

5 Protection Against Retaliation

Retaliation against an individual for reporting harassment in good faith or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately to the Human Resources Department or the Compliance Hotline (877-410-9091) and will be promptly investigated and addressed (see *Non-Retaliation* policy).

NON-RETALIATION

Policy Statement

15 Federal and state law and UCP prohibit retaliation against any employee, by another employee or by UCP and its Supervisors, for making a good faith complaint about or participating in an investigation about an alleged violation of the non-discrimination, non-harassment, workplace violence, other unlawful behavior or conduct that violates UCP policies.

20 **Purpose**

The purpose of this policy is to communicate UCP’s commitment to a workplace free from retaliation, present a definition of retaliation and protected activity, and outline the reporting procedures for possible violations of this policy.

25 **Procedures**

Intent

30 Employees are protected against retaliation for in good faith filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by UCP and/or federal or state enforcement agencies. This policy also prohibits retaliation against employees “who are closely associated with or connected to” the reporting employee or the alleged incident.

35 Employees who have a reasonable and good faith belief that a policy or practice of UCP violates legal standards, and based on that belief oppose, implicitly or explicitly, that policy or practice, are protected against retaliation, even when UCP was acting lawfully. In addition, UCP prohibits retaliation against anyone who, in good faith, reports a perceived violation of any UCP policy, or in good faith cooperates with an investigation of such a claim.

40 Individuals may state their opposition to a specific practice or activity that they believe constitutes an unlawful action(s). Such opposition must be based on a reasonable and good faith belief. A person claiming retaliation does not necessarily need to be the person engaged in the opposition. Individuals may participate in an investigation, proceeding, hearing or litigation without fear of retaliation.

Protected Activity

45 Protected activity includes, but is not limited to, the following:

- Initiating an internal complaint or report of discrimination or harassment;
- Filing a claim of discrimination;
- Requesting an accommodation for a disability;
- Filing a Workers’ Compensation claim following a work-related injury;
- 50 • Reporting incidents in regard to Child Protective Services Law or the Older Adults Protective Services Act;
- Filing a report of fraud, waste, or abuse identified by the Federal False Claims Act;
- Requesting leave under the Family and Medical Leave Act;

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- 5 • Filing a safety or environmental related complaint with the state and/or federal oversight agency; or
- Participating in an investigation of any of the foregoing incidents, claims or complaints.

Retaliation Defined

10 Adverse actions that may constitute retaliation may be general or specific actions. Examples of general adverse actions that may be considered retaliatory are denial of promotion, refusal to hire, denial of job benefits, demotion, suspension or termination.

15 Other actions may include threats, reprimands, unwarranted negative evaluations, pay reductions, change in job assignments, harassment, or hostile behavior or attitudes toward the complainant. Other adverse actions that may or may not be intentionally motivated, but which result in negative treatment of an individual, can also be considered retaliatory.

20 Post-employment actions that may be considered retaliatory are actions that are designed to interfere with an individual's prospects for employment, such as baseless negative job references and informing prospective employers of the individual's protected activity, also constitute retaliation. Negative references do not constitute retaliation unless the reference was based on a retaliatory motive.

Reporting Violations

25 Any employee who in good faith believes that he/she or any other employee is being subjected to retaliation in violation of this policy or any other UCP policy or law is urged to report the situation to the Human Resources Department or UCP management as soon as possible. You can contact the Human Resources Department at 717-737-3477 or at HRHelpDesk@ucpcentralpa.org.

30 Reports of retaliatory conduct will be promptly and objectively investigated in accordance with UCP's investigatory procedures. If a retaliation complaint is substantiated, appropriate disciplinary action, up to and including termination, will be taken against those who have engaged in such behaviors, as UCP deems appropriate in its sole discretion.

35 Co-workers are legally prohibited from engaging in retaliation against other employees and will be subject to discipline, up to and including termination, for such conduct.

NON-SOLICITATION

Policy Statement

40 UCP prohibits the solicitation, distribution, and posting of materials on or at any UCP property by any employee or non-employee, except as may be permitted by this policy.

Purpose

45 The purpose of this policy is to maintain a professional work environment, minimize disruption of work, and maintain appropriate standards for workplace safety and security.

Procedures

50 Solicitation includes, but is not limited to, any verbal or written communication made by any employee, employee family member, or UCP volunteer to an employee or employee family member which encourages, advocates, demands, or requests a contribution of money, time, effort, or personal involvement; membership in any organization (charitable or otherwise), cause, church, club; signature to express support of an initiative or cause; or the purchase of any merchandise, product, raffle ticket or lottery ticket.