

Sahana Software Foundation  
Non-Discrimination Policy

<http://wiki.sahanafoundation.org/doku.php/foundation:policies:nondiscrimination>

- 1 The Sahana Software Foundation (SSF) is committed, as a matter of principle, and in conformance with all applicable federal and state laws, to prohibiting discrimination and behaviors, which, if repeated, could constitute discrimination. The Board of the SSF directs that all officers and personnel will not discriminate on the basis of race, color, religion, creed, national origin, sex, sexual orientation, gender identity, gender expression, marital status, age, disability, pregnancy, or status as a disabled veteran, a Vietnam era veteran or other covered veteran, and any and all other classifications protected by applicable federal and state laws. Harassment on any of the above-stated grounds is a form of prohibited discrimination. This policy applies to all staff and volunteers. This policy also prohibits retaliation for reporting possible violations of this policy, for cooperating with any related investigation, or for participating in such a complaint process.
- 2 Legal Basis: Among the laws upon which the Foundation's Non-Discrimination Policy is based are: Titles IV, VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, the Vietnam Era Veteran's Readjustment Assistance Act of 1974, the 1975 Age Discrimination Act, the Equal Pay Act, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the Veteran's Employment Opportunities Act of 1998.
- 3 Definitions
  - "A person with a disability" means any person who: (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities; (2) has a record of such impairment; (3) is regarded as having such an impairment; or (4) is otherwise deemed disabled under applicable federal or state law.
  - "Age Discrimination" refers to actions prohibited by the Age Discrimination in Employment Act of 1967, which protects individuals who are 40 years of age or older from employment discrimination based on age.
  - "Complainant" refers to the person or persons who initiate a complaint.
  - "Gender Identity and Gender Expression" refer, respectively, to the gender one self-identifies as, and the gender one expresses oneself as.
  - "Harassment" is a form of behavior that is characterized by conduct: (1) based on race, color, religion, creed, national origin, sex, sexual orientation, gender identity, gender expression, marital status, age, disability, pregnancy, or status as a disabled veteran, a Vietnam era veteran or other covered veteran, and any and all other classifications protected by applicable federal and state laws, which is unwelcome; AND (2) if sufficiently severe, persistent or pervasive could reasonably be expected to create an intimidating, hostile or offensive working or learning environment.
  - "Marital Status" means the legal status of being married, single, separated, divorced or widowed. It does not include consideration of cohabiting relationships.
  - "Other covered veteran" means a veteran who served in active duty during a war or in a

campaign or expedition for which a campaign badge has been authorized; veterans who, while serving on active duty in the Armed Forces, participated in a United States military action for which an Armed Forces service medal was awarded pursuant to Executive Order No. 12985 (61 Fed. Reg. 1209); and recently separated veterans.

- “Respondent” is the person or persons about whom a complaint has been initiated.
- “Retaliation” refers to adverse actions by an employer because of an individual’s participation in a protected activity, such as participating in a discrimination complaint process.
- “Sexual orientation” means heterosexuality, homosexuality, and bisexuality.

#### 4 Complaint and Resolution Procedures

##### 4.1 Filing a Complaint:

- A person who believes s/he has been harassed or been subject to discriminatory treatment within the Sahana Software Foundation because of race, color, religion, creed, national origin, sex, sexual orientation, gender identity, gender expression, marital status, age, disability, pregnancy, or status as a disabled veteran, a Vietnam era veteran or other covered veteran, and any and all other classifications protected by applicable federal and state laws, or has been retaliated against for participating in such a complaint process, is urged to contact the Community Development Committee of the SSF.
- The SSF Community Development Committee reserves the right to initiate an investigation where there is evidence that a violation of this policy may have occurred. An individual may seek the assistance of the Directors of the Foundation.

4.2 “Resolution Options” will be recommended by the Community Development Committee to the Board for action and may include mediation, sanctions, suspension with or without pay, a public acknowledgment and/or apology, attendance at workshops or seminars dealing with the violation issue, or termination of employment.

5 Non-Discrimination Clauses: Non-Discrimination clauses consistent with this policy will be incorporated in all agreements and contracts with contractors and vendors from whom the Sahana Software Foundation purchases or to whom the Sahana Software Foundation provides goods and services; and organizations or business establishments with which SSF has internships.