

## **NAR Employee Policies**

### **Equal Employment Opportunity Policy**

This section of the Handbook sets forth the terms of NAR's Equal Employment Opportunity Policy.

#### **Anti-Discrimination**

It is the policy of NAR to provide equal employment opportunities to all applicants for employment and employees. NAR prohibits discrimination against an applicant or employee based on that individual's race, color, religion, sex, gender, pregnancy, sexual orientation, gender identity and/or expression, age (40 and over), national origin, ancestry, physical or mental disability, genetic information, marital status, military or veteran status and any other characteristic protected by applicable law. NAR prohibits discrimination based on a protected characteristic that violates this policy, even if it does not violate the law.

#### **Reasonable Accommodations**

As required by applicable law, NAR will make reasonable accommodations for (a) the known physical or mental limitations of an otherwise qualified applicant or employee with a disability, (b) the pregnancy, childbirth and related medical and/or common conditions of an employee or applicant and (c) the sincerely held religious beliefs of an employee or applicant, unless such reasonable accommodation would result in undue hardship.

As required by applicable law for reasons related to pregnancy, childbirth and/or related medical or common conditions, NAR (i) will make reasonable accommodations for employees and applicants; (ii) will not impose a reasonable accommodation on an employee or applicant who did not request one and who chooses not to accept the NAR's proposed reasonable accommodation; (iii) will not require an employee to take leave if another reasonable accommodation can be provided; and (iv) will reinstate an employee who no longer needs a reasonable accommodation, unless undue hardship would result.

Applicants and employees requiring a reasonable accommodation must promptly contact TDR and request an accommodation. Accommodation requests should be made in writing, if possible. People leaders who are notified of an employee's or applicant's accommodation request should immediately contact TDR. The applicant or employee and TDR, and other members of leadership as designated by TDR, as appropriate, are expected to engage in an interactive dialogue regarding the individual's request and to attempt to identify and implement a reasonable accommodation, if appropriate and available. The applicant or employee may be required to provide additional information or documentation relating to the accommodation request.

NAR prohibits discrimination and harassment of, and retaliation against, an individual because they requested a reasonable accommodation.

#### **Anti-Harassment**

The Association does not condone or tolerate harassment of any kind. NAR prohibits harassment based on an individual's race, color, religion, sex, gender, pregnancy, sexual orientation, gender identity and/or expression, age (40 and over), national origin, ancestry, physical or mental disability, genetic information,

marital status, military or veteran status, political affiliation, personal appearance, and any other characteristic protected by applicable law. NAR's policy prohibits harassment based on a protected characteristic by all applicants, employees, and interns, and applies to all interactions with applicants, employees, interns, Association members, any NAR service provider, and any other third party with whom NAR has a business, service or professional relationship, such as vendors, volunteers, and independent contractors. NAR prohibits harassment based on a protected characteristic that violates this policy, even if it does not violate the law. In certain cases, an employee or people leader may be held individually liable under the law for engaging in unlawful harassment.

Prohibited harassment includes all unwelcome behavior based on a protected characteristic where the purpose or effect of the behavior is to create a hostile, abusive or intimidating environment, or where the behavior otherwise adversely affects an individual's employment opportunities. Prohibited harassment may take various forms, including, but not limited to, the following examples:

- VERBAL CONDUCT, such as epithets, derogatory comments, slurs, or jokes, or unwanted sexual advances, solicitations, or comments.
- VISUAL CONDUCT, such as derogatory or sexually oriented posters, cartoons, drawings, or gestures.
- PHYSICAL CONDUCT, such as assault, impeding, or blocking movement.
- VIA TECHNOLOGY OR COMPUTERS, including to transmit, communicate or receive derogatory, inappropriate pornographic, sexually suggestive, or explicit pictures, cartoons, messages, jokes, or material.
- THREATS AND DEMANDS.
- REQUESTS FOR SEXUAL FAVORS, such as unwanted sexual advances, which condition an employment benefit upon an exchange of sexual favors.
- VIOLENCE or threats of violence.

Sexual harassment is one form of prohibited harassment and is illegal in Chicago, IL, the District of Columbia, and elsewhere. Sexual harassment includes but is not limited to 1) unwelcome sexual advances and other unwelcome verbal, visual or physical conduct of a sexual nature or 2) requests for sexual favors or conduct of a sexual nature when (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment; (b) an individual's submission to or rejection of such conduct is used as a basis for an employment decision affecting that individual; or (c) the purpose or the effect of such conduct is to substantially interfere with the affected individual's work performance or to create an intimidating, hostile or offensive work environment; or 3) sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's employment position.

Harassing conduct, including sexually harassing conduct, can be committed by a person of either the same sex or gender, or the opposite sex or gender (or any other protected category) of the person subjected to the harassment. A person may be the victim of harassment even though the offensive conduct has not been directed at the person alleging harassment, regardless of the sex, gender, gender identity, gender expression, sexual orientation or other class status of the perpetrator. Additionally, sexually harassing conduct need not be intentional or motivated by sexual desire.

The following are examples, however do not represent an inclusive list of conduct that may constitute prohibited sexual harassment:

- Unwelcome sexual flirtations or propositions

- Unwanted physical touching or closeness, such as massaging a person’s back, neck or shoulders, hugging, kissing, patting, pinching, fondling, or touching/pulling an individual’s clothing or hair
- Physical gestures that imply a sexual act or sexual anatomy, touching oneself in a sexual nature
- Brushing up against another person, standing too close, or lingering
- Using vulgar words of a sexual nature, describing body parts, or sexual acts
- Discussions or inquiries about sexual fantasy, preferences, history, or sex life about self or others
- Displaying sexually suggestive or demeaning objects, pictures or cartoons, or other materials on a personal or company-owned device shared in the workplace
- Giving personal gifts that imply an intimate relationship
- Repeated invitations and/or pressuring/coercion for dates or sexual favors; harassing phone calls, emails, texts, social media posts, or other communication.
- Any suggestion that an individual’s job security, assignment or the terms or conditions of employment depend at all on the submission to or rejection of requests for sexual favors or relations.

### Training Requirements

All employees are required to complete annual sexual harassment prevention and bystander training. Failure to comply with the annual training requirements as set forth by NAR may result in disciplinary action, up to and including termination.

### Abusive Conduct

NAR also prohibits any form of abusive conduct in the workplace. Abusive conduct includes conduct by any people leader, or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to NAR’s legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; or the gratuitous sabotage or undermining of a person’s work performance.

### Anti-Retaliation

NAR prohibits retaliation against an individual because that person reported behavior that they believed in good faith violated NAR’s policies against, or the law prohibiting, discrimination, harassment or abusive conduct (as described herein), or participated in an investigation into such alleged conduct. Retaliation is illegal in Chicago, Illinois, The District of Columbia, and elsewhere. Retaliation includes, but is not limited to, taking disciplinary action against the employee, reassigning their duties or workspace, denying requests for leave, demotions, etc. Allegations of retaliation will be investigated, and appropriate remedial action will be taken. Any individual engaging in retaliatory behavior will be subject to disciplinary action, which may include termination of employment. For any suspected retaliation concerns, contact a people leader, TDR or NAR’s General Counsel. Further, NAR will not retaliate against a victim of sexual harassment for requesting leave or a reasonable accommodation, regardless of whether the request was granted.

### Reporting Prohibited Discrimination, Harassment, Abusive Conduct or Retaliation

An applicant or employee who witnesses, learns of or believes that they have been subject to conduct which may constitute prohibited discrimination, harassment, abusive conduct or retaliation (“Prohibited

Behavior”) under NAR’s policy may, but are not obligated to tell the person who has engaged in the behavior to stop. In either case, individuals should immediately report the Prohibited Behavior to a people leader, a TDR representative or to NAR’s General Counsel. Individuals may make a report using NAR’s internal complaint form and may do so on an anonymous basis. When filing a report, individuals should provide as much information as possible, including the name and position of the person allegedly engaged in the prohibited behavior, a description of the incident(s), date(s), location(s) and the presence of any witnesses, effect of the incident on the individual’s ability to perform their job, or on other terms or condition of their employment, the names of other individuals who might have been subject to the same or similar Prohibited Behavior, and any other information relevant to the complaint. While NAR may need to disclose information regarding the report of sexual harassment in order to properly investigate the matter pursuant to the process outlined below, NAR will only disclose information related to the report to the extent necessary to properly investigate and resolve the complaint. Other than the need to make certain disclosures in order to investigate the complaint, NAR recognizes and respects an employee’s right to privacy and the need for confidentiality, and NAR will maintain the confidentiality of an employee’s report of sexual harassment to the extent possible allowed by law, and unless to do so would result in physical harm to any person, or jeopardize safety within the workplace.

Notwithstanding the above, NAR people leaders must immediately report to a TDR representative or the Association’s General Counsel any behavior they observe, learn of, or are told of that may constitute prohibited discrimination, harassment, abusive conduct or retaliation under NAR’s policy. Such reports may not be made on an anonymous basis, and must identify the alleged victim’s name.

In response to a complaint or report of behavior which may constitute prohibited discrimination, harassment, retaliation or abusive conduct (as described herein), NAR, at a minimum, will:

- Inform the reporting party that their complaint has been received and will be investigated by NAR;
- Promptly conduct a fair, timely, discreet, impartial and thorough investigation that provides all parties with appropriate due process, and reach reasonable conclusions based on the information collected. NAR will maintain confidentiality to the extent possible under the circumstances;
- Maintain appropriate documentation and tracking to ensure reasonable progress and timely closure of the investigation and interview witnesses with information pertinent to the concern that is raised;
- Determine, based on an objective weighing of the evidence, as to whether prohibited conduct occurred; and
- Take reasonable and appropriate remedial action to redress and put an end to conduct which NAR concludes violates the Equal Employment Opportunity Policy. The remedial action will be commensurate with the severity of the offense and reasonably designed to provide prompt and effective resolution. Violations of the policy may result in discipline, up to and including termination.
- NAR will communicate to the victim that action has been taken to stop the harassment, discrimination, abusive conduct or retaliation from recurring.

Employees have a duty to cooperate with and participate in an investigation into a reported violation of the Equal Employment Opportunity Policy when asked by NAR, to do so in good faith, and are expected to provide complete and truthful information to NAR. Failure to cooperate in the investigation may result in disciplinary action, up to and including termination. Further, any reports of potential violations of the policy must be raised in good faith; concerns raised in bad faith or are intentionally false may result in discipline, up to and including termination. In addition, a people leader’s failure to report possible

violations of the policy to NAR, as stated above, will generally be deemed to be a violation of this policy and may result in discipline up to and including termination.

Any questions regarding your obligations and those of others under this policy should be directed to a TDR representative or the Association's General Counsel.

#### Additional Resources for Filing Sexual Harassment Complaints

In addition to reporting conduct in violation of this policy to NAR, employees have the right to file charges of sexual harassment with appropriate government agencies. For example, charges of sexual harassment may be filed with the following agencies in Chicago:

Chicago Commission on Human Relations  
740 N. Sedgwick, 4th Floor  
Chicago, IL 60654, 312-744-4111  
[cchr@cityofchicago.org](mailto:cchr@cityofchicago.org)

U.S. Equal Employment Opportunity Commission (EEOC) Chicago  
District Office  
230 South Dearborn St., Suite 1866  
Chicago, Illinois 60604, 321-872-9744 ,866-740-3953 (TTY)  
<https://publicportal.eeoc.gov/Portal/Login.aspx>

Illinois Department of Human Rights  
555 W. Monroe Street, Suite 700 Chicago, IL 60601  
312-814-6200, 312-740-3953 (TTY)

Or with the following agencies in the District of Columbia:

D.C. Office of Human Rights 441 4th St NW # 570N  
Washington, DC 20001  
[\(202\) 727-4559](tel:(202)727-4559)

U.S. Equal Employment Opportunity Commission (EEOC) Washington  
District Office  
131 M St NE  
Washington, DC 20002  
1-800-669-4000

#### **Onsite Protocols for Association Events**

*NAR is committed to providing a positive and productive workplace for staff, including at NAR's in-person meetings and events.*

*The general well-being of staff is always NAR's top priority. With that in mind, we're providing the following guidance regarding best practices for staff when conducting NAR business.*

*As with any employee matter, if you have any questions about this protocol, please do not hesitate to contact TDR's Donna Gland ([dgland@nar.realtor](mailto:dgland@nar.realtor)), Andréa Moore ([amoore@nar.realtor](mailto:amoore@nar.realtor)) or Linda Russell ([l russell@nar.realtor](mailto:l russell@nar.realtor)).*

▪ **STAFF MAY SET PERSONAL BOUNDARIES FOR INTERACTIONS WITH OTHERS.**

- Staff should feel empowered to set personal boundaries for interactions with others.
- Consider employing any one or more of the following techniques:
  - When greeting others, immediately offer your hand.
  - Create additional personal space between you and others.
  - Directly communicate to others regarding any lack of comfort with physical or verbal interactions.

▪ **STAFF ATTENDANCE AT SOCIAL GATHERINGS IS NOT REQUIRED.**

- Staff are never required to attend any private social gathering, such as meeting others at a bar, or for a meal.
- The exception is that staff will attend NAR-sanctioned group events, such as committee dinners, conference galas, conferences, or the like.

▪ **STAFF SHOULD AVOID GOING TO ANYONE'S HOTEL ROOM.**

- This includes any member, colleague, vendor, and/or any other individual associated with an NAR meeting or event.
- If comfortable doing so, staff may go to an NAR suite with an adjacent room to attend a meeting or social event where multiple other people will be present.
- NAR staff may always redirect one-on-one meetings to the on-site staff office or to a designated meeting room. To arrange such a meeting room, please contact Heidi Henning ([hhenning@nar.realtor](mailto:hhenning@nar.realtor)).

▪ **PHYSICAL CONTACT WITH ANYONE IS NEVER REQUIRED.**

- In the course of carrying out Association business, staff are never required to have physical contact that falls outside of business norms with anyone; for example, being hugged or kissed by a member, colleague, vendor, or other attendee.
- Staff should feel empowered -- but are not required -- to communicate that such behaviors are unwelcome and request that a member, colleague, vendor, or other attendee refrain from using them.

▪ **THE USE OF TERMS OF ENDEARMENT.**

- Staff are not required to use, reciprocate, or allow terms of endearment when they are unwelcome.
- Staff should feel empowered -- but are not required -- to communicate that such terms are unwelcome and request that a member, colleague, vendor, or other attendee refrain from using them.
- For example, should a member, colleague, vendor, or other attendee refer to an employee as "sweetheart" or "honey", the employee may inform that individual, that they would prefer they use the employee's name, or the employee should alert their supervisor or TDR to intervene on their behalf.

▪ **PLEASE INTERVENE ON BEHALF OF OTHERS.**

- Use bystander intervention techniques to assist when you observe others in unwelcome or uncomfortable situations.

Such as:

- Ask others, for instance a colleague or supervisor, to help you intervene or monitor a situation.
- Intervene by distracting the person engaging in problematic behavior, by asking for the time or announcing that you need the person who is receiving the unwanted attention for an urgent matter-to remove them from the situation.
- When appropriate, directly address an individual who may be engaging in troubling behavior towards someone else.
- Check in with anyone you see in an uncomfortable situation to see if they need additional support.

### **Gifts and Favors Policy**

Receiving gifts of material value, or accepting significant personal or professional favors, can quickly create a conflict of interest, or the appearance of a conflict of interest, between NAR's employees and its members, vendors, contractors, business partners, and other third parties, with whom the employee or other staff may interact in the course of conducting business for NAR.

While the intent of the individual giving the gift or doing a favor may be thoughtful and genuine, the recipient of the gift or favor may misinterpret the meaning behind, or expectations that accompany, the gift or favor. The recipient also may feel pressure to treat the person who gave the gift or did the favor differently or better than others, which may cause additional problems. Finally, individuals who do not receive gifts or favors may feel excluded, less valued, or unequal in treatment.

Employees may accept nominal gifts or favors on an occasional basis from non-NAR employees, including any member, independent contractor, vendor, or other third party with whom the employee or other staff may interact in the course of doing business for NAR, including but not limited to:

- Non-cash gifts given on an infrequent basis and consistent with a special occasion (e.g., wedding, baby shower, holiday, etc.).
- Reasonable tokens of appreciation in recognition of employee work, for example following speeches, presentations, or assistance in connection with or at conferences, meetings, or other events, and given within a reasonable time following the event.
- Food or refreshments provided for groups of employees equally in the office or at events.
- Gifts provided to all employees by the President or other member of NAR at or in connection with an NAR event, such as NAR-branded merchandise.
- Examples of gifts or favors employees may not accept include, but are not limited to:
  - Cash in any amount, including when sent through money transfer apps, such as Venmo, Zelle or PayPal.

- Gift cards, gift certificates, or any other similar gift of more than \$100.
- Special entertainment or travel opportunities unrelated to NAR business and not typically provided to other employees.
- Accommodations at anyone's home (in lieu of staying at a hotel, for example) in connection with NAR-business.
- Gifts or favors that imply, or may be reasonably interpreted to signify, a close personal, romantic, dating, sexual, or intimate relationship.
- Gifts or favors that may, or actually do, interfere with conducting business on behalf of NAR.
- Group Leaders may grant exceptions to the policy in furtherance of legitimate business reasons.
- Regardless of value or significance, absolutely no employee is required to accept any gift or any offer of a favor from any member, vendor, contractor, business partner, or other third party with whom the employee or other staff may interact in the course of doing business for NAR, at any time. Employees, likewise, are never expected to give gifts in return, provide special treatment, or do favors for anyone in exchange for or in response to any favor of any kind or any gift of any value.
- An employee must contact the Senior Vice President of TDR immediately if:
  - An employee has any question, or reasonably should have a question, about whether a gift is material, or any gift or favor is acceptable under any circumstances.
  - A member, vendor, contractor, business partners, etc., states or implies (including joking) that any expectation exists in exchange for a gift, favor, or act of kindness.
  - Any member, vendor, contractor, business partners, etc., does not graciously accept an employee's (1) rejection or refusal of a gift or favor; or (2) return of a gift for any or no reason.
  - Failure to comply with this policy, including the spirit and intent of this policy set forth above, may result in disciplinary action, up to and including the termination of employment.

### **Personal Relationships at Work Policy**

To minimize the risk of conflicts of interest, including even the appearance of a conflict of interest, and to promote fairness, NAR maintains this policy regarding romantic, dating, sexual, intimate, or familial relationships ("Personal Relationship") in the workplace.

While NAR does not generally prohibit voluntary and consensual Personal Relationships between employees and members, vendors, contractors, business partners and other third parties with whom the employee or other staff at NAR may interact in the course of their employment with NAR, employees must comport themselves professionally at all times and Personal Relationships must not interfere, or have the potential to interfere, with the employee's or any other employee's ability to perform their job, or member's or third-party's ability to conduct NAR business.



### Prohibited Personal Relationships:

In all cases, any Personal Relationship that jeopardizes, or has the potential to jeopardize, the employee's or any other employee's ability to perform their job, or a member's or other third-party's ability to conduct NAR business, is prohibited. Additionally, consensual and voluntary Personal Relationships between a people leader and any employee who directly or indirectly report to them is prohibited.

### Reporting Obligation:

Employees must immediately report to the Senior Vice President of TDR any Personal Relationship with another employee, member or other third-party identified in this policy. Director-level employees and above, and any employee who supervises another employee, must promptly report any Personal Relationship of which they are or have been reasonably made aware. Any employee who questions whether a Personal Relationship may exist should err on the side of reporting the relationship. While NAR may take reasonable efforts within its control to remove an actual or potential conflict of interest that results from a Personal Relationship, NAR may not be able to effectively do so in all cases.

The failure to comply with this policy or to promptly report any Personal Relationship consistent with the spirit and intent of this policy or relationship prohibited under this policy may result in discipline, up to and including termination of employment.