

FOUNDATION POLICY
5-1
EQUAL EMPLOYMENT OPPORTUNITY

THE STATUE OF LIBERTY-ELLIS ISLAND FOUNDATION, INC.

SCOPE OF THE POLICY

This policy covers all employees. The Statue of Liberty-Ellis Island Foundation, Inc. (Foundation) will not tolerate, condone or allow discrimination, sexual harassment or harassment based on race, color, religion gender or disability, whether engaged in by the Foundation's employees, or by outside individuals who conduct business with the Foundation.

Discrimination or sexual harassment is unacceptable in the workplace itself and in other work-related settings such as business trips and business-related social events.

FREEDOM FROM DISCRIMINATION

It is the Foundation's policy to provide equal employment opportunities to all persons without regard to race, color, gender, sexual orientation, national origin, age, religion, disability, and marital or family status. All applicants and employees shall receive equal consideration in terms of recruitment, hiring, training, promotion, compensation, assignments and other pertinent aspects of employment.

FREEDOM FROM SEXUAL HARASSMENT

The Foundation strictly forbids all forms of sexual harassment. It is the Foundation's policy to provide all employees with a work environment free from unsolicited and unwelcome sexual overtures

Definition of Sexual Harassment

For purposes of this policy, sexual harassment is defined as unwelcome or unwanted conduct of a sexual nature (verbal or physical) when 1) submission to or rejection of this conduct by an individual is used as a factor in decisions affecting hiring, evaluation, promotion or other aspects of employment; or 2) this conduct unreasonably interferes with an individual's employment or creates an intimidating, hostile or offensive work environment.

Examples of conduct that, standing alone or as a part of a continuing or repeated series of acts, may constitute sexual harassment include, but are not limited to: unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; sexual jokes, flirtation, advances or propositions; verbal abuse of a sexual nature; graphic verbal commentary about an individual's body, sexual prowess or sexual deficiencies; leering. Whistling, touching, pinching, coerced sexual acts or suggestive, insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; name calling; story telling, gossip, comments or jokes that are derogatory toward a particular sex; asking questions about sexual conduct or sexual orientation or preferences; and harassment consistently targeted at one sex, even if the content of such harassment is not sexual.

FOUNDATION POLICY
5-2
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Consensual Relationships

While consenting romantic and sexual relationships between an employee and his or her subordinate are not forbidden, such conduct will not be allowed on company property or during the conduct of company business. Each staff member of the Foundation should be aware of the possible costs of an apparently consenting sexual relationship. The respect and trust accorded a person by his or her subordinate, as well as the person's authority to evaluate or otherwise supervise his or her subordinate, may in some cases, diminish the subordinate's actual freedom of choice. An Employee who enters into a sexual relationship with another person, especially where there exists a difference in position between the persons involved, should realize that this action may, in the future, lead to a complaint of sexual harassment.

FREEDOM FROM OTHER HARASSMENT

The Foundation strictly forbids all forms of harassment based on race, color, religion, gender national origin, age or disability. It is the Foundation's policy to provide all employees with a work environment free from such harassment.

Definition of Harassment

For purposes of this policy, harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender, national origin, age or disability, or that of his or her relatives, friends and associates, and that 1) has the purpose or effect of creating an intimidating hostile or offensive work environment, 2) has the purpose or effect of unreasonably interfering with an individual's work performance, or 3) otherwise adversely affects an individual's employment opportunities.

Examples of conduct that, standing alone or as part of a continuing or repeated series of acts, may constitute such harassment include, but are not limited to: epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, religion, gender, national origin, age or disability, and written or graphic material placed on walls, bulletin boards, or elsewhere in the workplace, or circulated in the workplace that denigrates or shows hostility toward an individual or group because of race, color, religion, gender, national origin, age or disability.

REPORTING A COMPLAINT

Notification of Appropriate Persons

Individuals who believe they have been subjected to discrimination or any type of harassment can report the incident to the Controller. Anyone with relevant concerns are encouraged to approach his or her supervisor or alternatively, the Controller.

Timeframe for Reporting Complaint

The Foundation encourages prompt reporting of discrimination or harassment complaints so that appropriate action may be taken. However, due to the sensitivity of these problems and because of the emotional toll such misconduct may have on an individual, no limited timeframe will be instituted for reporting such complaints.

FOUNDATION POLICY
5-3
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Protection Against Retaliation

The Foundation will not in any way retaliate against an individual who makes a report of discrimination or harassment, nor permit any employee of the Foundation to do so. Retaliation is a serious violation of this policy and should be reported immediately. Any person found to have retaliated against another individual for reporting discrimination or harassment will be subject to the same disciplinary action provided for those determined to have violated the Foundation's policy (see "Investigating and Resolving the Complaint" below).

INVESTIGATING AND RESOLVING THE COMPLAINT

Confidentiality

Any allegation of discrimination or harassment brought to the attention of the Foundation's Controller will be promptly investigated by the Controller and one senior staff member of the opposite gender in a confidential manner so as to protect the privacy of the persons involved. Throughout the investigation and resolution of the complaint, no action will be taken prior to consulting with the complainant and every effort will be made to take his or her wishes into consideration. All information disclosed will be kept strictly confidential and will be made known only to those with a clear need to know. It is also the complainant's responsibility to keep the matter confidential.

Sanctions

Individuals found to have engaged in misconduct constituting discrimination or harassment will be severely disciplined, up to and including discharge. Appropriate sanctions will be determined by the Foundation's Controller or his or her designee.

CONCLUSION

The Foundation has developed this policy to ensure that all of its employees can work in an environment free from discrimination and harassment. The Foundation will make every effort to ensure that all its personnel are familiar with the policy and know that any complaint received will be thoroughly investigated and appropriately resolve