

Model Anti-Harassment Policy

Disclaimer concerning the Use of this Model Policy: This Model Policy is designed for local Associations of REALTORS® in Texas to use as a guide in the adoption of an Anti-Harassment Policy. Texas REALTORS® does not represent or warrant that this model document addresses all items that should be addressed in a harassment policy or that compliance with this model document will eliminate any potential responsibility or liability by the association.

Association of REALTORS® (“Association”) Anti-Harassment Policy

Harassment Prohibited.

The Association prohibits and will not tolerate harassment of any kind by Association staff, Association volunteer leaders, or Association members on the basis of race, color, physical, or mental disability, religion, creed, national origin, ancestry, sex (including pregnancy), sexual orientation, gender/gender identity, age (40 or over), citizenship, genetic information, past, current, or prospective service in the uniformed services, or any other characteristic protected under applicable federal, state, or local law. Harassment is prohibited on the Association property and at all Association-related or Association-sponsored events. This policy further extends to harassment on social media platforms.

All Association staff, Association volunteer leaders, and Association members are expected to behave accordingly and take appropriate measures to ensure that the conduct described herein does not occur. Appropriate disciplinary action will be taken against any Association staff, Association volunteer leader, or Association member who violates this policy. The Association is committed to enforcing this policy against all forms of harassment.

Harassment Defined.

Sexual harassment means any harassment based on someone’s sex or gender. It is not limited to interactions between members of the opposite sex. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual’s sex or gender), as well as any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature.

Sexual harassment includes:

- Verbal (for example, epithets, derogatory statements, threatening or obscene language, slurs, sexually-related comments or jokes, sexual innuendoes, unwelcome sexual advances, or requests for sexual favors).
- Non-Verbal (for example, suggestive or insulting sounds, or whistling).
- Physical (for example, assault or inappropriate or unwanted physical contact, such as touching, pinching, brushing the body).
- Visual (for example, displaying sexually suggestive posters, cartoons, or drawings, sending inappropriate adult-themed gifts, leering, or making obscene or sexual gestures).
- Online (for example, derogatory statements, threatening or obscene language, or sexually suggestive postings in any social media platform including Facebook, Twitter, Instagram, Snapchat, etc.).

Other types of harassment often take a similar form to sexual harassment and include harassment that is:

- Verbal (for example, epithets, derogatory statements, threatening or obscene language, slurs, derogatory comments, or jokes).
- Physical (for example, assault or inappropriate physical contact).
- Visual (for example, displaying derogatory posters, cartoons, or drawings, or making derogatory gestures).
- Online (for example, derogatory statements, threatening or obscene language, or sexually suggestive postings in any social media platform including Facebook, Twitter, Instagram, Snapchat, etc.).

This list is illustrative only, and not exhaustive. It is impossible to list every type of behavior that can be considered harassment. Any conduct that could create an offensive environment will be considered harassment in violation of this policy.

Reporting Harassment.

The Association will take each complaint seriously and conduct a thorough and impartial investigation. The Association will maintain a complete written record of each complaint and will maintain communication with the alleged harasser and the victim throughout the proceedings. Confidentiality will be maintained throughout the process to the extent practical and appropriate under the circumstances. The Association will take prompt and proportionate action when a violation of this policy has occurred.

Association staff:

If you are Association staff and are subjected to any conduct that you believe violates this policy or witness any such conduct, you may speak to, write, or otherwise contact your direct supervisor or, if the conduct involves your direct supervisor, the next level above your direct supervisor. Although not mandatory, a Complaint Form is available on the Association's website to make your complaint if you wish to use it. Follow the procedures set forth in the Association's Employee Handbook.

Once a report has been received, a prompt and thorough investigation will be conducted by your direct supervisor (or next level above your supervisor) upon consultation with Association's Legal Counsel.

Association volunteer leaders and members:

If you are an Association volunteer leader or member and are subjected to any conduct that you believe violates this policy or witness any such conduct, you may speak to, write, or otherwise contact the Chairman of the Association ("Chairman"). Although not mandatory, a Complaint Form is available on the Association's website to make your complaint if you wish to use it.

Once a report has been received, a prompt and thorough investigation will be conducted by the Chairman upon consultation with the Association's Legal Counsel. If the report names the Chairman, that individual is precluded from participating in the investigation and disciplinary

action and shall be replaced by the Association's Chairman-elect or Chief Executive Officer.

No Retaliation.

No one will be subject to, and the Association prohibits, any form of discipline, reprisal, intimidation, or retaliation for good faith reporting of incidents of harassment of any kind, pursuing any harassment claim or cooperating in related investigations.

Violations.

Any Association staff, Association volunteer leader, or Association member, regardless of position or title, who has subjected an individual to harassment or retaliation in violation of this policy, will be subject to discipline, up to and including termination of employment (for Association staff) or removal from any office or committee position the Association volunteer leader holds. A violation of this policy may be a factor in determining an Association member's fitness for future Association volunteer leader positions.

Appeal Process.

Association staff found in violation will have a right to appeal the decision to the Association's Chief Executive Officer. Any Association volunteer leader or Association member found in violation will have a right to appeal the decision to the Association's Board of Directors. A written request for appeal must be submitted no more than thirty (30) days after the individual receives notice of a violation of this policy.

The Association's Legal Counsel is responsible for the administration of this policy. If you have any questions regarding this policy or questions about harassment that are not addressed in this policy, please contact the Association's General Counsel.

Acknowledgment of Receipt and Review

I, _____ (name), acknowledge that on _____ (date), I received and read a copy of the Association's Anti-Harassment Policy, and understand that it is my responsibility to be familiar with and abide by its terms. This policy is not promissory and does not set terms or conditions of employment or create an employment contract.

Signature

Printed Name

Date