

A.2.1 Unlawful Harassment Policy

Marine Biological Laboratory
EEO Policy No. A.2.1

Initiated by: Equal Employment Opportunity Coordinator
Approved by: Director/CEO Date: July, 1987
Revision: #6, April 16, 2018
Distribution: The MBL Community

1.0 Policy Statement

It is the goal of MBL to promote a working and learning environment free of unlawful discrimination, harassment, and intimidation for every member of its scientific community (employees, visiting researchers and scholars, course participants, library users, etc.) and for anyone else who has a relationship to the community (Trustees, Corporation members, contractors, vendors, etc.). Harassment, whether discriminatory or sexual, is unlawful under both federal and state law and, as such, will not be tolerated by MBL. Further, any retaliation against an individual who has complained about harassment, or retaliation against an individual who has cooperated in an investigation of harassment, is also unlawful and will not be tolerated. MBL takes allegations of harassment seriously and will respond promptly to any complaint. Where it is determined that inappropriate conduct has occurred, MBL will take the necessary action to eliminate the conduct and impose corrective measures, including disciplinary action.

2.0 This policy applies to all work/program-related settings and activities, whether inside or outside the MBL, and includes off-site research laboratories, field trips, business trips, and other business-related social events. MBL property (telephones, copy machines, facsimile machines, computers, computer applications such as e-mail and Internet, etc.) may not be used to engage in conduct that violates this policy.

3.0 While this policy sets forth goals for promoting an environment free of harassment, it is not designed or intended to limit MBL's authority to discipline or take remedial action for conduct which is deemed unacceptable, regardless of whether that conduct satisfies the definition of unlawful harassment. It is expected that all members of the MBL community will conduct themselves in a manner that fosters mutual respect for one another and maintains an atmosphere of professionalism.

4.0 MBL requires each of its supervisors and managers to be responsible for the prevention and elimination of all forms of harassment within their respective departments. Supervisors and managers, new employees, and any employee who has not been recently trained will be given training in ways to prevent unlawful harassment in the workplace.

5.0 Definitions

5.1 The definition of unlawful discriminatory harassment is any verbal or physical conduct which has the intent or effect of unreasonably interfering with an individual's work or academic performance or which creates an intimidating, hostile, or offensive work or educational environment, when such conduct is based upon race, color, religion, national origin, ancestry, gender/sex, age, disability,

sexual orientation, genetics, military status, or participation in discrimination complaint-related activities. Prohibited behavior includes slurs or other derogatory comments, objects, pictures, cartoons, or demeaning gestures connected to one's membership in a protected group.

5.2 The definition of unlawful sexual harassment is any sexual advances, requests for sexual favors, or verbal or physical 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 or as a basis for employment decisions (called quid pro quo) or (b) such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment (called hostile environment)

5.2.1 Quid pro quo sexual harassment occurs when a supervisor takes an adverse job action against an employee (such as discharge, demotion, or undesirable reassignment) because the employee refuses the supervisor's sexual advances.

5.2.2 Hostile environment sexual harassment includes, but is not limited to, unwelcome sexual advances, whether or not they involve physical touching; sexual epithets, jokes, written or oral references to sexual conduct; gossip regarding one's sex life; comments on an individual's body or sexual activity; displaying sexually suggestive objects, pictures, cartoons; unwelcome leering, whistling, brushing against someone's body; sexual gestures; suggestive or insulting comments; discussing one's own or inquiring into another's sexual activities.

6.0 Complaints

Any person who believes that he or she has been unlawfully or sexually harassed should bring his or her concerns to the attention of management immediately. This can be done in writing or orally. You may report such conduct to any one of the following: your immediate supervisor, your supervisor's manager, the EEO Coordinator (Homestead 109, x7378, eeo@mbi.edu), the Human Resources Director (x7422), or to any member of management with whom you feel comfortable. These people are available to discuss any concerns you may have and to provide information to you about this policy and the complaint process.

7.0 Investigation

When a complaint is received, MBL will investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint and with any witnesses. The person alleged to have committed the harassment will also be interviewed. When the investigation is complete, MBL will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of the investigation.

8.0 Disciplinary Action

If it is determined that inappropriate conduct has occurred, MBL will act promptly to eliminate the offending conduct and, where it is appropriate, will impose disciplinary action. Resolution through

informal means is encouraged and, in most instances, will be satisfactory. If more formal action is necessary this may include counseling, warnings, transfers, suspensions, reductions in pay or duties, termination of employment, and/or dismissal from the MBL community. Since retaliation is also unlawful, any such conduct will warrant disciplinary action as well.

9.0 State and Federal Remedies

MBL strongly encourages anyone who believes they have been harassed to bring the matter to MBL's attention. Inquiries or concerns may also be directed to the governmental agencies responsible for the enforcement of employment discrimination laws within 300 days of an incident:

Massachusetts Commission Against Discrimination, One Ashburton Place, Sixth Floor, Room 601, Boston, MA 02108, 617-994-6000

United States Equal Employment Opportunity Commission, JFK Federal Building, 475 Government Center, Boston, MA 02203, 800-669-4000

10.0 All members of the MBL community are expected to be aware of this policy and of the types of conduct that constitute unlawful harassment, as well as the avenues of assistance provided by MBL for addressing complaints. Compliance with this policy is a condition of each employee's employment and of each participant's status in a program.

11.0 Policy clarification and updates are available from the EEO Coordinator, 508 289-7378 or eeo@mbledu

G.1.19 Code of Conduct

Marine Biological Laboratory
Policy No. G.1.19

Initiated by: Human Resources Office
Approved by: MBL Board of Trustees/Audit Committee
MBL Director
Date: January 19, 2006
Revision: Updated February 2013
Distribution: MBL Community

1.0 Policy Statement

The Marine Biological Laboratory (MBL) is an international center for research, education, and training in biology. Founded in 1888, the MBL is the oldest private marine laboratory in the country.

The MBL has a responsibility to the international scientific community to provide leadership in all endeavors. It is committed to the promotion of the highest standards of ethics, behavior, values and goals for all of its scientific, technical, educational, and administrative operations.

This policy describes the standards of business and ethical conduct and practices the MBL expects of each officer, employee, scientific staff member, and others acting on its behalf when working for or representing the MBL, or when on MBL premises.

The quality of work and the atmosphere in which it is done is expected to be consistent with this commitment and in line with the reputation of the MBL as a leading educational and research institution. The atmosphere should be one of trust and confidence in those who act on behalf of the MBL. Community members should be able to rely on the integrity of each other.

The personal and professional conduct of everyone acting on its behalf should reflect the MBL's commitment to the fundamental principles of dignity, integrity, and respect for the law; rights, health and safety of the community and others; and should not conflict with or negatively impact their obligations to the MBL or its welfare.

2.0 Standards

No policy can set forth every applicable rule and cover every situation; however, in carrying out the organization's mission and obligations, employees should use common sense, all relevant MBL policies, all applicable local, state, and federal law, as well as laws of other countries where operations are being conducted, as sources for guidelines of ethical conduct, in;

2.1 Applicable Statutes and Regulations: MBL's commitment to integrity begins with complying with pertinent laws, rules, and regulations. The work of the MBL is heavily regulated. Non-compliance with laws and regulations can have severe adverse financial and other consequences, potentially affecting the reputation and operations of the institution. In addition, individuals can suffer similarly severe financial and reputation consequences. Everyone must understand the laws, rules, regulations, and

MBL policies that apply to their specific roles. If you are unsure of whether a contemplated action is permitted by law or MBL policy, advice should first be sought from the appropriate resource expert listed in Addendum A before taking action.

Everyone is responsible within his or her scope of work for preventing violations of law and for speaking up if possible violations are observed.

2.2 Existing MBL Policies: In many cases, the MBL expects more than mere compliance with applicable law, and so our policies may contain expectations of conduct not necessarily exclusively grounded in legal requirements. All MBL policies are listed in Addendum B to this policy. Some of these represent internal policies or control procedures and are not necessarily compliance policies. Nevertheless, all members of the MBL community should become familiar with the policies related to their scope of work, particularly those relevant to compliance issues. Existing policies may be updated, revised or deleted from or added to from time to time. The Human Resources office coordinates the maintenance of all MBL policies. Copies of current policies may be accessed internally on the Human Resources web-page on the MBL web-site or obtained from any supervisor, the Grass Reading Room of the MBLWHOI Library or Human Resources office in the Homestead Building.

2.3 Conflicts of Interest: The complex relationships among government, industry, research institutions, and researchers, as well as the demands of commerce necessitate the establishment of guidelines for Trustees, Officers, and scientific & administrative staff regarding conflict of interest in carrying out their duties and obligations. These guidelines have both ethical and legal (federal and state) bases. Generally these guidelines call for disclosure of any situation that could reasonably be considered or even have the appearance of a conflict of interest. Also the interests of the MBL always take precedence. MBL has established policies to assist Trustees and staff in identifying conflicts that might arise and the reporting mechanisms for these conflicts. Reference MBL polices [A.1.6 Trustee Conflict of Interest](#) and K.1.3 Conflict of Interest Policy.

2.4 Scientific Integrity: Any action or conduct on the part of its staff or personnel or those engaged in MBL-sponsored activities that would compromise scientific integrity is against policy. Specifically, a compromise of scientific integrity—also referred to as “misconduct in science”—means fabrication or falsification of data or other documentation, plagiarism, or other unethical practices that seriously deviate from those practices that are commonly accepted within the scientific community for proposing, conducting or reporting research. Honest error or honest differences in interpretations or judgments of data does not constitute a compromise of scientific integrity. Guidelines on Scientific Integrity are found in MBL policy K.1.2 Scientific Integrity.

2.5 Stewardship of Property and Funds: Resources and records, including time, intellectual property, material, equipment and information, are provided for MBL business use. Nonetheless, occasional personal use is permissible as long as it does not affect job performance or cause a disruption to the workplace.

Employees and those who represent MBL are trusted to behave responsibly and use good judgment to conserve institutional resources. Managers are responsible for the resources assigned to their departments and are empowered to resolve issues concerning their proper use.

Generally, use of MBL equipment such as computers, copiers and fax machines in the conduct of an outside business or in support of any religious, political or other outside daily activity is not appropriate. Questions about the proper use of company resources should be directed to individual managers.

The MBL wishes to foster new knowledge and secure the benefits for the long-term health of the institution. At the same time there is an obligation to keep MBL information confidential as well as the confidential information shared with the MBL community by other institutions. As a result steps to safeguard the intellectual property of the MBL are also necessary. Guidelines for this are found in MBL policy K.1.1 Intellectual Property Policy and Procedures.

2.6 Recording, Allocating, and Charging Costs and Efforts: The accuracy and reliability of financial and effort reports is of utmost importance to the business operations of the institution. At all times, staff must record, allocate, and charge costs & effort accurately and maintain supporting documentation as required by established policies and procedures. Guidelines are found in MBL policy E.1 Grants Accounting, Policies and Procedures Manual.

2.7 Internal Controls: Internal controls provide the keystone of sound business practices. These controls include adequate segregation of duties, diligent application of preventive and detective control systems, and conscientious compliance with authorization, reporting, and other established processes. Internal controls are critical to ensuring efficient operations, responsible financial management, accurate financial reporting, careful protections of assets, and satisfactory compliance with applicable laws and regulations.

2.8 Mutual Respect for Others: The MBL is committed to recognizing and acknowledging the dignity of its workers and visitors. As a result discrimination or harassment along sexual, racial, political, or religious lines has no place in our community. Guidelines regarding this are found in the MBL policies A.2 EEO Policies.

3.0 Obligation to Report Suspected Violations

It is the obligation of all members of the MBL community to exercise sound judgment and seek advice when appropriate, and report any concerns or complaints regarding what they see as violations of law, ethical standards, or MBL policies. Members of the MBL community may choose to seek advice, express concerns, or report suspected violations regarding ethical conduct, legal requirements or MBL policy by contacting either their immediate manager, a department head, the Human Resources Office, or the Compliance Coordinator. Several MBL policies list appropriate reporting mechanisms in the context of each policy. Additionally, Addendum A provides a list of responsible persons/departments for a variety of questions/issues that might arise.

3.1 If it is not clear to whom a question or concern should be directed, the Human Resources office is readily available for consultation.

3.2 If a material violation of MBL policy or a law/regulation is suspected, it should be reported, referencing the guidelines in MBL policy G.1.20 Allegations of Misconduct. Please keep in mind that it is not appropriate for employees to undertake their own investigation of concerns. Their obligation is to raise the concern appropriately.

3.3 Reporting individuals can be assured that there will be no reprisals or retaliation of any kind for reporting any type of suspected problem or possible violation if the report is made in good faith.

3.4 The Compliance Coordinator will oversee an independent investigation of the suspected violations of law and any resulting corrective action that may be deemed necessary.

4.0 Media Contact

The MBL is a high-profile organization in our community, and from time to time, employees may be approached by reporters and other members of the media. To ensure that we speak with one voice and provide accurate information about the MBL, all media inquiries should be directed to the Director of Communications. No one may communicate with the media or issue a press release without first consulting with the Director of Communications.

5.0 Reputation Risk

When not on MBL premises or representing the MBL, the personal conduct of its officers, employees, scientific or administrative staff and others acting on the MBL's behalf is his or her own to regulate. However, if such a member of the MBL community engages in behavior that discredits the MBL, it may be appropriate to review that individual's responsibilities at the MBL. Any such review will be conducted by the Director of Human Resources at the request of a department head or manager. The Director of Human Resources will make a report of findings and any recommendation to the MBL Director and Audit Committee.

6.0 Consequences of Violation

MBL takes seriously the standards set forth in this Code of Ethical Conduct. Failure to adhere to professional and ethical standards of conduct, or engaging in behavior contrary to the interests of the MBL or that interfere improperly with the rights of other persons, their property, or the rights/property of the MBL may be subject to disciplinary action up to and including discharge.

7.0 Policy Clarification and Updates

Policy clarification and updates are available from the Human Resources Office. The MBL reserves the right to amend this and any underlying policy at anytime. Also note that this does not represent an employment contract between the MBL and any Trustee, Officer, or employee. Any exceptions to this policy must be approved by the Audit Committee.

I, _____, hereby acknowledge and declare that:
(Print Name)

_____ I confirm that I have received, read, and understand the “Unlawful Harassment Policy” and the disciplinary measures for noncompliance.

_____ I confirm that I have received, read, and understand the “Code of Conduct Policy” and the disciplinary measures for noncompliance

_____ I agree to conduct myself and my activities in accordance with the MBL’s policies and understand that breaching these standards may result in disciplinary action.

_____ I am aware that MBL’s policies are available to me on the intranet, and upon request by the Human Resources Department. It is my responsibility to familiarize myself with these policies

Alcohol Policy

_____ I acknowledge that I understand that alcohol on Marine Biological Laboratory property is limited to Beer and Wine consumed at scheduled Mixers/ Reception and Dinners. Alcohol is not allowed in any housing common areas, including lounges, corridors, stairwells, and the like. All local, state and federal laws concerning the use, possession, and distribution of drugs and alcohol are always in effect in all MBL facilities. Illegal drugs are not permitted.

Participant Liability Waiver

_____ I agree to assume all risks and responsibilities surrounding my participation in the Event, and I hereby release, waive and discharge Marine Biological Laboratory, its affiliates, and their respective trustees, officers, agents and employees from any and all liability, harm, claims, damages and losses arising out of or in connection with the Event, including, without limitation, any loss, damage or injury arising while traveling to and from the Event.

(Course/Program Name)

(Signature)

(Today’s Date)