

PROPOSED APPENDIX E: Anti-Discrimination and Anti-Harassment Policy

ARTICLE I: Purpose

Section 1: The Rio Grande Valley Central Labor Council, AFL-CIO (hereinafter referred to as “the Council”) is committed to providing an environment free from discrimination, harassment, intimidation, and retaliation in all Council activities.

Section 2: This policy establishes standards of conduct and procedures for addressing allegations of discrimination or harassment in connection with Council meetings, events, communications, and activities.

Section 3: This policy is adopted in accordance with the AFL-CIO Rules Governing Area Labor Councils and Central Labor Councils requiring each council to adopt and implement an anti-discrimination and anti-harassment policy (Art. I, Section 29, Subsection B).

ARTICLE II: Scope

Section 1: This policy applies to all participants in Council activities, including but not limited to:

- A. delegates
- B. officers
- C. alternate delegates
- D. committee members
- E. guests
- F. staff
- G. observers
- H. representatives of affiliated organizations

Section 2: This policy applies to conduct occurring at all Council events and functions, including but not limited to:

- A. Council meetings
- B. Council-sponsored events or trainings
- C. virtual meetings and communications platforms
- D. communications occurring in connection with Council activities

ARTICLE III: Prohibited Conduct

Section 1: The Council prohibits discrimination or harassment on the basis of any protected characteristic recognized by applicable law, including but not

limited to race, ethnicity, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, pregnancy, or ancestry.

Section 2: Harassment includes unwelcome verbal, visual, written, or physical conduct based on a protected characteristic that:

- A. creates an intimidating, hostile, or offensive environment
- B. interferes with an individual's ability to participate in Council activities;
or
- C. undermines the dignity or safety of participants.

Section 3: Examples of prohibited conduct may include, but are not limited to:

- A. slurs or derogatory remarks
- B. offensive jokes or stereotyping
- C. unwanted sexual attention or advances
- D. Intimidation or threats based on protected characteristics
- E. distribution or display of offensive materials

ARTICLE IV: Protection of Democratic Debate

Section 1: Nothing in this policy shall be interpreted to restrict legitimate debate, disagreement, or criticism related to Council governances, policy positions, or labor issues.

Section 2: Robust discussion and democratic participation are fundamental principles of the labor movement. Expressions of disagreement, advocacy for positions, or criticism of ideas or actions shall not, by themselves, constitute harassment or discrimination.

ARTICLE V: Reporting Concerns

Section 1: Any individual who experiences or witnesses conduct that may violate this policy is encouraged to report the matter as soon as practicable.

Section 2: Reports may be made to any of the following individuals:

- A. a Code of Conduct designee
- B. an officer of the Council
- C. the President or Secretary-Treasurer

Section 3: Reports should include, to the extent possible:

- A. a description of the conduct
- B. the individuals involved
- C. the date, time, and location of the incident

D. any witnesses or supporting information

ARTICLE VI: Review and Response

Section 1: Reports received under this policy shall be forwarded to the President and Secretary-Treasurer of the Council for initial review. If a report involves one of those officers, the report may be reviewed by the Vice President or another officer designated by the Executive Board.

Section 2: The reviewing officers shall assess the report and determine an appropriate response based on the nature and severity of the concern.

Section 3: Responses may include the following:

- A. an informal resolution where appropriate
- B. review by Council officers
- C. referral to the Executive Board
- D. referral to the Ethical Practices Committee
- E. initiation of disciplinary procedures pursuant to the Council Constitution

Section 4: The Council may document reports and actions taken in order to maintain appropriate records of policy concerns and responses.

Section 5: Where appropriate, the Council shall also notify the affiliated organization of an individual involved in the matter.

ARTICLE VII: Protection Against Retaliation

Section 1: The Council strictly prohibits retaliation against any individual who:

- A. reports conduct believed to violate this policy
- B. participates in a review or investigation
- C. provides information regarding a complaint

Section 2: Retaliation shall constitute a violation of this policy and may result in corrective action

ARTICLE VIII: Good Faith Reporting

Section 1: Reports under this policy should be made in good faith. Individuals who knowingly make false or malicious allegations may be subject to appropriate action consistent with Council rules.

Section 2: This provision shall not discourage individuals from reporting concerns they reasonably believe to be violations of this policy.

ARTICLE IX: Relationship to Other Rules

Section 1: This policy operates in conjunction with Appendix B: Rules Governing Meetings and Code of Conduct.

Section 2: This policy is intended to promote a respectful and inclusive environment within the Council and to provide guidance for addressing concerns. It shall not be interpreted to create contractual rights or obligations, nor to supersede the disciplinary procedures established in the Council Constitution or applicable AFL-CIO rules.

ARTICLE X: Effect

Section 1: This appendix shall take effect immediately upon adoption.

Section 2: The officers of the Council may take reasonable steps to implement and administer this policy, including coordinating the review of reported concerns and maintaining appropriate records of such matters.