature, graphic verbal comments about an individual’s body, sexually degrading words used to describe an individual, and suggestive or obscene letters, notes or invitations;
- physical conduct, such as touching, groping, assault, or blocking movement;

- physical or verbal abuse concerning an individual's gender, gender identity or gender expression; and
- verbal abuse concerning a person's characteristics such as pitch of voice, facial hair or the size or shape of a person's body, including remarks that a male is too feminine or a woman is too masculine.

Other Examples of What Constitutes Prohibited Harassment: In addition to the above listed conduct, MABA strictly prohibits harassment concerning any other protected characteristic. By way of illustration only, and not limitation, such prohibited harassment includes:

- racial or ethnic slurs, epithets, and any other offensive remarks;
- jokes, whether written, verbal, or electronic;
- threats, intimidation, and other menacing behavior;
- inappropriate verbal, graphic, or physical conduct;
- sending or posting harassing messages, videos or messages via text, instant messaging, or social media; and
- other harassing conduct based on one or more of the protected categories identified in this policy.

If you have any questions about what constitutes harassing behavior, ask MABA's President or any other board members.

Prohibition Against Retaliation: MABA is committed to prohibiting retaliation against those who themselves or whose family members report, oppose, or participate in an investigation of alleged unlawful harassment, discrimination, or other wrongdoing in the workplace. By way of example only, participating in such an investigation includes, but is not limited to:

- Filing a complaint with a federal or state enforcement or administrative agency;
- Participating in or cooperating with a federal or state enforcement agency conducting an investigation of MABA regarding alleged unlawful activity;
- Testifying as a party, witness, or accused regarding alleged unlawful activity;
- Making or filing an internal complaint with MABA regarding alleged unlawful activity;
- Providing notice to MABA regarding alleged unlawful activity;
- Assisting another employee who is engaged in any of these activities.

MABA is further committed to prohibiting retaliation against qualified employees who request a reasonable accommodation for any known physical or mental disability and employees who request a reasonable accommodation of their religious beliefs and observances.

What You Should Do If You Feel You Are Being or Have Been Harassed, Discriminated Against or Retaliated Against

If you feel that you are being or have been harassed, discriminated against or retaliated against in violation of this policy by another employee, supervisor, manager, board member or third party doing business with MABA, you should immediately contact the President of MABA. In addition, if you observe harassment by another employee, supervisor, manager, board member or non-employee, please report the incident immediately to the individual listed above.

Supervisors and/or board members who receive any complaint of harassment, discrimination or retaliation must promptly report such complaint to MABA's President.

Your notification of the problem is essential to us. We cannot help resolve a harassment problem unless we know about it. Therefore, it is your responsibility to bring your concerns and/or problems to our attention so we can take whatever steps are necessary to address the situation. MABA takes all complaints of unlawful harassment seriously and will not penalize you or retaliate against you in any way for reporting a harassment problem in good faith.

All complaints of unlawful harassment which are reported to management and/or board members will be investigated as promptly as possible by an impartial and qualified person and, upon conclusion of such investigation, appropriate corrective action will be taken where warranted. MABA prohibits employees and/or board members from hindering internal investigations and the internal complaint procedure. All complaints of unlawful harassment reported to management and/or board members will be treated as confidentially as possible, consistent with MABA's need to conduct an adequate investigation.

Violation of this policy will subject an employee to disciplinary action, up to and including immediate termination. Moreover, any employee, supervisor, manager and/or board member who condones or ignores potential violations of this policy will be subject to appropriate disciplinary action, up to and including termination and/or expulsion from the board. Additionally, under California law, employees may be held personally liable for harassing conduct that violates the California Fair Employment and Housing Act.

