

# **STM POLICY AGAINST DISCRIMINATION, HARASSMENT, AND BULLYING FOR MEMBERS AND EVENT ATTENDEES**

## **Statement of Policy**

The Society for Thermal Medicine (“the Society”) is committed to providing equality of treatment for all members and participants and a safe environment that is free of all forms of behavior that is discriminatory, harassing, or bullying. The Society prohibits any verbal or physical act, communication, or social media posting based on an individual’s race, color, religion, ancestry, national origin, sex, sexual orientation, gender expression or identity, mental or physical disability, familial, military or veteran status, or any other characteristic that is protected by the laws in the location where the conduct at issue occurs. Violators of this policy will be subject to remedial action.

## **Application and Scope**

This Policy applies to all members, attendees, participants, staff, trainees, postdoctoral fellows, presenters, vendors, contractors, students, staff, and volunteers at Society activities and events.

The scope of this Policy covers behavior at all Society activities and venues, including, but not limited to:

- Society Annual Meetings;
- All Council and committee meetings;
- All ancillary events and unofficial social gatherings in connection with the Annual Meeting or Council or committee meetings; and
- All other Society-related activities, publications, and/or peer reviews.

The Policy also covers exchanges and communication, including emails, tweets, texts, and social media postings concerning or arising out of any Society activity or event.

## **Unacceptable Behavior**

The Society explicitly prohibits sexual harassment. Examples of sexual harassment include, but are not limited to the following:

- Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, attention, or propositions;
- Physical assault, including unwelcome touching or groping;
- Verbal abuse of a sexual nature such as lewd comments, sexual jokes or references, and offensive personal references;
- Demeaning, insulting, intimidating, or sexually suggestive comments to an individual or about an individual’s appearance; and

- Communication or display of sexually explicit or suggestive images or electronically transmitted messages.

The Society also prohibits other forms of discrimination, harassment, and bullying. Examples of prohibited conduct include, but are not limited to the following:

- Any conduct or communication that discriminates against, insults, or denigrates an individual on the basis of race, color, religion, ancestry, national origin, sex, sexual orientation, gender expression or identity, mental or physical disability, familial, military or veteran status, or any other characteristic that is protected by the laws in the location where the conduct at issue occurs;
- Demeaning, insulting, or intimidating conduct or communication that causes a person to fear for his or her personal safety;
- Action that interferes substantially with a person's participation at a Society-related activity, meeting, events, or gathering;
- The use of force, threat, or coercion to bully, intimidate, or abuse another person;
- Real or implied threat of physical harm; and
- Real or implied threat of professional, reputational, or financial damage or harm.

Any of the above committed in a "joking" manner or disguised as a compliment still constitutes unacceptable behavior.

### **How to Report Unacceptable Behavior**

Any individual who believes he or she has been subjected to any unacceptable behavior of the type prohibited by this Policy is urged to report all relevant facts promptly by contacting:

- A Society Officer or member of the Society's Governing Council. Ordinarily, the report should first be made to one of the Current Executive Officers, depending on which individual you feel more comfortable contacting under the circumstances; or
- The Society Business Manager, who shall immediately forward the report to the Society President for handling in accordance with the Complaint Procedures below; or
- The organizer of the event or gathering where the behavior occurred, who shall immediately forward the report to the Society President for handling in accordance with the Complaint Procedures below; and
- In cases of sexual assault or violence, it may be appropriate to file a report with local law enforcement.

The identity and contact information for the Society's Officers, Governing Council, and Business Manager are available on the Society's website at [www.thermalthrapy.org](http://www.thermalthrapy.org).

In addition, members or participants who are faculty members or otherwise affiliated with a university and become aware of behavior as described in this Policy may be required to file a report with their Title IX office or their employer's equal employment opportunity office. There also may be situations in which the victim of the type of conduct described in this Policy may wish to report the situation to the Title IX office of their respective academic institution and/or employer

under specific policies of the institution or the employer. The Society, the Business Manager, and event organizer are under no responsibility to file such reports but may do so. In any event, prompt reporting is very important so that the university, employer, or the Society can investigate and take appropriate action.

### **Complaint Procedures**

In the event a credible report is received by the Society, the President, in consultation with two other officers, shall refer the complaint to the Membership Committee (or appoint an ad hoc committee consisting of at least three members in accordance with Article V, Section 9 of the Society's Constitution) to promptly investigate and make recommendations regarding the report. The investigation should include, at a minimum, the following:

- Interview the complaining party, either in person, by telephone, or by electronic means, and where possible, obtain a written statement;
- Interview the individual accused of violating the Policy, either in person, by telephone, or by electronic means, and where possible, obtain a written response;
- Interview other Society members, staff, attendees, or other persons who may have witnessed the event;
- Review written documents, if any, or other reports suggesting a pattern of misconduct by the person accused of violating the Policy; and
- Compile the information in a written report to be submitted to the President or his/her designee.

The committee's report shall include a summary of the committee's findings, conclusions, and recommendations. The report shall be forwarded to the President or his/her designee for distribution to the Society's other Executive Officers. After receiving the report and recommendation, the President, Vice President, Vice-President-Elect, Secretary/Treasurer and Past President will make a final, binding decision regarding whether the policy has been violated and the consequences of any such violation.

The Society President or his/her designee shall inform the victim of the alleged discrimination, harassment, or bullying and the Society Business Manager of the results of the investigation. The Society Business Manager, however, shall have no role or responsibility in investigations, deliberations, or decisions regarding violations of this Policy, unless the complaint is made by or involves a Business Manager employee.

The Society President, in his/her discretion, may provide the results of the Society's investigation to the Title IX officer of the affiliated institution and/or human resources office of the relevant employer, but is not required to do so absent a valid subpoena. The Society will cooperate with law enforcement and other governmental agencies.

### **Consequences of Unacceptable Behavior**

Individuals who violate this policy will be subject to remedial action, including, without limitation, one or more of the following:

- Immediate removal and exclusion from any Society-related meeting, event, unofficial social gathering, or activity, without warning or refund;
- Suspension or termination of membership in the Society, without warning or refund;
- Exclusion from future Society or Society-sponsored meetings, conferences, events, or activities, including presentation or publication of papers;
- Exclusion from Society leadership positions; and
- Exclusion from or denial of any other benefits derived from the Society.

Any of the above sanctions may be applied regardless of whether or not the offender was a member of the Society at the time of the violation. Appropriate remedial action may also be taken with respect to an individual who makes a false report concerning an alleged violation of this Policy only if it is established that the false report or complaint was made maliciously or in bad faith.

### **Non-Retaliation Policy**

Threats or acts of retaliation against any individual who in good faith files a report, complains, provides information under this Policy, or participates in an investigation concerning a violation of this Policy are strictly prohibited.

### **Disclaimer of Liability**

Neither the Society, the Society Business Manager, nor the event organizer is responsible for protecting the safety of members or participants in Society meetings, conferences, or activities. Any individual who feels his or her safety is at risk due to any of the behavior described above is encouraged to take the appropriate steps to ensure personal safety. The Society, the Society's Business Manager, and event organizer assume no liability or responsibility for the actions of any person.

March 25, 2019