

ORCHESTRA **NEXT**

Harassment Policy – Adopted November 18, 2024

We are committed to fostering a workplace that prioritizes diversity, equity, inclusion, accessibility, and belonging, where everyone can make meaningful work connections, gain valuable experience, take on challenging opportunities, and contribute to a positive and productive environment. Throughout this document, the term "we" and refers to Orchestra Next, its management, and designated representatives involved in upholding the terms of this policy.

At Orchestra Next, we extend this policy to our Independent Contractors ("Fellows"). Our harassment policy applies equally to all our employees and our Fellows.

Orchestra Next is committed to maintaining an up-to-date harassment policy. Any updates or changes to this policy will be promptly distributed to all employees and Fellows through official company communication channels. It is the responsibility of all individuals to review and familiarize themselves with the most current version of the policy. Physical copies will also be available upon request.

This policy applies to all work-related settings and activities, whether on or off the company premises, and includes business trips, events, and social activities sponsored by Orchestra Next. It also extends to online and electronic interactions related to work, regardless of when they occur. Making jokes or comments that mock or belittle others based on their background or status is not acceptable here. Posting derogatory or demeaning material in your workspace or through email, or engaging in behavior online that negatively impacts the workplace, is also not okay. Behaviors that don't belong in our environment include offensive or unwelcome physical contact, leering, and blocking others' movement.

Repeated and unwanted sexual advances are a violation of our harassment policy. People in positions of power should never engage in sexual conduct with someone who has less relative power. Everyone deserves the right to focus on their job without having to fend off advances from others. Sexual conduct used to marginalize or punish others is also unacceptable.

Harassment generally takes two main forms: physical and psychological. Physical harassment includes extreme forms such as violence, threats, or unwanted physical contact. Psychological harassment involves less obvious actions like ridiculing, teasing, repeatedly bothering colleagues or subordinates, or refusing to communicate with them. Both forms of harassment are unacceptable and violate our policy.

Reporting Procedures

Emergencies. In case of emergency situations involving harassment, such as immediate threats to personal safety or ongoing violent behavior, employees should ensure their immediate safety by leaving the area if possible and contact local law enforcement by dialing 911. As soon as it is safe to do so, report the incident to the DEIAB coordinator, Lydia Van Dreel, deiab@orchestranext.com, or to a member of the board of directors via John Reynolds, president of the board, at jreyn@uoregon.edu. For non-emergency situations, follow the standard reporting procedures outlined in this policy.

Standard Reporting Procedures. Orchestra Next is committed to providing multiple avenues for reporting harassment, including an option for anonymous reporting. You can make a report in person, in writing, or anonymously to the DEIAB coordinator or any member of the Board of Directors. If you require any accommodations to make a report, please contact the DEIAB coordinator and we will work with you to ensure you can report comfortably and effectively.

Employees provide a valuable service to Orchestra Next by bringing important information to our attention as soon as possible. We also recognize that it takes courage to formally report harassment, discrimination, or other unlawful conduct.

Orchestra Next assures that all reports will be treated with the utmost confidentiality to the extent possible, protecting the identity of individuals reporting retaliation or harassment.

Retaliation Policy and Investigation Procedures

Retaliation against an employee for reporting harassment is strictly prohibited. We encourage employees to report any retaliatory behavior. To ensure employees who report harassment are not subject to retaliation, Orchestra Next will implement a monitoring procedure that includes regular check-ins with the reporting employee, review of work assignments and performance evaluations, and confidential surveys to assess the work environment post-report behavior, whether directed at themselves or others.

All records related to harassment complaints, investigations, and outcomes will be kept strictly confidential and accessible only to authorized personnel. This includes interview notes, collected documents, and investigation reports.

All harassment records, including complaints, investigation documents, and outcomes, will be retained for a period of seven (7) years from the date of the complaint or the conclusion of the investigation, whichever is later. This retention period ensures compliance with legal requirements and allows for proper review if needed.

We generally investigate all reports of harassment, discrimination, retaliation, or other unlawful conduct we receive unless the complainant requests that we do not investigate. (The absence of an investigation may limit our ability to address the problem. Consequently, we may independently decide to investigate a report involving allegations of serious misconduct.)

Investigations may involve interviewing the complainant, accused employee(s), and any identified witnesses. We may also collect relevant documents, such as emails or text messages in accordance with applicable law. In cases involving violence or threats of violence, we may also contact law enforcement. All records related to harassment complaints and investigations will be stored securely to prevent unauthorized access. Complaints and investigations will be thoroughly documented following a standardized protocol. This includes recording the initial complaint, maintaining detailed interview notes, preserving all relevant evidence, and producing a comprehensive investigation report that outlines findings and recommendations.

The DEIAB coordinator will oversee this documentation process to ensure consistency and completeness. Harassment records will be securely disposed of to protect the privacy of all parties involved. The disposal process will be overseen by the DEIAB coordinator and documented to ensure compliance with this policy.

Records Retention

All records related to harassment complaints, investigations, and outcomes will be maintained in a manner that ensures they are readily accessible for legal compliance and reporting purposes. These records will be stored securely to prevent unauthorized access while remaining available to authorized personnel for necessary review and reporting.

We will follow a clear, consistent, and fair step-by-step procedure for conducting harassment investigations:

1. Receive and document the complaint.
2. Assign an impartial investigator.
3. Interview the complainant to gather detailed information.
4. Interview the accused employee(s).
5. Interview any witnesses identified during the process.
6. Collect and review relevant documents, such as emails or text messages.
7. Analyze all gathered information.
8. Prepare a written report of findings and conclusions.
9. Determine appropriate actions based on the findings.
10. Communicate the outcome to involved parties.
11. Implement any necessary disciplinary measures or policy changes.
12. Follow up to ensure the issue has been resolved and no retaliation has occurred.

If we determine a complaint is substantiated, we will decide how to address the misconduct. Our disciplinary decisions generally reflect the seriousness of the policy violation. For example, a minor violation of the harassment policy might result in discussing the behavior with the employee and explaining why it is problematic. More serious violations of the policy could lead to immediate termination or other serious forms of discipline that reduce the employee's rank, responsibilities, compensation, or performance evaluation. For third parties found to have engaged in harassment, consequences may include termination of contracts, banning from Orchestra Next events or premises, and reporting to appropriate authorities.

If we determine a complaint is substantiated, we will follow a progressive discipline structure to address the misconduct. This structure typically includes:

1. **Verbal warning:** For minor first-time offenses, the employee will receive a verbal warning and education on the policy.
2. **Written warning:** For repeated minor offenses or more serious violations, the employee will receive a formal written warning.
3. **Suspension or probation:** For continued policy violations or serious misconduct, the employee may be suspended without pay or placed on probation.
4. **Termination:** For the most severe violations or continued misconduct after prior disciplinary actions, the employee may be terminated.

Confidentiality Agreement

All parties involved in the reporting, investigation, and resolution of harassment, discrimination, retaliation, or other unlawful conduct claims must adhere to the highest level of confidentiality. This confidentiality obligation is designed to protect the privacy and dignity of all individuals involved, encourage the reporting of incidents, and maintain the integrity of the investigation process.

Employees, Fellows, DEIAB coordinators, members of the Board of Directors, and any other individuals engaged in the process are required to keep all communications, reports, and findings strictly confidential. This includes, but is not limited to, discussions, interviews, documents, emails, and text messages related to the investigation.

The confidentiality requirement extends to the identity of individuals reporting incidents, those accused, witnesses, and any information or evidence gathered during the investigation. Breaching this confidentiality obligation may result in disciplinary action, up to and including termination of employment for employees, termination of contracts for Fellows, and other appropriate sanctions for board members and other participants in the process.

It is understood, however, that in certain circumstances, the organization may need to disclose information to comply with legal obligations, to protect the safety and security of its employees and Fellows, or to implement disciplinary actions and corrective measures. Such disclosures shall be made on a need-to-know basis, in accordance with applicable laws and regulations, and with the utmost regard for the privacy and dignity of all involved individuals.

This confidentiality clause does not prohibit disclosures required by law, including but not limited to reporting to law enforcement or other governmental authorities as mandated by legal proceedings or applicable laws.