

## **Brooklyn Aikikai Anti-Discrimination and Anti-Harassment Policy**

Brooklyn Aikikai (the “dojo”) is a community dedicated to the practice of aikido, iaido, zen and misogi. At Brooklyn Aikikai we believe that the understanding and practice of these disciplines deepens the quality of our lives and contributes to the betterment of humanity’s condition. To achieve this goal we expect employees and members of the community to show each other respect and consideration. Members of the dojo agree to a “social contract” that commits them to conduct that enacts the core values of the dojo, as stated in the document they sign upon becoming a member. Respect for other members of the community and responsibility for one’s own actions are values that all members of the dojo are expected to demonstrate in all their relationships with other members of the dojo of whatever rank, in all contexts within or outside of the dojo building.

This policy reinforces those values by prohibiting conduct unlawful under Federal, NY State and NY City laws. If Brooklyn Aikikai determines that this policy has been violated, prompt remedial action will be taken, commensurate with the severity of the offense, up to and including exclusion from membership in the dojo.

### **Policy**

As an equal opportunity membership organization and employer, Brooklyn Aikikai prohibits discrimination or harassment against any member of the dojo or any person who is involved in our operations based on any legally-recognized basis, including but not limited to: race, religion, sex, sexual orientation, gender identity, age, national origin or physical, mental disabilities. (See appendix for a fuller list of characteristics protected against discrimination or harassment by NY law.)

This policy protects individuals involved in our operations, including employees (regardless of position), teachers, students, members, applicants, interns (paid or unpaid), vendors, contractors, sub-contractors, consultants, customers, clients and any other third party involved in our operations, based on any protected characteristics. This policy prohibits unlawful conduct as well as conduct that violates the policy without rising to the level of illegality.

Acts of discrimination or harassment include but are not limited to verbal, visual/written, and physical conduct against an individual or group based on that individual or group’s protected characteristics (see appendix for specific examples of such conduct).

Sexual harassment is a particular form of harassment which includes unwelcome or unwanted sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when that behavior has the purpose or effect of unreasonably interfering with any member of the dojo’s ability to participate in classes or community events at the dojo. Not intending to harass another person is not a defense for such behavior (see appendix for examples of behavior prohibited by this policy).

Because a core value of the dojo is to show and encourage respect for one another, anyone who observes conduct that may violate this policy is encouraged to take reasonable action to intervene. Intervention might include interrupting the conduct or redirecting it, talking to

the person at whom the conduct was directed, alerting Ryūgan Robert Savoca Sensei or Kate Savoca Sensei to the situation, or making a report under this policy.

Retaliation is prohibited against anyone who in good faith makes a complaint of discrimination, harassment or retaliation or speaks out against such conduct. Retaliation is a form of misconduct that will result in disciplinary action up to and including exclusion from membership in the dojo.

**Reporting:** Members of the dojo who believe that they or another member or covered individual have been subjected to discrimination, harassment, or retaliation should report it verbally or in writing, as soon as possible, to Robert Savoca Sensei, Kate Savoca Sensei, or a member of the Board of Directors (see appendix for contact information). All instructors who receive a complaint or who witness behavior that violates this policy are required to report the behavior verbally or in writing to a member of the Board of Directors.

The person who receives the complaint shall speak to the complainant and:

- Immediately record the dates, times and facts of the incident;
- Ascertain the views of the complainant as to what outcome he/she wants;
- Ensure that the complainant understands the steps the Board may take in relation to the complaint;
- Ensure that the complainant knows that they can lodge a complaint outside of the dojo through the relevant legal framework.

#### **Procedures:**

Upon receipt of a complaint the Board may:

- Speak to the parties involved to achieve a resolution;
- Refer those involved in the complaint to mediation, if all parties involved in the complaint are willing;
- Arrange for a conflict resolution procedure;
- Investigate the complaint, including speaking to all parties involved in the incident and any witnesses;
- Involve a neutral third party from outside the dojo to investigate the complaint and advise the Board on his or her findings.

In all cases except those involving a direct complaint against the chief instructor or the assistant instructor, the Board, in consultation with the chief instructor, will take remedial action if there has been a violation of this policy. The Board reserves the right to make any decision it deems timely and reasonable, given the facts at its disposal. Actions the Board may take include, but are not limited to:

- Suspending membership or employment in the dojo;
- Requiring that a member not attend classes on specific days and at specific times;
- Require that parties to the complaint enter a conflict resolution process or mediation if they wish to remain members of the dojo;

- Terminate membership, employment, or a contract between the dojo and a contractor;
- Refer the case to legal counsel;
- Await the outcome of an outside legal investigation.

In a case that involves a direct complaint against the chief instructor or assistant instructor the Board will investigate the complaint and take remedial action, if warranted by the investigation. Suspension or termination of the chief instructor requires a unanimous decision of the Board.

Any complaint made in good faith will not be subject to disciplinary action if the complaint, after investigation, is determined not to be a policy violation. Any person who makes a complaint that is determined to be intentionally false may be subject to disciplinary action.

\* \* \*

A Stop Sexual Harassment Act Fact Sheet is attached to this policy and a Stop Sexual Harassment Notice is posted in the workplace.

Board of Directors:

- Kate Savoca, President. [katesavoca@gmail.com](mailto:katesavoca@gmail.com)
- Rachel Kitzinger, Vice-President. [rakitzynger@vassar.edu](mailto:rakitzynger@vassar.edu)
- David Laufer, Secretary. [david@lauferpa.com](mailto:david@lauferpa.com)
- Scott Ashen, Treasurer. [scott@ashenfamily.com](mailto:scott@ashenfamily.com)
- Nikki Calonge. [nikki.calonge@gmail.com](mailto:nikki.calonge@gmail.com)
- Carl Baldini. [carljaldini@gmail.com](mailto:carljaldini@gmail.com)
- Scott Netherton. [nethers54@gmail.com](mailto:nethers54@gmail.com)

Any complaints in writing may be sent via email to an above address or to:

Rachel Kitzinger  
1 Wing Road  
Poughkeepsie, NY 12603

## **APPENDIX**

### ***“Sexual Harassment” Defined***

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes unwelcome or unwanted sexual advances, requests for sexual favors or visual, verbal, or physical conduct of a sexual nature when:

- Submission to such conduct is made a term or condition of employment;
- Submission to, or rejection of, such conduct is used as a basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment, even if the individual making the report is not the intended target of such conduct.

Under New York law, sexual harassment can also include harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and transgender status. Discrimination based on sex stereotypes, gender expression, and perceived identity can all be forms of sexual harassment. The following is a non-exhaustive list of the types of conduct prohibited by this policy:

- Unwanted sexual advances, propositions, and/or pressure for sexual activity (including repeated and unwelcome requests for dates or romantic gestures and gift-giving);
- Offers of employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct: leering, making sexual gestures, displaying of sexually suggestive, or sexually discriminatory images, objects, pictures, memes, videos, cartoons, graffiti, backgrounds, posters or websites on computers, emails, cell phones, electronic or physical bulletin boards, etc. (this extends to virtual or remote workspace and can include having such materials visible in the background of one’s home during a virtual or video meeting);
- Verbal or written conduct: making or using sexist remarks or derogatory or sexually discriminatory comments, innuendos, epithets, slurs, sexually explicit jokes, whistling, suggestive or insulting sounds, lewd or sexual comments about an individual’s appearance, body, dress, sexuality or sexual experience; verbal and/or written abuse of a sexual nature, graphic verbal and/or written sexually degrading or sexually discriminatory commentary about an individual’s body or dress, sexually suggestive or obscene letters, notes, invitations, emails, text messages, internal instant messages, and tweets or other social media postings;

- Physical conduct: unwelcome or inappropriate touching, physical violence, intimidation, assault or impeding or blocking normal movements;
- Sex stereotyping, which includes evaluating someone's conduct or personality traits against other people's ideas or perceptions about how individuals of a particular sex or gender should act or look, and includes, but is not limited to, remarks or comments regarding an employee's gender expression or requesting that employees take on traditionally gendered roles;
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, gender expression or transgender status, such as: (i) interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job; sabotaging an individual's work; yelling; name-calling; intentional misuse of an individual's preferred pronouns; or creating different expectations for individuals based on their perceived identities, such as dress codes that place more emphasis on women's attire.

Examples of prohibited discrimination or harassment, include, but are not limited to:

- Verbal conduct including taunting, jokes, threats, epithets, derogatory comments, or slurs based on an individual's Protected Characteristics;
- Visual and/or written conduct including derogatory posters, photographs, calendars, cartoons, drawings, websites, e-mails, text messages, or gestures based on an individual's Protected Characteristics; and
- Physical conduct including assault, unwanted touching or blocking normal movement because of an individual's Protected Characteristics.

Sexual harassment can occur regardless of the sex or gender of the person committing it or the person exposed to it. Not intending to discriminate or harass is not a defense.

# STOP SEXUAL HARASSMENT ACT NOTICE

All employers are required to provide written notice of employees' rights under the Human Rights Law both in the form of a displayed poster **and** as an information sheet distributed to individual employees at the time of hire. This document satisfies the poster requirement.

## The NYC Human Rights Law

The NYC Human Rights Law, one of the strongest anti-discrimination laws in the nation, protects all individuals against discrimination based on gender, which includes sexual harassment in the workplace, in housing, and in public accommodations like stores and restaurants. 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 to the victim, require the violator to undergo training, and mandate other remedies such as community service.

## Sexual Harassment Under the Law

Sexual harassment, a form of gender-based discrimination, is unwelcome verbal or physical behavior based on a person's gender.

## Some Examples of Sexual Harassment

- unwelcome or inappropriate touching of employees or customers
- threatening or engaging in adverse action after someone refuses a sexual advance
- making lewd or sexual comments about an individual's appearance, body, or style of dress
- conditioning promotions or other opportunities on sexual favors
- displaying pornographic images, cartoons, or graffiti on computers, emails, cell phones, bulletin boards, etc.
- making sexist remarks or derogatory comments based on gender

## Retaliation Is Prohibited Under the Law

It is a violation of the law for an employer to take action against you because you oppose or speak

out against sexual harassment in the workplace. The NYC Human Rights Law prohibits employers from retaliating or discriminating "in any manner against any person" because that person opposed an unlawful discriminatory practice. Retaliation can manifest through direct actions, such as demotions or terminations, or more subtle behavior, such as an increased work load or being transferred to a less desirable location. The NYC Human Rights Law protects individuals against retaliation who have a good faith belief that their employer's conduct is illegal, even if it turns out that they were mistaken.

## Report Sexual Harassment

If you have witnessed or experienced sexual harassment inform a manager, the equal employment opportunity officer at your workplace, or human resources as soon as possible.


**Report sexual harassment to the NYC Commission on Human Rights. Call 212-416-0197 or visit [NYC.gov/HumanRights](http://NYC.gov/HumanRights) to learn how to file a complaint or report discrimination. You can file a complaint anonymously.**

## State and Federal Government Resources

Sexual harassment is also unlawful under state and federal law, where statutes of limitations vary.

To file a complaint with the New York State Division of Human Rights, please visit the Division's website at [www.dhr.ny.gov](http://www.dhr.ny.gov).

To file a charge with the U.S. Equal Employment Opportunity Commission (EEOC), please visit the EEOC's website at [www.eeoc.gov](http://www.eeoc.gov).

 @NYCCHR  
[NYC.gov/HumanRights](http://NYC.gov/HumanRights)

**NYC** Commission on  
Human Rights