



Anti-Discrimination and Harassment Policy

Harassment in General

Forever Captain Poodaman! The Ahmad Butler Foundation (the “Foundation”) is committed to creating an environment free of harassment and discrimination and for all employees, volunteers, interns, and applicants for employment. This includes harassment or discrimination on the basis of race, color, ethnic or national origin, alienage or citizenship status, age, sex (including pregnancy), disability, religion or creed, gender, gender identity or expression, sexual orientation, marital or domestic partnership status, genetic information or predisposing genetic characteristics, military status, familial or caregiver status, domestic violence or sexual assault survivor or victim status, sexual and reproductive health decisions (including family planning services and counseling) or any other characteristics protected by law (“Protected Class”) ***EXCLUDING INDIVIDUALS FOUND GUILTY OF ANY CRIMES COMMITTED AGAINST CHILDREN***. Examples of such conduct include, but are not limited to:

- slurs;
- use of stereotypes;
- offensive, insulting, derogatory, or degrading remarks;
- threatening to or taking action on their employment—such as discharge, demotion or reassignment—based on membership in a Protected Class;
- threatening, intimidating, or hostile acts directed at a particular Protected Class or directed at an individual because of their membership in a Protected Class.

Discrimination and harassment do not require the intent to offend. Thus, inappropriate conduct or language meant as a joke, a prank, or even a compliment can lead or contribute to harassment or discrimination. Harassment and discrimination can occur between any individuals regardless of their identity, or positions within the organization, including by and between members of the same Protected Class, and the offender may be someone in a leadership position or not, someone you report to or who reports to you, a co-worker or anyone in the workplace including third parties (e.g., an independent contractor, vendor, co-counsel, judge, or client).

Harassment and discrimination can also occur at events outside the workplace. Care should be taken in informal business situations, including work-related parties, functions, and business trips, to ensure that this policy is strictly followed. Calls, text messages, emails, and social media usage by employees or volunteers can constitute unlawful workplace harassment or

discrimination, even if they occur away from the workplace premises or outside of normal business hours.

The Foundation will not tolerate harassment or discrimination and ensuring a workplace where people are treated with respect and dignity is everyone's responsibility. The Foundation cannot address harassment or discrimination unless it knows about it. Any employee or other covered individual who has been subjected to, witnessed, or becomes aware of, behavior or instances that may constitute harassment or discrimination is urged to report such behavior to a supervisor or manager using the complaint procedure provided below.

Sexual Harassment

Sexual harassment is a specific type of discriminatory harassment and employee misconduct. It is unlawful under federal, state, and, where applicable, local law.

According to the Equal Employment Opportunity Commission's ("EEOC's") guidelines, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when: (1) submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment, even if the reporting individual is not the intended target of the sexual harassment. Examples of such conduct includes:

- threatening to take or taking negative employment actions if sexual favors are not granted or demand for sexual favors in exchange for job benefits or preferential treatment regarding employment actions;
- unwelcome sexual flirtations, advances, or propositions, including repeated requests for non-platonic engagement;
- display in the workplace of sexually suggestive objects, cartoons, or pictures, including the use of the Foundation's systems to view or distribute sexually suggestive or offensive communications;
- whistling or leering;
- unwelcome physical contact; or
- unwelcome comments about appearance.

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.

The Foundation prohibits conduct that constitutes or could contribute to sexual harassment. Moreover, the Foundation's policies concerning sexual harassment (including the complaint procedure and anti-retaliation policies set forth below) apply to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business with or at the Foundation.

Supervisors

Additional obligations apply to individuals with supervisory authority at the Foundation. No one with a supervisory role may at any time: (1) threaten or imply that an individual's submission to or rejection of a sexual advance, or harassment or discrimination based on any other Protected Class, will in any way influence any decision regarding that individual's employment, performance evaluation, advancement, compensation, assignments, corrective action, discharge, or any other term or condition of employment; or (2) make any employment decision concerning an individual on any discriminatory basis.

Supervisors or managers who receive a complaint or information about violations of this policy, or who know or have reason to know of the occurrence of harassment or discrimination, are required by the Foundation's policy and federal, state, and local law, to report the complaint or information to the appropriate supervisor. Failure to report so the organization can take immediate and appropriate action to stop such conduct may subject the supervisor or manager to corrective action, up to and including termination.

Supervisors and managers will also be subject to corrective action for engaging in any retaliation.

Complaint Procedures and Investigation Process

Complaint Procedure.

If an employee believes that a covered individual has been subjected to any conduct of the type prohibited by this policy, the employee is urged and expected to report the relevant facts promptly. Employees should direct such reports to their supervisor or, if employees feel more comfortable, to their supervisor or manager. Supervisors and managers are obligated by the Foundation's policy and federal, state, and local law, to elevate the concerns about discrimination or harassment to the Foundation's Board of Directors. Employees may choose to report orally or in writing. You may report incidents to your supervisor or manager.

Employees should report the conduct regardless of the person's position at the Foundation and the conduct of third parties not employed by the Foundation (e.g., vendor, consultant, client, judge, opposing counsel). Prompt reporting is very important so that the Foundation can try to take appropriate action and stop the conduct before it is repeated or escalates.

The Foundation will protect against retaliation for submitting a complaint that is made in good faith. Retaliation occurs when an employer, including through a manager, supervisor, administrator or other agent, takes an adverse action against an employee because they engaged in a protected activity. Retaliation may be subtle or overt, including but not limited to exclusion from work-related meetings, denial of access to benefits or opportunities, and a range of disciplinary actions in response to protected activity – including filing a complaint.

Investigation

All reports will be followed up on as promptly as possible, with further investigation conducted where needed, to confirm or reconcile disputed facts. All investigations will be conducted in a timely, fair, equitable and impartial manner, and will be confidential to the extent possible.

While the investigation process may vary from case to case, investigations will typically include the following steps: After receiving a complaint, the supervisor will conduct an immediate review of the allegations and may take interim or immediate actions as appropriate to interrupt and/or impose consequences for harm (e.g., instructing the individual(s) alleged to have violated this policy to refrain from communicating with the alleged subject of the harassment or discrimination). Investigations may be conducted by external consultants and involve interviewing the individual(s) who submitted the complaint, the individual(s) alleged to have been subjected to conduct in violation of the policy, the individual(s) alleged to have violated this policy, and others identified by those individuals as witnesses or people with knowledge of the conduct at issue. The investigator may also obtain, review, and preserve documents, emails, or phone records relating to the allegations. Employees may be required to cooperate as needed in an investigation of any violation of this policy.

As appropriate, the individual(s) who submitted the complaint, the individual(s) alleged to have been subjected to conduct in violation of the policy, and the individual(s) alleged to have violated this policy will be notified when the investigation has commenced, concluded and provided information concerning the outcome, where appropriate and legally permissible.

Violation of this Policy

Individuals who violate this policy will be subject to remedial and/or disciplinary action, up to and including termination, and may also be subject to personal legal and financial liability under applicable law. Appropriate disciplinary action will also be taken against any employee who knowingly and willfully makes a false allegation concerning an alleged violation of this policy.

No Retaliation Retaliation against individuals for submitting or serving as a witness in complaints, or assisting in any proceeding under the law, is unlawful. The Foundation will not tolerate, engage in, or allow retaliation against any covered individual who: reports misconduct pursuant to this policy either internally or with any anti-discrimination agency; assists or participates in an investigation; files an administrative charge or lawsuit alleging harassment or discrimination; assists or testifies in a proceeding involving harassment or discrimination under any anti-discrimination law; or encourages a fellow employee, applicant, intern, or volunteer to report harassment or discrimination. Such individual is protected from retaliation if the person had a good faith belief that the practices were unlawful or in violation of this policy. This retaliation provision is not, however, intended to protect persons making intentionally false charges of harassment or discrimination.

In the event an employee believes that they are being retaliated against for such action, the

employee should use the above procedures to promptly report the pertinent facts. 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).

Legal Protections and External Remedies for Discrimination and Harassment Claims

Discrimination and harassment are not only prohibited by the Foundation but are also prohibited by state, federal, and local law.

Aside from the internal process at the Foundation, employees, applicants, interns, or volunteers may also choose to pursue legal remedies with certain government agencies, as set forth below. While a private attorney is not required to file a complaint with a government agency, individuals may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

Pennsylvania Human Relations Act

The Pennsylvania Human Relations Act (PHRA) applies to all employers in the Commonwealth of Pennsylvania with regard to discrimination and harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. The PHRA covers discrimination in employment, housing, commercial property, education and public accommodations. A complaint alleging violation of the PHRA may be filed with the Pennsylvania Human Relations Commission by calling (717) 787-4410 or (717) 787-7279 for TTY users only. Additionally, complaints may be made in-person at any of the three Pennsylvania Relations Commission Regional Offices. The Harrisburg Regional Office is located at 333 Market Street, 8 th floor, Harrisburg, PA 17101-2210 and their telephone number is (717) 787-9780 or (717) 787-7279 for TTY users only. The Philadelphia Regional Office is located at 110 North 8 th Street, Suite 501, Philadelphia, PA 19107 and their telephone number is(215) 560-2496 or (215) 560-3599 for TTY users only. The Pittsburgh Regional Office is located at 301 Fifth Avenue, Suite 390, Piatt Place, Pittsburgh, PA 15222 and their telephone number is(412) 565-5395 or (412) 565-5711 for TTY users only. All of their offices are opened from Monday through Friday, 8:30 a.m. ET to 5 p.m. ET.

Discrimination complaints under the PHRA must be filed within 180 days of the alleged act of harm (the discriminatory action or incident), unless the individual can convince the Pennsylvania Human Relations Commission that the individual is legally justified in not filing within the 180 day period. The individual has the right to be represented before the Pennsylvania Human Relations Committee by a private attorney. Complaining internally to the Foundation does not extend an individual's time to file with PHRA.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the discrimination/harassment. There is no cost to 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 Right to Sue letter permitting the individual to file a complaint in federal court.

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. An individual alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov. If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections – Philadelphia, Pennsylvania

Individuals who work in Philadelphia, Pennsylvania may also file complaints of discrimination/harassment with the Philadelphia Commission on Human Rights. Call (215) 686-4670; or visit <https://www.phila.gov/departments/philadelphia-commission-on-human-relations/>. For more information regarding the complaint process visit <https://www.phila.gov/services/crime-law-justice/report-a-crime-or-concern/discrimination-and-unfair-practices/file-a-complaint-about-employment-discrimination>. If harassment involves unwarranted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Individuals may contact the local police department.

Questions?

Any questions regarding the interpretation of this policy, or clarification of one’s rights, should be directed to the Foundation's Volunteer Supervisor.

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