



HARASSMENT, DISCRIMINATION, AND BULLYING POLICY

Big Apple Recreational Sports (“BARS”) aims to provide a safe, welcoming, and inclusive environment for all of our members and participants. As such, BARS has zero-tolerance for any form of harassment, discrimination, or bullying. To that end, BARS has established this policy by which all members and participants of BARS must abide by as a condition of membership or participation.

Definitions

Harassment. Unwelcome conduct that is based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, age, disability, or genetic information (including family medical history) or any other legally protected characteristic.

Discrimination. The unjust or prejudicial treatment of different categories of people, especially on the basis of race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, age, disability, or genetic information (including family medical history) or any other legally protected characteristic.

Bullying. Bullying is an ongoing and deliberate misuse of power or perceived power in relationships through repeated verbal, physical and/or social behavior that intends to cause physical, social, and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening.

Sexual Harassment. Sexual harassment is a form of harassment based upon a person’s sex, including the person’s sexual orientation, gender identity, or pregnancy.

Policy

All members of Big Apple Recreational Sports have an obligation to respect their fellow participants and refrain from any discriminatory, harassing, or bullying behavior. With respect to harassment, the league specifically prohibits the following:

- Offensive comments, jokes, innuendoes, derogatory statements, or visual behavior concerning a protected category including, but not limited to, statements of a sexual nature. This includes transmitting or distributing any pornographic, offensive, defamatory, obscene, or discriminatory information.
- Any conduct that creates an intimidating, hostile, or offensive environment, including, but not limited to, repeated, offensive, or unwelcome comments, gestures, flirtations,



advances, or verbal abuse, inappropriate physical contact, including, but not limited to, sexually suggestive touching or fondling.

The foregoing is not a comprehensive list of prohibited behaviors, and whether a particular behavior constitutes bullying, discrimination, or harassment is determined from the perspective of the person at whom the speech or actions were directed, not from the perspective of the speaker or actor.

Members are to refrain from such conduct both while participating in BARS activities, and when communicating or interacting with other BARS members outside of BARS events.

Reporting

Any member who feels they have been subject to bullying, discrimination, or harassment by another member of BARS should bring it to the attention of BARS leadership. Your grievance will be investigated by BARS leadership and will be handled appropriately and in accordance with law. All attempts will be made to preserve your confidentiality, however that may not always be possible.

Any member who feels they have been subject to bullying, discrimination, or harassment by an employee or volunteer of BARS, or a member of BARS leadership is encouraged to make a report of such behavior to a different member of BARS leadership. Your grievance will be investigated by BARS leadership and will be handled appropriately and in accordance with law. All attempts will be made to preserve your confidentiality, however that may not always be possible.

In cases of reports of bullying, discrimination, or harassment by an employee or volunteer of BARS or a member of BARS leadership, the member has the additional option of filing a formal complaint with the New York City Commission of Human Rights, the New York State Division of Human Rights, or the United States Equal Employment Opportunity Commission. In such cases a member may also have the right to seek relief from a court of law.

In cases of bullying, discrimination, or harassment that involve physical or sexual contact, the member may make a report to law enforcement.

If a member witnesses another member being a victim of bullying, discrimination, or harassment, they may, and are strongly encouraged to report such conduct to BARS leadership. The matter will be handled in the same manner as if the complaint was brought by the victim.

Be advised that not going through BARS' internal complaint process before making a claim with a governmental agency or filing a lawsuit may affect some of your legal rights and remedies. Members are advised to contact an attorney of their own choosing before taking legal action.



No Retaliation

It shall be a violation of this policy to retaliate against another member of BARS on account of the fact they made a complaint of bullying, discrimination, or harassment against a member of BARS or BARS staff, participating or cooperating with an investigation into bullying, discrimination, or harassment.

Disciplinary Action

Persons found to be in violation of this policy will be subject to disciplinary action up to and including permanent expulsion from BARS. The actions taken by BARS will be determined on a case-by-case basis and will reflect the nature and severity of the offense. With respect to bullying, discrimination, or harassment there is no entitlement to progressive discipline and permanent expulsion may be meted out for a first offense if deemed in the sole discretion of BARS leadership to be the appropriate course of action.