

# THE FAIRCHAIN FOUNDATION POLICY ON SEXUAL AND OTHER PROHIBITED HARASSMENT

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either 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 individuals; 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.

Sexual harassment can include, but is not limited to:

**a) Verbal harassment:** Any of the following, whether conveyed orally or in writing – sexual innuendos, suggestive comments, or graphic expressions about an individual's body; jokes or vulgar language of a sexual nature; sexually degrading words used to describe an individual; repeated offensive or unwanted flirtation, advances, propositions or threats; and repeated verbal abuse, whether of a sexual nature or otherwise.

**b) Physical actions:** Unwanted physical contact, including touching, pinching, brushing the body, impeding or blocking normal work or movement, or coerced sexual acts.

**c) Inappropriate displays:** Sexually suggestive objects or pictures, sexually graphic commentaries, suggestive or insulting sounds, leering, or obscene gestures.

Sexual harassment does not generally include occasional compliments of a socially acceptable nature. It also does not include consensual relationships. Commonly accepted "fraternization" among employees, defined as conduct of a socially acceptable, friendly and congenial nature that adds to team building or a pleasant work environment is not considered sexual harassment. However, some behavior which is appropriate in a social setting may not be appropriate in the workplace. When "fraternization" goes beyond what reasonably can be deemed behavior of a socially acceptable nature in the workplace and/or becomes unwelcome, it may become sexual harassment.

## **Harassment via Electronic Communications**

The FairChain Foundation's harassment policy applies equally to communications via e-mail, Internet, telephone, text messaging, voice mail, facsimile, or any other electronic means of communication.

## **Reporting and Investigation of Complaints**

Any employee who becomes aware of sexual or other prohibited harassment, or any sexually inappropriate conduct, whether affecting themselves or others, has an obligation to report this to his or her supervisor, to a member of the Human Resources department, or to any member of the FairChain Foundation management. Employees are strongly urged to report harassment before it becomes severe or pervasive.

Any supervisor or manager who receives a complaint of possible sexual or other prohibited harassment should promptly contact someone on the FairChain Foundation's senior management team, so that an investigation may be initiated in a timely manner.

All complaints of sexual or other prohibited harassment will be investigated promptly and thoroughly. Where appropriate, the FairChain Foundation may use outside experts to investigate a complaint of harassment. The FairChain Foundation will make every effort to protect the confidentiality of employees lodging complaints or participating in investigations under this policy. However, the FairChain Foundation cannot guarantee complete confidentiality, since an effective investigation may not be possible without revealing certain information to the alleged harasser and/or potential witnesses.

No employee will suffer retaliation for reports of harassment if made in good faith. The FairChain Foundation encourages any employee to bring questions regarding this policy and its implementation to the head of its Human Resources department (currently the CFO).

## **Consequences for Violation of Policy.**

Any FairChain Foundation employee or contractor who violates the FairChain Foundation's policy against harassment will be subject to appropriate corrective action, ranging from a disciplinary warning to termination. The FairChain Foundation may take whatever corrective action necessary to prevent inappropriate employee behavior before such behavior reaches the level of legally actionable harassment.