

Nashua River Watershed Association ANTI-DISCRIMINATION POLICY

I. Introduction

This policy applies to all employees, volunteers, contractors, clients, visitors, and members of the public involved with The Nashua River Watershed Association, regardless of their position or status within the organization.

It is the goal of the Nashua River Watershed Association (the "Association") to run programs that are free of discrimination and harassment. The Association prohibits discrimination on the basis of race, color, sex, age, religion, national origin, or mental or physical disability. Furthermore, the Association's policy prohibits harassment of employees, contractors, customers, volunteers, and members of the public i.e., racial harassment, sexual harassment, and retaliation for filing complaints of discrimination. Discrimination in the workplace, in NRWA programs, or in other settings is unlawful and will not be tolerated by this organization. To achieve our goal of providing an environment free from illegal discrimination and harassment, the conduct that is described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with.

Because the Association takes allegations of discrimination and harassment seriously, we will respond promptly to complaints of discrimination or harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting programs that are free of illegal discrimination and harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of discrimination or sexual harassment.

II. Definitions of Prohibited Activities

Conduct requirements must be uniformly and consistently applied to persons regardless of race, color, sex, age, religion, national origin, or mental or physical disability (subject to reasonable accommodation where appropriate). The Association does not permit discrimination in compensation and other terms, conditions, and privileges of employment based upon protected class status. Thus, race, color, sex, age, religion, national origin, or mental or physical disability shall not be the basis for differences in pay or benefits, work assignments, performance evaluations, training, discipline or discharge, or any other area of employment.

The Association also prohibits any harassment on the basis of race, color, sex, age, religion, national origin, or mental or physical disability. The Association prohibits slurs, "jokes," offensive or derogatory comments, or other verbal or physical conduct based on an individual's race, color, sex, age, religion, national origin, or mental or physical disability that create an

intimidating, hostile, or offensive working environment, or interferes with the individual's work performance.

In compliance with Title IX regulations, The Nashua River Watershed Association does not discriminate on the basis of sex in any programs including in the educational programs and activities that it operates. This commitment to nondiscrimination in education programs and activities extends to employment therein and to admission therein.

Everyone has a right to be free from retaliation for their opposition to discrimination or their participation in any anti-discrimination complaint or proceeding including filing a charge, testifying, assisting, or otherwise participating in an agency proceeding. All should take special note that, as stated above, retaliation against an individual who has complained about discrimination, and retaliation against individuals for cooperating with an investigation of a discrimination complaint is unlawful and will not be tolerated by this organization. Any claims of intimidation or retaliation related to the complaint process will be handled promptly and fairly pursuant to the below procedure and in the same manner as other claims of discrimination.

III. Complaints of Discrimination and Nondiscrimination Coordinator

If any of our employees, volunteers, contractors, clients, visitors, and members of the public believe that they have been subjected to discrimination or harassment, that person has the right to file a complaint with our organization.

If you would like to file a complaint you may do so by contacting Cliff Simmonds, in person, by phone, email or text. Cliff Simmonds, Executive Director, (978) 448-0299, Cliffs@nashuariverwatershed.org or Wynne Treanor-Kenvold, Community Programs Director, (978) 451-0273 x128 Wynnet@nashuarivershed.org. Complaints may be submitted in writing or orally. For individuals with disabilities or limited English language proficiency, alternative formats of complaint submission will be accepted and appropriate assistance will be provided. Please contact NRWA's Nondiscrimination Coordinator if you require accessibility tools, translational services, interpretive services, or other accommodations

NRWA's Nondiscrimination Coordinator Cliff Simmonds is responsible for implementing this policy, ensuring all are made aware of their rights and responsibilities, making certain that NRWA remains in compliance with all federal civil rights law and EPA nondiscrimination regulations (including form 4700-4). The Nondiscrimination Coordinator is also responsible for presiding over grievance procedures in a fair and timely fashion as well as providing notices and updates to complainants. The NRWA Nondiscrimination Coordinator conducts semiannual reviews of all formal and informal discrimination laws and tracks complaints to identify and address any patterns or systemic problems.

IV. Discrimination Complaint Investigation

When NRWA receives a complaint the organization will promptly investigate the allegation in a fair and expeditious manner with the aim of completing investigatory processes within 120 business days of filing. The investigation will be conducted in such a way as to maintain

confidentiality to the extent practicable under the circumstances. The investigation may include interviews of the complainant, employees, contractors, subcontractors, subgrantees, those named in the complaint, and witnesses to the alleged discrimination, as well as a review of any physical or written evidence. If more information is needed to resolve the case, the Non-Discrimination Coordinator may contact the complainant. The complainant has [30] days to send requested information to the investigator assigned to the case. The preponderance of the evidence standard will be applied during the analysis of each complaint.

When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that Investigation. The complainant will receive a written notice detailing:

- a. The findings of the investigation
- b. Whether discrimination or retaliation was found
- c. A summary of the investigation process
- d. Any corrective actions that will be implemented (if applicable)

The Non-Discrimination Coordinator may reach out for additional information to work towards informal resolution of the complaint through direct communication with the complainant or their representative. Informal resolution may include open dialogue, discussion using a staff member as an intermediary, or other process that results in an acceptable solution within ten (10) business days from the acceptance of the complaint. Any such informal resolution agreement must be signed by both the Non-Discrimination Coordinator and the complainant.

V. Disciplinary Action

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate, we will also impose disciplinary action. Such action may range from counseling to termination from employment and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

VI. State and Federal Remedies

These procedures do not limit or prohibit the complainant's right to file a formal complaint with an outside enforcement agency. In addition to the procedures above, any person who feels that they have been discriminated against with respect to a NRWA program or activity may contact the appropriate federal agency listed below. Each of the agencies has a defined time period for filing a claim (EEOC - 300 days; MCAD - 300 days; EPA - 180 days).

The EEOC can be contacted at:

Equal Employment Opportunity Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: 1-800-669-4000

The MCAD can be contacted at:

Massachusetts Commission Against Discrimination
484 Main Street, Room 320
Worcester, MA 01608
(508) 453-9630

The EPA can be contacted at:

U.S. Environmental Protection Agency
The Office of External Civil Rights Compliance
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Title_VI_Complaints@epa.gov