

# NAR Member Code of Conduct

***Please note that the Executive Committee has established a Special Committee, working with outside counsel, to serve as an interim body for reporting, investigating, and determining disciplinary action for violations of this Code. Any person who believes they experienced or witnessed discrimination, harassment, or retaliation in violation of this Code should promptly report the incident to the outside investigator responsible for investigating such complaints by email to [memberconduct@nar.realtor](mailto:memberconduct@nar.realtor)***

This NAR Member Code of Conduct applies to all (1) NAR-related activities, meetings, and events, whether held in public or private facilities (including those sponsored by organizations other than NAR and held in conjunction with NAR activities, meetings, or events), and (2) NAR member communications, whether written or verbal, related to NAR business or with NAR staff.

## **NAR Commitment:**

NAR is committed to providing a productive and welcoming environment that is free from discrimination, harassment, and retaliation. Members are expected to act with courtesy and mutual respect toward each other, NAR staff, service providers, speakers, and event participants and to comply with the Member Code of Conduct.

## **Discrimination:**

NAR prohibits discrimination 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.

## **Harassment:**

NAR prohibits the harassment of its members, NAR staff, service providers, speakers, and event participants, 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. 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 ability to participate in or at NAR-related activities, or adversely affects an NAR staff member's employment in violation of this Code. 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 a benefit upon an exchange of sexual favors.
- Violence or threats of violence.

Harassment includes inappropriate conduct, comment, display, action, or gesture based on another person's sex, color, race, religion, national origin, age, disability, sexual orientation, gender identity, and any other protected characteristic.

Examples of harassment include, but are not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and the display or circulation of written or graphic material that denigrates or shows hostility toward an individual or group based on a protected characteristic.

## **Sexual Harassment:**

Sexual harassment is one form of prohibited harassment. 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 membership, a benefit associated with membership, or employment; (b) an individual's submission to or rejection of such conduct is used as a basis for a decision affecting that individual; or (c) the purpose or the effect of such conduct is to substantially interfere with the affected individual's membership or employment 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 leadership 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, but 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 committee assignment, leadership position, job security, project assignment, or the terms or conditions of employment depend at all on the submission to or rejection of requests for sexual favors or relations.

## **How to Report Incidents of Harassment or Inappropriate Behavior:**

Any person who believes they experienced or witnessed discrimination, harassment, retaliation, or any other inappropriate behavior in violation of this Code should promptly report the incident to one of the following individuals: the NAR General Counsel, Senior Vice President of Talent Development Resources, or Chief Executive Officer.

Leadership Team members must promptly report to NAR any possible violation of this Code they observe or become aware of, and failure to do so will generally be deemed to be a violation of this Code.

## **Investigation and Discipline**

Upon receipt of a report of possible discrimination, harassment, retaliation, or any other inappropriate behavior in violation of this Code, NAR will promptly conduct an investigation at the direction of NAR's General Counsel. Members have a duty to cooperate with and participate in an investigation into any reported violation of this Code when asked by NAR, to do so in good faith, and to provide complete and truthful information to NAR. During the investigation, NAR will

involve only those deemed necessary to the investigation, and disclosures will only be made on an as-needed basis.

If it is determined that the investigation substantiates that a violation of this Code has occurred, NAR's President, President-Elect, and First Vice President will be briefed on the investigation and in consultation with NAR's General Counsel, will determine any disciplinary action. If one or more of the foregoing officers are named in the complaint, NAR's General Counsel will identify a substitute to be selected from the Leadership Team or, if necessary, the Executive Committee.

NAR reserves the right to take any necessary and appropriate action against a member who engages in any form of discrimination, harassment, retaliation, or inappropriate behavior in violation of this Code. Such actions may include, but are not limited to, prohibition from attendance at future NAR meetings or events, suspension from NAR-related travel, removal from a leadership or committee appointment, referral of a request for removal of an officer to the Credentials and Campaign Rules Committee, expulsion from membership, or any other action deemed appropriate by NAR.

NAR strictly prohibits all individuals from retaliating against any person who in good faith reports, or participates in the investigation of, possible discrimination, harassment, retaliation, or other inappropriate behavior in violation of this Code.

To the greatest extent allowed by law, NAR is not and will not be held responsible for any member's alleged violation of this Code or otherwise inappropriate or unlawful act.