



## **Sexual Exploitation and Abuse (SEA) Policy**

*Effective March 30, 2022*

### **I. PURPOSE & SCOPE**

Rocky Mountain Institute (RMI) does not tolerate sexual exploitation and abuse and is committed to promoting a culture where people are treated with dignity, professionalism, and respect. The objectives of this Policy are to establish effective SEA prevention guidelines and reporting procedures.

This Policy applies to all RMI employees, trustees, volunteers, agents, representatives, contractors, consultants, donors, grantees, collaborators, service providers, and anyone else working for and under any form of contract or agreement with RMI regardless of their location (collectively “RMI Stakeholders”). This Policy applies during and outside of working hours.

### **II. POLICY**

#### **1. Guidelines**

Everyone within the scope of this Policy must comply with all relevant legislation and regulations relating to sexual exploitation and abuse and are subject to the following guidelines:

- Any act of sexual exploitation or abuse is prohibited.
- Sexual activity with children (person under the age of 18) is prohibited, regardless of the legal age of consent or majority in the jurisdiction in which the activity occurs. Mistaken belief in the age of the child is not a defense under this Policy.
- Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited.
- Sexual exploitation or abuse constitute acts of gross misconduct and are grounds for disciplinary action of RMI employees up to and including termination as well as grounds for termination of agreements between RMI and other RMI Stakeholders.
- Sexual relationships between RMI employees and recipients of RMI funding or other resources are generally discouraged but are expressly prohibited when there are unequal power dynamics between the employee and recipient. If an RMI employee has a sexual relationship with a recipient of RMI funding or other resources, the employee should disclose the conduct to the Chief People Officer for appropriate guidance. Failure to report such conduct is grounds for disciplinary action.



- Criminal acts will be reported to appropriate authorities when appropriate or legally required.
- Sensitive information related to incidents of sexual exploitation or abuse whether involving RMI Stakeholders or others in communities in which RMI works shall be shared only with enforcement authorities and RMI employees who have a need to know such information.
- All RMI employees are obliged to create and maintain an environment that prevents sexual exploitation and abuse and promotes the implementation of this Policy. Management level employees have a particular responsibility to support and develop systems that maintain this environment and are responsible for monitoring conduct to ensure compliance with this Policy.
- RMI shall provide its employees with training on prevention of sexual exploitation and abuse on a regular basis.
- In compliance with applicable laws and to the best of its abilities, RMI will not hire or contract with individuals RMI knows to be perpetrators of sexual exploitation and abuse.
- RMI will prepare a communication strategy to support the dissemination and implementation of this Policy and raise awareness within RMI and among RMI Stakeholders of the high standards of behavior and conduct expected of them to protect individuals from any form of sexual exploitation and abuse. RMI will incorporate this Policy as an attachment to its contracts with contractors and other stakeholders as appropriate.

## **2. Reporting and Investigation**

Any concern or suspicion of sexual exploitation or sexual (“Concern”) must be reported immediately. A Concern may be submitted anonymously. Employees, trustees, and other volunteers should report Concerns in accordance with RMI’s Whistleblower Policy. Other RMI Stakeholders should report Concerns in writing to their RMI contact or, if the concern or suspicion involves the RMI contact, to the Managing Director of the applicable program. If the Managing Director is a subject of the Concern, the individual should report the Concern to RMI’s General Counsel or Legal Director. The Managing Director (or General Counsel or Legal Director if applicable) shall promptly report the Concern to the CEO as chair of RMI’s Executive Council or to any other member of Executive Council if the CEO is a subject of the Concern. The Executive Council is responsible for promptly investigating and taking appropriate action with respect to all reported Concerns and may retain an outside investigator or any other resource deemed



necessary to investigate the Concern. If the reporting individual feels that the Executive Council is not able to conduct an impartial investigation because one or more of its members are the subject of the Concern, the individual may submit the Concern to the Chair of the Board of Trustees or any other trustee if the Chair of the Board is a subject of the Concern, and the Board will investigate and take appropriate action in response to the Concern. Reports of Concerns, and investigations pertaining thereto, shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

An employee accused of violating this Policy may be subject to immediate suspension pending investigation of the accusation.

No individual who, in good faith, reports a Concern shall be subject to retaliation. Complaints of retaliation should be reported pursuant to the reporting procedure set forth above.

The act of making allegations that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, termination of any pending agreements and may also give rise to civil liability.

**III. DEFINITIONS**

<b>Term</b>	<b>Definition</b>
Sexual Abuse	The threatened or actual physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions or with a person who is incapable of giving consent, sexual assault, and rape. Examples of sexual abuse include but are not limited to non-consensual kissing and touching of a sexual nature; forcing a person to engage in prostitution or pornography; refusing to use safe sex practices. Sexual abuse may also include threatened or actual non- physical intrusion (unwanted and/or uninvited exposure to pornography, texts, images, and so on, the sharing of images, texts and so on, demands for sexualized photographs etc.).
Sexual Exploitation	Any actual or attempted abuse of a position of vulnerability, differential power, trust, or dependency, for sexual or sexualised purposes. This includes the offer or promise of monetary, social, political benefits as an incentive or form of coercion. Examples of sexual exploitation include but are not limited to using a position of power to demand or imply an expectation of sex in any context or making sex an actual or implied condition of assistance; forcing someone to have sex with anyone;



	videotaping or photographing private sexual content without consent and potentially sharing with the public.
Sexual Favors	Any sexual or sexualized acts, in exchange for something such as money, goods, services, opportunities, etc. Also includes demands for inappropriate photographs, filming, and exposure to pornography and so on.

**IV. RELATIONSHIP TO OTHER POLICIES and PROCEDURES**

RMI maintains the following policies and procedures, which must be adhered to in conjunction with this policy:

- Child Protection Policy
- Discrimination Policy
- Whistleblower Policy
- Employee Handbook

**V. POLICY REVIEW**

This Policy will be reviewed as needed by Legal. Changes to the Policy will be recommended to and approved by the Executive Council. Approved revisions shall be distributed to the organization by Legal.

**VI. OWNER & REVISION HISTORY**

**Owner:** Legal

REVISION DATE	KEY REVISION(S) MADE
March 30, 2022	Creation of Policy