

OpenAQ Code of Conduct Policy

Last Update: December 18, 2023
Approved Date: December 18, 2023
Effective Date: December 18, 2023
Original Effective Date: September 30, 2021

Introduction	1
Applicability	1
Guidelines for Appropriate Conduct	1
Zero Tolerance for Workplace Violence	2
Zero Tolerance for Harassment	3
Expectations for Interactions with Children	4
Harassment Complaint Procedure	5
Reporting Concerns	5
Protection from Retaliation	5
Investigating Information	6
Confidentiality	6
Dissemination and Implementation of Policy	6

Introduction

OpenAQ values all of its team members and board members and expects everyone to treat and interact with one another in a way that is supportive, friendly and professional. The purpose of this Code of Conduct is to provide guidance and parameters for the highest standards of respectful, professional behavior within the workplace. OpenAQ also has a [community Code of Conduct](#), published on GitHub, which applies to participants in all spaces managed by OpenAQ including, but not limited to, online forums, GitHub activities, workshops, and trainings.

Applicability

This Code of Conduct applies to all of OpenAQ's staff, whether full-time, part-time or temporary employees, to all officers and directors of the Governing Board (hereafter referred to as board members), to all interns/volunteers, and to all who provide contract services, each of whom is entitled to a positive, working environment.

Guidelines for Appropriate Conduct

OpenAQ believes that everyone deserves to work in an environment where they feel safe, respected and supported. Therefore, we expect all team members and board members to be

friendly, yet professional. Everyone should feel comfortable to express their opinions in a respectful manner—in a way that is polite, considerate and mindful of impact on others. Yelling is not appropriate. Saying anything that would make someone feel uncomfortable, inferior or threatened is not appropriate. As described below, anything that constitutes workplace violence or harassment will absolutely not be tolerated. Bottom line, OpenAQ expects that all team members and board members will treat everyone, regardless of role, as equals and in a way that someone would want to be treated.

Zero Tolerance for Workplace Violence

All employees, board members, partners, funders and others with whom OpenAQ interacts must be treated with courtesy and respect at all times. OpenAQ employees and board members are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces anyone will not be tolerated. OpenAQ resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace.

Employees should report indirect or direct threats of violence, incidents of actual violence, and suspicious individuals or activities as soon as possible to their supervisor or to any board member. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible (including the date, time, duration and details of the exchange). Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

OpenAQ treats threats arising from an abusive personal relationship (including intimate partner violence) as it treats other forms of violence. Employees should promptly inform their supervisor of any protective or restraining order that they have obtained that lists the workplace as a protected area. OpenAQ is committed to supporting victims of intimate partner violence by providing referrals to community resources and providing time off for reasons related to intimate partner violence.

OpenAQ will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. OpenAQ will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities.

In order to maintain workplace safety and the integrity of its investigation, OpenAQ may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

OpenAQ encourages employees to bring their disputes to the attention of their supervisor or a board member before the situation escalates. OpenAQ will not discipline employees for raising such concerns.

Zero Tolerance for Harassment

OpenAQ is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, OpenAQ expects that all relationships among persons in our “virtual” office will be business-like and free of bias, prejudice and harassment.

Definition of “unlawful harassment.” “Unlawful harassment” is conduct that has the purpose or effect of creating an intimidating, a hostile, or an offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual’s work performance; or otherwise adversely affects an individual’s employment opportunities because of the individual’s membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; offensive language directed at an individual; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or another characteristic protected by state or federal law.

OpenAQ expressly prohibits any form of employee harassment based on race, color, religion, sex, sexual orientation, national origin, age, disability, gender identity, gender expression, genetic information, status as a Vietnam-era, special disabled or other protected veteran, or status in any group protected by state or local law. Improper interference with the ability of OpenAQ's employees to perform their expected job duties is not tolerated. Employees are encouraged to report all perceived incidents of discrimination or harassment directly to their supervisor or to a board member. It is the policy of OpenAQ to promptly and thoroughly investigate such reports.

With respect to sexual harassment, OpenAQ prohibits the following:

- Unwelcome sexual advances, requests for sexual favors, and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
 - Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

Examples of the types of conduct expressly prohibited by this policy include, but are not limited to, the following:

- Touching, such as rubbing or massaging someone's neck or shoulders, stroking someone's hair, or brushing against another's body.
- Sexually suggestive touching.

- Grabbing, groping, kissing, fondling.
- Violating someone's "personal space."
- Offensive whistling.
- Lewd, off-color, sexually, gender-related or racially oriented comments or jokes.
- Obscene language.
- Leering, staring, stalking.
- Suggestive or sexually explicit posters, calendars, photographs, graffiti, cartoons.
- Unwanted or offensive letters or poems.
- Sitting or gesturing sexually.
- Sexually, racially, or otherwise discriminatory or lewd email, text messages, online chats, social media posts or voicemail messages.
- Sexually oriented or explicit remarks, including written or oral references to sexual conduct, gossip regarding one's sex life, body, sexual activities, deficiencies, or prowess.
- Questions about one's sex life or experiences.
- Repeated requests for dates.
- Sexual favors in return for employment rewards, or threats if sexual favors are not provided.
- Sexual assault.
- Any other conduct or behavior that should be reasonably understood to be, or has specifically been deemed inappropriate by OpenAQ.

Expectations for Interactions with Children

As described in detail in the OpenAQ Child Safeguard and Protection Policy, OpenAQ will promote the safety and well-being of children at all times. All those subject to both this Code of Conduct and the Child Safeguard and Protection Policy that they must never:

- Use language or behavior towards children that is inappropriate, harassing, abusive, sexual, provocative, demeaning or culturally inappropriate.
- Act in ways intended to shame, humiliate, belittle or degrade children or otherwise perpetrate any form of emotional abuse.
- Form an intimate relationship with a child or any other relationship that could in any way be deemed exploitative or abusive.
- Engage children under the age of 18 in any form of sexual activity, including showing a child sexual images, asking a child to take or show you sexual images, and/or using sexualized language and/or sexualized behavior in front of a child.
- Invite unaccompanied children into a private residence.
- Sleep in the same room as unsupervised children without a second adult being present.
- Condone, or participate in, behavior of children which is illegal, unethical, unsafe or abusive.
- Condone abusive activities between children such as initiation ceremonies or bullying.
- Use computers, mobile phones, video cameras or social media to exploit or harass children or access child exploitation material through any medium.
- Befriend children who you come into contact with through work on social media.
- Use physical punishment on children.
- Hire children for domestic or other labor
- Photograph or film children without consent.

Harassment Complaint Procedure

Management is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their coworkers. These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to OpenAQ (e.g., an outside funder, sponsor, consultant or partner).

If you experience, or witness, any job-related harassment based on race, color, religion, sex, sexual orientation, national origin, age, disability, gender identity, gender expression, genetic information, status as a Vietnam-era, special disabled or other protected veteran, or status in any group protected by state or local, or believe that you or someone else has been treated in an unlawful, discriminatory manner, promptly report the incident to your supervisor or to any board member. This policy applies to all incidents of alleged discrimination or harassment, including those which occur off-premises, or off-hours, where the alleged offender is a supervisor, coworker, or even a non-employee with whom the employee is involved, directly or indirectly, in a business or potential business relationship.

Should the alleged harassment occur at a time other than your normal business hours, your complaint should be filed as early as practicable on the first business day following the alleged incident.

Reporting Concerns

Know that OpenAQ takes complaints of discrimination, harassment and child protection very seriously. Thus, there is no need to follow any formal chain of command when filing a complaint, or discussing or expressing any issue of concern regarding alleged discrimination or harassment or child abuse, and you may bypass anyone in your direct chain of command and file your complaint or discuss or express any issue of concern with any board member. All complaints will be kept confidential to the maximum extent possible.

All employees have a duty to report any conduct which they believe violates this policy. In addition, every employee has a duty to cooperate with any investigation conducted by OpenAQ, regardless of whether the investigation is being conducted by OpenAQ officials or outside parties retained by OpenAQ for this purpose, or, for that matter, by an outside agency.

If OpenAQ determines that an employee is guilty of discrimination against or harassing another individual, appropriate disciplinary action will be taken against the offending employee, up to and including an unpaid suspension or termination of employment.

Protection from Retaliation

No person entitled to protection shall be subjected to retaliation, intimidation, harassment or other adverse action for reporting information in accordance with this Policy. Any person entitled to protection who believes that they are the subject of any form of retaliation for such participation should immediately report the same as a violation of and in accordance with this Policy.

Any individual within OpenAQ who retaliates against another individual who has reported a violation in good faith or who, in good faith, has cooperated in the investigation of a violation is subject to discipline, including termination of employment or volunteer status.

Investigating Information

A Governing Board member will act as the Compliance Officer for the investigation. The Board Chair will serve as Compliance Officer unless the concern is about the Board Chair, in which case the Secretary will serve as the backup Compliance Officer. Another board member may be chosen if necessary. The Compliance Officer will notify the sender and acknowledge receipt of the reported concern within five business days, if possible. It will not be possible to acknowledge receipt of anonymously submitted concerns. The Compliance Officer shall promptly investigate each such report and prepare a written report for the Board of Directors, suggesting appropriate corrective action to the Board of Directors if warranted by the investigation. If the Compliance Officer requires funding to conduct the investigation, such as may be necessary to retain outside legal counsel, accountants, private investigators or other resources, the Compliance Officer will notify the Board of Directors. In addition, action taken must include a conclusion and/or follow-up with the complainant for complete closure of the concern.

In connection with such investigation, all persons entitled to protection shall provide the Compliance Officer with credible information. All actions of the Compliance Officer in receiving and investigating the report and additional information shall endeavor to protect the confidentiality of all persons entitled to protection.

Confidentiality

OpenAQ encourages anyone reporting a violation to identify themselves when making a report in order to facilitate the investigation of the violation. However, reports may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, with the understanding that confidentiality may not be maintained where identification is required by law or in order to enable OpenAQ or law enforcement to conduct an adequate investigation.

Dissemination and Implementation of Policy

This Policy shall be disseminated in writing to all affected constituencies.