

SEIU 1021 CODE OF CONDUCT

Anti-Bullying and Anti-Harassment Policy

(Adopted by E-Board October 23, 2021)

PURPOSE

SEIU Local 1021 is committed to providing a union culture and environment that is free from all forms of bullying and harassment. SEIU Local 1021 will not tolerate bullying and harassment behaviors in the following settings (but not limited to):

- Our union workplace
- Our digital, phone/voice, social, or online platforms
- Our virtual or in-person activities, events, or meetings
- All other in-person or virtual situations where employees or members are representing SEIU Local 1021

SCOPE

All members (including E-Board Members), employees, invited guests (referred to as guests in this policy), and contractors must abide by this code of conduct policy in the settings listed above.

This policy shall apply to any form of bullying or harassment defined below not covered by the Local's "Anti-Harassment and Anti-Discrimination Policy and Procedure (i.e. Sexual Harassment or Discrimination based on a protected class)." This Policy shall also take precedence over the Local's "Procedure for resolving disputes between members" and "Staff complaint resolution procedure" policies on specifically the bullying and/or harassment aspect of a filed complaint.

DEFINITIONS

Bullying or harassment:

Bullying or harassment consists of repeated and/or unwelcome conduct that a reasonable person would find bullying, intimidating, harassing, threatening, hostile, demeaning, or in any other way abusive to any employee, member, guest, or contractor by any other employee, member, guest, or contractor. Bullying or harassing conduct can appear in threats (i.e., any statement, physical gesture, or other expressions that could be interpreted by a reasonable person as conveying intent to cause harm to persons or property). Bullying or harassing conduct may also consist of repeated violent outbursts or other conduct that creates a hostile

environment or impairs union operations. For example, issuing verbal or written false statements that are objectively malicious, discriminatory, or abusive amounts to bullying or harassment and violates this Policy.

EXPECTED BEHAVIOR

Our union expects everyone to conform to the following code of conduct:

- Respect others and their views
- Recognize and value individual differences
- Do not engage in prohibited conduct

Our union is a democratic institution that values open and vigorous discussion of the issues facing working people and the labor movement. This code of conduct is not intended to restrict free and open debate, but rather is concerned with preventing prohibited conduct.

IF SUBJECT TO PROHIBITED CONDUCT

Employee Reporting:

Employees that believe they have witnessed or experienced any violation of this policy should immediately report this incident to their immediate supervisor.

For the initial assessment of complaints of bullying or harassment against staff, the initial complaint and investigation shall be referred to the immediate Supervisor.

The immediate Supervisor will engage in the initial assessment of the reported alleged prohibited conduct. The immediate supervisor must promptly report this information to the Head of Operations and Labor Relations (HOLR) or HOLR designee(s) for tracking and determining the next steps.

If the employee is reporting that they have witnessed or experience any violation of this policy by their supervisor, the employee should immediately report the incident to the Head of Operations and Labor Relations (HOLR) or HOLR designee(s) for tracking and determining next steps.

Member and Guest Reporting:

Represented Workers or Guests that believe they have witnessed or experienced any violation of this policy should immediately report this incident to the appropriate designee for initial an assessment.

For the initial assessment of complaints of bullying or harassment in the following situations (only where no staff are involved), the initial complaint and investigation shall be referred to:

Related Union Program in which Prohibited Conduct occurred	Local Union Designee(s) to receive report
Politics (e.g. COPE meetings, Political Activities, Digital or Phone Communications related to politics etc.)	Vice President of Politics
External Organizing (e.g. Organizing Committee meetings, Rallies/Marches, Digital or Phone Communications related to Organizing etc.)	Vice President of Organizing
Representation (e.g. Chapter Meetings, Bargaining, Regional Meetings, Trainings, Digital or Phone Communications related to Representation etc.)	Vice President of Representation
Prohibited Conduct involving elected Local-wide Board Members	President’s designee or ethics liaison

The appropriate Local Union Designee will engage in the initial assessment of the reported alleged prohibited conduct (only where no staff are involved). The appropriate Local Union Designee(s) as indicated above must promptly report this information to the Head of Operations and Labor Relations (HOLR) or HOLR designee(s) for tracking and determining the next steps.

Any reports that involve staff shall be reported to the staff’s immediate supervisor in accordance with the employee reporting section above.

Contractors Reporting:

Contractors that believe they have witnessed or experienced any violation of this policy should immediately report the incident to Head of Operations/Labor Relations or HOLR designee for tracking and determining next steps.

Any employee, Supervisors/Directors or Board Member that are aware of any possible violation of this policy is responsible to report the alleged violation immediately to the Head of Operations and Labor Relations (HOLR), any staff of Human Resources, or HOLR designee(s).

Reporting individuals are encouraged to use SEIU Local 1021’s Bullying and Harassment Incident Report form.

INVESTIGATION

SEIU Local 1021 will promptly investigate bullying complaints as outlined above. SEIU Local 1021 reserves the right to take appropriate prompt interim action before or during an investigation if necessary to prevent a risk of bullying conduct by the individual(s) under investigation. Such interim action may include, but is not limited to, prompt removal of an offending individual from a Union meeting or other setting.

Members, employees, guests, and contractors have an obligation to cooperate with an investigation into alleged violations of this Policy. A refusal to participate in such an investigation may result in a disciplinary action up to and including exclusion from future Union events/activities (for bargaining unit employees), sanctions or charges for removal from office (for elected or appointed member officers), termination from employment (for SEIU Local 1021 staff members), banning attendance to SEIU events (for Guests) or termination of services (for contractors), subject to all applicable legal rights and limitations.

ENFORCEMENT

Should an investigation result in a finding of misconduct, SEIU Local 1021 may take appropriate remedial and/or disciplinary action up to and including sanctions or charges for removal from office (for elected or appointed member officers), termination from employment (for staff members) or termination of services (for contractors).

In cases where the initial investigation of allegations of bullying or harassment against a member(s) are found to require further action, the following procedures shall take place: The President (or Vice President of Representation if the charge is against the President) shall appoint two (2) members to serve on a member panel and a Vice President to determine the appropriate remedial and/or disciplinary action. The appointed Vice President shall convene the member panel, review the evidence and results of the investigation. The panel may be advised by a Local 1021 attorney and/or any staff as deemed necessary. At conclusion of the review of investigation evidence and results, the member panel will render judgment. The judgment of the member panel is binding and final.

SEIU Local 1021 retains the right to seek outside assistance, up to and including filing charges with law enforcement authorities, when deemed necessary to control, deescalate or eliminate a situation involving bullying or harassment.

DISCIPLINE FOR PROHIBITED CONDUCT OR FAILING TO COMPLY WITH POLICY

Disciplinary action resulting from prohibited conduct or failing to comply with policy (e.g. Failing to cooperate with investigation or unnecessary breach of confidentiality) may include, but not

limited to, exclusion from future Union events/activities (for bargaining unit employees), sanctions or charges for removal from office or barring from running for office (for elected or appointed member officers), termination from employment (for SEIU Local 1021 staff members), banning attendance to SEIU events (for Guests) or termination of services (for contractors), subject to all applicable legal rights and limitations. The Union reserves the right to establish the appropriate level of discipline and is not restricted to the listed examples of disciplines above.

CONFIDENTIALITY

SEIU Local 1021 shall honor, to the extent possible, all requests from reporting individuals to keep confidential their involvement in the matter. SEIU Local 1021 shall disclose information received through a report and ensuing investigation to others on a need-to-know basis and otherwise generally protect the confidentiality of any bullying incident violation report and resulting investigation as well as its participants to the maximum extent possible. All parties involved in a situation may be counseled and the results of investigations may be discussed with them. Any individual found to have unnecessarily breached this commitment to confidentiality may be subject to disciplinary action.

NO RETALIATION

SEIU Local 1021 will not tolerate any reprisals or retaliation taken by any employee, member or contractor against any other employee, member or contractor who reports known or suspected prohibited bullying or for otherwise participating in a resulting investigation.

OTHER RELEVANT SEIU 1021 POLICIES

- Procedure for resolving disputes between members
- Staff complaint resolution procedure
- Anti-Harassment and Anti-Discrimination Policy and Procedure