

Establishment of Policy Prohibiting Discrimination, Harassment and Bullying (this “Policy”) and Establishment and Role of Grievance Committee

1. Formation of the Grievance Committee and Executive Committee Responsibilities.
 - a. There shall be appointed a Grievance Committee of the Democratic Party of Lee County (the “Party”).
 - b. The Grievance Committee shall be comprised of five (5) members, appointed by the Chair of the Party and serve for staggered terms of three (3) years as determined by the Committee.
 - c. The Chair of the Party shall use its best efforts to appoint members of the Grievance Committee of varying age, gender and race and with diverse backgrounds.
 - d. The Chair of the Grievance Committee (the “Chair”) shall be elected by a majority vote of the members of the Grievance Committee, to serve a term of one (1) year, and may be re-elected.
 - e. An email address, grievances.leecountydems@gmail.com, shall be established for the filing of Grievances and access to the address shall initially be accessible only to the Chair to serve as a confidential reporting hotline for the receipt of Grievances.
2. Grievance Committee Responsibilities.
 - a. The Chair shall receive, acknowledge receipt of, refer, and archive Grievances;
 - b. The Committee Member to whom a Complaint is referred shall be determined by the Chair, who may be the Chair (the “Designated Committee Member”), and shall:
 - i. Contact the person(s) who are the subject(s) of the Complaint (the “Respondent(s)”) to notify them of the Complaint, providing a copy thereof with any redactions as determined advisable by the Designated Committee Member as in the best interests of addressing the Complaint, request their written response, and archive any written response;
 - ii. With the assistance of other Committee members, conduct any necessary investigation of the Grievance; and
 - iii. Present their findings to the Grievance Committee with a written report and, if necessary, a recommendation for action;

- c. If advisable, the Grievance Committee Chair may advise the Complainant (as defined below) and the Respondent(s) that they shall not contact each other for the duration of the investigative process;
- d. The Grievance Committee shall compile a report to the Executive Committee on January 31 of each year that details:
 - i. How many Complaints were made in the prior calendar year;
 - ii. What actions were taken; how many were proposed for disciplinary action;
 - iii. How many disciplinary actions were taken by the Executive Committee and the nature of such disciplinary actions;
 - iv. Any recommended changes for making the reporting system and the disciplinary process more effective; and
 - v. The report shall not include any personal identifying information;
- e. The Grievance Committee shall cause to be published on the Party website, and make otherwise available to volunteers, members of the Party and staff, a template form (the "Form") for confidentially reporting Complaints that includes:
 - i. The Complainant's contact information;
 - ii. The Respondent(s); and
 - iii. A description of the incident(s) which are the subject of the Complaint, including but not limited to, the date(s), location(s) and form of interaction(s) (in person, phone, email, etc).
- f. The Grievance Committee shall cause to be published on the Party website this Policy.

3. Reporting Discrimination, Harassment or Bullying

- a. **Formal Complaints.** Individuals wishing to file a complaint (the "Complainant") shall file a Complaint in the manner described in c. below. Complaints must be filed within ninety (90) days of the event(s) giving rise to the Complaint unless the Chair determines a meaningful investigation can be conducted after such ninety (90) days has expired.
- b. **Informal Consultations.** Individuals may informally consult with a member of the Grievance Committee should they wish to receive guidance before filing a Complaint.

- c. Contact Method. Individuals filing a Complaint shall do so at grievances.leecountydems@gmail.com using the Form provided and are required to retain a personal copy of the Complaint and all documentation supporting their Complaint if in their possession and control.
- d. All Party elected and automatic members have a duty to report Discrimination, Harassment and Bullying to the Grievance Committee.
- e. Timeline After a Complaint is Submitted: After a Complaint has been filed as described in c. above:
 - i. The Grievance Committee Chair or Designated Committee Member will contact the Complainant within seven (7) days to acknowledge receipt and to obtain preliminary information about the Complaint. The Grievance Committee will determine, based on this information, whether to initiate an investigation;
 - ii. If the Grievance Committee decides to initiate an investigation, the Grievance Chair or Designated Committee Member will notify the Respondent within seven (7) days after the determination to initiate an investigation and request a written response to the Complaint within fourteen (14) days after such notice, either affirming or denying its substance. If the respondent does not meet this deadline, the Grievance Committee will proceed with its investigation without this information (but shall have the option of accepting late submitted responses when received);
 - iii. If the Respondent denies the substance of the Complaint, the Designated Committee Member overseeing the Complaint shall have the option to investigate the Complaint by:
 - 1. interviewing other persons with direct knowledge of the substance of the Complaint;
 - 2. requesting documentation from either the Complainant or Respondent or any other persons directly involved; and
 - 3. employing other means deemed necessary, with the utmost respect for the confidentiality of the parties; and
 - iv. The Grievance Committee will determine whether the Complaint is substantiated, draft a report and make appropriate recommendations regarding next steps within ninety (90) days of the Complaint being filed, if possible. This is to ensure the timely, efficient, accurate and discreet adjudication of all Complaints.

4. Remedies

a. Determinations

- i. All Complaints will be assessed on a case-by-case basis by the Grievance Committee.
- ii. Any member of the Grievance Committee who has personal knowledge of the facts set forth in the Complaint or the Response, other than as a result of membership on the Grievance Committee, or has a personal relationship with the Complainant or Respondent, other than through a normal working relationship as a member of the Party, shall not participate in any action of the Grievance Committee with respect to such Complaint.

b. Standard for Determining if a Complaint is Credible:

- i. The Grievance Committee will find that the factual allegation in a complaint is “credible” if it more-likely-than-not occurred; and
- ii. The Grievance Committee will also make credibility findings regarding the person filing the Complaint, the Respondent and any other persons with direct knowledge of the substance of the Complaint.

c. Types of Remedies

- i. If the Grievance Committee substantiates the Complaint or finds that the Complaint is frivolous or filed with bad faith or malicious intent, it is authorized to carry out the following remedies:
 1. With regard to the Respondent, develop a plan to change the behavior(s) which are the subject of the Complaint;
 2. Impose reprimands including prohibition from attending non-voting events (a “Reprimand”);
 3. Recommend to the Executive Committee removal from any leadership and/or elected positions (a “Removal”); and
 4. At the discretion of the Grievance Committee and with agreement of all parties, recommend other conflict resolution methods.
- ii. Appropriate form of relief will be determined by, among other things:
 1. The request of the Complainant;

2. The severity of the offense;
 3. The response of the Respondent(s); and
 4. The parties' relevant behavioral history.
- d. Implementation of Recommendation(s) of Grievance Committee
- i. All Reprimands and/or Removals shall be at the sole discretion of the Officers of the Executive Committee.
 - ii. The parties agree to respect the confidentiality requirements of the Grievance Committee process and breach of confidentiality requirements may result in further action by the Grievance Committee.
 - iii. Either party may seek and pursue further review by the Florida Democratic Party of any Reprimand or Removal.
 - iv. Retaliation against individual(s) for the filing of Complaints is prohibited and may result in further action by the Grievance Committee.

5. Definitions

a. Definition of Discrimination:

Unequal or different treatment of an individual on the basis of their protected class status, including, but not limited to, race, color, national origin, creed, religion, ethnic identity, gender, sexual orientation, gender identity, age, economic status, disability or marital status.

b. Definition of Harassment, including Sexual Harassment:

- i. Unwelcome attention, inappropriate or offensive remarks, slurs or jokes, physical or verbal intimidation, stalking and inappropriate physical contact or proximity based on protected class status;
- ii. Harassment does not have to be of a sexual nature and may include teasing and offhand comments which are so frequent in nature that they create an offensive or hostile environment; and
- iii. Conduct that creates a hostile environment interfering with an individual's capacity to participate within the Party.

c. Definition of Bullying:

- i. Harmful gossip, verbal or written, including but not limited to, social media or other electronic communications;
- ii. Conduct that demeans, humiliates or intimidates others; and
- iii. Verbal or physical behavior that is derogatory or abusive.

Adopted: 2-20-2021