



40 Rector Street, 9<sup>th</sup> Floor  
New York, New York 10006  
[www.StopSpying.org](http://www.StopSpying.org) | (646) 602-5600

---

## COMMUNITY HANDBOOK

Effective as of November 15, 2021

## Table of Contents

|  | <u>Page</u> |
|--|-------------|
| INTRODUCTION.....  | 1           |
| A.    Disclaimer.....  | 1           |
| B.    Diversity, Equity and Inclusion and Anti-Racism Statement..... | 1           |
| I.    EMPLOYMENT STATUS.....   | 3           |
| A.    Verification of Employment and Employment Classification.....  | 3           |
| B.    Resignation .....  | 3           |
| C.    References/Verification of Employment .....                    | 3           |
| D.    Performance Reviews.....                                       | 3           |
| E.    Non-Disclosure Agreement.....                                  | 4           |
| II.    HEALTH, DISABILITY, RETIREMENT AND OTHER BENEFITS.....        | 4           |
| III.    TIME OFF POLICIES.....                                       | 4           |
| A.    Paid Holidays.....   | 4           |
| B.    Paid Time Off .....  | 4           |
| C.    Sick/Safe Time.....  | 5           |
| D.    Paid Family Leave.....   | 6           |
| E.    Bereavement Leave .....  | 6           |
| F.    Jury Duty.....   | 6           |
| G.    Military Leave.....  | 6           |
| H.    Voting Leave .....   | 6           |
| I.    Bone Marrow Donation Leave.....                                | 6           |
| J.    Blood Donation Leave.....                                      | 7           |
| IV.    GENERAL OFFICE POLICIES.....                                  | 7           |
| A.    Discrimination and Harassment Policy.....                      | 7           |
| B.    Whistleblower Policy.....                                      | 7           |
| C.    Compensation .....   | 7           |
| D.    Deductions from Wages.....                                     | 8           |
| E.    Garnishment.....   | 8           |
| F.    Media Contact.....   | 8           |
| G.    Protection of Personal Information.....                        | 8           |
| H.    Business Expenses.....   | 8           |
| I.    Personal Litigation.....                                       | 9           |
| J.    Conflicts of Interest .....                                    | 9           |
| K.    Record Retention.....  | 9           |
| V.    ELECTRONIC INFORMATION SYSTEMS.....                            | 9           |

|    |  |    |
|----|--|----|
| A. | Business Use.....  | 9  |
| B. | Confidential Information .....   | 9  |
| C. | Privacy Rights.....  | 10 |
| D. | Personal Online Activities .....   | 10 |
| E. | Enforcement of Policy.....   | 10 |
| F. | Bring Your Own Device Policy.....  | 10 |
| 1. | APPENDIX A: DISCRIMINATION AND HARASSMENT POLICY.....  | 11 |
| A. | Definition of Sexual Harassment .....  | 11 |
| B. | Definition of Harassment Other Than Sexual Harassment.....                                     | 12 |
| C. | Conduct Covered by This Policy.....  | 13 |
| D. | Complaint Procedure .....  | 13 |
| E. | Investigating a Complaint.....   | 13 |
| F. | Rights of Redress, Remedies and Available Forums .....   | 14 |
| G. | Retaliation Is Prohibited.....   | 15 |
| H. | Disciplinary Action for Violating This Policy .....  | 15 |
| I. | Employees with Disabilities .....  | 16 |
| J. | Prohibition Against Discrimination on the Basis of Reproductive<br>Health Decision Making..... | 16 |
| 2. | APPENDIX B: WHISTLEBLOWER POLICY .....   | 17 |
| A. | Reporting Responsibility.....  | 17 |
| B. | Compliance Officer.....  | 17 |
| C. | Procedure for Reporting Suspected Violations.....  | 17 |
| D. | Procedure for Handling of Reported Violations .....  | 18 |
| E. | Acting in Good Faith .....   | 19 |
| F. | Confidentiality.....   | 19 |
| G. | No Retaliation .....   | 19 |
|    | COMMUNITY HANDBOOK ACKNOWLEDGMENT FORM.....  | 20 |
|    | DISCRIMINATION AND/OR HARASSMENT COMPLAINT FORM.....   | 21 |

## INTRODUCTION

Welcome to the Surveillance Technology Oversight Project (alternatively, the "Organization", "We", "Our", or "S.T.O.P."). We're pleased to provide you (alternatively, the "Employee" or "You") with our Community Handbook (the "Handbook"), outlining our policies, practices, and benefits.

S.T.O.P is committed to supporting and nurturing employees and volunteers. We are an intentional community, connected by both our values and mission. As we strive to better ourselves as an organization, we use this handbook to enshrine our values, lay out our policies, and memorialize our legal obligations. Like our community itself, this Handbook is a living document, not merely guiding the way we work together, but improving over time with the help of your feedback. But these policies can only work if we each work to put them into practice.

### A. Disclaimer

As a legal matter, the Handbook isn't an employment contract. This Handbook doesn't expressly or implicitly promise you any fixed employment terms. This is because S.T.O.P. employees are generally employed "at will", and those individuals with a fixed term have an individual employment contract. As an "at will" employee, either you or we may terminate the employment relationship for any reason or no reason, at any time, with or without notice. Some employees may have individual employment agreements, which are effective only if in writing and signed by the executive director or board president. S.T.O.P. employees with individual employment contracts may only be terminated in accordance with the procedures outlined in their individual employment contracts. Even if you have an employment agreement, you still must follow the policies and procedures in this Handbook unless your employment agreement expressly states otherwise.

To avoid any confusion, we want to make clear that this Handbook supersedes any personnel policies, practices and benefits previously in effect and are subject to modification. While S.T.O.P. believes in the value of community consultation, we reserve the right (in our sole discretion) to modify or terminate any portion of this Handbook at any time without prior notice, though we will endeavor to give reasonable notice before any material changes are made. Additionally, while we will always aim to include employee perspective when possible, S.T.O.P. is solely responsible for applying these policies and making all respective determinations of fact (in our discretion).

If you have any questions concerning the contents of this Handbook, please consult with the executive director.

### B. Diversity, Equity and Inclusion and Anti-Racism Statement

As an anti-racist organization, we are committed to dismantling systemic racism and every aspect of bigotry. Our programming will actively examine our own unconscious biases, build cultural competency, and speak out in the face of hate. We expect all staff to build a culture of safety and respect, nurturing our colleagues and respecting the clients we serve. We also root ourselves in structural accountability, holding our staff and our Organization accountable to these values.

*Nothing in this Handbook or any other policy or agreement between an employee and S.T.O.P. limits an employee's ability to communicate with the Equal Employment Opportunity Commission, the National Labor Relations Board, the Occupational Safety and Health Administration, the Securities and Exchange Commission, law enforcement, the New York State Division of Human Rights or a local commission of human rights, or any other federal, state or local governmental agency or commission ("Government Agencies"). Nothing in this Handbook or any agreement between any employee and S.T.O.P. limits an employee's ability to speak with the employee's attorney(s) or communicate with any Government Agencies, including to report possible violations of federal law or regulation or making other disclosures that are protected under the whistleblower provisions of federal law or regulation.*

*Employees won't be criminally or civilly liable under any Federal or State trade secret law for the disclosure of a trade secret that: (A) is made (i) in confidence to a Federal, State, or local government official, either directly or indirectly, or to an attorney; and (ii) solely for the purpose of reporting or investigating a suspected violation of law; or (B) is made in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal.*

## I. EMPLOYMENT STATUS

### A. Verification of Employment and Employment Classification

While we actively work to repeal America's racist immigration restrictions, we must fully comply with them so long as they are the law of the land. As such, we are required to only employ individuals legally eligible for employment in the United States. Unfortunately, failure to provide acceptable documentation by the legal deadline will result in termination of employment.

We will classify all new employees as "exempt" or "non-exempt" pursuant to federal guidelines. Generally, exempt employees are salaried professional, managerial and administrative employees who aren't eligible for overtime pay. Other employees are considered to be "non-exempt" and are eligible for overtime pay as set forth in our overtime policy.

### B. Resignation

Sadly, we know that sometimes employees choose to move on from S.T.O.P., and you are free to resign at any time. If you resign from S.T.O.P., we request that you notify the executive director in writing at least three (3) weeks in advance. Since abrupt departures can be deeply damaging, an employee who resigns from S.T.O.P without at least two (2) weeks' notice will forfeit any accrued but unpaid vacation days that would otherwise have been paid out.

If you leave S.T.O.P., regardless of the reason, you should:

- pay in full any debt you owe S.T.O.P.;
- return all Organization property; and
- fully cooperate with our staff in offboarding and account deactivation.

### C. References/Verification of Employment

We are happy to support staff in careers transitions, and any reference or request for verification of employment should be sent in writing to the executive director. Typically, we release only the dates of employment and last/current title on current and former employees. However, we can provide more details when an employee requests so in writing, and any request or questions should be sent to the executive director.

### D. Performance Reviews

We can only succeed as a community through our employees' success, and feedback is indispensable to our growth. This is why for new employees, performance reviews are generally conducted after three (3) months, six (6) months, and one (1) year. After employees' first year of employment, performance reviews are conducted every six (6) months. The performance review is a formal opportunity for employees to talk with their supervisors and understand what is expected of them, as well as provide feedback to their supervisors, with such reviews retained as part of each employee's human resources file. Full participation in the process is important, and we encourage you to prepare and engage in the process, as well as seeking out and providing informal feedback

throughout the year. Additionally, we will provide office-wide anonymous feedback surveys at least twice a year.

E. Non-Disclosure Agreement

Due to the highly politicized nature of S.T.O.P.'s work, S.T.O.P. requires all of its employees to sign and abide by a confidentiality and non-disclosure agreement ("Confidentiality and Nondisclosure Agreement") separate from this Handbook. Violation of such Confidentiality and Nondisclosure Agreement is grounds for discipline up to and including termination, in addition to any civil liabilities contemplated by that agreement.

II. HEALTH, DISABILITY, RETIREMENT AND OTHER BENEFITS

S.T.O.P. offers certain health, disability, retirement and other benefits to its eligible full-time employees. For further information regarding these benefits, please contact our PEO Justworks.

III. TIME OFF POLICIES

A. Paid Holidays

S.T.O.P. generally observes the following paid holidays:

|                             |                         |
|-----------------------------|-------------------------|
| New Year's Day              | Independence Day        |
| Martin Luther King, Jr. Day | Labor Day               |
| Presidents' Day             | Indigenous Peoples' Day |
| Good Friday                 | Thanksgiving Week       |
| Memorial Day                | Christmas Eve Through   |
| Juneteenth                  | New Year's Eve          |

Any changes to this list will be publicized early in the calendar year.

Additionally, employees will be permitted to leave work 2 hours early the last working day before any of the holidays listed above, as well as on Fridays between Memorial Day and Labor Day, and this early departure won't be charged against your paid time off.

B. Paid Time Off

We know that self-care and time away from our work is indispensable to maintaining our fight over the long term. This is why S.T.O.P. offers full-time employees the opportunity to take time off at full pay for any purpose they wish.

Eligible employees will be provided with 15 days of paid time off upon hire, and thereafter each employee will receive a new allotment of 15 days of paid time off on the annual anniversary of the employee's date of hire. Employees who don't use all of their paid time off during the 12-month period following the date of hire, or anniversary of the date of hire, as applicable, may carry over up to 15 unused days to the next 12-month period, meaning an employee

may have a maximum of 30 unused days at any time. Any unused days in excess of the 15 days to be carried over will be forfeited.

A full-time employee who changes to part-time hours will have their paid time off balance frozen, and they won't be able to take paid time off unless/until they return to full-time hours. On the anniversary of the date of hire for any employee who was worked full-time for only part of the prior year, that employee will receive a new allotment of 15 days of paid time off, prorated for the portion of the year worked full-time.

Except for an emergency or illness, an employee must receive approval to use paid time off from the employee's immediate supervisor.

Except where the employee is fired for cause or quits without proper notice (see Section I.B), an employee will be paid for any unused paid time off (up to 30 days) upon an employee's termination of employment.

S.T.O.P. won't require employees to use paid time off to observe religious holidays. Employees are asked to use discretion in taking time off for observance of religious holidays that don't coincide with S.T.O.P.'s Paid Holidays, as set forth above.

### C. Sick/Safe Time

All employees (including part-time employees and interns) are eligible for paid sick/safe time. All full-time employees are eligible, immediately upon hire, for 40 hours of paid sick time per calendar year. All employees will receive 40 hours of paid sick/safe time upon hire, and thereafter will receive a new allotment of 40 hours of paid sick/safe time on each annual anniversary of the employee's date of hire. Employees may not carry over unused sick/safe time from one 12-month period to the next. Employees may use paid sick/safe time off in increments of 15 minutes. You may request a summary of the amount of sick/safe leave accrued and used by you via the Justworks platform.

If you want to use sick/safe time, please contact your supervisor as soon as practicable. An employee may use paid sick/safe time for absence from work for any reason described as a "Permitted Use" of sick/safe leave under the New York Paid Sick Leave Law. Examples include your or your family member's mental or physical illness, the diagnosis, care, or treatment of such illness, the need to care for a child, or intimate partner violence. A "family member" includes both a biological relative and those most dear to you. When you know in advance you will need to use sick/safe time, please contact your supervisor seven days in advance of the expected absence. If you are absent for more than 3 consecutive workdays, you may need to provide written certification, but we will reimburse any fees incurred in connection with this documentation. You and/or healthcare or service providers won't need to disclose your health information or other intimate details. Any information we receive because of sick/safe leave will be kept confidential unless you consent to disclosure in writing or disclosure is required by law.

You can take further time off under this policy as paid time off (see Section III.B). Upon separation from employment for any reason, you won't be paid for any unused sick/safe time.



D. Paid Family Leave

In accordance with New York State Law, S.T.O.P. will grant up to twelve (12) weeks of Paid Family Leave during a twelve (12) month period to eligible employees. The 12-month period is calculated from the first day Paid Family Leave is used. For further information regarding Paid Family Leave, please contact Justworks. Any employee eligible for Paid Family Leave shall also be eligible for up to twelve (12) weeks of Unpaid Family Leave during a twelve (12) month period.

E. Bereavement Leave

Employees are allowed time off with pay for a period of up to five (5) consecutive calendar days in the event of a death in the employee's immediate family. This includes both your biological family and those most dear to you.

F. Jury Duty

If you receive a jury duty notice, please notify your supervisor as soon as possible. Employees who are called for jury service will be paid their full salary for the first five (5) days of jury service, less the employee's jury pay, if they provide written proof of their jury service obligation. Employees must keep S.T.O.P. advised daily of their status during jury duty. Employees must return to work upon early dismissal from jury duty.

G. Military Leave

If an employee is a member of an Active Reserve Unit or the National Guard and needs time off for military leave, the employee must notify the employee's supervisor immediately to the extent practicable and permitted by law. It is S.T.O.P.'s intention to comply fully with the law concerning military service.

H. Voting Leave

We want to support staff who choose to exercise their franchise. Employees may take up to two (2) hours of time off from work with pay in order to vote in any election. S.T.O.P. will never interfere with how you exercise any voting right, and you will never be disciplined for taking voting leave or for failing to vote.

I. Bone Marrow Donation Leave

All employees are eligible to receive up to twenty-four (24) work hours of unpaid leave in any twelve (12) month period to donate bone marrow. Employees should provide the executive director with written physician verification of the purpose and length of each leave. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

J. Blood Donation Leave

All employees are eligible for up to three (3) hours of leave in any twelve (12) month period to donate blood. For more information regarding this leave, please contact the executive director.

IV. GENERAL OFFICE POLICIES

A. Discrimination and Harassment Policy

S.T.O.P. was founded on the principles of dismantling systems of white supremacy, sexism, exclusion, and bigotry, and we bring the same intentionality that defines our programmatic work to creating a safe, nurturing, and inclusive space for all employees and volunteers. We will never unlawfully discriminate on the basis of race, color, creed, religion, national origin, citizenship, age, sex, sexual orientation, sexual and reproductive health decisions, gender identity, gender expression, military status, marital status, familial status, caregiver status, predisposing genetic characteristics, actual or perceived domestic violence victim status, disability, veteran status, or any other legally protected characteristic (collectively referred to herein as "Protected Classifications").

It is S.T.O.P.'s policy to maintain a work environment in which all individuals are treated with respect and dignity. We prohibit discriminatory practices, including sexual harassment and harassment based on any Protected Classifications. For the complete Discrimination and Harassment Policy, please see Appendix A.

B. Whistleblower Policy

In line with S.T.O.P.'s belief in speaking truth to power and our commitment to diversity, equity, inclusion, and anti-racism, we require our employees and representatives to act lawfully, honestly, and with integrity in fulfilling their responsibilities. We encourage employees to identify any instances in which these standards may be compromised. S.T.O.P. will never retaliate against an employee who raises good faith concerns under the policy included in this Handbook. For the complete Whistleblower Policy, please see Appendix B.

C. Compensation

Employees will be paid biweekly on the Friday following the close of the reporting period the preceding Sunday.

Non-salaried employees will be paid according to hours worked multiplied by their hourly rate of pay, incorporating time-and-a-half overtime pay, if relevant; hourly rate of pay will be determined by the employee's individual employee agreement. Deductions may be made to an employee's paycheck as per the considerations in Section IV.D, below. Changes to an employee's hourly rate of pay are only effective if in writing and signed by the executive director.

We know that work-life balance is crucial, but sometimes your supervisor may ask you to work extra hours. A non-exempt employee who works more than forty (40) hours in a single work week will receive overtime pay at a rate of one and one-half (1 1/2) times the employee's base

hourly rate of pay for all hours worked over forty (40) hours. Overtime must be authorized by the employee's supervisor before it is performed and recorded in Justworks.

Salaried employees will be paid according to their individual employee agreements subject to the considerations in Section IV.D, below. Salary changes are only effective if in writing and signed by the executive director.

D. Deductions from Wages

Deductions from an employee's pay for insurance premiums, pension or health and welfare benefits, contributions to charitable organizations, payments for United States bonds, payments for dues or assessments to a labor organization, and similar payments for the benefit of the employee may be made if they are expressly authorized in writing by the employee and are for the benefit of the employee.

Deductions from an employee's pay may also be made for repayment of advances of salary or wages and overpayments, provided they are made in accordance with procedures proscribed under applicable law.

E. Garnishment

When an employee's wages are garnished by a court order, S.T.O.P. is legally bound to withhold the amount indicated in the garnishment order from the employee's paycheck. S.T.O.P. will honor any federal and state guidelines, if applicable, that protect a certain amount of an employee's income from being subject to garnishment.

F. Media Contact

All inquiries from the press on S.T.O.P.'s position on a matter must be referred to the communications manager (or in the communications manager's absence, to the executive director).

G. Protection of Personal Information

All S.T.O.P. employees are expected to safeguard their colleagues' privacy. You must not distribute any other employee's sensitive information without prior consent or as may be required by law. Sensitive information includes government identification numbers, home addresses and/or telephone numbers, personal email addresses, or internet credentials. An employee who has questions about this policy, or needs additional information on how to protect our privacy, should contact the executive director.

H. Business Expenses

S.T.O.P. seeks whenever possible to pay expenses directly, forgoing any need for employees to incur organizational expenses. However, we will reimburse you for ordinary, necessary and reasonable business expenses. Please exercise prudent business judgment regarding expenses and seek prior approval whenever possible. Please promptly send the executive director receipts and expense explanations. You should retain a copy of this documentation for your records. Once

verified and approved by the executive director, out-of-pocket expenses will be reimbursed in accordance with S.T.O.P.'s payroll practices. Unreasonably delayed reimbursement requests may be denied.

I. Personal Litigation

In the unfortunate event that you are arrested and/or charged with any crime or involved with any civil or administrative action alleging financial misconduct, please immediately inform the Executive Director.

J. Conflicts of Interest

You have a duty to S.T.O.P. to be free from any conflicting interest when representing us. Employees must deal with all of those doing business with S.T.O.P. based solely on our best interests, without preference to third parties. Close relative conflicts of interest, including spouses, parents and children, will be considered the same as each employee.

An employee who influences S.T.O.P.'s dealings with a third party may not own any interest in or have any personal contact with said party that might impact employee's judgement.

An employee may not seek or accept, directly or indirectly, payments, loans, services, excessive entertainment, or travel or gifts from any entity doing or seeking to do business with S.T.O.P. that might influence employee's judgement.

K. Record Retention

All accounting and financial records, records of programs such as S.T.O.P. meetings, events, and conferences, payroll records, and personnel records will be retained for at least 7 years, and in all events S.T.O.P. will retain for a longer period of time any files which S.T.O.P. must by law retain for a longer period.

V. ELECTRONIC INFORMATION SYSTEMS

A. Business Use

S.T.O.P.'s electronic systems are under constant attack from those who would seek to undermine our work. To better protect our office, you must insulate your work computers, e-mail, and other accounts by only using them for work matters. All personal accounts and devices should be kept separate, except as provided for by the Bring Your Own Device Policy, below (see Section V.F).

B. Confidential Information

Employees are expected to protect S.T.O.P.'s confidential information by only sending such information to authorized recipients. Employees should use the most secure data transmission platform available when sending any such items. If any questions arise about the appropriate platform(s) for a given task or dataset, contact the technology manager for guidance.

### C. Privacy Rights

While S.T.O.P.'s legal obligations prevent us from guaranteeing the privacy of your electronic data, including data stored on our system, we will only access such data when necessary to protect our security or comply with our legal obligations, including production compelled during civil litigation. While S.T.O.P. will work where possible to protect employee privacy, employees waive any legally enforceable right to data stored on our system. All data generated on S.T.O.P.'s equipment and systems remain our property, and they aren't any employee's private property.

### D. Personal Online Activities

Organization personnel are permitted to identify their position at S.T.O.P. on social or professional networking sites if they make clear that they are speaking on their own behalf and that their views don't represent S.T.O.P.'s views. For example, they should write in the first person, particularly when speaking on matters directly linked to S.T.O.P.'s work and add a statement to the effect that "This is only my own opinion." When reposting or commenting on S.T.O.P. statements, you should avoid any personal statements that could be misinterpreted as our organizational stance.

### E. Enforcement of Policy

Violations of this policy may subject an employee to disciplinary action, up to and including termination of employment.

### F. Bring Your Own Device Policy

We know that it can be much more convenient for many employees to use their own preferred smartphones and tablets for work-related purposes (their "Device" or "Devices"). However, using personal devices creates significant risks to S.T.O.P.'s cybersecurity that are governed by our Bring Your Own Device ("BYOD") policy and Consent Form, which is contained in this Handbook. This policy is needed to keep us safe.

S.T.O.P.'s legal obligations prevent us from guaranteeing the privacy of your electronic data when sent over our systems. However, we will only access such data when necessary to protect cybersecurity or comply with our legal obligations, including production compelled during civil litigation, document retrieval, technical trouble-shooting, preventing system misuse, investigating misconduct, or complying or assuring compliance with our legal and contractual obligations. S.T.O.P. may require you to install anti-malware software to protect your computer, but we will never examine locally stored files for any other purpose.

By using a Device, you agree that S.T.O.P. may review your records or examine the locally stored files on your Device in connection with the above.

You may *not* (1) store S.T.O.P. data on any cloud storage sites other than Tresorit without authorization to do so; (2) connect to unsecured WiFi without a VPN connection; or (3) share a Device with family members or other individuals.

When you access S.T.O.P. systems on your own Device, all of our policies apply as if it were a S.T.O.P.-owned device.

## 1. APPENDIX A: DISCRIMINATION AND HARASSMENT POLICY

S.T.O.P. will never unlawfully discriminate on the basis of race, color, creed, religion, national origin, citizenship, age, sex, sexual orientation, sexual and reproductive health decisions, gender identity, gender expression, military status, marital status, familial status, caregiver status, predisposing genetic characteristics, actual or perceived domestic violence victim status, disability, veteran status, or any other legally protected characteristic (collectively referred to herein as "Protected Classifications").

This policy applies to all terms and conditions of employment, including but not limited to recruiting, hiring, compensation, training and development, benefits, promotion, demotion, discipline and termination. All of our employees, regardless of position, must maintain a community free from discrimination and committed to anti-racism. In addition, each employee will undergo annual anti-harassment training, which shall include the information contained in this policy.

This policy applies to all S.T.O.P. employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, and prohibits harassment, discrimination and retaliation, whether engaged in by fellow employees, supervisors, or non-employees with whom the employee comes into contact in the course of employment (*e.g.*, service providers, clients, or contractors). The prohibition of harassment also includes harassment of third parties by employees.

### A. Definition of Sexual Harassment

Sexual harassment is a form of unlawful sex discrimination, and all employees must work in a manner that prevents sexual harassment.

Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, and gender identity, including non-binary and/or transgender gender expression and identities. Sexual harassment may include (a) any differential treatment because of an employee's gender and (b) unwelcome conduct of a sexual nature or which is directed at an individual because of that individual's sex when: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment by a supervisory employee; (ii) submission to or rejection of such conduct is used by a supervisory employee as the basis for decisions that affect an individual's employment opportunities in a tangible way; (iii) such conduct unreasonably interferes with an individual's work performance; or (iv) such conduct is unwelcome and severe or pervasive enough to create an intimidating, hostile or offensive work environment for a reasonable individual, subjects an individual to inferior terms, conditions or privileges of employment, or rises above the level of a petty slight or trivial inconvenience such that it creates an intimidating, hostile, or offensive work environment for a reasonable individual. Unwelcome conduct of a sexual nature that may not reach the legal standard for sexual harassment is also considered sexual harassment for the purposes of this policy.

Sadly, hostile work environments are quite common, and there are numerous disturbing examples of behavior that makes a workplace a hostile work environment, including, but not limited to, words, signs, jokes, pranks, intimidation or physical violence, any of which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual

harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

Sexual harassment in one of its most reprehensible forms occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Sexual harassment may involve individuals of the same or different genders. There are countless examples of sexual harassment, many of which can be quite disturbing to discuss, including, but not limited to: physical acts of a sexual nature, such as touching, pinching, kissing, hugging, grabbing, brushing against another employee's body, rape, sexual battery, molestation or attempts to commit these assaults; unwanted sexual advances or propositions, such as requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments, or subtle or obvious pressure for unwelcome sexual activities; sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment; sex stereotyping (when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look); sexual or discriminatory displays or publications anywhere in the workplace, such as displaying, on any device, pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic; hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity or the status of being transgender, such as interfering with, destroying or damaging a person's workstation, tools or equipment, sabotaging an individual's work or otherwise interfering with the individual's ability to perform their job.

#### B. Definition of Harassment Other Than Sexual Harassment

Under this policy, harassment may include (a) any differential treatment because of an employee's Protected Classification and (b) unwelcome verbal, non-verbal, or physical conduct that denigrates or shows hostility or aversion toward an individual because of their Protected Classification or the Protected Classifications of their relatives, friends, or associates, and that (i) is severe or pervasive enough to create an intimidating, hostile, or offensive work environment for a reasonable individual or rises above the level of a petty slight or trivial inconvenience such that it creates an intimidating, hostile, or offensive work environment for a reasonable individual, subjects an individual to inferior terms, conditions, or privileges of employment, or (ii) otherwise adversely affects an individual's employment opportunities in a tangible way. Any acts that show hostility or aversion toward an individual or their relatives, friends, or associates because of their Protected Classification or Protected Classifications will also be considered harassment for the purposes of this policy, regardless of whether such acts reach the legal standard of harassment.

Harassing conduct includes, but isn't limited to:

- epithets, slurs, quips, or negative stereotyping that relate to Protected Classifications;

- threatening, intimidating or hostile acts that relate to Protected Classifications;
- written or graphic material (including graffiti) that denigrates or shows hostility or aversion toward an individual or group because of Protected Classifications and that is placed on walls, bulletin boards, or elsewhere on S.T.O.P.'s premises, or circulated or displayed in the workplace; or
- Supposed "jokes", "pranks" or other forms of "humor" that are demeaning or hostile with regard to Protected Classifications.

C. Conduct Covered by This Policy

Violations of this policy are unacceptable in any work-related setting, including but not limited to business trips, business meetings and business-related social events. Participation in work-related activities in any setting that undermines diversity, equity, inclusion, and/or equal employment opportunity is also unacceptable, including any exclusion on the basis of Protected Classifications.

D. Complaint Procedure

We strongly urge you to report all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position, so that we can effectively investigate and remediate any violations.

This policy can't effectively protect our community unless we all report our concerns to the executive director and/or the Board of Directors' President. Further, supervisors who learn of violations of this policy or who have concerns about such matters **must** report such conduct or concerns to the executive director and/or the Board of Directors' President. Employees should fill out a complaint form, a copy of which may be found in the Human Resources Tresorit Folder. If an employee wishes to complain orally instead, the recipient of the complaint will fill out a complaint form on the employee's behalf with the assistance of the employee.

An employee who has experienced conduct that the employee believes is contrary to this policy may have a legal obligation to take advantage of this complaint procedure. Employees should be aware that failure to fulfill this obligation could affect their right to pursue legal action.

Early reporting and intervention are the most effective method to resolve discrimination and harassment. Therefore, while we have no fixed reporting period, employees are strongly urged to promptly report complaints or concerns so we can act quickly.

This complaint procedure doesn't preclude individuals from promptly telling the offender that their behavior is unwelcome and requesting that it be stopped.

E. Investigating a Complaint

S.T.O.P. will promptly investigate all allegations of discrimination, harassment, and retaliation, ensuring due process for all parties. The investigation may include individual interviews



with the parties involved and, when necessary, other relevant individuals. If an employee refuses to participate in our inquiry, we will base our conclusions on the other information gathered during the inquiry, and inferences drawn from all of the credible evidence.

We will endeavor to maintain confidentiality throughout the investigatory process to the extent practicable and appropriate under the circumstances. S.T.O.P., however, has a legal obligation to act on all information it receives if it believes an individual may be engaging in wrongful or illegal conduct.

At the conclusion of the investigation, we will advise any individual who complained under this policy that the investigation has concluded and share other information as may be appropriate.

#### F. Rights of Redress, Remedies and Available Forums

Aside from the complaint procedure described above, employees may also choose to pursue legal remedies with the following governmental entities.

#### **United States Equal Employment Opportunity Commission ("EEOC")**

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e *et seq.*). An individual can file a complaint with the EEOC at any time within 300 days from the discrimination. An individual doesn't need to have an attorney to file. A complaint must be filed with the EEOC before an individual can file in federal court. More information can be found at [www.EEOC.gov](http://www.EEOC.gov).

#### **New York State Division of Human Rights ("DHR")**

The Human Rights Law ("HRL"), codified as N.Y. Executive Law, art. 15, § 290 *et seq.*, applies to employers in New York State, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the HRL may be filed either with DHR or in New York State Supreme Court. Complaints with DHR may be filed any time within one year of the harassment. Complaints concerning sexual harassment may be filed with the DHR within three years after the alleged unlawful discriminatory practice. If an individual doesn't file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court. Employees don't need an attorney to file a complaint with DHR, and there is no cost to file with DHR. DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines. More information can be found at [www.DHR.ny.gov](http://www.DHR.ny.gov).

#### **New York City Commission on Human Rights (the "Commission")**

The Commission enforces the New York City Human Rights Law. An individual can file a complaint with the Commission for discrimination or harassment based on a protected category other than gender at any time within one year from the discrimination. An individual can file a complaint with the Commission for gender discrimination, including harassment, or in state court, at any time within three years of the alleged discrimination. Violators can be held accountable with civil penalties of up to \$250,000 in the case of a willful violation. The Commission can also

assess emotional distress damages and other remedies, can require the violator to undergo training, and can mandate other remedies such as community service. More information can be found at [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### **Contact the Local Police Department**

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

#### **G. Retaliation Is Prohibited**

S.T.O.P. prohibits retaliation against any individual who opposes harassment in any form, including, but not limited to:

- complaining of harassment or discrimination, either internally or with any anti-discrimination agency;
- testifying or assisting in a proceeding involving harassment or discrimination under the Human Rights Law or other anti-discrimination law;
- opposing harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment or discrimination;
- reporting that another employee has been harassed or discriminated against; or
- encouraging a fellow employee to report harassment or discrimination.

Unlawful retaliation can include any action that could discourage a worker from coming forward to make or support a harassment or discrimination claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation. Even if the alleged harassment doesn't violate the law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful.

Retaliation against an individual for reporting discrimination or harassment or for participating in an inquiry into a claim of discrimination or harassment is a serious violation of this policy. Any person who retaliates against another individual for reporting any perceived acts of discrimination or harassment or for participating in the investigation process will be subject to disciplinary action, up to and including termination of employment.

#### **H. Disciplinary Action for Violating This Policy**

Harassment, including sexual harassment, is both unlawful and antithetical to our values as an organization. Every employee who engages in harassment, including supervisors who allow such behavior to continue, will be penalized. Although the disciplinary action taken will be within our discretion, such action may include requiring the employee to take a leave of absence, reassignment, suspension, probation, demotion and/or termination. We also reserve the right to require counseling, training and/or monitoring as a condition of continued employment even when a violation isn't found. In addition, harassers may be individually subject to civil and, in some cases, criminal liability.

We recognize that (although rare) false accusations of discrimination or harassment can cause serious harm to innocent persons. If an investigation results in a finding that the complainant accused another person of discrimination or harassment despite knowing that the accusation was false, the complainant will be subject to disciplinary action, up to and including termination of employment.

This policy doesn't restrict our disciplinary authority or authority to make employment decisions for unacceptable employee behavior regardless of whether the behavior constitutes discrimination or harassment.

#### I. Employees with Disabilities

S.T.O.P. is committed to combating ableism, including by complying with the Americans with Disabilities Act ("ADA") and other laws protecting applicants and employees with disabilities. We will provide you with any reasonable accommodation, as defined by the ADA or applicable law, provided that such accommodation doesn't constitute an undue hardship for S.T.O.P.

We encourage applicants and employees who want a reasonable accommodation for essential job functions to make an accommodations request to the executive director. And anyone who thinks they have faced disability discrimination should immediately notify the executive director or board of director president. We will treat questions and complaints as confidential to the extent possible.

#### J. Prohibition Against Discrimination on the Basis of Reproductive Health Decision Making

S.T.O.P. supports reproductive justice and our staff's right to freely make their own health decisions. We will never access information about you or your family's reproductive health decision making without explicit, informed, written consent. We will never discriminate or retaliate against any employee because of their or their family's reproductive health decisions or require you to waive any right to freely and independently make such a choice.

You are legally protected from retaliation for exercising any rights under this policy and/or pursuant to the law.

## 2. APPENDIX B: WHISTLEBLOWER POLICY

Under this whistleblower policy ("Whistleblower Policy"), employees who raise good faith concerns about behavior by or within S.T.O.P. that appears to be illegal, fraudulent, dishonest, or unethical or that violates any S.T.O.P. policy (a "Suspected Violation") shall be protected as a Whistleblower. A "Whistleblower" is any employee who reports a Suspected Violation pursuant to this Whistleblower Policy.

### A. Reporting Responsibility

All employees must comply with this Whistleblower Policy and report in good faith any Suspected Violations in accordance with this Whistleblower Policy.

This Whistleblower Policy covers both (i) actions taken by others that the Whistleblower believes in good faith to be subject to reporting, and (ii) actions which have *not* been taken, and which the Whistleblower believes are required to comply with laws or S.T.O.P. policies.

The individuals involved in Suspected Violations may include, but aren't limited to, directors, officers, employees, volunteers, auditors, vendors or other third parties.

Whistleblowers should report all Suspected Violations including, but not limited to: violations of federal, state or local law or regulations; fraudulent financial activity; false and misleading statements to S.T.O.P.'s auditors; mutilating records sought in an official proceeding; or planning, facilitating or concealing any of the above.

### B. Compliance Officer

The executive director (the "Compliance Officer") will receive all complaints of Suspected Violations. The Compliance Officer is responsible for investigating and, as discussed below under Section V.D, Procedure for Handling of Reported Violations, overseeing the resolution of all such complaints.

### C. Procedure for Reporting Suspected Violations

A Whistleblower may report a Suspected Violation either in written or oral form. If the Suspected Violation is reported in oral form, the Compliance Officer will transcribe the Suspected Violation into written form within a reasonable timeframe. The complaint submitted by the Whistleblower should be made as soon as is practicable, and should include whatever documentation is available to support a reasonable basis for the allegation(s) and to assist in investigating the complaint. Although the Whistleblower isn't expected to prove the truth of the allegation(s) asserted in the complaint, they must demonstrate reasonable grounds for concern. No investigation will be made of unspecified wrongdoing or broad allegations.

Reports of Suspected Violations may be made anonymously. Anonymous complaints should be detailed to the greatest extent possible because follow-up questions won't be possible.

A Whistleblower should direct all complaints to the Compliance Officer; provided, however, that if (i) the Compliance Officer is the subject of the Suspected Violation, (ii) a

Whistleblower isn't comfortable reporting a Suspected Violation to the Compliance Officer, or (iii) a Whistleblower is unsatisfied with the Compliance Officer's response to their complaint, the Whistleblower is encouraged to instead speak with their supervisor or anyone in management with whom they is comfortable.

If the Compliance Officer isn't the subject of the complaint, the supervisor or manager to whom such Suspected Violation is reported shall report such Suspected Violation to the Compliance Officer.

If the Compliance Officer is the subject of the complaint, the supervisor or manager to whom such Suspected Violation is reported shall submit the complaint to the Board of Directors. Such complaint shall include a statement as to whether such Suspected Violation was reported first to the Compliance Officer; if it wasn't, the complaint shall indicate why the Suspected Violation wasn't reported to the Compliance Officer. Upon receiving this complaint, the Board of Directors shall designate someone to act in the place of the Compliance Officer, and all references to the Compliance Officer in this Policy with respect to such complaint shall be applicable to such designee.

#### D. Procedure for Handling of Reported Violations

Unless the complaint is submitted anonymously or there are overriding legal or public interest concerns, the Whistleblower will be provided with an acknowledgement of receipt of their complaint within ten business days.

All complaints will be promptly investigated by or under the direction of the Compliance Officer, and appropriate corrective action will be taken if warranted by the investigation. The Whistleblower isn't responsible for investigating the activity or for determining fault or corrective measures.

The scope, manner and parameters of any investigation of a complaint shall be determined by the Compliance Officer in their sole discretion. The Compliance Officer may (i) resolve any report without consulting others, (ii) discuss such complaint with the Board of Directors before taking action, or (iii) refer the matter to the Board of Directors for action, depending on the Compliance Officer's determination of the seriousness or severity of the complaint.

The Compliance Officer shall provide to the Board of Directors on at least a quarterly basis a written report identifying all complaints reported under this Whistleblower Policy during the preceding quarter, or indicating that no such complaints were reported. The Compliance Officer shall report to the full Board of Directors at least annually regarding such complaints. Records of all complaints shall be maintained in accordance with S.T.O.P.'s document retention policy.

Following investigation, S.T.O.P. will take appropriate remedial and disciplinary action as it deems justified by the circumstances, including, but not limited to, (i) terminating employment, board membership or volunteer status, or (ii) seeking restitution, removal from office, or criminal prosecution.

E. Acting in Good Faith

Anyone filing a complaint concerning a Suspected Violation must act in good faith and have reasonable grounds for believing the information disclosed may indicate a Suspected Violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowing them to be false will be viewed as a serious disciplinary offense.

F. Confidentiality

Any investigation will be conducted in a manner that conceals and protects the Whistleblower's identity to the greatest extent practicable given legal requirements, consistent with the need to conduct a fair and adequate investigation and take necessary corrective action.

G. No Retaliation

The Organization and its agents won't retaliate and won't tolerate any retaliation by any other person or group, directly or indirectly, against any employee who, in good faith, reports a Suspected Violation to, or provides assistance investigating a Suspected Violation to, S.T.O.P. (including its agents), the Compliance Officer, or any other person or group, including any governmental, regulatory or law enforcement body. For purposes of this Policy, "retaliation" includes, without limitation, intimidation, harassment, discrimination, or, in the case of an employee, adverse employment consequences.

Nothing contained in this Whistleblower Policy is intended to provide any employee with any additional rights or causes of action, other than those provided by law. Furthermore, nothing contained herein is intended to provide any Whistleblower with immunity for participating or being complicit in the Suspected Violation that is the subject of the complaint or ensuing investigations.

Any questions, concerns or suggestions regarding this Whistleblower Policy should be addressed directly to the Compliance Officer.

**COMMUNITY HANDBOOK ACKNOWLEDGMENT FORM**

**EMPLOYEE COPY<sup>1</sup>**

I acknowledge that I have received a copy of the Surveillance Technology Oversight Project, Inc. ("S.T.O.P.") Community Handbook, which supersedes all previous descriptions of S.T.O.P.'s policies, practices and benefits.

Given the importance of affirming shared expectations as a community, I agree to read the entire Handbook and actively implement all of the policies included. If I have any questions about the Community Handbook or any other employment issue, I will consult with the executive director.

Since S.T.O.P.'s policies and practices are regularly reviewed, I understand they may be modified without notice. I also agree that, legally, the Community Handbook doesn't create any contractual obligations and that S.T.O.P. retains the sole right to interpret this Handbook.

**I agree that my employment with S.T.O.P. is "at will," meaning that both S.T.O.P. and I can terminate my employment for any reason or no reason, at any time, with or without notice. I understand that this at will employment relationship can only be changed by an express written employment contract signed by the executive director or board president.**

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name (typed or printed)

<sup>1</sup> Please sign, date and retain this copy of the Acknowledgment Form for your files.

**DISCRIMINATION AND/OR HARASSMENT COMPLAINT FORM**

1. Your complaint of discrimination and/or harassment is made about:

Name:

Title:

Work Address:

Work Phone:

Relationship to you:  Supervisor  Direct Report  Co-Worker  Other

2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) discrimination and/or harassment occurred:

Is this discrimination and/or harassment continuing?  Yes  No

4. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

*The last question is optional, but may help the investigation.*

5. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_