



ONSTAGE PLAYHOUSE DISCRIMINATION, UNLAWFUL HARASSMENT, RETALIATION, AND COMPLAINT POLICY

Prohibition of Discrimination, Unlawful Harassment, Retaliation

OnStage Playhouse (OSP) maintains a strict policy prohibiting unlawful harassment, discrimination, and retaliation on the basis of any legally protected status or activity.

Protected Categories: The basis of our work environment is built upon mutual respect. OSP will not permit the discrimination, unlawful harassment, or retaliation toward employees based on any federal, state, or municipal protections, which include:

- Religious creed (which includes religious dress and grooming practices)
- Sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions)
- National Origin (which includes, but is not limited to, national origin groups and aspects of national origin, such as height, weight, accent, or language proficiency)
- Ancestry
- Gender
- Gender Identity / Gender
- Expression
- Sexual Orientation
- Military / Veteran Status
- Physical / Mental Disability
- Medical Condition
- Marital Status
- Request for Protected Leave
- Genetic Information
- Age (40+)
- Color
- Race
- Immigration/citizenship status or related protected activities (which includes undocumented individuals and human trafficking)

These categories include a perception that the individual has any of these characteristics or is associated with a person who has (or is perceived to have) any of these characteristics.

Discrimination: Specifically, OnStage Playhouse is an equal employment opportunity employer and makes employment decisions, including, but not limited to, interviewing, hiring, recruiting, firing, promotion, demotion, training, compensation, qualifications/job requirements, on the basis of merit and/or business necessity. Employment decisions are based on an individual's qualifications as they relate to the job under consideration pursuant to legitimate business purposes.

Reasonable Accommodation/Interactive Process: To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, OSP will make a good



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faith effort to provide reasonable accommodations for the known physical or mental limitations of an otherwise qualified applicant or employee with a disability, unless undue hardship would result to OnStage Playhouse. An applicant or employee who believes they require an accommodation in order to perform the essential functions of the job should contact the Managing Director and/or Artistic Director and request such an accommodation, specifying what accommodation they need to perform the job. OnStage Playhouse will analyze the situation, engage in an interactive process with the individual, and respond to the individual's request.

Unlawful Harassment: Prohibited unlawful harassment under this policy may include, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, or comments;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings, or gestures;
Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of any protected basis;
- Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors; and
- Retaliation for reporting or threatening to report unlawful harassment in good faith or honestly participating in a related investigation.

This prohibited behavior may also constitute unlawful harassment under state or federal law depending on the type of conduct; the position of the harasser; whether OnStage Playhouse knows (or should have known) of the harassment; the actions taken by OnStage Playhouse; and other circumstances. The individual engaging in prohibited behaviors may be personally liable under state or federal law.

This policy applies to all phases of employment, including, but not limited to, recruiting, testing, hiring, upgrading, promotion, demotion, transfer, layoff, termination, rates of pay, benefits, and selection for training.

This policy applies to all persons involved in the operation of OnStage Playhouse and prohibits unlawful harassment by any third party involved in the operation of OnStage Playhouse (including, but not limited to, employees of other entities, OnStage Playhouse Board of Directors, contractors, vendors, volunteers, suppliers, donors, patrons, students) as well as any OnStage Playhouse employee (including supervisors, managers, coworkers, interns). OnStage



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Playhouse will take all reasonable steps to prevent or eliminate unlawful harassment by third parties who have workplace contact with our employees. If you believe a third party is violating this policy but are in a situation where you are unable to immediately report the incident in accordance with the following policy and believe your safety is in jeopardy, please contact the appropriate law enforcement agency immediately. You are still required to report the incident to OnStage Playhouse in accordance with the following policy as soon as you are able to do so.

Retaliation: OnStage Playhouse also prohibits retaliation against any employee because of the employee's opposition to a practice or conduct the employee reasonably believes to be unlawful or because of the employee's lawfully protected participation in an investigation or proceeding or otherwise protected activity. Any retaliatory adverse action because of such opposition or participation may be unlawful and will not be tolerated.

If you believe you have been subjected to or have knowledge of discrimination, unlawful harassment, or retaliation, please follow the complaint procedure outlined below.

Complaint Procedure—Discrimination, Unlawful Harassment, Retaliation

Employees must report all incidents believed to be unlawful discrimination, harassment, or retaliation, regardless of whether they are the alleged victim, a witness, a bystander, or otherwise. If you believe that you have been subjected to unlawful conduct in violation of this policy or the law, or if you have knowledge of such unlawful conduct, you must submit a complaint to any of the following individuals as soon as possible after the incident: the Managing Director, the Artistic Director, the President of The Board, or a supervisor. You do not need to (and should not) report the conduct to the person whom you believe engaged in unlawful conduct. In such a circumstance, you may make a complaint to any of the other individuals on this list or any other supervisor or senior manager at OnStage Playhouse, including a senior executive. All supervisory personnel are required to immediately report any complaint of misconduct covered by this policy to the Managing Director, the Artistic Director, or the President of The Board as appropriate, so that OnStage Playhouse can try to resolve the claim internally.

Alternatively, you may choose to submit a report through OnStage Playhouse's reporting line:

Website: <https://onstageplayhouse.org/safety/> (for anonymous reports)

E-mail: safereport@onstageplayhouse.org



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OnStage Playhouse encourages all employees and patrons to report any incidents of conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

All complaints submitted pursuant to this policy should be done in writing, but they may be done verbally. If possible, please provide details of the incident or incidents, names of individuals involved and names of any witnesses. OnStage Playhouse will immediately undertake a timely, thorough, impartial, and objective investigation of the allegations using qualified personnel, which will be kept confidential to the extent possible. OnStage Playhouse will track its progress to ensure appropriate due process and a timely, reasonable conclusion based on the evidence collected. Should it be required, you must cooperate in good faith in the investigation. There will be no retaliation or other adverse action against you for cooperating in or being a part of an investigation as long as you participate in good faith and honestly. OnStage Playhouse will strive to complete its investigation as efficiently as possible in light of the allegations and will reach any conclusions based on the evidence collected.

If OnStage Playhouse determines that violation of this policy or the law has occurred, appropriate remedial measures will be taken in accordance with the circumstances involved. Any employee determined by OnStage Playhouse to be responsible for unlawful conduct will be subject to the appropriate disciplinary action, up to, and including termination. A Playhouse representative will advise all parties concerned of the results of the investigation.

OnStage Playhouse will not retaliate against individuals for filing a complaint in good faith or honestly participating in an investigation and will not tolerate or permit retaliation by management, employees, co-workers, or third parties. It is unlawful for an employer to demote, suspend, reduce, fail to hire or consider for hire, fail to give equal consideration in making employment decisions, fail to treat impartially in the context of any recommendations for subsequent employment which the employer entity may make, adversely affect working conditions or otherwise deny any employment benefit to an individual because that individual has opposed practices prohibited by the Fair Employment and Housing Act or has filed a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing conducted by the EEOC or DFEH. If you believe that you have been retaliated against, you should submit a written complaint in accordance with this policy.

You also should be aware that the United States Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate and prosecute complaints of unlawful harassment in employment. If you think you have been harassed and feel OnStage Playhouse has not addressed the issue to your satisfaction or that you have been retaliated against for resisting or complaining, you may file a complaint with the



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appropriate agency. The phone number of the DFEH is listed on the Discrimination and Harassment in Employment poster on our employee bulletin board(s) and is also available online. Upon proof of an unlawful practice, these agencies may fashion the appropriate remedy, including “make whole” relief, prospective relief and injunctive or other equitable relief.