

Trailwoods Property Owners Association, Inc.

Anti-Harassment and Discrimination Policy and Complaint Procedure

WHEREAS, the Trailwoods Association Board of Directors has rule making authority to create and enforce Use Restrictions and Rules applicable to Units, Common Areas, Owners, Persons, and the Association pursuant to Section 3.2 of the Declaration and paragraphs 5 and 8 of Section 3.18 and Section 3.24 of the Bylaws; and

WHEREAS, the Trailwoods Association Board of Directors may modify said rules pursuant to Section 3.2 of the Declaration and paragraph 5 of Section 3.18 the Bylaws; and

WHEREAS, there is a need to have an enforcement policy regarding instances of harassment and discrimination of the federally protected classes of race, color, religion, sex, disability, familial status, or national origin; and

WHEREAS, all present and future owners, tenants, employees, invitees or guests of an owner or tenant hereby shall be subject to and shall comply with the provisions of this policy, the By-Laws and the rules and regulations as they may be amended from time to time pursuant to Section 3.2 of the Declaration and paragraph 5 of Section 3.18 of the Bylaws.

NOW THEREFORE BE IT RESOLVED, that the following policies are hereby adopted by the Board of Directors of the Trailwoods Property Owners Association, Inc.:

Objective

Trailwoods Property Owners Association, Inc. strives to create and maintain an environment in which people are treated with dignity, decency and respect. The environment of the Association should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Trailwoods Property Owners Association, Inc. will not tolerate unlawful discrimination or harassment of any kind.

Prohibited Conduct Under the Policy

Trailwoods Property Owners Association, Inc., in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

It is considered a violation of this policy if an owner, tenant, employee, invitee or guest of an owner or tenant:

- Acts or establishes a pattern of communication with a purpose to intimidate an individual or group of individuals because of race, color, religion, sex, disability, familial status, or national origin,
- Extends unwelcome requests or demands to an individual or group of individuals because of race, color, religion, sex, disability, familial status, or national origin, to

- engage in conduct where submission to the request or demand, either explicitly or implicitly, is made a condition to providing services or facilities, or
- Engages in unwelcome conduct or harassment, because of an individual's or group of individual's race, color, religion, sex, disability, familial status, or national origin, that is sufficiently pervasive or severe as to interfere with the providing of or enjoyment of services or facilities.

Harassment

Trailwoods Property Owners Association, Inc. prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce an employee or member of the Association based on the employee's or members race, color, religion, sex, disability, familial status, or national origin.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person's race, color, religion, sex, disability, familial status, or national origin, including epithets, slurs and negative stereotyping.
- Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of race, color, religion, sex, disability, familial status, or national origin. or other protected status.

Retaliation

Lodging a bona fide complaint will in no way be used against the Association member or have an adverse impact on the individual's status. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation. Retaliating against any person because that person reported a discriminatory or prohibited conduct under this policy will also be treated as a violation.

Confidentiality

All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation, and the investigator will take adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a complaint or investigation under this policy will be maintained in secure files.

Complaint Procedure

Trailwoods Property Owners Association, Inc. has established the following procedure for lodging a complaint of harassment, discrimination or retaliation. The Board of Directors will treat

all aspects of the procedure confidentially to the extent reasonably possible.

1. Written complaints must be submitted in writing to the Board of Directors or as soon as possible after an incident has occurred.
2. If a Board Member or agent of the Association has knowledge from which a reasonable person would conclude that a potential violation of this policy is occurring, the Board Member or agent must promptly provide the written complaint to the Board.
3. The Board of Directors will initiate an investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.
4. During the investigation, the Board of Directors will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.
5. Upon conclusion of an investigation, the person conducting the investigation will submit a written report of his or her findings to the Board of Directors. If the Board determines that a violation of this policy has occurred, the Board shall promptly impose an appropriate and effective corrective action which will depend on the nature, frequency, and severity of the harassment: (Select Corrective Action)
 - a. Verbal Warning,
 - b. Written Warning,
 - c. Fines,
 - d. Limited access to common areas or elements, and/or
 - e. Encourage the victim to contact law enforcement.
6. The Board shall promptly serve the alleged violator with the written notice and option for a hearing provided in paragraph 1 of Section 3.24 of the Bylaws prior to the imposition of any corrective action.
7. The Board shall notify the victim that a particular corrective action was taken and ascertain whether the discrimination or harassment has ceased. The Board shall seek corrective action until the discrimination or harassment violation ceases.
8. The Association, at the cost of the complainant, may provide reasonable assistance, in the discretion and the business judgement of the Board, to the complainant in seeking a civil restraining order if the harassment continues after the Board provided notice and penalties to the alleged violator.

Alternative Legal Remedies

Nothing in this policy shall prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts, or obligates the Association or manager to pursue legal remedies on behalf of any party.

[Signature Page(s) Following]

IT IS HEREBY CERTIFIED that the foregoing resolutions were duly adopted at a meeting of the Board held in accordance with the Governing Documents and applicable law.

Executed this 7th day of September, 2020.

TRAILWOODS PROPERTY OWNERS ASSOCIATION,
INC., an Oklahoma non-profit corporation



By: _____
Print: Vernon McKown
Its: President

By: Jalee Stambeck
Print: Jalee Stambeck
Its: Secretary