

Bullhead City / Mohave Valley Association of REALTORS®

HARASSMENT POLICY

Harassment is illegal conduct and is contrary to the policy of the association.

Definitions:

As used in association policy, harassment means any verbal or physical conduct including threatening or obscene language, unwelcome sexual advances, stalking, actions including strikes, shoves, kicks, or other similar physical contact, or threats to do the same or any other conduct with the purpose or effect of unreasonably interfering with an individual's work performance by creating a hostile, intimidating or offensive work environment.

Policy 1 – Complaint Procedure

- (A)** Any employee who believes that he/she had suffered harassment by any other member of the association must bring the problem to the attention of the President or Association Executive. The complaint does not have to be in writing, however, it is helpful if details of dates, times, places and witnesses, if any, to the harassment alleged can be provided.
- (B)** All complaints will be investigated promptly and with the strictest confidentiality by an investigatory team comprised of the President, President-Elect, and/or Vice President and one (1) member of the Board of Directors selected by the highest ranking officer not named in the complaint after consultation with legal counsel for the association. If the complaint involves the President, President-Elect and/or Vice President, they shall be replaced on the investigatory team by the immediate Past President or alternatively, by another member of the Board of Directors selected by the highest ranking officer not named in the complaint.
- (C)** Both the complainant and the accused will be provided a full opportunity to present their cases. Witness's interview will be provided only such information as is necessary to elicit from them their observations and other relevant information.
- (D)** Disciplinary action against and member found to have harassed an association employee may include verbal or written warning, probation, suspension or expulsion depending on the gravity of the incident. Prior incidents of similar behavior shall be taken into consideration when determining the appropriate disciplinary action. Such decision shall be made by the investigatory team.
- (E)** Clear, strong and convincing shall be the standard of proof by which alleged allegations of harassment are determined. Clear, strong and convincing shall be defined as that measure or degree of proof which will produce a firm belief as to the validity of the allegations sought to be established.

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- (F)** It is contrary to the policy of the association for a member to retaliate against any employee who files a charge of harassment. All possible steps will be taken to eliminate the possibility of retaliation resulting from the filing of a complaint.
- (G)** In the event a complaint of harassment is found to be totally and completely without basis, appropriate disciplinary measures may be taken against the employee who brought the complaint. While this is no way to intend to discourage employees who believe they have been the victim of harassment from bringing a complaint, the association recognizes that a charge of harassment can cause serious damage to the personal reputation and professional career of the accused.

Policy 2 – Complaint Investigation and Confidentiality

- (A)** All complaints will be investigated promptly by the Executive Committee and Association Attorney. The identity of the employee or member making the complaint as well as the identity of the individual accused of harassment will be kept strictly confidential. Information regarding the charge of harassment and the investigation of that charge will not be made known to anyone who is not directly involved either as a party, a witness, or a member of the investigatory team. Witnesses interviewed will be provided only such information as is necessary to elicit from their observations and other relevant information.
- (B)** During the investigation both the complainant and the accused will be provided a full opportunity to tell their side of the story. Witnesses identified by the complainant or the accused will also be interviewed. Upon completion of the investigation, the investigatory team will prepare a written report of its findings and recommendations for the Board of Directors. Authority for the final Resolution of all charges and the determination of appropriate sanctions rests with the Board of Directors.

Policy 3 – Discipline

- (A)** Harassment is a serious offence. It is contrary to Association policy for a member to retaliate against any individual who files a charge of harassment. All possible steps will be taken to eliminate the possibility of retaliation resulting from the filing of a complaint.
- (B)** In the event a complaint of harassment is found to be totally and completely without basis, appropriate disciplinary measures may be taken against the individual who brought the complaint. While this is in no way intended to discourage and individual who believes they have been the victim of harassment from bringing a complaint, the Association recognizes that a charge of harassment can cause serious damage to the accused's personal reputation and professional career.