

August 21, 2024

Bear Creek Master Association

**NOTICE OF OPEN MEETING
OF THE BOARD OF DIRECTORS
September 17, 2024, at 6:00 p.m.**

**To be held at: Bear's Den
22877 Bear Creek Dr. North
Murrieta, CA 92562**

At the Open Meeting of the Board of Directors scheduled for September 17, 2024, at 6:00 p.m. at the address noted above, the Board of Directors will formally adopt the proposed Harassment and Discrimination Policy. As required per Civil Code Section 4360, this notice is posted on the Association website to provide the membership with 28 days' notice of the proposed revision. Homeowners have the opportunity to make comments by submitting them in writing to Avalon Management, or during the Open Forum portion of the meeting.

Purpose: The purpose of the Harassment and Discrimination Policy is to assist the Board of Directors on behalf of the Association with enforcement matters; violations of the governing documents.

Effect: The effect of the Board's policy will be to encourage members to comply with the Use Restrictions, and Rules & Regulations of the Bear Creek Master Association.

Copy attached hereto; existing and proposed Harassment and Discrimination Policy. Attached draft for members to review and provide written comment prior to the meeting. If you wish to make comments in writing, please submit them no later than September 9, 2024.

Bear Creek Master Association

**[PROPOSED] NONDISCRIMINATION
AND ANTI-HARASSMENT POLICY**

Purpose: The purpose of the proposed policy is to protect against unlawful discrimination and workplace harassment at Bear Creek Master Association ("Master Association").

Effect: If adopted by the Board, this Nondiscrimination and Anti-Harassment Policy will be implemented by the Master Association's Board of Directors and management.

This policy applies to the Master Association. The Master Association does not oversee subassociation practices in these matters.

A. Nondiscrimination Policy

1. The volunteer officers, directors, committee members and other volunteers of the Master Association and the agents and employees¹ of the Master Association, including management company representatives, shall not discriminate in the provisions or enjoyment of services, amenities, privileges and other conditions against any Master Association member, resident or guest on the basis of any protected characteristic, including, but not limited to, race, color, religion, sex, sexual orientation, gender identity, gender expression, marital status, veteran or military status, genetic information ancestry, national origin, familial status or disability.
2. The Master Association is committed to providing an inclusive and welcoming environment for all Master Association members, residents and their guests.
3. The Master Association shall consider and respond to requests for disability accommodations in a prompt and reasonable manner.
4. If a Master Association member, resident or their guest feels that they have been discriminated against or harassed on the basis of race, color, religion, sex, sexual orientation, gender identity, gender expression, marital status, veteran or military status, genetic information ancestry, national origin, familial status, disability or on any other unlawful basis, they should immediately report the matter to management. If the Master Association

¹"Employees," for purposes of this policy, include staff persons employed by independent contractors to perform services for the Master Association.

on-site manager is not available or the reporting individual feels that it would be unproductive to inform that person, the reporter should immediately contact the Master Association President or Vice President. Once the matter has been reported, it will be promptly investigated, and any necessary corrective action will be taken where appropriate.

5. Complaints of unlawful discrimination/harassment will be handled in as discrete and confidential manner as possible under the circumstances.

B. Workplace Anti-Harassment Policy

Bear Creek Master Association is committed to providing a work environment free from harassment. The Master Association believes that people deserve to work in a respectful and inclusive workplace that fosters growth and productivity. The Master Association will not allow unlawful discrimination or harassment of any employee or volunteer serving the Master Association.

This policy covers any and all Master Association employees² or volunteers serving the Master Association. Each Master Association volunteer or employee is expected to comply with the policy. Members and residents must also comply with this policy in their interactions with Master Association employees and volunteers. Appropriate disciplinary action up to and including termination of any Master Association employee or volunteer in violation of this policy will be taken. Furthermore, Master Association members and their co-residents, tenants or guests who violate this policy will be subject to appropriate discipline by the Master Association.

Definitions of Harassment and Discrimination

1. *Discrimination:*

- Discrimination means treating another individual less favorably for reasons based on race, color, religion, sex, sexual orientation, gender identity, gender expression, national origin, military or veteran status, marital status, genetic ancestry information, familial status, disability or any other protected criteria. Discrimination can include, but is not limited to:
 - Limiting job opportunities, privileges or benefits
 - Unequal working conditions

²"Employees," for purposes of this policy, include staff persons employed by independent contractors to perform services for the Master Association.

- Evaluations based on characteristics unrelated to work
- Harassment or permitting harassment

2. *Harassment:*

The Master Association prohibits harassment of any kind, including, but not limited to, sexual harassment, bullying, hazing, threats, unlawful violence and stalking. The Master Association will take prompt and appropriate action in response to violations of this policy.

For purposes of this policy, harassment is any verbal or physical conduct intended to threaten, intimidate, coerce or demean any employee or volunteer working for the Master Association.

Harassment also may result, in the absence of intent, from conduct that causes an employee or volunteer to be threatened, intimidated, coerced or demeaned.

Harassment is also any unwelcome behavior that creates a hostile or offensive work environment for another employee or volunteer. The victim need not be the intended target of the harassment.

3. *Reporting Harassment:*

Employees or volunteers who experience or witness any behavior they believe constitutes harassment or discrimination are encouraged to report it immediately. Employees/volunteers who feel safe enough to do so should inform the harasser directly that the conduct is unwelcome and must stop. Employees/volunteers can report harassment to their supervisors, a human resources representative, or any member of management. Employees/volunteers may also report harassment anonymously to the Master Association's President or Vice President if they prefer.

4. *Investigation and Response:*

All reports of harassment will be taken seriously and investigated promptly. If it is determined that harassment has occurred, the Master Association will take appropriate action to address the situation which may include disciplinary action up to and including termination of the harassing employee or volunteer or, in the case of a harassing member or the member's co-residents, tenants or guests, fines, suspension of privileges and/or taking legal action against the responsible member.

All complaints will be treated as confidential to the extent possible and information disclosed on a need-to-know basis. Although the identity of the complainant may need to be revealed during the course of the

investigation, the person responsible for investigating on behalf of the Master Association will take reasonable steps to ensure the complainant is protected from retaliation during and after the investigation. If appropriate, the complaint will be referred to law enforcement for further investigation.

5. *Protection for Harassment Reporting:*

The Master Association encourages any employee/volunteer who has suffered discrimination or harassment to report such behavior immediately. Retaliation against any employee/volunteer reporting harassment is prohibited. Any retaliation against an employee/volunteer who reports harassment or discrimination will not be tolerated and will be investigated and appropriate action taken.

6. *Training:*

All employees/volunteers will receive training on this harassment policy and what constitutes appropriate workplace behavior. We are committed to ensuring that Master Association employees/volunteers are aware of the rights and responsibilities under this policy.

Bear Creek Master Association is committed to maintaining a harassment-free workplace for all employees/volunteers. We expect all employees/volunteers to act with respect and professionalism at all times. Further, we expect all members, their co-residents, tenants and guests to refrain from any harassment of the Master Association's employees and volunteers.

This policy shall be effective on the date of adoption by the Board of Directors.

Certificate of Secretary

The undersigned, the duly appointed Secretary of Bear Creek Master Association, hereby certifies that the foregoing Nondiscrimination and Anti-Harassment Policy was adopted by the Board at a duly noticed and agendized open Board meeting after the proposed policy was distributed by general notice for members to review and comment for not less than 28 days and after the Board considered such member comments. The Board meeting took place on _____, 2024, at Murrieta, California.

Dated: _____

Secretary, Bear Creek Master Association