

OneKey MLS Subscriber Anti-Harassment Policy

1. OneKey MLS Commitment

OneKey MLS is committed to providing a productive and welcoming environment that is free from discrimination, harassment, and retaliation for its subscribers and employees. Subscribers are expected to act with courtesy and mutual respect toward each other, OneKey MLS staff, service providers, speakers, and event participants and in compliance with this policy.

OneKey MLS strictly prohibits harassment, discrimination, and retaliation in any form. Harassment of any kind, including sexual harassment and harassment based on any protected characteristic, is unacceptable and will not be tolerated. Violation of this policy may result in disciplinary action, up to and including termination of services.

2. Applicability

This OneKey MLS Subscriber Anti-Harassment Policy applies to OneKey MLS subscribers and their interactions with OneKey MLS. This includes when attending any OneKey MLS-related activities, meetings, and events, whether held in public or private facilities, and includes events jointly sponsored by OneKey MLS and other entities; all subscriber communications with OneKey MLS, whether written or verbal, related to OneKey MLS business or with OneKey MLS staff (e.g., emails, phone calls, in person discussions, etc.), and generally to all conduct by subscribers that affects or is connected to OneKey MLS operations or business.

Any OneKey MLS subscriber who believes they have suffered or witnessed conduct by any OneKey MLS subscriber, employee, Director, or Officer that is in violation of this policy may report such conduct under the procedure outlined in this policy.

Any OneKey MLS employee who believes they have suffered harassment by any other OneKey MLS employee or subscriber, including supervisors or volunteer leaders, will follow the procedure outlined in the separate Employee Manual.

3. Definition of Harassment

Harassment is all unwelcome behavior based on a protected characteristic where the purpose or effect of the behavior is to create a hostile, abusive, offensive, or intimidating environment, interferes with business operations, or where the behavior otherwise adversely affects an individual's ability to participate in or at OneKey MLS-related activities.

Protected characteristics include, but are not limited to: an individual's age, creed, race, color, sex, sexual orientation, national origin, marital status, gender identity or expression, domestic violence victim status, disability, pregnancy-related condition, military status, predisposing genetic characteristics, familial status, citizenship or immigration status, and any other characteristic protected by applicable law.

OneKey MLS strictly prohibits any form of harassment by or against any subscribers, employees, or others interacting with OneKeyMLS.

4. Examples of Prohibited Conduct

Prohibited harassment may take various forms, including, but not limited to, the following examples, all of which are prohibited under this policy:

- Verbal conduct, such as epithets, derogatory comments, vulgar or profane words, slurs, or denigrating jokes, or unwanted sexual advances, negative stereotyping, solicitations, or comments.
- Visual conduct, such as derogatory or sexually oriented posters, cartoons, drawings, or gestures the display or circulation of written or graphic material that denigrates or shows hostility toward an individual or group based on another person's protected characteristic.
- Physical conduct, such as unwelcome touching, assault, impeding, or blocking movement based on another person's protected characteristic.
- Via technology or computers, including to transmit, communicate or receive derogatory, inappropriate pornographic, sexually suggestive, or explicit pictures, cartoons, messages, jokes, or material.
- Threats, violence, threats of violence, hostile acts, and demands based on another person's protected characteristic.
- Requests for sexual favors, such as unwanted sexual advances, which condition a benefit upon an exchange of sexual favors.
- 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.
- Disruptive, hostile, or unsafe behavior that interferes with the operations of OneKey MLS, even if not related to a protected characteristic, is also prohibited.

5. 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 service, or a benefit associated with service, (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 create an intimidating 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.
- 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 or leadership position depend at all on the submission to or rejection of requests for sexual favors or relations.

6. How to Report Incidents of Harassment or Inappropriate Behavior

OneKey MLS subscribers and employees are encouraged to promptly report harassment or misconduct.

Any subscriber who believes they experienced or witnessed discrimination, harassment, retaliation, or any other inappropriate behavior in violation of this policy should promptly report the incident by emailing report@onekeyMLS.com, which is monitored by OneKey MLS's Chief Executive Officer.

Please include the following information in the report:

- Name(s) of individuals(s) involved
- Date, time, and location of incident
- Description of conduct
- Name(s) of witnesses

As volunteer leaders, OneKey MLS Officers, Directors and Committee Chairpersons must promptly report to OneKey MLS any possible violation of this policy they observe or become aware of.

7. Investigation and Response Process

Upon receipt of a report of possible discrimination, harassment, retaliation, or any other inappropriate behavior in violation of this Code, OneKey MLS will promptly confirm receipt of the report and will take prompt action. This includes conducting an investigation at the direction of OneKey MLS's legal counsel, who may consult with independent outside counsel and neutral investigators, taking any necessary immediate action to protect those involved, maintaining confidentiality, determining corrective action, and maintaining appropriate documentation related to the matter.

Subscribers, employees, and witnesses have a duty to cooperate with and participate in an investigation into any reported violation of this policy when asked by OneKey MLS, to do so in good faith, and to provide complete and truthful information to OneKey MLS. During the investigation, OneKey MLS will involve only those deemed necessary to the investigation, and disclosures will only be made on an as-needed basis.

8. Corrective Action

If it is determined that the investigation substantiates that a violation of this policy has occurred, OneKey MLS's Chair, Chair-Elect, Secretary/Treasurer, and Chief Executive Officer, in consultation with OneKey MLS's legal counsel and in accordance with the OneKey MLS Bylaws and Policy & Procedures Manual and New York state law, will determine any disciplinary action. If one or more of the foregoing officers are named in the complaint, a substitute will be selected from the OneKey MLS Board of Managers.

OneKey MLS reserves the right to take any necessary and appropriate action against a subscriber who has violated this policy. Such actions may include, but are not limited to, verbal or written warning, prohibition from attendance at future OneKey MLS meetings or events, removal from OneKey MLS premises, suspension from OneKey MLS-related travel, removal from a leadership or committee appointment, suspension of service, termination of service, notification of law enforcement, legal action, or any other response deemed appropriate by OneKey MLS.

9. No Retaliation Permitted

OneKey MLS 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 is strictly prohibited.

To the greatest extent allowed by law, OneKey MLS is not and will not be held responsible for any subscriber's alleged violation of this policy or otherwise inappropriate or unlawful act. Any individual found to have engaged in retaliation will be subject to disciplinary action, up to and including suspension or termination of services.

10. External Reporting Options

Individuals have the right to file complaints externally with: New York State Division of Human Rights (NYSDHR), Equal Employment Opportunity Commission (EEOC), New York City Commission on Human Rights, as applicable.

11. Acknowledgement

Subscribers acknowledge that they must comply with this policy as a condition of OneKey MLS service and that this policy is subject to the terms of subscriber's subscription agreement with OneKey MLS. Subscribers will receive notice of this policy at the start of their subscription and periodic reminders.

Any questions about this policy should be directed to OneKey MLS CEO and its legal counsel.

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