

# Workplace Behavior

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## Purpose

To establish the standards of behavior expected from all employees and other individuals in the HHMI workplace, at HHMI events, or performing work on behalf of HHMI.

## Scope

All HHMI employees, applicants for employment, paid and unpaid interns, contractors, other persons in HHMI workplaces, conference and event attendees and other invitees to HHMI premises, and other individuals performing work on behalf of HHMI or conducting business with HHMI.

## Policy

### Acceptable Behavior

We foster a work environment in which all employees and other individuals in the HHMI workplace are treated with decency and respect. Accordingly, we expect and require all individuals working on behalf of HHMI or present in an HHMI workplace or at an HHMI event to follow these principles:

- Communicate in a manner that is conducive to effective working relationships.
- Work with others to create an environment in which all are inspired to interact through mutual respect, support, and appreciation of difference.
- Carry out all assigned responsibilities to the best of your abilities and in accordance with HHMI policies.
- Comply with all applicable local, state, and federal laws and regulations.

Unacceptable behavior will not be tolerated. This includes, but is not limited to:

- Use of abusive language, bullying, intimidating, or otherwise interfering with the job performance of fellow employees, lab members, contractors, vendors, conference attendees, visitors or other individuals in the workplace and at HHMI events.
- Physically threatening remarks (written or verbal).
- Engaging in aggressive or hostile acts such as shouting, assaulting, aggressively using profanity, throwing objects at another person, fighting, or intentionally damaging another person's property.
- Engaging in behavior that could create a reasonable fear of injury, such as stalking.
- Knowingly making false representations about your work or your credentials, or about another employee, lab member, contractor, vendor, visitor or other individual in the workplace.

Nothing in this policy is intended to prevent employees from engaging in concerted activity protected

by law. Any violations of this policy by HHMI employees are grounds for disciplinary action, up to and including termination of employment. A violation of this policy by individuals who are not HHMI employees at HHMI workplaces or on HHMI premises is cause for appropriate action in response, including but not limited to removal from HHMI premises or termination of any existing contractual relationship.

### **Prohibition against Discrimination, Harassment and Retaliation**

It is our policy to maintain a work environment free from all forms of discrimination, harassment, intimidation and/or coercion based on any protected characteristic.

HHMI strictly prohibits and does not tolerate discrimination or harassment against employees or any other covered persons because of race, color, religion (including religious dress and grooming), sex (including pregnancy, childbirth, and related medical conditions), gender, sexual orientation, gender identity or expression, national origin, ancestry, ethnicity, age, physical or mental disability, citizenship, genetic information, genetic status or characteristics, marital status, military and veteran status, requests for legally-protected family leave or medical leave for the employee's own serious health condition, or any other characteristic, classification, or status protected under applicable federal, state or local law (each, a "protected characteristic").

In addition, HHMI strictly prohibits and does not tolerate any form of reprisal or retaliation for good faith reporting of incidents that are believed to constitute discrimination or harassment based on a protected characteristic or violation of applicable anti-discrimination and anti-harassment laws, pursuing any such complaint, participating in the investigation or resolution of such a complaint, or testifying or assisting in any proceeding relating to such a complaint. Retaliation against individuals who complain of discrimination or harassment based on a protected characteristic, who participate in investigation or resolution of such a complaint, or who testify or assist in any proceeding under the law is unlawful.

Employees and other covered persons who believe they have been subjected to discriminatory treatment, harassment, or who otherwise observe or become aware of perceived discriminatory treatment or harassment of another HHMI employee or other covered person in violation of this policy or of any applicable law are strongly encouraged to report such concerns in accordance with the Complaint Resolution Procedure by promptly notifying the employee's manager, HR Business Partner, or other People & Culture Representative, or by contacting HHMI's external EEO hotline at 1 888-829-8316 or [hhmi.speakfullynow.com](https://www.hhmi.org/speakfullynow). At HHMI events with designated Event Organizers, event attendees may also contact the Event Organizer or designee.

Any HHMI employee (including any manager or supervisor) who is found to have engaged in conduct that violates this policy will be subject to disciplinary action, up to and including termination.

A violation of this policy by other individuals at HHMI workplaces and events is cause for appropriate action in response, including but not limited to removal from HHMI premises or termination of any existing contractual relationship.

For more information on the types of conduct that may constitute unlawful harassment, including sexual harassment, see the [Addendum](#) to this policy below.

## **Discrimination, Harassment and Retaliation Complaint Procedure**

Any employee or other covered person who is concerned about potential discrimination, harassment or retaliation by any other individual in the workplace or at an HHMI event, including, but not limited to a supervisor, manager, co-worker, visitor, attendee at an HHMI event, employee of an affiliated institution, or other third party (such as a supplier or customer), is strongly encouraged to bring their concerns to the attention of HHMI using the Complaint Resolution Procedure by promptly notifying the employee's manager, HR Business Partner, or other People & Culture Representative, or by contacting HHMI's external EEO hotline at 1 888-829-8316 or [hhmi.speakfullynow.com](https://www.hhmi.org/speakfullynow). At HHMI events with designated Event Organizers, event attendees may also contact the Event Organizer or designee.

All HHMI employees are expected to assist in HHMI's efforts to address complaints of discrimination, harassment and retaliation. Other individuals who witness or are involved in any such matter may also be requested to cooperate with HHMI in those efforts. An employee's failure to cooperate in an investigation may result in disciplinary action, up to and including termination.

Any HHMI supervisor or manager who receives a complaint of discrimination, harassment or retaliation, or who otherwise observes or becomes aware of any such behavior, must immediately report the complaint or concerns to an HR Business Partner, or alternatively to the Chief of People & Culture or designee. Failure by a HHMI supervisor or manager to report complaints or possible violations of this policy may result in disciplinary action, up to and including termination.

Additionally, all HHMI personnel are required to promptly report to the Chief of People & Culture, or, for Investigators and Freeman Hrabowski Scholars, the Vice President and Chief Scientific Officer, if you are under investigation, or have reason to believe you are under investigation, by a host institution or another organization with which you are professionally affiliated, for any claims that you have engaged in or were involved in any manner in discrimination, harassment and/or retaliation in violation of that institution's policies or in violation of the law.

HHMI strictly prohibits and does not tolerate any form of reprisal or retaliation for good faith reporting of incidents that are believed to constitute discrimination or harassment in violation of this policy or applicable laws, pursuing any such complaint, or participating in the investigation or resolution of such a complaint. Concerns of retaliation should similarly be promptly reported to the employee's manager, HR Business Partner, or other People & Culture Representative, or by contacting HHMI's external EEO hotline at 1 888-829-8316 or [hhmi.speakfullynow.com](https://www.hhmi.org/speakfullynow) so HHMI can investigate in the manner described in the Complaint Resolution Procedure. At HHMI events with designated Event Organizers, event attendees may also contact the Event Organizer or designee.

Notwithstanding anything to the contrary in this policy, communication to or with the Janelia Ombuds

Director does not constitute notice of any complaints or claims against HHMI or its trustees, officers, employees or agents, and does not toll or affect any time limits by which notice of complaints or claims must be provided to HHMI or any of its trustees, officers, employees or agents. Employees communicating to or with the Janelia Ombuds Director who wish to bring a complaint to the attention of HHMI management should report the complaint to the employee's manager, HR Business Partner, or other People & Culture Representative, or by contacting HHMI's external EEO hotline at 1 888-829-8316 or [hhmi.speakfullynow.com](https://hhmi.speakfullynow.com).

## **Addendum**

### **Prohibition on Harassment: Additional Information**

HHMI does not tolerate any form of harassment based on protected characteristics, regardless of whether it is:

- Verbal (for example, epithets, derogatory statements, slurs, comments or jokes related to a protected characteristic, unwelcome sexual advances, or requests for sexual favors)
- Physical (for example, assault or inappropriate physical contact)
- Visual (for example, displaying inappropriate images of any sort via any media (e.g. web pages, pictures, cartoons or drawings), sending written or electronic messages such as text messages or emails that are inappropriate, leering, or making sexual gestures)

This list is illustrative only, and not exhaustive. No form of harassment in violation of this policy or any applicable laws will be tolerated in an HHMI workplace or at HHMI-sponsored events.

Sexual harassment is one type of harassment prohibited under this policy and by applicable laws. All individuals in the HHMI workplace are prohibited from harassing HHMI employees and other covered persons based on sex or gender (including pregnancy), gender identity or gender expression, and regardless of the harasser's sex, gender, gender identity or gender expression.

Sexual harassment may take many forms, including the following:

Unwelcome conduct of a sexual nature or directed at an individual because of a person's sex, when:

Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;

Such conduct is made either explicitly or implicating a term or condition of employment; or

Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

Offensive and unwelcome sexual invitations, whether or not the employee agrees to the invitation

E.g. any suggestion (explicit or implicit) that the employee must submit to an advance or engage in sexual conduct in exchange for a benefit of employment or continued employment;

E.g. invitations with the purpose or effect of substantially or unreasonably interfering with an employee's performance by creating an intimidating, hostile or offensive work environment;

Offensive and unwelcome conduct of a sexual nature, such as sexually-oriented spoken comments, including jokes and "kidding" behavior, or offensive or suggestive images or graphics whether physically present in the workplace or accessed over the internet;

Offensive and unwelcome physical contact or display of a sexual nature; or conduct that unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment; or

Offensive and unwelcome comments about an individual's sex, gender, gender identity or gender expression.

Employees may not create or forward, on HHMI IT systems (including computers, tablets, phones or other devices issued by HHMI, or over HHMI's intranet or using HHMI's internet connectivity), any text or image that might reasonably be taken as offensive based on any protected characteristic. This includes, for example, creation or forwarding of offensive "humor."

## **State-Specific Additional Workplace Behavior Policies**

### **California Supplement to Workplace Behavior Policy**

Without excluding characteristics protected in other jurisdictions, California employees note that legally protected characteristics include medical conditions, an employee's status as a victim of domestic violence, assault or stalking, and requests for California's state "pregnancy disability leave," in addition to the characteristics listed in HHMI's Workplace Behavior Policy and other characteristics protected by any applicable laws.

HHMI bars unlawful discrimination, harassment or retaliation by any individual in the HHMI workplace, including but not limited to supervisors, managers, co-workers and third parties such as suppliers and customers. Investigations of complaints will generally be conducted by HHMI's People & Culture department as described in HHMI's Complaint Resolution Procedure. HHMI will conduct a fair, timely and thorough investigation and, if possible, will attempt to reach a reasonable conclusion based on the evidence and information available. Complaints of perceived harassment, discrimination, retaliation or other violations of HHMI policy or the law will be kept confidential by HHMI to the extent possible. However, complete confidentiality is not guaranteed.

HHMI will take appropriate actions, if necessary, to resolve the complaint and any related workplace concerns. If it is determined that HHMI's policy has been violated or if misconduct is found, HHMI will take appropriate remedial action, up to and including termination. Please consult the Complaint

Resolution Procedure for additional details.

### **New York Supplemental Policy on Sexual Harassment in the Workplace**

HHMI's policy against unlawful discrimination, harassment (including sexual harassment) and retaliation in the workplace is described in the Workplace Behavior policy. For our employees and other covered persons in New York, we offer the following state-specific information.

In addition to the options listed in HHMI's Workplace Behavior Policy and Complaint Resolution Procedure to report a claim of sexual harassment, you may choose to submit your complaint in writing to the Chief of People & Culture, your HR Business Partner or any other representative of People & Culture. You may use this [New York form](#) but you are not required to use the form.

Discrimination based on legally protected characteristics, sexual harassment and other unlawful harassment, and unlawful retaliation are prohibited by HHMI policy, as described in the Workplace Behavior policy. They are also prohibited by state, federal and applicable local laws. Aside from the internal process at HHMI described in the Workplace Behavior policy and Complaint Resolution Procedure, employees may choose to pursue legal remedies with the following governmental entities at any time.

New York State Division of Human Rights (DHR): The Human Rights Law, N.Y. Exec. Law art. 15 §§ 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns, and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the DHR or in New York State Supreme Court.

Complaints with DHR may be filed at any time within one year of the alleged unlawful discrimination, harassment or retaliation. If an individual did not file at DHR, they could sue directly in state court under the HRL within three years of the alleged discrimination, harassment or retaliation. An individual may not file with DHR if they have already filed an HRL complaint in state court. Complaining internally to HHMI does not extend your time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination, harassment or retaliation in violation of the law occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination, harassment or retaliation in violation of the law is found after a hearing, the DHR has the power to award relief, which varies but may include requiring action to stop the discrimination, harassment, or retaliation or requiring redress for the damage caused, including paying monetary damages, attorney's fees or civil fines. DHR can be contacted at: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, NY, 10458. 718-741-8400. [www.dhr.ny.gov](http://www.dhr.ny.gov).

**United States Equal Employment Opportunity Commission (EEOC):** The EEOC enforces federal anti-discrimination laws, including Title VII of the Civil Rights Act of 1964 (42 USC §§2000e et seq). You may file a complaint with the EEOC within 300 days of the alleged discrimination, harassment or retaliation. There is no cost to file an EEOC complaint. The EEOC investigates complaints and determines whether there is reasonable cause to believe that discrimination, harassment or retaliation in violation of law has occurred. The EEOC also will issue a “right to sue” letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief. The EEOC may take other actions, including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies that vary based on the situation if discrimination, harassment or retaliation in violation of federal law or other applicable laws at issue in your case is found to have occurred. Remedies can include, for example, requiring action to stop the discrimination, harassment, or retaliation or requiring redress for the damage caused, including paying monetary damages and attorney’s fees.

If an employee believes that he/she has been discriminated against at work, he/she can file a “Charge of Discrimination.” The EEOC has district, area and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)). You can reach the EEOC online at [www.eeoc.gov](http://www.eeoc.gov) or by email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual files an administrative complaint with DHR, DHR will file that complaint with the EEOC to preserve the right to proceed in federal court.

**Local Protections:** Employees in New York City may file complaints of sexual harassment, or other unlawful discrimination, harassment or retaliation allegations, with the New York City Commission on Human Rights. Call 311 or 718-722-3131, or visit <https://www1.nyc.gov/site/cchr/about/report-discrimination.page>. Many other localities enforce laws protecting individuals from sexual harassment and discrimination. You may wish to contact the county, city or town in which you work to find out whether there are additional protections in your locality.

**Local Police Department:** If harassment involves physical touching, coerced physical confinement or coerced sexual acts, you may also wish to report the matter to the local police department.

### **Illinois Supplemental Policy on Sexual Harassment in the Workplace**

HHMI’s policy against unlawful discrimination, harassment (including sexual harassment) and retaliation in the workplace is described in the Workplace Behavior policy. For our employees and other covered persons in Illinois, we offer the following state-specific information.

In addition to the options listed in HHMI’s Workplace Behavior Policy and Complaint Resolution Procedure to report a claim of sexual harassment, you may choose to submit your complaint in writing to the Chief of People & Culture, your HR Business Partner or any other representative of People & Culture.



External to and separate from HHMI's procedures, if you wish, you may call the [State of Illinois Sexual Harassment and Discrimination Helpline](#) for assistance if you or someone you know has experienced or witnessed unwelcome conduct of a sexual nature in the workplace. Calls are confidential and can be made anonymously. Contact the Illinois Sexual Harassment and Discrimination Helpline at: 1-877-236-7703. This service is offered by the State of Illinois and is not connected to or offered by HHMI.

Discrimination based on legally protected characteristics, sexual harassment and other unlawful harassment, and unlawful retaliation are prohibited by HHMI policy, as described in the Workplace Behavior policy. They are also prohibited by state, federal and applicable local laws. Aside from the internal process at HHMI described in the Workplace Behavior policy and Complaint Resolution Procedure, employees may also choose to pursue legal remedies with the following governmental entities at any time.

[Illinois Department of Human Rights \(IDHR\)](#): The Illinois Department of Human Rights (IDHR) is a state agency responsible for enforcing the Illinois Human Rights Act, the state law which makes it illegal to engage in sexual harassment or retaliation. You may file a charge at any time within 300 days of the incident(s) of harassment. Complaining internally to HHMI does not extend your time to file with IDHR. IDHR has authority to investigate employers who have one or more employees. To start the process, submit a [Complainant Information Sheet](#) to IDHR. You do not need an attorney to file a complaint with IDHR, and there is no cost to file with IDHR.

After IDHR completes its investigation, within the timeframe provided by law you may file a lawsuit in civil court or you may file a complaint with the Illinois Human Rights Commission (HRC) if IDHR found "substantial evidence" of a violation. Individuals who prevail in the HRC or Court may receive an order awarding remedies allowed by the Illinois Human Rights Act to make the Complainant "whole." Remedies may vary based upon the situation if unlawful discrimination, harassment or retaliation is found to have occurred. Remedies may include, for example, back pay, lost benefits, clearing of a personnel file, damages, hiring, promotion, reinstatement, front pay where reinstatement is not possible, and attorney's fees and costs.

IDHR can be contacted at: 1-800-662-3942 or [www.ILLINOIS.GOV/DHR](http://www.ILLINOIS.GOV/DHR). IDHR Office Locations: IDHR Chicago Office, 312-814-6200 (866-740-3953 (TTY)), 100 W Randolph St, Suite 10-100, Chicago, IL 6060; IDHR Springfield Office, 217-785-5100 (866-740-3953 (TTY)), 535 W. Jefferson, 1stFloor, Intake Unit, Springfield, IL 62702; IDHR Marion Office, 618-993-7463 (217- 740-3953 (TTY)), 2309 W Main St, Marion, IL 62959.

**United States Equal Employment Opportunity Commission ([EEOC](#))**: The EEOC enforces federal anti-discrimination laws, including Title VII of the Civil Rights Act of 1964 (42 USC §§2000e et seq). You may file a complaint with the EEOC within 300 days of the alleged discrimination, harassment or retaliation. There is no cost to file an EEOC complaint. The EEOC investigates complaints and determines whether there is reasonable cause to believe that discrimination, harassment or retaliation in violation of law has occurred. The EEOC also will issue a "right to sue"



letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief. The EEOC may take other actions, including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies that vary based on the situation if discrimination, harassment or retaliation in violation of federal law or other applicable laws at issue in your case is found to have occurred. Remedies can include, for example, requiring action to stop the discrimination, harassment, or retaliation or requiring redress for the damage caused, including paying monetary damages and attorney's fees.

If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)). You can reach the EEOC online at [www.eeoc.gov](http://www.eeoc.gov) or by email at [info@eeoc.gov](mailto:info@eeoc.gov). Contact U.S. EEOC Offices Service Illinois at: Chicago District Office, JCK Federal Building, 230 S. Dearborn St., Chicago, IL 60604 or St. Louis District Office, Robert A. Young Federal Building, 1222 Spruce St., Rm. 8.100, St. Louis, MO 63103.

If an individual files an administrative complaint with IDHR, IDHR automatically files eligible employment charges with the EEOC to preserve the right to proceed in federal court, and conducts the investigation for EEOC under the terms of the agencies' Work-sharing Agreement.

Local Police Department: If harassment involves physical touching, coerced physical confinement or coerced sexual acts, you may also wish to report the matter to your local police department.

## Related Procedures, Forms and Policies

- [Complaint Resolution Procedure](#)
- [Complaint Form \(for optional use in NY\)](#)
- [Recruitment and Hiring Policy](#)
- [Comportamiento en el lugar de trabajo](#)
- [Procedimiento de resolucion de denuncias](#)

## Contact

If you have any questions about this policy or situations in which it may apply, please contact your HR Business Partner.

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