



The Adirondack Forty-Sixers, Inc. Volunteer Code of Conduct

1. **PURPOSE** – To put in place what The Adirondack Forty-Sixers, Inc. considers appropriate conduct by its volunteers when participating in any activity that could/would reflect on The Adirondack Forty-Sixers, Inc. It will also describe how violations of the “Code of Conduct” are handled.
2. **DEFINITIONS** – This section lists the terms used within the document.
 - a. The Adirondack Forty-Sixers, Inc. – The Adirondack Forty-Sixers, Inc. (the “Organization”) strives to be a safe, inclusive, just, fair, and consistent Organization that seeks to recognize those climbing and descending the forty-six Adirondack major peaks; to foster appreciation of the Adirondack wilderness and the climbing experience; to educate its members and the public to become users who are safe, well-informed, and prepared; to encourage enjoyment of the Forest Preserve in a manner consistent with preservation of the wilderness; to protect the wilderness through its programs in trail maintenance, education, and conservation, and to support projects of other organizations and communities which further the goals of the Organization.
 - b. Code of Conduct – A set of behaviors that define how the Organization conducts its affairs. This Code of Conduct applies to our valued volunteers, members, program participants, guests, vendors and others who interact with the Organization. It applies to activities and events such as hikes, trails, programs, training, and meetings; in written and verbal communication where The Adirondack Forty-Sixers, Inc. are represented.
 - c. Discrimination – Discrimination of any kind, including sexual harassment, is a violation of the Organization’s policies. The New York State Division of Human Rights enforces New York State’s anti-discrimination law, called the Human Rights Law. The Law protects against discrimination based on specific characteristics including race, color, religion, sex (including pregnancy and gender identity), sexual orientation, national origin, age, disability, genetic information and marital status. The Law also protects individuals from retaliation if they have filed a discrimination case before, are or were a witness or helped someone else with a discrimination case, or opposed or reported discrimination due to a category listed in this policy. For the full list of protected rights, visit the New York State Division of Human Rights website at: <https://dhr.ny.gov/discrimination-law>.
 - d. Officer of the Organization – There are three (3) Officers within The Adirondack Forty-Sixers, Inc.: the President, the Vice-President and the Immediate Past President.
 - e. Executive Committee – The Executive Committee consists of the three (3) Officers as well as the six (6) elected members of the Board of Directors.
 - f. Misconduct Response Team – A five (5) person committee, made up of current and former Officers and Directors or other persons that are appointed by the Executive Committee of



The Adirondack Forty-Sixers, Inc. The goal of this committee is to provide a fair and impartial investigation of a misconduct complaint while maintaining integrity and individual privacy to the extent possible. Members of this team are appointed for rotating terms as defined by the Executive Committee. Additional assistance could come from outside counsel.

- g. Misconduct – Any violation of the Code of Conduct.
- h. Retaliation – Retaliation is defined as acting against someone for engaging in a legally protected activity. Retaliation in any form, and by any person, is prohibited and is a breach of the Code of Conduct. Protection against retaliation also extends to those whose allegations are made in good faith but prove to be mistaken.
- i. Sexual Harassment – Sexual harassment is defined as harassment based on sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. Sexual harassment may be any unwelcome action, language or visual representation of a sexual nature. Sexual harassment may also consist of unwanted sexual behavior including but not limited to touching, crude jokes, lewd comments, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which can be offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation.

3. CODE OF CONDUCT POLICY – The Organization prohibits discrimination of any kind including sexual harassment.

- a. All Organization members and volunteers will conduct themselves in a manner consistent with this policy when engaged in the Organization’s activities. Members and volunteers are expected to:
 - i. Place safety first and foremost. This includes your own safety, that of members in a hiking party, and especially that of children and others dependent upon them, and that of other hikers on the trail;
 - ii. Obey official rules and laws, comply with DEC regulations and announcements;
 - iii. Respect the rights of private property owners;
 - iv. Follow the principles of Carry In/Carry Out, Hike Safe, and Leave No Trace;
 - v. And neither damage nor deface the natural environment or objects of historical importance.
- b. Violations of the Code of Conduct Policy – Any reported violation of the Code of Conduct policy, as noted above, is subject to disciplinary action including, but not limited to, requirement for education and/or counseling, exclusion from Organization activities, revocation of leader or volunteer status, and/or loss of membership.



- 4. SEXUAL HARASSMENT POLICY** – The Adirondack Forty-Sixers, Inc. Sexual Harassment Prevention Policy consists of the following parts: (a) policy, (b) training, (c) additional responsibilities, (d) reporting misconduct or sexual harassment, (e) bystander intervention, (f) complaint investigation and resolution, (g) sanctions, (h) appeals process, and (i) legal protections and external remedies.
- a. The Adirondack Forty-Sixers, Inc. Sexual Harassment Prevention Policy – The Organization is committed to ensuring all volunteers are aware of the Organization’s policies, and volunteers can anticipate that other Organization volunteers are expected to comply with this policy. These guidelines have been developed recognizing that some volunteer work may involve being in outdoor areas with no bathroom facilities and where groups may share confined space and/or transportation to job sites. Sexual harassment is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Intent does not matter, but rather the impact of the behavior on a person is what counts. The following describes some of the types of acts that create a hostile environment and may be considered sexual harassment that are strictly prohibited. These are sample behaviors and should not be considered exhaustive. Please refer to the New York State Division of Human Rights website at www.ny.gov/programs/combating-sexual-harassment-workplace for more information and examples.
 - i. Unwanted sexual comments, advances or propositions, or communications of any form of a sexual nature, such as subtle or obvious pressure for unwelcome sexual activities, repeated requests for dates or romantic gestures, including gift-giving, or sexually oriented gestures.
 - ii. Hostile and other actions that are prohibited under NYS law taken against an individual because of that individual’s sex, sexual orientation, gender identity and the status of being transgender.
 - iii. Physical assaults of a sexual nature, such as touching, pinching, patting, kissing, grabbing, brushing against another’s body or poking another’s body. Rape, sexual battery, molestation or attempts to commit these assaults are criminal acts and subject to law.
 - b. Training – All Adirondack Forty-Sixers, Inc. volunteers must complete an annual Sexual Harassment training and provide a certificate of completion for this training to the Organization to participate in Organization events. This mandatory training provides additional awareness over and above this policy to all volunteers on matters of sexual harassment.
 - i. Here is the link to the required on-line training and instructions on how to print your certificate of completion: <https://www1.nyc.gov/site/cchr/law/sexual-harassment-training.page>
 - ii. A copy of the training certificate must be emailed to our Database Coordinator at SHTraining@ADK46er.org, and simultaneously **CC** the Program Coordinator on that email.



- iii. Annually shall mean a calendar year from January 1 through December 31.
- iv. Timelines for submission of annual Sexual Harassment Training Certificate and the signed Code of Conduct Policy Acknowledgement Form:
 - 1. All returning volunteers are requested to complete the Sexual Harassment training by January 15th.
 - 2. All volunteers must complete Sexual Harassment training a minimum of two weeks prior to participating in an Organization activity.
- c. Additional Responsibilities –
 - i. **Executive Committee** – The Executive Committee ensures that the Sexual Harassment Prevention training course aligns with the Organization’s Code of Conduct policy and reporting procedures including State and Federal laws.
 - ii. **Program Coordinators** – Coordinators of programs listed under our *Volunteer with Us* page of our website have a responsibility to ensure individuals in the volunteer programs they are leading feel safe and free from harassment and discrimination. If Program Coordinators observe inappropriate behavior they must act by reporting the suspected sexual harassment. Program Coordinators can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it. Also, Program Coordinators must be mindful of the impact that harassment and subsequent investigation has on victims. Program Coordinators and all other volunteer group leaders under their guidance shall participate in the required additional supervisory sexual harassment training every three (3) years.
 - iii. **Misconduct Response Team Members** – The Misconduct Response Team (“MRT”) members have an explicit obligation to keep certain information private. This implies that their appointment comes with a strict requirement to maintain the confidentiality of sensitive data, discussions, or processes. Members of the Misconduct Response Team must disclose any potential conflicts of interest with parties involved in the complaint and recuse themselves from the matter when a conflict exists or when it’s discovered a conflict exists. The Organization will provide a 2-hour investigation training course through the EEOC’s Training Institute for the Misconduct Response Team members at the start of their term to ensure they are able to respond to complaints in a sensitive and impartial manner. After the initial training, team members must renew their investigative training course at least every three (3) years. In the event of a recusal, the person recusing themselves will be asked to document the reason for their recusal. A replacement will be appointed by the President or an Officer of the Organization from the remaining MRT investigator team. The replacement investigator will be briefed on the matter and provided with relevant materials. A confidential



internal record will be kept documenting the recusal, who was appointed as a replacement and the date of the change.

- iv. Reporting Misconduct or Sexual Harassment – Any Organization member or volunteer who has experienced or witnessed any form of discrimination or sexual harassment can and should file a complaint with the Organization. You are also encouraged to report it immediately to the leader of the program you are working under or to an Officer of the Organization and the reporting will remain confidential and anonymous to the extent possible. A Program Coordinator that is a bystander to harassment is **required** to report it. There is a Complaint Form located in the appendix of this document that can be used for such a purpose.
- d. Bystander Intervention – Bystander intervention, in accordance with the sexual harassment training, can help create a safer and more inclusive environment. It involves actively intervening in situations where someone is being harassed or feels unsafe, using various strategies to de-escalate the situation or support the person experiencing harm.
- e. Complaint Investigation & Resolution – All information regarding a complaint of misconduct or sexual harassment is strictly confidential and can be discussed only between the Officers of the Organization; and subsequently, the Misconduct Response Team. All individuals involved, including those making a claim of harassment, witnesses, and alleged harassers deserve a fair and impartial investigation. All such complaints or information about sexual harassment will be thoroughly investigated as follows:
 - i. When a complaint is submitted, an Officer of the Organization will confirm receipt of the report to the complainant within ten (10) business days.
 - ii. Initial basis for investigation:
 1. If the complaint is made utilizing the attached Complaint Form, then this will be the basis for the investigation.
 2. If the complaint is made verbally, the complainant will be encouraged to fill out the Complaint Form (and keep a copy for their records).
 3. If the complainant does not wish to fill out the Complaint Form, then the Officer of the Organization will fill out the form based on the information provided and give a copy to the complainant for their record. The complainant should review the written report for accuracy and will be asked to sign it.
 - iii. The Officer of the Organization will then activate the Misconduct Response Team so that they can conduct a thorough investigation. During the investigation, individual identities will be fully kept confidential to the extent possible.
 - iv. One or more of the parties involved may be asked to pause volunteer activities while the investigation is being conducted.
 - v. The Misconduct Response Team will collect all the associated information, to the extent available, for the investigation including, but not limited to:



1. Documents
 2. Electronic communications (e.g. emails, texts, phone records, social media, etc.)
 3. Interviews with all parties, including witnesses and the person alleged to have committed a policy violation
 4. Digital media (e.g., photos, videos, audio recordings, etc.)
- vi. All information gathered shall be securely maintained in a confidential file for future reference.
- vii. The Misconduct Response Team will review all the information collected and create a confidential written document of the investigation, that will include a list of all documents reviewed, interview notes (names of witnesses will be kept confidential), and any information unknown or unavailable to the MRT, a timeline of the events involved, a summary of any prior relevant incidents, and the basis for the decision and recommendation for final resolution of the complaint.
- viii. This confidential written document will be submitted to the Officers of the Organization who can either:
1. Send back to the committee with comments or questions to clarify the decision;
 2. Seek legal advice concerning the complaint and decision;
 3. Communicate to the complainant and the accused the decision of the Organization and carry-out any recommended action.
- ix. Resolution of the complaint will be conducted as thoroughly and expediently as possible.
- f. Sanctions – Any reported violation of the Sexual Harassment Policy, as noted above, is subject to disciplinary action, including but not limited to, requirement for education, and/or counseling, exclusion from Organization activities, and revocation of leader or volunteer status, and/or loss of membership.
- g. Appeals Process – After the initial decision, individuals have 45 days to file an appeal. If an appeal is filed, the investigation remains open during this time. Individuals may appeal the outcome of the investigation if they disagree with the decision, or if they believe there was a procedural error, or new evidence has come to light that was not considered. The Adirondack Forty-Sixers, Inc. President and Executive Committee will review the original investigation report, relevant documentation, and any new evidence presented. The President and Executive Committee will make a decision which may uphold the original decision, revise it, or refer the case back for further investigation. Once a conclusion has been reached by the President and Executive Committee, the investigation will be considered complete on appeal, if it's brought, and the appeals process final.



- h. Legal Protections and External Remedies – Sexual harassment is not only prohibited by The Adirondack Forty-Sixers, Inc. but is also prohibited by State, Federal, and, where applicable, local law. In addition to the internal process of the Organization members, volunteers and victims may also choose to pursue legal remedies with the following governmental entities at any time:
- i. The New York State Division of Human Rights (NYS DHR) – The New York State Human Rights Law (HRL) was codified as NY Executive Law, article 15, section 290 et seq. It applies to all employers in New York State regarding sexual harassment and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the HRL may be filed either with the Division of Human Rights (DHR) or in the New York State Supreme Court.
 - ii. Filing a complaint with the Organization does not extend the time to file with the DHR in court.
 - iii. You do not need an attorney to file a complaint with DHR, and there is no cost to file with the DHR.
 - iv. Contacting the DHR:
 1. Main Office: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458
 2. Phone: (718) 741-8400 or toll-free (888) 392-3644
 3. Website: <https://dhr.ny.gov>
 4. Hotline: 1-800-HARASS-3

For details on filing a complaint, timelines and investigation, please call (888) 392-3644 or visit <https://dhr.ny.gov/complaint>. The website offers a downloadable complaint form that you can complete, notarize and mail to the DHR. The website also contains contact information for DHR's regional offices across New York State. Though the focus of the policy is sexual harassment and gender discrimination, the New York State Human Rights Law protects against discrimination in several other protected classes.

5. **REFERENCES/LINKED DOCUMENTS** – None.



THE ADIRONDACK FORTY-SIXERS, INC.



6. APPROVALS:

Printed Name:

Originator/Date

Printed Name:

ADK 46er VP/Date

Printed Name:

ADK 46er President/Date

Printed Name:

ADK 46er Immediate Past President/Date



Change History –

October 2020 – new

12-24-2022 - Amendment to Code of Conduct and Sexual Harassment Policies first adopted in October of 2020. The purpose of this amendment is to provide clarification and consistency for the membership/volunteers, Executive Committee, and Coordinators of Volunteers within the Organization.

The consistent and approved statement regarding requirements of our code of conduct and sexual harassment policies to be placed in the policy, shared with volunteers, and shared on our web site is:

Please take note that in 2020, the 46er Executive Board of Directors adopted a new Code of Conduct and Sexual Harassment policy. ALL volunteers will now be required to take the approved sexual harassment online training AND sign the 46er Code of Conduct and Sexual Harassment policy annually*
** PRIOR to participating in any volunteer activities.

If you are considering volunteering, please allow yourself enough time to complete the training, which takes approximately 45-50 minutes, so that information can be submitted and entered into our database for reference at each event. Training certificates and signed policies will not be accepted by leaders at events. The Executive Board approved that you will earn one (1) hour toward your Volunteer Service Award (VSA) for completing the online training once both your certificate of training completion and signed policy are submitted. Screenshots of training certificates AND signed policies must be sent to Volunteer Coordinators AND emailed directly to our database coordinator at SHtraining46@gmail.com.

The link to the approved online training and policy can be found here: <https://adk46er.org/sexualharrassment-policy/>. We have adopted this policy to protect not only our wonderful and dedicated volunteers, but also the Organization that we love. We appreciate your efforts to give back to the mountains.

5-26-2024 – LJR – added statement 5 to the complaint form.

3-01-2025 to current – RH – Updated the policies and reformatted the document. Added some clarity as to who the Officers of The Adirondack Forty-Sixers, Inc. are and who is responsible for the policies. Add a part showing a Misconduct Response Team and edited some of the statements. Policy Committee actively working on final draft for Executive Committee review. Sent to Officers by CP on 5/30/25. Outside counsel legal review of revised Code of Conduct policy on 8/9/25. Board review and comment on 9/27/25. 12/31/25: Added reference to Program Coordinator training conducted by the EEOC Training Institute. 3-18-26: Added ADK 46 Finisher Number to Acknowledgement Form.



Complaint Form for Reporting Sexual Harassment and Misconduct

New York State Labor Law mandates that all employers, including non-profit organizations, have a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment.

If you believe that you have experienced or witnessed discrimination or sexual harassment, we strongly encourage you to complete this form and submit it to an Officer of The Adirondack Forty-Sixers, Inc.

Contact information for officers:

President@ADK46er.org

PastPresident@ADK46er.org

VP@ADK46er.org

You will not face retaliation for filing a complaint. If the complainant does not wish to fill out the Complaint Form, then the Officer of the Organization will fill out the form based on the information provided, provide a copy to the complainant and ask them to verify the accuracy of the report and request that they sign.

For additional resources visit: ny.gov/programs/combating-sexual-harassment-workplace.

NAME OF COMPLAINANT:

Address:

Phone: Volunteer 46er Program:

E-mail:

Preferred Communication Method (*please circle one*):

Email Phone In-person Video Call Other (*Please specify*): _____

VOLUNTEER PROGRAM COORDINATOR INFORMATION:

Immediate 46er Volunteer Program Coordinator's Name:

Phone: 46er Program:

E-mail:

COMPLAINT INFORMATION:

1. Your complaint of Sexual Harassment is made about:

Name:

Title:



Relationship to you (*please circle one*): Program Coordinator Co-Worker Other (*Please specify*): _____

2. Please describe what happened. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) and location(s) that misconduct or sexual harassment occurred:

4. Is the misconduct or sexual harassment ongoing? (*Please circle one*) Yes No

5. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

6. Optional: Have you previously filed a complaint or provided information (verbally or in writing) about similar incidents within the Organization? If yes, when and to whom did you report or provide this information?

7. Optional: If you have retained legal counsel and would like us to work with them, please provide their contact information.

To the best of my knowledge, the information in this complaint is accurate and truthful. I am willing to fully cooperate with the investigation and provide any relevant evidence.

Printed Name: _____

Signature: _____ Date: _____



Code of Conduct Policy Acknowledgement Form

We have adopted this policy to protect not only our wonderful and dedicated volunteers, but also the Organization we love. We appreciate your efforts to give back to the mountains.

By signing below, I acknowledge that I have received, read, and understand the Code of Conduct Policy including the Sexual Harassment Prevention Policy of The Adirondack Forty-Sixers, Inc. I understand that failure to comply with this policy may lead to disciplinary action, up to and including the loss of membership.

Volunteer Name (please print)

Volunteer Signature

46er Finisher Number

Date: _____

Please email this form along with a copy of your Sexual Harassment Training Certificate to:

SHtraining@ADK46er.org