



**PROFESSIONAL CONDUCT AND PROHIBITION
AGAINST HARASSMENT AND DISCRIMINATION POLICY**

Peachwood Recreation Club, Inc. herein after, “the Club”, is proud of its professional and congenial work environment, and seeks to ensure that the work environment remains pleasant for all who work here. Additionally, the Club wants all members of the Club to feel free and welcome at the Club. All employees and members must treat each other with courtesy, consideration and professionalism. The Club will not tolerate harassment or discrimination of any employee or member by any other employee or member for any reason. In addition, harassment for any discriminatory reason (disparate treatment) that targets members or employees in any of the following: (protected classes)

- race or color,
- religion or creed,
- sex, pregnancy or breastfeeding,
- national origin,
- disability,
- sexual orientation, gender identification or expression,
- age,
- material status or domestic partnership/civil union status,
- liability for military service,
- atypical hereditary cellular or blood trait or genetic information

is prohibited by State and Federal laws and may subject the Club and/or the individual harasser to liability for any such unlawful conduct. Specifically, the Club intends to ensure the protection of those protected classes identified by the New Jersey Law Against Discrimination above.

[The New Jersey Law Against Discrimination](#), herein after, “the LAD” defines discrimination as an act by an employer to fire someone, pay someone less money, or refuse to hire or promote someone because of their race. Similarly, a housing provider cannot refuse to rent an apartment to a couple because of their sexual orientation and a place of public accommodation cannot refuse to serve someone because of their religion or nationality.

The LAD prohibits conduct that is intended to treat people differently based on their membership in a protected class (disparate treatment) as well as policies and practices that disproportionately affect those in a protected class, even when the policies and practices are neutral on their face and are not intended to discriminate (disparate impact).

With this policy, the Club prohibits not only unlawful harassment, but also other unprofessional and discourteous actions. Accordingly, derogatory racial, ethnic, religious, age based, sexual orientation based, sexual or other inappropriate remarks, slurs, or jokes will not be tolerated. Each employee and member must exercise good judgment to avoid engaging in conduct that may be perceived by others as harassment and/or discriminatory.

Employees and members must understand, the LAD and by way of this policy the Club, prohibits bias-based harassment. If someone is being subjected to bias-based harassment that creates a hostile environment, an employer or place of public accommodation must take reasonable steps to stop the harassment if they knew or should have known about it. That

includes harassment between coworkers, or patrons (members and their guests), not just harassment by a supervisor at work.

Members are responsible for their guests under this policy and any claim or allegation against the guest(s) of a member will result in the member being investigated should an allegation be made in good faith.

The LAD also prohibits sexual harassment, a form of gender-based discrimination.

Quid pro quo harassment is when a benefit (like a promotion at work, or special access to the Club or giving away Club materials) is conditioned on sexual favors, or when an adverse action (like getting fired or removed) is threatened if a person refuses a sexual advance.

A hostile environment maybe when a person is subjected to unwanted harassing conduct based on gender that is severe or pervasive. This can include verbal harassment, such as obscene language or demeaning comments; physical harassment, such as unwanted touching; or visual harassment, such as displaying pornographic images, cartoons, or drawings. Employees and members may [click here](#) to view a fact sheet about protections from sexual harassment under the LAD.

This policy applies to the actions of everyone in the Club, including executives, supervisors, managers, coworkers, as well as vendors, customers, contractors, members, guests of members and visitors who come into contact with an employee while the employee is conducting his or her job duties or a member while at the Club. Harassment will not be tolerated on Club property or via any electronic form of communication to Club employees or between employees or between employees and members.

Forms of harassment include, but are not limited to:

- Verbal: repeated sexual innuendoes, racial or sexual epithets, derogatory slurs, off color jokes, propositions, threats or suggestive or insulting sounds;
 - *Note: The Club has a zero tolerance policy regarding the use of racial, sexual or other derogatory slurs in the workplace. This means that any use of a slur at the workplace will constitute a violation of this policy and will result in discipline, up to and including termination. This is true whether or not the use of the slur is intended as a joke or is perceived by the person using the slur as not being offensive to another person.*
- Visual/Nonverbal: derogatory posters, cartoons, or drawings; suggestive objects or pictures; graphic commentaries; leering; or obscene gestures.
- Physical: unwanted physical contact including touching, interference with an individual's normal work movement or assault; and
- Other: making or threatening reprisals as a result of a negative response to harassment.
- Electronic forms: anything on YouTube, Facebook, X, any blog, or any other social media platform via the internet or electronic communication including text messaging.

Sexual harassment, which is a specific type of workplace harassment, includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal, or physical conduct of a sexual nature when:

- Submission to the conduct is made either implicitly or explicitly a condition of the individual's employment;
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee; or
- The harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment that is intimidating, hostile or offensive to the employee.

Your Responsibilities

- Learn what harassment and discrimination are. Recognize the seriousness of the problem.
- You are encouraged to firmly and promptly notify the offender that his/her behavior is unwelcome. The Club recognizes that it may be difficult to initiate such a confrontation. If informal, direct communication is either ineffective or overly difficult, then the employee or member who is subjected to or aware of harassment should report the incident immediately to a Club Manager or Board Member or send an e-mail to employment@peachwoodrc.com and placing the words Harassment Compliant in the subject line. Members should follow the procedure below.
- Consider your actions. Are you doing things or taking actions that could be considered harassment or discriminatory?
- Report all incidents of actual or perceived harassment and/or discrimination.
- Do not retaliate against individuals who report harassment and/or discrimination or who participate in any harassment and/or discrimination investigation. The Club strictly prohibits any form of retaliation. The LAD also prohibits such actions.
- Executives, supervisors, and managers have the responsibility of maintaining an environment that is free of harassment and/or discrimination and for maintaining and intervening in any harassment and/or discrimination situation. In addition, managers are responsible for notifying the Club President and Vice President immediately for a proper investigation of any harassment and/or discrimination concerns that have come to their attention.

Report the Behavior

Any employee who believes that he/she is or may be subjected to objectionable conduct must report it immediately to a board member or club manager/supervisor.

Any member who believes that he/she is or may be subjected to objectionable conduct must report it following Article X section 8 of the Club By Laws. *"In the event any member has a complaint about other members or of issues with the Club they shall forward that to the Club Secretary who shall report that to the Board at their monthly meetings as correspondence.*

Should any Board member receive notice of a complaint they shall forward it to the Secretary.”
The Club secretary should be e-mailed at secretary@peachwoodrc.com. Additionally, the member should notify the Club manager or a supervisor on duty to document the incident.

If any incident involves the Club manager the employee or member should report it to the Club President at president@peachwoodrc.com.

In the event an incident involves the Club President, the employee or member should report it to the Vice President at vicepresident@peachwoodrc.com in addition, members should follow the procedure in section 8 of Article X of the By Laws.

Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating that situation. No employee or member at the Club is exempt from this policy. In response to every complaint, the Club will take prompt investigatory actions and implement corrective and preventative actions where necessary. An employee who brings such a complaint to the attention of the Club in good faith will not be adversely affected as a result of reporting what they allege as harassment and/or discrimination.

An employee who engages in objectionable conduct is subject to disciplinary action up to and including termination.

A member or members that engage in objectionable conduct are subject to the provisions of the Club By Laws specifically, Article X sections 3 and 4 and may be subject to having their membership suspended or expelled in accordance with the By Laws.

Retaliatory Behavior

Retaliation is strictly prohibited under this policy and under the LAD when a member or employee reports an incident or situation which they believe to be harassment and/or discrimination.

The Club and the LAD prohibits retaliation against a person for complaining about, reporting, or cooperating in an investigation of alleged discrimination or bias-based harassment, or otherwise exercising or attempting to exercise their rights under the law and this policy.

For example, an employer cannot fire, demote, or otherwise penalize an employee for reporting sexual harassment to a supervisor and a supervisor cannot attempt to take other adverse employment actions against an employee for reporting discrimination to the Club or to the New Jersey Division of Civil Rights (DCR).

Additionally, the Club cannot remove or suspend or take other adverse membership action against a member for reporting an allegation of harassment and/or discrimination.

Any Club member, officer or employee found to have retaliated against an individual for reporting an allegation shall be the subject of a separate investigation following a complaint made in good faith.

Reasonable Accommodations

The [Americans with Disability Act](#) and the [Rehabilitation Act](#) as well as the LAD require the Club in certain circumstances to make reasonable accommodations for employees and members.

The Club's prohibition on disability discrimination and the LAD's prohibition on disability discrimination means that in addition to not discriminating against individuals based on disability, the Club as a place of public accommodation must provide reasonable accommodations to a person with a disability unless doing so would be an undue burden on the Club's operations. A reasonable accommodation may include:

- Reasonably restructuring a job of a person with a disability, or providing a modified work schedule or leave of absence;
- Providing assistive technologies/equipment such as a lift to get into and out of the Club's pools;
- Making public accommodations accessible to people with disabilities (including allowing a person with a disability to be accompanied by a service animal).

The obligation to consider or to provide a reasonable accommodation may be triggered when an employee or place of public accommodation becomes aware that a person with a disability needs an accommodation. The person is not required to use any magic words in order to request an accommodation and cannot be penalized for requesting an accommodation or retaliated against.

The obligation to provide a reasonable accommodation also applies to people who are pregnant or breastfeeding. [Click here](#) to learn more about protections from discrimination based on pregnancy or breastfeeding.

Finally, the obligation to provide a reasonable accommodation also applies to accommodations on the basis of religion.