



Choctaw Nation

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Statement of Policy

Department Owner: Organizational Development	Number: HR 224 Version: 4
Title: Harassment and Discrimination in the Workplace	Effective Date: 10/06/2015
Approved By: Aaron Impson (Executive Director), Duane Winship (Director), Julia Boyd (Director), Kyle Burch (Senior Director), Megan Jones (Managing Attorney)	Approved: 10/06/2015 Revised: 06/23/2015

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

OBJECTIVE

This policy establishes the meaning and scope of the Choctaw Nation of Oklahoma's rules against harassment and discrimination in the workplace.

SCOPE

This policy applies to all associates of the Choctaw Nation of Oklahoma excluding associates employed by Choctaw Global Staffing.

POLICY STATEMENT

1.0 Harassment is defined as any unwelcome verbal, written or physical conduct that either criticizes or shows hostility or aversion towards a person because of race, sex, color, religion, or disability or that of his or her relatives, friends, or associates and that has the purpose or effect of creating an intimidating, hostile, or offensive working environment; has the purpose or effect of unreasonably interfering with an associate's work performance; or otherwise adversely affects an associate's employment opportunities or compensation.

Harassing includes, but is not limited to the following:

- Epithets
- Slurs
- Negative stereotyping
- Threatening
- Intimidating or other acts

2.0 Sexual Harassment is defined as any unwelcome sexual advance, request for sexual favors or verbal, written or physical conduct of a sexual nature by a manager, supervisor, co-worker or non-associate (third party).

- Quid pro quo – A form of sexual harassment when a manager/supervisor or a person of authority gives or withholds a work-related benefit in exchange for sexual favors. Typically, the harasser requires sexual favors from the victim, either rewarding or punishing the victim in some way. Quid pro quo is defined as a “this-for-that” scenario.
- Hostile work environment – A form of sexual harassment when a victim is subjected to unwelcome and severe or pervasive repeated sexual comments, innuendoes,



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touching or other conduct of a sexual nature which creates an intimidating or offensive place for associates to work.

- 3.0 The Choctaw Nation of Oklahoma will not condone any harassment of its associates. All associates will be subject to discipline up to and including termination of employment. Associates who knowingly make false accusations against another individual regarding harassment or discrimination is subject to disciplinary action up to and including termination of employment. Managers and/or supervisors who allow workplace harassment to continue or fail to take appropriate corrective action upon becoming aware of the harassment will be subject to disciplinary action up to and including termination.
- 4.0 Retaliation is defined as overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation or harassment against an individual or group exercising rights under this policy. Any act of retaliation against an associate who reports, participates in an investigation of harassment or is otherwise involved in such an inquiry is strictly forbidden. An associate found to have retaliated against another person will be subject to disciplinary action up to and including termination of employment.
- 5.0 Non-Discrimination Policy – The Choctaw Nation of Oklahoma prohibits discrimination against anyone on the basis of race, color, religion, gender, national origin, veteran status, age (40 or older), genetic information, disability (including pregnancy) or any other status as defined by the Choctaw Nation of Oklahoma. The exception to this practice is that we do give preference to Native Americans. Please refer to policy HR200 Choctaw Preference and Opportunity for Equal Employment for more details.
- 6.0 Procedures for Reporting:
- a. The Choctaw Nation of Oklahoma implemented the “Convercent®” incident reporting system to allow associates to report harassment, sexual harassment or discrimination concerns discretely. This completely anonymous system will enable associates to submit a report via the web (www.convercent.com) or by calling the toll-free number (800-461-9330) that is forwarded to a 24/7 call center. Your confidential report will be forwarded to the appropriate individuals within our organization. Upon submission, you will be provided with an access number and



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asked to generate a personal password that enables you to re-enter the site at any time. You will then be able to send and receive private messages about your report and, if desired, participate in any follow-up. Associates can also call Convercent® or go online to check the status of a report.

An associate who feels an incident of harassment or discrimination has occurred should immediately report the incident to their supervisor or their supervisor's leader if the supervisor is the source of the incident(s), their Human Resources Manager, Human Resources Director or an Employee Relations Representative at the Choctaw Nation Government entity.

- b. The supervisor should immediately contact their Human Resources Business Partner, Human Resource Manager, or an Employee Relations Representative to investigate the complaint. All parties involved (the witnesses, the associate making the complaint and the alleged harasser) should be interviewed confidentially and in private. The investigation and findings should be documented thoroughly and copies forwarded to the Human Resource Director or Executive Director of HR.
- c. Once the investigation has been completed with a proposed resolution it will be communicated to the appropriate parties involved.
- d. Associates dissatisfied with the investigation resolution or who feel uncomfortable talking to local management may take their matter directly to the Employee Relations Representative, HR Director, Executive Director of HR, or the SEO of Administrative Services. For more details and instructions on resolving a complaint please refer to the Grievance Policy and Procedure HR204.

7.0 Supervisors/Managers should not handle a complaint involving sexual harassment or discrimination by themselves. All complaints of sexual harassment or discrimination should be investigated by the Employee Relations Department. Managers are accountable for providing a work environment free of harassment and discrimination.