

Policy: Discrimination/Harassment

Policy Title Discrimination/Harassment

Responsible Dept Senior VP & CFO/Treasurer Office

Content Owner Dianna Langenburg

Philosophy

It is the Foundation's intent to foster a healthy and positive work environment free from discrimination, harassment and retaliation where each employee is respected and able to fully contribute to the work of the Foundation. As such, the Foundation supports an open door environment for better communication and greater organizational effectiveness.

Policy

In keeping with the W.K. Kellogg Foundation's continued commitment to ensure the fair and equitable treatment of all employees, and in accordance with the EEOC guidelines that took effect on November 10, 1980, (29 C.F.R. Section 1604.11) and also as part of Section 703, Title VII, it is the policy of the Foundation to prohibit the discrimination against or the harassment of any employee. This policy also applies to employee interactions with grantees, contractors, vendors, intermediaries, and other visitors. This policy applies in the Foundation offices and in other work related settings, such as in Foundation-sponsored training, networking conferences, and social, recreational events and activities.

Prohibition of Discrimination & Retaliation:

All personnel actions with respect to recruitment, compensation, training, benefits, promotion, transfer, layoffs, recall, demotion and termination are administered by the Foundation without regard to race, color, religion, sex, age, national origin, disability, veteran status, or other legally protected status. The Foundation prohibits unlawful discrimination in any form. The Foundation is committed to ensure the fair and equitable treatment of all employees.

The Foundation prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action, up to and including dismissal.

Prohibition of Harassment:

Harassment, in any form, is prohibited by the Foundation. Harassment is defined as any conduct that unreasonably interferes with an employee's work performance or creates an intimidating, hostile, unsafe, violent, or offensive work environment. A wide variety of behaviors can be defined as harassment. This includes, but is not limited to, the following:

- **Verbal and nonverbal harassment. Includes derogatory comments, negative**

stereotyping, offensive language or other tangible signs of a potentially hostile work environment.

- **Physical or visual harassment. Physical harassment includes unwanted touching or any physical interference with normal work or movement that is directed at an individual. Visual forms of harassment include derogatory or graphic materials, e-mail, or cartoons.**
- **Sexual harassment. For purposes of this policy, sexual harassment is defined as: unwelcome sexual advances, requests for sexual favors, and/or verbal, physical, or visual conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.**

The Foundation seeks to create a work environment free from such behaviors. Harassment in any form will not be tolerated in the workplace and in other work-related settings. Issues raised by non-employees involving employees will also be investigated.

All supervisory employees who are aware of any incident of discrimination, harassment, or retaliation in the workplace are responsible for reporting such incidents to an Area Vice President/Senior Vice President or the Deputy Director of Human Resources.

All employees, including those in international offices, are expected to support this philosophy and policy and comply with U.S. laws regarding discrimination, harassment, and retaliation, as well as any additional applicable laws within the country of employment.

Procedures

An employee who believes they have been subjected to unlawful discrimination, harassment, or retaliation, by a supervisor, coworker, or other individual (including grantees, contractors, vendors, intermediaries, and other visitors) should bring the matter to the immediate attention of the organization by using the following procedure:

Allegations of discrimination or harassment should be reported immediately to the supervisor, area Vice President/Senior Vice President, or Deputy Director of Human Resources (HR). If the Vice President/Senior Vice President or Deputy Director of HR is involved in the alleged unlawful discrimination or harassment, the complaint should be reported to the Corporate Secretary and General Counsel. Whoever receives the complaint must notify the Corporate Secretary and General Counsel or Human Resources. Within a reasonable period of time after the initial complaint, which should not exceed five (5) working days, the complaint must be formalized and a signed statement submitted to the Deputy Director of HR (or to the Corporate Secretary and General Counsel if the complaint is against the Deputy Director of HR). *(Note: Promptness is important to ensure an accurate, valid, and timely investigation. A prompt reporting of inappropriate behavior helps to insure that immediate response and appropriate action may be taken to minimize harm*

to individuals involved and to diminish the disruption to our working environment. Additionally, delays make it difficult to investigate the facts and in some cases create doubt as to the validity of the complaint.)

All allegations will be promptly reviewed and thoroughly and confidentially addressed. The Vice President/Senior Vice President, Human Resources, and Corporate Secretary and General Counsel will promptly consult to determine the appropriate course of action. Others will be involved as appropriate. Confidentiality will be maintained to the extent practicable and appropriate under the circumstances. Where a written complaint has been filed the appropriate Senior Vice President will be notified.

If it is found that unlawful discrimination, harassment or retaliation occurred, the appropriate and corrective action will be taken, which may include disciplinary action, up to and including dismissal.

All employees are expected to assist in the Foundation's efforts to maintain a work environment free of unlawful discrimination or harassment.

**Tools
(Checklists, Forms)**

**References
(Guidelines, Other)** [Guidelines for Productive Work Sessions](#)
[Skill Building for Effective Communication and Conflict Management Sessions](#)
[Valuing Our Differences: 2001 Diversity Initiative Annual Report Video](#)

**Training Modules
(How To)**

Applies To - Region All Offices
Applies To - Personnel Type All Staff
Exceptions
Who to Call [Dianna L. Langenburg](#)

Legal Reason

Executive Council Approved 10/18/2004

Related Policies [Disclaimer](#)
[At-Will Statement and Term Appointments](#)
[Code of Ethics](#)
[Conflict Resolution](#)
[Disabilities, Accommodation for](#)
[Equal Employment Opportunity](#)
[No Weapons](#)

Protecting Data and Documents
Reporting Unethical or Illegal Conduct (Whistleblower Policy)
Workplace Violence