



EQUAL EMPLOYMENT OPPORTUNITY AND DISCRIMINATION, HARASSMENT, AND RETALIATION PREVENTION POLICY

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Cold Spring Harbor Laboratory

1.0

PURPOSE

The Laboratory is committed to providing equal employment opportunities and a workplace that is respectful, productive, and free from discrimination, harassment, and retaliation. The purpose of this Equal Employment Opportunity and Discrimination, Harassment, and Retaliation Prevention Policy (the “Policy”) is to establish the Laboratory’s expectations for a productive and positive work environment, alert employees to their legal rights under applicable laws, and provide information on options for raising concerns either internally or externally.

2.0

SCOPE

- 2.1 The protections under this Policy apply to the Laboratory’s employees, applicants, interns, and non-employees working at the Laboratory, and students enrolled in a research program at the Laboratory, including visiting students, regardless of immigration status (“Covered Persons”). A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, volunteer or anyone else providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, “gig” workers, and temporary workers.
- 2.2 Conduct not falling under the scope of this Policy may be addressed under other Laboratory policies. For example, the Laboratory also maintains a Code of Conduct, which sets forth standards for honest, lawful, respectful and ethical conduct. A copy of the Code of Conduct is available on the [Intranet](#).
- 2.3 The administration of this Policy shall be the responsibility of the Vice President, Chief Human Resources Officer.

3.0

EQUAL EMPLOYMENT OPPORTUNITY (“EEO”)/DISCRIMINATION PREVENTION

- 3.1 Cold Spring Harbor Laboratory is an equal employment opportunity employer and does not discriminate against any employee, intern, non-employee working at the Laboratory, student or applicant because of actual or perceived race, color, creed, religion, sex, pregnancy status, national origin, mental or physical disability, age, veteran status, military status, citizenship status, marital status, familial status, sexual orientation, gender identity or expression, status as a victim of domestic violence, sexual violence, or stalking, genetic information, caregiver status, sexual or reproductive health decisions, or immigration or citizenship status, or any other characteristic protected by applicable law (referred to as “Protected Status”).
- 3.2 All activities of the Laboratory, including, but not limited to, recruiting and hiring, recruitment advertising, promotions, performance appraisals, training, job assignments, compensation, demotions, transfers, terminations (including layoffs), benefits, and other terms, conditions, and privileges of employment, are and will be administered on a non-discriminatory basis, consistent with all applicable federal, state, and local requirements.
- 3.3 Discrimination in the workplace based on a person’s Protected Status (as defined above) is unlawful, may subject the Laboratory to liability for the harm experienced by targets of discrimination, and will not be tolerated by the Laboratory. Discrimination occurs when an individual is treated differently on the basis of a Protected Status. Any person covered by this Policy who engages in discrimination will be subject to appropriate discipline, as

described below.

4.0 **HARASSMENT PREVENTION**

Harassment in the workplace based on a person's Protected Status (as defined above in the EEO/Discrimination Prevention section of this policy) will not be tolerated by the Laboratory and is unlawful. Individuals who engage in unlawful harassment may be individually subject to liability and employers or supervisors who fail to report or act on such conduct may be liable for aiding and abetting such behavior. In addition, harassment of any sort, whether or not based on a person's Protected Status, is prohibited by the Laboratory's Code of Conduct. Employees at every level who engage in harassment, including managers and supervisors who engage in or who allow such behavior to continue, will be penalized for such misconduct.

A. Harassment Generally Defined

- 4.1 Harassment is any unwelcome verbal, visual, written, or physical conduct that occurs with the purpose or effect of creating an intimidating, hostile, degrading, humiliating, or offensive environment or unreasonably interferes with an individual's work performance. In general, harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment because of their Protected Status. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy. The impacted person does not need to be the intended target of the harassment. **Examples of harassment can be found in Appendix B.**
- 4.2 Unlawful harassment is not limited to the physical workplace itself. It can occur, for example, while individuals are traveling for business or at Laboratory events or parties, and is not restricted to work hours. Harassment can occur when employees are working remotely as well. Harassment can happen on virtual meeting platforms and in messaging apps, as well as through calls, texts, emails, and social media.
- 4.3 Consistent with the Laboratory's [Computer Usage Policy](#), computers, computer files, software, email systems, messaging platforms, and voice mail furnished to individuals conducting business in the workplace may not be used for any improper purpose. For example, any use, display, or transmission of intimidating, hostile, degrading, humiliating, offensive, or sexually explicit images, messages, or cartoons is strictly prohibited. Use of the Laboratory's property to maintain or communicate material or information of such a harassing nature, including sexually harassing content, will not be tolerated.
- 4.4 Harassment and/or discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender, including but not limited to an individual's race, immigration status, or past experiences as a survivor of domestic violence. Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. In the interest of creating a safe and equitable workplace, it is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own.

B. Sexual Harassment Defined

- 4.5 Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. The Laboratory prohibits any form of sexual harassment, and all individuals are required to work in a manner that prevents sexual harassment in the workplace. This policy is one component of the Laboratory's commitment to a discrimination-free work environment.

- 4.6 Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender. **Examples of sexual harassment can be found in Appendix B.**
- 4.7 Respecting an individual's gender identity is a necessary first step in establishing a safe workplace. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary.
1. A cisgender person is someone whose gender aligns with the sex they were assigned at birth.
 2. A transgender person is someone whose gender is different than the sex they were assigned at birth.
 3. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do.
- 4.8 Sexual harassment includes any unwelcome conduct which (1) is either directed at an individual because of that individual's sex, gender identity, or gender expression (perceived or actual), or is of a sexual nature and (2) has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.
- 4.9 There are two main types of sexual harassment:
1. Behaviors that contribute to a **hostile work environment** include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, or sexually explicit or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
 2. Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This type of sexual harassment occurs when employment depends implicitly or explicitly on accepting such unwelcome behavior; or when decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. This can include hiring, promotion, continued employment, or any other terms, conditions, or privileges of employment such as what shifts and how many hours an employee might work, project assignments, as well as salary decisions. This is also called **quid pro quo** harassment.
- 4.10 Sexual harassment can occur between any individuals, regardless of their sex or gender and does not have to be between members of the opposite sex or gender. **Harassers can be anyone in the workplace, including a supervisor, supervisee, coworker, independent contractor, contract worker, vendor, client, or visitor.**

4.11 No supervisor or other individual providing services in the workplace shall threaten or insinuate, either explicitly or implicitly, that another individual's refusal to submit to sexual advances will adversely affect that person's employment, work status, evaluation, compensation, advancement, assigned duties, shifts, or any other term, condition, or privilege of employment or career development. Similarly, no supervisor or other individual providing services in the workplace shall promise, imply, or grant any preferential treatment or employment opportunities in return for sexual favors.

C. Bystander Intervention

4.12 There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can document the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it as described in Section 7.0. A supervisor or manager that is a bystander to harassment is required to report it.

5.0 RETALIATION PREVENTION

5.1 The Laboratory's commitment to equal employment opportunity and a workplace that is free of discrimination, unlawful harassment, including sexual harassment, and retaliation ensures that individuals, including any employee, applicant, intern, non-employee working in the workplace, or student may raise concerns under the Equal Employment Opportunity and Discrimination, Harassment, and Retaliation Prevention Policy without fear of retaliation.

5.2 Individuals engage in protected activity by making a complaint or report of harassment, discrimination, or retaliation; testifying or assisting in a proceeding involving discrimination, unlawful harassment, or retaliation under federal, state, or local laws; or encouraging colleagues to report discrimination, harassment, or retaliation. Retaliation is any unlawful action by an employer or supervisor to discharge, threaten, penalize, or

otherwise adversely impact an employee because they have engaged in protected activity or seeks to discourage that individual from making a complaint or supporting a sexual harassment or discrimination claim. Unlawful retaliation is not limited to the physical workplace itself and can occur off premises, remotely, and outside of working hours. Such retaliation is unlawful under federal, state, and local law. **Examples of retaliation can be found in Appendix B.**

- 5.3 Retaliation against individuals for raising good faith concerns about discrimination, unlawful harassment (including sexual harassment), or retaliation, either with the Laboratory or with any administrative agency or in a court or arbitration proceeding, or for cooperating in an investigation of such concerns will not be tolerated by the Laboratory. This policy is intended to give Covered Persons the ability to express legitimate serious concerns without fear of retaliatory action.
- 5.4 Even if the alleged discrimination or harassment does not actually constitute a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the prohibition of retaliation is not intended to protect persons making intentionally false charges of discrimination or harassment.
- 5.5 Any individual who retaliates against Covered Persons who raise good faith concerns about discrimination, retaliation, or unlawful harassment, including sexual harassment, or who otherwise engages in protected activity described in the preceding paragraph, will be subject to appropriate disciplinary action, up to and including termination of employment.

6.0 SUPERVISORY RESPONSIBILITIES

- 6.1 Supervisors and managers have a responsibility to prevent discrimination, sexual or other unlawful harassment, or retaliation. All supervisors and managers who receive a complaint or information about possible discrimination, sexual or other unlawful harassment, or retaliation, observe what may be discrimination, sexual or other unlawful harassment, or retaliation, or for any reason suspect that discrimination, sexual or other unlawful harassment, or retaliation is occurring, are **required to** immediately contact the Vice President, Chief Human Resources Officer or the Chief Operating Officer so it can be investigated in a timely manner. Supervisors and managers should not be passive and wait for an employee to make a claim of discrimination, sexual or other unlawful harassment, or retaliation. If they observe or become aware of such behavior, they must act.
- 6.2 Supervisors, and managers can be disciplined if they engage in discrimination, sexual or other unlawful harassment, or retaliation themselves. Supervisors, and managers can also be disciplined in the event they become aware of any violation of the Laboratory's Equal Employment Opportunity and Discrimination, Harassment, and Retaliation Prevention Policy but fail to promptly report it to the Vice President, Chief Human Resources Officer or the Chief Operating Officer.

7.0 PROCEDURES FOR REPORTING VIOLATIONS OF THIS POLICY

- 7.1 An individual who believes they have been the victim of discrimination, harassment, or retaliation or the object of inappropriate behavior or sexual or other unlawful harassment, or who witnesses or becomes aware of potential instances of such conduct, should inform the Vice President, Chief Human Resources Officer (516-367-8499) or the Chief Operating Officer (516-367-5200).

7.2 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. An optional form for submission of a written complaint of discrimination, harassment, and/or retaliation may be accessed in one of a number of ways:

1. As an alternative to directly contacting one of the designated individuals listed above, an individual may file a complaint on the Intranet at: <https://incident.cshl.edu/> or through EthicsPoint, a third party hotline provider, on a secure server that is not part of the Laboratory at: <https://secure.ethicspoint.com/domain/media/en/gui/46674/index.html> or by calling 1-844-390-9805. The Laboratory encourages individuals to provide their identity when making the report and provide detailed information in order to facilitate an investigation. However, anonymous reports may be made.
2. An optional form for submission of a written complaint of discrimination, harassment, or retaliation is attached as **Appendix A** to this policy. Individuals who are reporting on behalf of other individuals also may use the complaint form and note that the complaint is made on behalf of another person. Individuals who believe they have been a victim of unlawful discrimination or harassment, including sexual harassment, may also seek assistance in other available forums, as explained below in the section on Legal Protections and External Remedies. Individuals who are reporting discrimination, harassment, and/or retaliation on behalf of other individuals also may use the complaint form and note that the complaint is made on behalf of another person.
3. Special policies and procedures apply to allegations of sexual harassment covered under Title IX of the Educational Amendments of 1972, which apply to education programs and activities and locations of the Laboratory. For additional information about prohibited conduct, procedures for handling Title IX complaints, and resources available to students, please see the Laboratory's Interim Policy and Procedures for Allegations of Title IX Sexual Harassment. The policy can be found on the Laboratory's School of Biological Science's website. There may be a circumstance when the allegations forming the basis of a complaint, if substantiated, would constitute prohibited conduct under both this Equal Employment Opportunity and Discrimination, Harassment, and Retaliation Prevention Policy and the Interim Policy and Procedures for Allegations of Title IX Sexual Harassment. In that circumstance, the grievance process set forth in the Interim Policy and Procedures for Allegations of Title IX Sexual Harassment will be applied in the investigation and adjudication of all of the allegations.

8.0 COMPLAINTS, INVESTIGATIONS, AND DISCIPLINARY ACTION

- 8.1 The Laboratory will conduct a prompt, thorough, fair, and impartial investigation whenever it receives a complaint about a violation of this policy, or otherwise becomes aware of a violation. The investigation will be conducted by qualified personnel in as confidential manner as is practical and appropriate under the circumstances, recognizing that some disclosure may be necessary to effectively investigate the complaint.
- 8.2 The investigation process will give persons accused of prohibited conduct notice of the nature of the allegations and a meaningful opportunity to respond, as appropriate. Upon completing its investigation, the Laboratory will make findings and conclusions based on the evidence.

Appropriate corrective action will be taken whenever violations are determined to have occurred. The Laboratory will notify the individual who complained and the individual(s) accused of the final determination and implement any corrective action.

- 8.3 All individuals, including managers and supervisors, are required to cooperate with any internal investigation of discrimination, harassment, or retaliation. Anyone interfering with or providing information that the individual knows to be inaccurate may be subject to disciplinary action, up to and including termination of employment.
- 8.4 Discrimination based on any Protected Status, sexual harassment or other unlawful harassment, and retaliation are forms of misconduct, violations of our policy, and may subject the Laboratory to liability. Individuals of every level who engage in such misconduct, including managers and supervisors who engage in such behavior or who knowingly allow such behavior to continue, will be subject to remedial and/or disciplinary action up to and including termination. Examples of remedial action include, but are not limited to, counseling, training, and mediation.
- 8.5 The Laboratory will comply with all applicable institutional reporting requirements under third party awards, including but not limited to Federal awards, such as those of the National Institutes of Health ([NIH](#)) and National Science Foundation ([NSF](#)), New York State and private foundations. More details can be found in the Laboratory's Sponsored Program Procedures and Reporting Requirements Relating to Harassment, attached as **Appendix C**.

9.0 LEGAL PROTECTIONS AND EXTERNAL REMEDIES

- 9.1 Unlawful discrimination and harassment (including sexual harassment), is not only prohibited by the Laboratory but is also prohibited by federal, state, and (where applicable) local law. Aside from the internal process at the Laboratory, individuals may also choose to pursue legal remedies as follows.
- 9.2 The United States Equal Employment Opportunity Commission ("EEOC")
 1. The United States Equal Employment Opportunity Commission ("EEOC") enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (42 U.S.C. § 2000e et seq.), the Americans with Disabilities Act (ADA) (42 U.S.C. § 12101 et seq), and the Age Discrimination in Employment Act of 1967 (ADEA) (29 U.S.C. § 621 et seq). An individual can file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Notice of Right to Sue permitting the individual to file a complaint in federal court, or, if there is a written arbitration agreement covering the issue in dispute, in arbitration.
 2. The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.
 3. If an individual believes that they have been discriminated against at work, the individual can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. You may contact the EEOC by calling

1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov, or emailing info@eeoc.gov.

4. If an individual files an administrative complaint with the New York State Division of Human Rights, the Division will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

9.3 New York State Division of Human Rights

1. The Human Rights Law (“HRL”), N.Y. Executive Law, § 290 et seq., applies to all employers in New York State and protects employees, applicants, interns, and non-employees regardless of immigration status.
2. A complaint alleging violation of the HRL may be filed with the New York State Division of Human Rights (“DHR”); in New York State Supreme Court; in federal court in certain circumstances; or if there is a written arbitration agreement covering the issue in dispute, in arbitration. An individual may not file with the DHR if they have already filed an HRL complaint in court. And an individual may not file an HRL complaint in court if they have already filed a complaint with the DHR.
3. The DHR will investigate complaints and determine whether there is probable cause to believe that discrimination, harassment, or retaliation has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination, harassment, or retaliation is found after a hearing, the DHR has the power to award relief, which varies but may include requiring an employer to take action to stop the discrimination, harassment, or retaliation, redress the damage caused, including paying of monetary damages, attorney’s fees, and civil fines.
4. The DHR’s main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call the DHR at (718) 741-8400 or visit www.dhr.ny.gov.
5. You may go to <https://dhr.ny.gov/complaint> for more information about filing a complaint with the DHR. The website has a digital process that can be completed on your computer or mobile device from start to finish, as well as a complaint form that can be downloaded, filled out, and mailed to the DHR as well as a form that can be submitted online. The website also contains contact information for the DHR’s regional offices across New York State.
6. Additionally, all Covered Persons in New York State may use this free and confidential hotline for more information about filing a sexual harassment complaint or to connect with a volunteer attorney experienced in sexual harassment matters who can provide limited free assistance and counsel over the phone: 1-800-HARASS-3 (1-800-427-2773).

9.4 Additional Local Protections

1. Many localities enforce laws protecting individuals from discrimination, harassment, or retaliation. Individuals may contact the county, city, or town, in which they work to find out if such a law exists.

2. Individuals who work in Nassau County may file complaints with the Nassau Commission on Human Rights at Nassau County Commission of Human Rights, 240 Old Country Road, Suite 606, Mineola, NY 11501; call 516-571-3662.
 3. Individuals who work in Suffolk County may file complaints with the Suffolk County Human Rights Commission, which may be contacted at its main office at H. Lee Denison Building, 100 Veterans Memorial Highway, Third Floor, Hauppauge, NY 11788; call (631) 853-5480; or visit www.suffolkcountyny.gov/Departments/HumanRightsCommission.aspx.
 4. Individuals who work in New York City may file complaints with the New York City Commission on Human Rights. Such individuals may contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; (212) 306-7450 or (in New York City) 311; or visit www.nyc.gov/html/cchr/html/home/home.shtml.
 5. Individuals who work in Westchester may file complaints with the Westchester County Human Rights Division at 112 East Post Rd., 3rd Floor White Plains, NY 10601; call (914) 995-9500.
 6. If the harassment involves unwanted physical touching, coerced physical confinement or coerced sexual acts, the conduct may constitute a crime. In such circumstances, individuals may contact the appropriate law enforcement agency.
- 9.5 Questions concerning the Equal Employment Opportunity, and Discrimination, Harassment, and Retaliation Prevention Policy should be directed to the Vice President, Chief Human Resources Officer (516-367-8499) or the Chief Operating Officer (516-367-5200).
- 9.6 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.

Revised: October 2023

Appendix A

Complaint Form For Reporting Discrimination, Harassment, or Retaliation

If you believe that you or another individual have been subjected to discrimination, harassment, or retaliation, you may, but are not required to, complete this form and submit it to the Vice President, Chief Human Resources Officer or the Chief Operating Officer. If you are more comfortable reporting verbally or in another manner, you may contact the Vice President, Chief Human Resources Officer (516-367-8499) or the Chief Operating (516-367-5200). You will not be retaliated against for filing a complaint.

For additional resources, visit:

<https://www.ny.gov/PROGRAMS/COMBATING-SEXUAL-HARASSMENT-WORKPLACE>

I am completing this complaint form on behalf of: Myself Someone Else

COMPLAINANT INFORMATION

Name:	
Work Address:	Work Phone:
Job Title:	Email:
Select Preferred Communication Method: (please select one): Phone: Work Email:	

SUPERVISOR INFORMATION

Immediate Supervisor's Name:	Work Address:
Title:	Work Phone:

COMPLAINT INFORMATION

1. Your complaint of discrimination, harassment, or retaliation is made against:

Name:	Title:
Work Address:	Work Phone:

Relationship to you (or that person's):

Supervisor Subordinate Co-Worker Other

2. Date(s) discrimination, harassment, or retaliation occurred: _____

Is the discrimination, harassment, or retaliation continuing? Yes No

3. Please describe what happened and how it is affecting you (or the individual on whose behalf the complaint is made) and your (or that person's) work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint:

The last question is optional, but may help facilitate the investigation.

5. Have you previously complained or provided information (verbal or written) about related incidents or discrimination, harassment, or retaliation at Cold Spring Harbor Laboratory? If yes, when and to whom did you complain or provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information.

The information submitted on this form is true and accurate to the best of my knowledge.

Signature: _____ *Date:* _____

Appendix B

Examples of Harassment

The following are examples of types of behavior that may constitute unlawful harassment when based on a Protected Status:

1. Engaging in verbal or physical abuse;
2. Threats;
3. Making suggestive or offensive comments or gestures to intimidate or humiliate;
4. Making insulting or abusive comments or jokes;
5. Bullying;
6. Isolation or exclusion;
7. Displaying discriminatory or harassing symbols or imagery;
8. Misuse of power or position for the purpose of intimidating or humiliating; or
9. Engaging in a pattern of unwelcome or inappropriate verbal, behavioral, or environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or otherwise negative prejudicial slights and insults toward an individual or group, including, but not limited to, historically excluded groups. These can be referred to as microaggressions, such as commenting on ability to speak English or stating and/or perpetuating stereotypes.

Employees should thoughtfully consider their words and actions as the intent of the behavior, for example, making a joke, does not neutralize a harassment claim.

Examples of Sexual Harassment

Sexual harassment does not happen in a vacuum, and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

1. Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
2. An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
3. Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

The following describes some of the types of acts that may be unlawful sexual harassment. **This list is just a sample of behaviors and should not be considered exhaustive.** Any individual who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

1. Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy. Please contact local law enforcement if you wish to pursue criminal charges (the Laboratory's Security Office can assist you with this if you choose).

2. Unwanted sexual comments, advances, or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.
3. Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
4. Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of her job duties.
5. Sexual or discriminatory displays or publications, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic;
 - This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background during a virtual meeting.
6. Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to work;
 - Sabotaging an individual's work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual's preferred pronouns.
 - Creating different expectations for individuals based on their perceived identities, i.e. leaving parents/caregivers out of meetings.

Examples of Retaliation

Examples of retaliation may include, but are not limited to:

1. Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
2. Publicly releasing personnel files;
3. Labeling an employee as "difficult" and excluding them to avoid "drama";
4. Undermining an individual's immigration status; or
5. Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location.

Appendix C



Sponsored Program Procedures and Reporting Requirements Relating to Harassment

Cold Spring Harbor Laboratory (“the Laboratory”) is committed to providing equal employment opportunities and a workplace that is respectful, productive, and free from discrimination, harassment, and retaliation. The Laboratory has established policies, procedures and oversight to promote ethical conduct and compliance with laws, regulations and policies. Part of the Laboratory’s obligation is to ensure that it complies with sponsors’ expectations and requirements regarding harassment-free environments. Many sponsors require the Laboratory to inform them when an individual’s ability to perform work on the project is impacted. To that end, the Laboratory will abide by the following procedures:

1. When the Laboratory receives a complaint of sexual harassment, other harassment, sexual assault, discrimination or other forms of inappropriate conduct that can result in a hostile work environment, the Office of Human Resources (HR) or its designee(s) will coordinate with the General Counsel’s Office to investigate the complaint against the respondent in accordance with the Laboratory’s policies and procedures, including but not limited to its Equal Employment Opportunity and Discrimination, Harassment and Retaliation Prevention Policy, and its Interim Policy and Procedures for Allegations of Title IX Sexual Harassment, as applicable.
2. Depending on the circumstances, prior to, during, or after an investigation, the respondent may be put on administrative leave or an administrative action may be imposed.
3. If the respondent is a Principal Investigator (PI), co-Principal Investigator (co-PI) or key scientific personnel, HR and/or the General Counsel will ask the Office of Sponsored Programs (OSP) to confidentially provide a list of that individual’s active sponsored awards.
4. Upon conclusion of an investigation or imposition of an administrative leave/action for a PI, co-PI or key personnel, HR and Legal will engage and work with OSP to draft and submit any required notifications to sponsoring agencies, as applicable.

NIH Notification Requirements: OSP will be instructed by HR and/or General Counsel to notify the NIH when a PI, co-PI or person identified as key personnel in an NIH Notice of Award is removed from their position or is otherwise disciplined due to concerns about harassment, bullying, retaliation, or hostile working conditions. Such notification will occur within 30 days of the removal or disciplinary action of the PI, co-PI or key personnel, in compliance with NIH Terms and Conditions. In addition, the Laboratory will notify the NIH of changes in a PI, co-PI or other key person’s status, for example modified employment or leave status during an investigation of alleged sexual misconduct.

NSF Notification Requirements: OSP will be instructed by HR and/or General Counsel to notify the NSF's Office of Diversity and Inclusion via its [Organizational Notification of Harassment Form](#) within ten business days from the date of the Laboratory's finding/determination of sexual harassment, other form of harassment, or sexual assault by a PI or co-PI, or the date of the Laboratory's placement of a PI or co-PI on administrative leave or the imposition of an administrative action, whichever is sooner.

Definitions: For purposes of this section:

Sexual Harassment: May include but is not limited to gender or sex-based harassment, unwelcome sexual attention, sexual coercion, or creating a hostile environment, as set forth in the Laboratory's policies or codes of conduct, statutes, regulations, or executive orders.

Other Forms of Harassment: Non-gender or non-sex-based harassment of individuals protected under federal civil rights laws, as set forth in the Laboratory's policies or codes of conduct, statutes, regulations, or executive orders.

Finding/Determination: The final disposition of a matter involving sexual harassment or other form of harassment under organizational policies and processes, to include the exhaustion of permissible appeals exercised by the PI or co-PI, or a conviction of a sexual offense in a criminal court of law.

Administrative Leave/Administrative Action: Any temporary/interim suspension or permanent removal of the PI or co-PI, or any administrative action imposed on the PI or co-PI by the grantee under organizational policies or codes of conduct, statutes, regulations, or executive orders, relating to activities, including but not limited to the following: teaching, advising, mentoring, research, management/administrative duties, or presence on campus.

Related NSF requirement for Conferences: The Laboratory's Meetings and Courses (Conferences) each have a Code of Conduct that addresses sexual harassment, other forms of harassment, and sexual assault, and include clear and accessible means of reporting violations. The applicable Code of Conduct is disseminated to Meetings and Courses participants and is easily accessible to participants throughout the time they attend the Meeting or Course, whether attendance is in person or virtual.

Other Third Party Sponsor Notification Requirements: OSP, working in collaboration with HR and General Counsel, will be instructed to provide any notifications relating to sexual harassment, other forms of harassment or sexual assault as may be required pursuant to the terms and conditions of other third party sponsored awards, including but not limited to other federal agencies and private foundations.

Appendix D

SEXUAL COERCION

promising professional rewards in return for sexual favors

threatening professional consequences unless sexual demands are met

UNWANTED SEXUAL ATTENTION

rape

sexual assault

unwanted groping or stroking

PUBLIC CONSCIOUSNESS

GENDER HARASSMENT

relentless pressure for sex

unwanted sexual discussions

nude images posted at work

relentless pressure for dates

sexually humiliating acts

offensive sexual teasing

sexual insults
e.g. "for a good time call...",
calling someone a whore

sexist insults
e.g. women don't belong
in science

offensive remarks about bodies

obscene gestures

sabotage of women's equipment

vulgar name calling
e.g. "slut," "bitch," "c**t"

gender slurs
e.g. "pu**y"

insults to working mothers
e.g. "you can't do this job with
small kids at home"

Sexual Harassment of Women:
Climate, Culture, and Consequences in
Academic Sciences, Engineering, and Medicine
<https://www.nationalacademies.org/sexualharassment>

The National Academies of | SCIENCES
ENGINEERING
MEDICINE

Appendix E

Supportive Resources

Services for CSHL employees and students who believe they have experienced or witnessed harassing or discriminatory behavior

For information about **FILING A REPORT**, scan the QR code



Confidential Onsite Counselor

Appointments with Leslie Reduto at CSHL Wed/Fri 8:00 am - 4:00 pm
516-519-0350 | lreduto@northwell.edu



Confidential Employee Assistance Program Counselors

Northwell Health After-Hours Support 1-877-EAP-4YOU (877-327-4968)	Optum EAP (United Healthcare) 24/7 Support 1-866-248-4094
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Confidential Ombuds Office

516-367-8404 (voice) | 516-336-3293 (voice/text) | ombuds@cshl.edu

The SightMD Center for Health and Wellness

8:30 am - 4:30 pm (closed 1 pm - 2pm)
Dolan, East Wing, Room 111 | 516-422-4422

Sexual Assault Nurse Examiners

North Shore University Hospital 300 Community Drive Manhasset, NY 11030 888-321-DOCS	Stony Brook University Hospital 101 Nicolls Road Stony Brook, NY 11794 631-444-2499
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The Safe Center LI

Information, support and immediate help in cases of abuse or assault
24/7 Hotline: 516-542-0404



Cold Spring Harbor Laboratory

Scan to report an incident or learn more at
tiny.cc/CSHLsupport

For **EMERGENCY SERVICES**, please call security
516-367-5555 or 911





Cold Spring Harbor Laboratory

**EQUAL EMPLOYMENT OPPORTUNITY AND DISCRIMINATION,
HARASSMENT, AND RETALIATION PREVENTION POLICY**

ACKNOWLEDGMENT AND AGREEMENT

I acknowledge that I have received a copy of the Equal Employment Opportunity and Discrimination, Harassment, and Retaliation Prevention Policy. I understand that this policy reflects important legal rights and obligations with respect to conduct in the workplace and in all work-related settings. I agree to carefully review the policy and abide by it.

Signature

Date

Printed Name: _____