

DEPARTMENT OF MICHIGAN VETERANS OF FOREIGN WARS ANTI-DISCRIMINATION POLICY

The Department of Michigan Veterans of Foreign Wars (hereafter referred to as the Department) is committed to maintaining a workplace free from discrimination or harassment on any basis. All employees are required to work in a manner that prevents discrimination and harassment in the workplace. This Policy is one component of the Department's commitment to a discrimination-free work environment. Employees have a legal right to a workplace free from discrimination and/or harassment and employees are urged to report such actions by filing a complaint internally with the Department. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

Policy

This Department of Michigan Veterans of Foreign Wars policy applies to all Department Officers, elected or appointed, whether current or former, Directors and employees to include staff of Department Headquarters, Department Service Office and VFW Camp Trotter for Children, applicants for employment with any of the same, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with the Department. In the remainder of this document, the term Department employees refers to this collective group.

Discrimination and/or harassment will not be tolerated. Any employee or individual covered by this policy who engages in such behavior or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).

Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of discrimination or harassment, provides information, or otherwise assists in any investigation of a complaint of such behavior. The Department will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected discrimination or harassment. Any employee of the Department who retaliates against anyone involved in an investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees working in the workplace, who believe they have been subject to such retaliation should inform a supervisor, manager, the Department Adjutant or the Department Commander. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections. Harassers may also be individually subject to liability. Employees of every level who engage in discrimination or harassment, including managers and supervisors who engage in or who allow such behavior to continue, will be penalized for such misconduct.

The Department will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about discrimination or harassment, or otherwise knows of such behavior occurring. The Department will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever discrimination or harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of such behavior. All employees are encouraged to report any behaviors that violate this policy. The Department will provide all employees a complaint form for employees to report discrimination and/or harassment and file complaints.

Managers and supervisors are required to report any complaint that they receive, or any discrimination or harassment that they observe or become aware of, to the Department Adjutant or the Department Commander.

This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

What Is Discrimination?

Discrimination on the basis of, but not limited to gender, gender identity, sexual orientation, race, ethnicity, religion, disability or on the basis of a charge of discrimination or a charge of unethical behavior or a conflict of interest is unlawful under federal, state, and (where applicable) local law.

Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a discrimination or harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The State Human Rights Law protects any individual who has engaged in protected activity. Protected activity occurs when a person has:

- made a complaint of discrimination or harassment, either internally or with any anti-discrimination agency; or
- testified or assisted in a proceeding involving such behavior under the Human Rights Law or other anti-discrimination law; or
- opposed discrimination and/or harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of such behavior; or
- reported that another employee has been the subject of discrimination and/or harassment; or
- encouraged a fellow employee to report suspected discrimination or harassment.

Even if the alleged discrimination or harassment does not turn out to rise to the level of 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 retaliation provision is not intended to protect persons making intentionally false charges of discrimination or harassment.

Reporting Discrimination and/or Harassment

Preventing discrimination and/or harassment is everyone's responsibility.

The Department cannot prevent or remedy discrimination and/or harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute discrimination and/or harassment is encouraged to report such behavior to a supervisor, manager, the Department Adjutant or the Department Commander. Anyone who witnesses or becomes aware of potential instances of such behavior should report the behavior to a supervisor, manager, the Department Adjutant or the Department Commander.

Reports of discrimination and/or harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to

use this complaint form. Employees who are reporting discrimination and/or harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of discrimination and/or harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected discrimination and/or harassment, observe what may be such behavior or for any reason suspect that such behavior is occurring, are required to report such suspected behavior to the Department Adjutant or the Department Commander.

In addition to being subject to discipline if they engaged in such conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected behavior or otherwise knowingly allowing discrimination and/or harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any form of retaliation.

Complaint and Investigation of Discrimination and/or Harassment

All complaints or information about discrimination and/or harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected discrimination and/or harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected discrimination and/or harassment. The Department will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of a complaint, the Department Adjutant or the Department Commander will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If the complaint is verbal, encourage the individual to complete the 'Complaint Form' in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.

EMPLOYEE COMPLAINT FORM

The Department of Michigan Veterans of Foreign Wars take complaints by employees and others of discrimination, harassment, and unethical or unfair conduct as serious matters. So that we may thoroughly investigate your concern, you are requested to fill out this form as completely as possible. Please use additional sheets of paper where needed. You are not limited to the space provided. After a prompt and thorough investigation into your complaint, you will be notified of the Department's intended action. Should you have any questions about the process, please set them forth at the end of this form and we will do our best to answer them. Thank you.

Name: _____

Title or Position: _____

Department: Headquarters _____ Service Office _____ VFW Camp Trotter _____

Name of Supervisor: _____

Your capacity: Employee _____ Volunteer _____ Intern _____ Vendor _____

Nature of Complaint: Harassment: Sexual _____ Racial _____ Religious _____ Gender _____

Sexual Orientation _____ Ethical _____ Conflict of Interest _____ Other _____

Date of the incidents (s): _____

Location of the incident(s): _____

1. Please describe in as much detail as possible the nature of your complaint.

2. Please identify all known persons and witnesses with knowledge of your complaint and provide their contact information: name, address, phone, email address.

3. Please provide or identify any known documents or other evidence that support your complaint.

4. Please describe how the actions you complain about have affected your ability to do your job.

5. Please provide any additional comments or information you wish us to know to investigate your complaint.

I declare that the facts set forth in this complaint form are true and accurate.

Printed name

Signature

Date

This complaint form was received by:

Printed name

Signature

Date