

Non-Discrimination and Anti-Harassment Policy

1. Background

1.1. The American Society of Acupuncturists (hereafter, ASA) is committed to an environment free of discrimination and harassment based on race, color, religion, age, sex, national origin, disability, veteran status, size, height, marital status, sexual orientation, gender identity, or any other protected status. Offensive or harassing behavior will not be tolerated against any volunteer/employee. The ASA is fully supportive of federal, state, and local laws including Title VII of the Civil Rights Act 1964; the Age Discrimination Act of 1975; and the Americans with Disabilities Act of 1990. Personnel are responsible for taking prompt investigative action in response to allegations of discrimination and harassment, and will take appropriate corrective action, where necessary.

2. Applicability

2.1. The ASA's non-discrimination and anti-harassment policy apply to all persons involved in ASA operations, and prohibits unlawful discrimination or harassment by any volunteer/employee, contractor, patron, or vendor.

3. Compliance Officer

3.1. Volunteers/employees that are subjected to, or are witnesses to, unlawful discrimination or harassment should immediately report such conduct to the ASA's Compliance Officer. The ASA Compliance Officer has full responsibility to investigate, and resolve complaints involving violations of the policies stated herein, and to recommend to the ASA Board of Directors (BOD) the imposition of appropriate sanctions against violators. If the violator in question is the Compliance Officer, concerns may be taken directly to the ASA Chair.

4. Description

4.1. Policy

4.1.1. It is the responsibility of all those noted in section 2.1 to comply with the non-discrimination and anti-harassment policies by reporting violations.

4.1.2. If you, as a volunteer or employee of ASA, believe you have been subjected to, or have observed any form of unlawful discrimination,

including harassment, please use the procedure found in 4.2. The ASA will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.

4.1.3. Prohibited unlawful discrimination and harassment includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or other inappropriate or offensive comments;
- Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings, gestures or electronic media transmissions;
- Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Threats and/or demands to submit to sexual requests as a condition of continued volunteerism/employment, or to avoid some other loss, and offers of volunteer/employment benefits in return for sexual favors; and
- Retaliation for having reported or threatened to report harassment.

4.1.4. If the ASA determines that unlawful discrimination or harassment occurred, effective action will occur commensurate with the severity of the offense. Appropriate action to deter future incidents will be added to this policy.

4.2. Procedure

- 4.2.1.** The ASA has an “open-door” policy and suggests that any volunteers/employees share their questions, concerns, suggestions or complaints with the ASA Chair.
- 4.2.2.** Formal complaints must be written and submitted to ASA’s Compliance Officer. Please be as specific as possible, including the name(s) of the individual(s) involved as well as any witnesses, and the date and location of the incident.
- 4.2.3.** At a minimum, when a volunteer/employee complains about discrimination or harassment, the ASA shall:

- Fully inform the volunteer/employee of their rights to complain and redress the discrimination or harassment; the volunteer/employee shall be informed of his/her own obligations to secure his/her rights and of any assistance available to him/her under the ASA's procedures;
- Immediately conduct a thorough, objective and complete investigation of the alleged harassment. The ASA shall make a determination about whether unlawful harassment occurred and communicate this finding to the harasser and any other concerned party.
- Take prompt and effective remedial action if discrimination or harassment occurred. The action shall be commensurate with the severity of the offense and shall be made known to the victim unless the specifics of the action taken would violate the privacy rights of the violator.
- The ASA strongly encourages every volunteer/employee to report any incidents of harassment immediately (even if you are not the victim of the harassment) so that complaints can be resolved in a timely and appropriate manner.

5. Additional Details

5.1. Good Faith

- 5.1.1.** Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation.
- 5.1.2.** The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense. It may also result in discipline, up to and including dismissal from the volunteer position or termination of employment. Such conduct may also give rise to other actions, including legal action.

5.2. Confidentiality



American Society of Acupuncturists
712 H Street, Suite 1189
Washington, D.C., 20002

5.2.1. Violations or suspected violations may be submitted on a confidential basis by the reporting individual or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

5.2.2. Disclosure of reports of concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal or termination of employment. Such conduct may also give rise to other actions, including legal action.

5.3. No Retaliation

5.3.1. No one who, in good faith, reports a concern shall be subject to retaliation. Moreover, a volunteer/employee who retaliates against someone who has reported a concern in good faith is subject to discipline up to and including dismissal, termination of employment, and legal action.