EQUAL EMPLOYMENT OPPORTUNITY/NONDISCRIMINATION/ ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURE

1.0 PURPOSE

To set forth the policy of Cold Spring Harbor Laboratory with respect to nondiscrimination in employment and the Laboratory's procedure for handling student, employee and applicant complaints relating to alleged discrimination including harassment.

2.0 SCOPE

This policy and procedure covers all activities and locations of the Laboratory and applies to all employees, applicants and students enrolled in a research program at the Laboratory.

3.0 RESPONSIBILITY

The administration of this policy shall be the responsibility of the Vice President, Human Resources.

4.0 POLICY

4.1 It is the policy of the Laboratory to provide equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex (including pregnancy, childbirth or related medical conditions), national origin, citizenship, sexual orientation, gender identity or expression, age, disability, marital status, veteran status, genetic information, or any other criteria prohibited under applicable federal, state or local law.

4.2 This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, performance appraisals, job assignments, termination, layoff, recall, transfer, leaves of absence, compensation, training, benefits, and other terms, conditions and privileges of employment.

4.3 The Laboratory expressly prohibits any form of discrimination and harassment, whether it be directed to employees, students or applicants for employment, and whether engaged in by employees, supervisors, students or non-employees, such as vendors, or consultants, based on race, color, religion, sex (including pregnancy, childbirth or related medical conditions), national origin, citizenship, sexual orientation, gender identity or expression, age, disability, marital status, veteran status, genetic information, or any other criteria prohibited under applicable federal, state or local law.

4.4 The Laboratory will not tolerate unlawful discrimination or harassment in the workplace. Such harassment may include verbal, physical or visual conduct that creates an intimidating, offensive or hostile work environment or an environment that unreasonably interferes with work performance.
4.5 Conduct prohibited by this policy is prohibited in any Laboratory workplace and in any Laboratory work-related setting outside the Laboratory’s facilities, such as during business trips, off-site business meetings or Laboratory-related social events.

4.6 The Laboratory prohibits postings or communications on the internet, which are violative of this policy, including, but not limited to, on a blog, journal or diary, personal website, social networking or affinity website, web bulletin board or chat room, as well as any other form of electronic communication. Computers, computer files, software, e-mail systems, and voice mail furnished to Laboratory employees or students may not be used for any improper purpose. For example, any use, display or transmission of sexually explicit images, messages, or cartoons is strictly prohibited. Use of Laboratory property to maintain or communicate material or information of a sexual nature will not be tolerated.

4.7 One aspect of our policy is the prohibition of any forms of sexual harassment in the workplace. Sexual harassment may include a range of behaviors and may involve individuals of the same or different gender. Specifically, with respect to sexual harassment, the Laboratory prohibits:

4.7.1 Unwelcome sexual advances;
4.7.2 Requests for sexual favors; or
4.7.3 All other verbal or physical conduct of a sexual or nature, where (with regard to any of the above):
   4.7.3.1 Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or continued affiliation with the Laboratory;
   4.7.3.2 Submission to or rejection of such conduct by an individual is used as the basis for employment or work decisions affecting such individual; and/or
   4.7.3.3 Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

By way of example, no supervisor or other employee shall threaten or insinuate, either explicitly or implicitly, that another employee’s, applicant’s or student’s refusal to submit to sexual advances will adversely affect that person’s employment, work status, evaluations, wages, advancements, assigned duties, shifts, or any other term, condition or privilege of employment or career development. Similarly, no individual shall promise, imply or grant any preferential treatment or employment opportunities in return for sexual favors.

4.7.4 Other examples of the types of conduct expressly prohibited by this policy include, but are not limited to, the following:

4.7.4.1 Inappropriate touching, such as rubbing or massaging someone’s neck or shoulders or stroking someone’s hair.
4.7.4.2 Coerced sexual acts.
4.7.4.3 Repeated telling of lewd, off-color, sexually oriented comments or jokes.
4.7.4.4 Leering, staring in a sexual manner, stalking.
4.7.4.5 Displaying or otherwise sharing suggestive or sexually-explicit posters, calendars, photographs, graffiti, cartoons.

4.7.4.6 Unwanted or offensive letters or poems of a sexual nature.

4.7.4.7 Offensive e-mail, voice-mail or text messages of a sexual nature.

4.7.4.8 Sexually-degrading remarks, including written or oral references to sexual conduct, gossip regarding one’s sex life, body, sexual activities, deficiencies, or prowess.

4.7.4.9 Unwanted questions about one’s sex life or experiences.

4.7.4.10 Unwelcome sexual flirtations, advances or propositions.

4.7.4.11 Subtle pressure or requests for sexual activities.

4.7.4.12 Repeated requests for dates after the individual has indicated that he or she is not interested.

4.7.4.13 Verbal abuse of a sexual nature.

4.7.4.14 Physical assault.

4.7.4.15 Taking retaliatory action against an individual for discussing or making a sexual harassment complaint.

4.8 The Laboratory strictly prohibits retaliation in any way against anyone who reports violations of this policy or who participates in the investigation of a complaint of harassment or discrimination. Individuals are protected from coercion, intimidation, interference or discrimination as a result of reporting violations or assisting in investigations. Any individual who retaliates against anyone who complains about violations of this policy or participates in the investigation of a complaint will be subject to appropriate disciplinary action, up to and including termination.

5.0 COMPLAINT PROCEDURE

5.1 It is the responsibility of each member of management to create an atmosphere free of discrimination and harassment, sexual or otherwise. In addition, it is the responsibility of each employee and student to respect the rights of co-workers.

5.2 Individuals should immediately report any violations of this policy. If an individual experiences any harassment, or believes he or she has been treated in a discriminatory or retaliatory manner, he or she should promptly report such conduct to Katie Raftery, the Vice President, Human Resources (516-367-8499) or W. Dillaway Ayres, the Chief Operating Officer (516-367-5200). Any Laboratory supervisor or manager who receives a report or a complaint of discrimination, harassment or retaliation, or who learns that conduct of the nature prohibited by this policy may be occurring, must report that offense immediately to Katie Raftery or W. Dillaway Ayres.

5.3 Complaints may be made orally or in writing, but should be made in a timely manner following the incident so that a prompt investigation can occur. Investigations into alleged violations of this policy will be handled as discreetly as practicable. The investigation may include interviews with the complainant, the accused, and others who may be witnesses to the conduct at issue. Employees have an obligation to cooperate if they are contacted in the course of an investigation. Any employee or student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to appropriate disciplinary action, up to and including termination.

3 Revised 2.24.2017
5.4 Anyone providing information that the individual knows to be inaccurate during an investigation may be subject to appropriate disciplinary action, up to and including termination.

This policy is not to be considered an employment contract or a guarantee of any kind. The Laboratory reserves the right to interpret, administer, revise, supplement, or rescind policies, as it deems appropriate.