

## **CHOICE OF LAW**

This handbook shall be governed by the laws of the State of Tennessee.

## **DIVERSITY**

### **AASLH Statement on Diversity**

Everyone makes history. Relevant history is inclusive history. So, we are investing in forward-thinking scholarship and expanded diversity of our field, and choosing partners who make equity a priority.

### **Equal Employment Opportunity Statement**

AASLH provides equal employment opportunities (“EEO”) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. AASLH complies with applicable state and local laws governing nondiscrimination in employment in every location in which the Association has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, leaves of absence, compensation and training.

AASLH expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability or veteran status. Improper interference with the ability of AASLH employees to perform their expected job duties is absolutely not tolerated.

### **Anti-harassment Policy and Complaint Procedure**

AASLH is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, AASLH expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment.

It is the policy of AASLH to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran. AASLH prohibits any such discrimination or harassment.

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AASLH encourages reporting of all perceived incidents of discrimination or harassment (see Whistle Blower policy below). It is the policy of AASLH to promptly and thoroughly investigate such reports. AASLH prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

**Definitions of Harassment**

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) 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.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities. See also the Violence in the Workplace policy below.

Harassing conduct includes epithets, slurs or stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on association time or using association equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means. See also the Workplace Bullying section below.

**Individuals and Conduct Covered**

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or Association members or someone not directly connected to AASLH (e.g., an outside vendor or consultant).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

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**Complaint Procedure**

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their supervisor or the President and CEO. If that would prove to be uncomfortable, individuals are encouraged to either directly contact any member of Council or file an anonymous and confidential report through the outside reporting service Fraud Hotline ([www.fraudhl.com](http://www.fraudhl.com)) using AASLH's code XXXXXXXXXX. The employee's anonymous and confidential report will then be sent to the Council Chair, Vice Chair and Secretary.

When possible, AASLH encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his/her behavior is unwelcome and request that it be discontinued. See also Grievance Procedures section below.

Often this action alone will resolve the problem. AASLH recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

AASLH encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

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. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

If a party to a complaint does not agree with its resolution, that party may appeal to the Council Chair or another member of the Executive Committee.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

See Discipline Procedures section below.

## **Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)**

Although AASLH does not meet the 15 or more employees-threshold for these Acts, the Association is committed to meeting these federal laws. The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA), are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that, when needed, provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is our policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

AASLH will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to AASLH. Contact the President and CEO with any questions or requests for accommodation.

## **WHISTLE BLOWER POLICY**

### **AASLH Whistle Blower Policy**

AASLH is committed to high standards of ethical, moral, and legal business conduct. In line with this commitment, and AASLH's commitment to open communication, this policy aims to provide an avenue for employees to raise concerns and be reassured that they will be protected from reprisals or victimization for whistle blowing.

This whistle blower policy is intended to cover protections for staff members who raise concerns regarding AASLH, such as:

- False financial reporting
- Unlawful activity
- Failure to comply with AASLH policy, including the AASLH Statement of Ethics
- Inappropriate activity or behavior of any staff member
- Any other serious misconduct.

This policy offers the following safeguards for AASLH employees:

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Harassment or Victimization—harassment or victimization for reporting concerns under this policy will not be tolerated.

Confidentiality—every effort will be made to treat the complainant’s identity with appropriate regard for confidentiality.

Anonymous Allegations—this policy encourages employees to put their names to allegations because appropriate follow-up questions and investigation may not be possible unless the source of the information is identified. Concerns expressed anonymously will be explored appropriately, but consideration will be given to the:

- Seriousness of the issue raised
- Credibility of the concern
- Likelihood of confirming the allegation from attributable sources.

Bad Faith Allegations—allegations made in bad faith may result in disciplinary action, up to and including termination.

Procedure: 1. Process for Raising a Concern

Reporting—whistle blowing is intended to be used for serious and sensitive issues. Such concerns, including those relating to financial reporting, unethical or illegal conduct, may be reported directly to any member of the AASLH Council. Employment-related concerns should continue to be reported through normal channels such as to the employee’s supervisor or to the President and CEO. Concerns regarding the activity of the President and CEO should be reported directly to the AASLH Council Chair or if an employee feels uncomfortable doing that, he/she can choose to file an anonymous and confidential report through the outside reporting service Fraud Hotline ([www.fraudhl.com](http://www.fraudhl.com)) using AASLH’s code XXXXXXXXXX. The anonymous and confidential report will then be sent to the Council Chair, Vice Chair and Secretary.

Timing—the earlier a concern is expressed, the easier it is to take action.

Evidence—although the employee is not expected to prove the truth of an allegation, the employee should be able to demonstrate to the person contacted that the report is being made in good faith.

Procedure: 2. How the Report of Concern Will be Handled

The action taken by AASLH in response to a report of concern under this policy will depend on the nature of the concern. The Executive Committee shall receive from the AASLH Council Chair information on each report of concern and follow-up information on actions taken.

Initial Inquiries—initial inquiries will be made to determine whether an investigation is appropriate, and the form that it should take. Some concerns may be resolved without the need for investigation.

Further Information—the amount of contact between the complainant and the person or persons investigating the concern will depend on the nature of the issue and the clarity of information provided. Further information may be sought from or provided to the person reporting the concern.

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