

# dance studies association

## **ANTI-HARRASSMENT AND ANTI-DISCRIMINATION POLICY**

### INTRODUCTION

The Dance Studies Association ("DSA") is committed to developing a working environment which is free from all types of harassment, discrimination and bullying. We require all our people to promote the highest standard of ethics as well as our values of respect, collaboration, and integrity.

### OBJECTIVE

The goals of this policy are to:

- Ensure that DSA employees, directors, elected or appointed officers ("Officers") and members are treated with dignity and respect when working or collaborating at the organization internally or externally at any DSA-sponsored event, virtually or in person.
- Maintain and promote a work environment (in-person and virtual) free of all forms of harassment, unlawful discrimination and bullying.
- Provide a due process for the consideration of claims of harassment, unlawful discrimination and bullying for all the individuals concerned.

### SCOPE

It is the policy of DSA to maintain a workplace and community (in-person and virtual) that is free from all forms of unlawful discrimination and harassment and is an environment characterized by respect for each other. This policy (the "Policy") applies to all employees, members, Officers and directors of DSA (each, a "Covered Person") and Covered Persons are expected to treat all visitors, artists, scholars and other non-members in accordance with the principles of the Policy. DSA will also strive to ensure that contractors and other persons conducting business with DSA apply the principles of the Policy. The Policy may be modified or discontinued by the board of directors (the Board") at any time, with or without notice.

As a general rule, in the event of any discrepancy between the Policy and local regulations, the stricter rule should be applied.

## HARASSMENT, DISCRIMINATION AND BULLYING

It is DSA's policy that all Covered Persons be able to enjoy a community environment that is free from all forms of harassment and unlawful discrimination. In order to promote compliance with the Policy, DSA has provided a definition of the kinds of conduct prohibited by applicable laws and regulations pertaining to unlawful discrimination, harassment and bullying.

- **HARASSMENT**

Harassment refers to a broad range of unacceptable and unwelcomed actions and behaviors that can reasonably be expected to cause offense, humiliation or other physical or psychological injury or harm to an individual (International Labor Organization, or "ILO", 2022). It includes conduct that has the purpose to, or effect of, undermining the dignity of a person and creating a threatening, hostile, degrading, humiliating or offensive environment, as well as offensive verbal, physical or visual behavior and actions directed toward an individual, in each case based upon the individual's gender, color, race, ethnicity, religion, national origin, age, disability, pregnancy, sexual orientation, gender identity and expression, covered veteran status or protected genetic information.

In addition, harassment can range from extreme forms, such as violence, threats or physical touching, to less obvious actions like ridiculing, teasing or jokes based on a person's protected status. Other types of harassment may include the following types of conduct:

- derogatory or insensitive jokes, pranks, or comments;
- slurs or epithets;
- nonverbal behavior such as staring, leering or gestures;
- ridiculing or demeaning comments;
- innuendos or veiled threats;
- displaying or sharing offensive images such as posters, videos, photos, cartoons, screensavers, emails or drawings that are derogatory;
- offensive comments about appearance, or other personal or physical characteristics, such as comments on someone's physical disability or religious attire; or
- unnecessary or unwanted bodily contact such as blocking normal movement, or physically interfering with the work of another individual.

This list of examples is not exhaustive, and there may be other behaviors that constitute unacceptable harassment under the Policy.

DSA will not tolerate any form of harassment within the organization or at any external, DSA-sponsored event.

- **SEXUAL HARASSMENT**

Sexual harassment is a serious manifestation of sex discrimination and a violation of human rights. Sexual harassment includes any physical, verbal or non-verbal conduct of a sexual nature and other conduct based on sex affecting the dignity of a person that is unwelcome, unreasonable and offensive to the recipient; situations where a person's rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision that affects that person's job; or conduct that creates an intimidating, hostile or humiliating working environment for the recipient of such conduct. [(ILO, 2022)]

Sexual harassment can encompass a range of behaviors and practices of a sexual nature, such as unwanted sexual contact or sexual assault, comments, advances, "jokes," and displaying pictures or posters that objectify people. Sexual harassment may be perpetrated by different individuals, including colleagues, subordinates and third parties. It includes, but is not limited to, the following conduct:

- making unwanted sexual advances and requests for sexual favors, including but not limited to when submission to such conduct is made an explicit or implicit term or condition of employment;
- displaying or sharing offensive images such as posters, videos, photos, cartoons, screensavers, emails or drawings that are obscene or sexual in nature;
- unwanted comments about appearance or other personal or physical characteristics, such as sexually charged comments, words, signs, jokes, pranks, intimidation or physical violence that is of a sexual nature or directed at an individual because of that individual's sex;
- unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks that are offensive or objectionable to the recipient, cause the recipient discomfort or humiliation or interfere with the recipient's job performance;
- unnecessary or unwanted bodily contact, such as groping or massaging; or
- threats or demands that a person submit to sexual requests as a condition of continued employment (or to avoid some other loss) and offers of employment-related benefits in return for sexual favors.

Sexual harassment can happen regardless of the gender, gender identity, orientation or gender expression of the individuals involved and can, for example, occur between same-sex individuals as well as opposite-sex individuals. It does not require that the harassment conduct be motivated by sexual desire. In some instances, sexual harassment may not only be a violation of DSA policy, but also a violation of law.

DSA will not tolerate any form of sexual harassment within the organization or at any external, work-sponsored event.

- **BULLYING**

Bullying is a form of psychological harassment that consists of persecutory behavior through vindictive, cruel or malicious attempts to humiliate or undermine an individual or groups of workers, including unjustified, constant negative remarks or criticism, isolating a person from social contacts and gossiping or spreading false information. Bullying includes “mobbing,” which involves an individual gathering others, willingly or unwillingly, knowingly or unknowingly, to assist in creating a hostile work environment through actions such as public discrediting, isolating, shunning, sabotage, false accusations or emotional and psychological abuse and humiliation. Bullying may be perpetrated by different individuals, including colleagues, subordinates and third parties. It includes, but is not limited to, the following conduct:

- unwanted conduct that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment, even if it does not lead to tangible or economic job consequences;
- shouting at someone, name-calling, ridiculing or making belittling or demeaning comments about someone, whether in private or in front of others;
- using one's authority to threaten someone else; or
- undermining someone's work intentionally, maliciously or without justification, by excessively monitoring or criticizing someone's work, adding or removing responsibilities, withholding relevant information or excluding them from relevant communications or meetings.

DSA will not tolerate any type of direct or indirect verbal or written bullying comments, remarks or behaviors within the organization or at any external, DSA-sponsored event.

- **DISCRIMINATION**

Discrimination is any distinction, exclusion or preference made on the basis of gender, color, race, ethnicity, religion, national origin, age, disability, pregnancy, sexual orientation, gender identity and expression, covered veteran status or protected genetic information (each, a “Protected Class”), or any other protected class in accordance with applicable laws, which has the effect of nullifying or impairing equality of opportunity and treatment in employment or occupation. DSA will not tolerate discrimination of any kind that violates this protocol.

All Covered Persons have an obligation to comply with the Policy. If you observe or become aware of conduct that might violate the Policy, you should immediately report it. DSA may consider conduct to be a violation of the Policy even if it falls short of unlawful discrimination or harassment under applicable law. Moreover, for the avoidance of doubt, any action or actions that could reasonably be considered a violation of international human rights standards, including the United Nations’ “Guiding Principles on Business and Human Rights,” shall be a violation of the Policy. For more information on how to raise a

concern or the reporting procedures please refer to the titled "Reporting Responsibilities and Complaint Procedures" below.

## REPORTING RESPONSIBILITIES AND COMPLAINT PROCEDURES

Every employee and member of DSA is responsible for ensuring that DSA provides a respectful work environment. All DSA employees have the lawful right to work in an environment free from harassment, discrimination, bullying or other inappropriate behavior and/or written or oral comments or remarks. If any employee encounters conduct inconsistent with the Policy, DSA encourages the employee to report the conduct using the internal procedures developed by DSA. Reports of violations or suspected violations of the Policy may be made verbally or in writing. Directors, Officers and employees are required to report any complaint they receive, or any violations of the Policy that they observe, to the Executive Director (the "ED") and the Board.

DSA encourages, but does not require, individuals who believe they are being treated inappropriately under the terms of the Policy to promptly notify the offender that the behavior is unwelcome. Regardless of whether the individual has confronted the offender, the behavior should be immediately reported to the ED. As detailed below, any retaliation for any good faith report is in and of itself a violation of the Policy and senders acting in good faith and related parties, such as co-workers, fellow members and family members will be protected from retaliation to the fullest extent possible.

While investigations will vary from case to case, they may include any of the following: (i) a review of the allegations, (ii) consideration of interim corrective measures pending the outcome of the investigation, if appropriate, (iii) a review of relevant documents and phone records (if available), (iv) an interview with all parties and relevant witnesses, and (v) notification to all interested parties of the final determination. If it is determined that a violation of the Policy has occurred, appropriate corrective action will be taken, which may include disciplinary action ranging from a reprimand to termination of employment or membership. All employees and members are required to cooperate with any internal investigation of harassment or discrimination. For the avoidance of doubt, nothing in the Policy is to be interpreted or applied in any way that prohibits, restricts or interferes with an employee's (a) exercise of rights provided under, or participation in, "whistleblower" programs of the U.S. Securities and Exchange Commission or any other applicable regulatory agency or governmental entity (each, a "Government Body"), or (b) good faith reporting of possible violations of applicable law to any Government Body, including cooperating with a Government Body in any governmental investigation regarding possible violations of applicable law.

All investigation reports and determinations will be recorded in writing and kept alongside DSA Board meeting minutes, in an internal archive. These materials are not a part of the publicly accessible DSA archive.

## CONFIDENTIALITY

Harassment, unlawful discrimination and bullying, or other inappropriate behavior, claims will be promptly investigated and handled with sensitivity. In light of the important privacy interests of all concerned, confidentiality will be maintained throughout the investigatory process to the extent possible.

DSA takes every measure to respect confidentiality and will adopt the corrective measures that it deems relevant in relation to any violation of the Policy.

#### RETALIATION PROHIBITED

Retaliation against an individual who, in good faith, makes a report of an alleged violation of the Policy, or who assists in providing information relevant to such a report, is itself a serious violation of the Policy. Acts of retaliation include being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action and should be reported immediately. DSA will promptly investigate any retaliation report and take appropriate corrective action up to and including termination. DSA will not tolerate retaliation against anyone who, in good faith, complains or provides information about suspected harassment, discrimination, bullying or other inappropriate behavior, or oral and/or written comments or remarks.

#### LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Harassment and unlawful discrimination are not only prohibited by DSA but are also prohibited by applicable laws. Aside from the internal process noted above, employees may also choose to pursue legal remedies with any Government Body to the extent permitted at any time within the applicable statute of limitations.

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