



MIAMI MEMBER CODE OF CONDUCT

Updated October 19, 2023

PURPOSE:

MIAMI Association of REALTORS® (“MIAMI”) is committed to providing a productive, safe, and welcoming environment that is free from discrimination, harassment, and retaliation. Members are expected to act with courtesy and mutual respect toward each other, MIAMI employees, service providers, speakers, and event participants and to comply with this MIAMI Member Code of Conduct. The MIAMI Member Code of Conduct is subject to change with or without advance notice.

MIAMI MEMBER CODE OF CONDUCT APPLIES TO ALL:

- ❑ MIAMI-related activities, meetings, and events, whether held in public or private facilities (including those sponsored by organizations other than MIAMI and held in conjunction with MIAMI activities, meetings, or events);
- ❑ Professional, or social activities, meetings, and events, whether held in public or private facilities, where MIAMI members are present; and,
- ❑ MIAMI member communications, whether written or verbal, related to MIAMI business or with MIAMI employees.

DISCRIMINATION IS PROHIBITED:

MIAMI prohibits discrimination based on an individual’s race, color, religion, sex, gender, pregnancy, sexual orientation, gender identity and/or expression, age, national origin, ancestry, physical or mental disability, genetic information, marital status, military or veteran status, personal appearance, and any other characteristic protected by applicable law, whether now or in the future (collectively, a “person’s characteristic(s)”).

HARASSMENT IS PROHIBITED:

Harassment includes inappropriate conduct, comment, display, action, or gesture based on another person’s characteristics. Harassing conduct, which includes but is not limited to sexually harassing conduct, can be committed by a person of either the same sex or gender, or the opposite sex or gender (or any other protected category) of the person subjected to the harassment. A person may be the victim of harassment even though the offensive conduct has not been directed at the person alleging harassment, regardless of the sex, gender, gender identity, gender expression, sexual orientation or other class status of the perpetrator. Additionally, sexually harassing conduct need not be intentional or motivated by sexual desire.

EXAMPLES OF HARASSMENT INCLUDE, BUT ARE NOT LIMITED TO:

- ❑ Epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and, the display or circulation of written or graphic material that denigrates or shows hostility toward an individual or group based on a person’s characteristics.
- ❑ Verbal conduct, such as epithets, derogatory comments, slurs, or jokes, or unwanted sexual advances, solicitations, or comments.
- ❑ Visual conduct, such as derogatory or sexually oriented posters, cartoons, drawings, or gestures.
- ❑ Physical conduct, such as unwelcome touching, kissing, hugging, assault, impeding, or blocking movement.
- ❑ Harassment via technology or computers, including to transmit, communicate or receive derogatory, inappropriate pornographic, sexually suggestive, or explicit pictures, cartoons, messages, jokes, or material.
- ❑ Threats and demands.
- ❑ The use of abusive, foul, obscene, and/or explicit language.



- All forms of communication that are rude, offensive, obnoxious, nasty, abusive, obscene, or demeaning.
- Requests for sexual favors, such as unwanted sexual advances, which condition a benefit upon an exchange of sexual favors.
- Violence or threats of violence.
- Unwelcome sexual advances and other unwelcome verbal, visual, or physical conduct of a sexual nature.
- Requests for sexual favors or conduct of a sexual nature when: submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of membership, a benefit associated with membership, or employment; an individual's submission to or rejection of such conduct is used as a basis for a decision affecting that individual; or, the purpose or the effect of such conduct is to substantially interfere with the affected individual's membership or employment or to create an intimidating, hostile or offensive work environment.
- Sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's leadership position.
- Unwelcome sexual flirtations or propositions.
- Unwanted physical touching or closeness, such as massaging a person's back, neck or shoulders, hugging, kissing, patting, pinching, fondling, pulling or tugging on an individual to dance with them, wrapping one's arms around an individual's waist, touching/pulling an individual's clothing or hair, or other touching that was not consensual.
- Physical gestures that imply a sexual act or sexual anatomy, touching oneself in a sexual nature.
- Brushing up against another person, standing too close, or lingering.
- Using vulgar words of a sexual nature, describing body parts, or sexual acts.
- Discussions or inquiries about sexual fantasy, preferences, history, or sex life about self or others.
- Displaying sexually suggestive or demeaning objects, pictures or cartoons, or other materials on a personal or company-owned device shared in the workplace.
- Giving personal gifts that imply an intimate relationship, or otherwise lavishing someone with gifts.
- Repeated invitations and/or pressuring/coercion for dates or sexual favors; harassing phone calls, emails, texts, social media posts, or other communication; telephone calls or texts outside of business hours that are not related to a specific work-related emergency.
- Any suggestion that an individual's committee assignment, leadership position, job security, project assignment, or the terms or conditions of employment depend at all on the submission to or rejection of requests for sexual favors or relations.
- All other unwelcome behavior based on a person's characteristics where the purpose or effect of the behavior is to create a hostile, abusive, uncomfortable, or intimidating environment, or where the behavior otherwise adversely affects an individual's ability to participate in or at MIAMI-related activities, or adversely affects an MIAMI employee's employment in violation of this MIAMI Member Code of Conduct.

HOW TO REPORT INCIDENTS OF HARASSMENT OR OTHER INAPPROPRIATE BEHAVIOR:

- Any person who believes they experienced or witnessed discrimination, harassment, retaliation, or any other inappropriate behavior in violation of this MIAMI Member Code of Conduct should promptly report the incident to one or more of the following individuals: the MIAMI CEO, Chief Legal Counsel, and/or the current Chairperson of the Board.
- Leaders of the Boards of Governors and Board of Directors must promptly report to MIAMI any possible violation of this MIAMI Member Code of Conduct that they observe or become aware of, and failure to do so will generally be deemed to be a violation of this MIAMI Member Code of Conduct.
- Reporting incidents of harassment or other inappropriate behavior to MIAMI does not prohibit the individual from filing an ethics complaint with Professional Standards to allege a violation of the NAR Code of Ethics or MIAMI Bylaws. To start a complaint, email ProfessionalStandards@miamire.com.



PROCEDURES FOR INVESTIGATION AND DISCIPLINE:

- Upon receipt of a report of possible discrimination, harassment, retaliation, or any other inappropriate behavior in violation of this MIAMI Member Code of Conduct, MIAMI will promptly conduct an investigation at the direction of MIAMI's CEO and/or Chief Legal Counsel.
- Members have a duty to cooperate with and participate in an investigation into any reported violation of this MIAMI Member Code of Conduct when asked by MIAMI, to do so in good faith, and to provide complete and truthful information to MIAMI. During the investigation, MIAMI will involve only those deemed necessary to the investigation, and disclosures will only be made on an as-needed basis.
- If it is determined that the investigation substantiates that a violation of this MIAMI Member Code of Conduct has occurred, MIAMI's current Chairperson and Chairperson-Elect of the Board of Directors will be briefed on the investigation and, in consultation with MIAMI's CEO and Chief Legal Counsel, will determine any disciplinary action. If either the Chairperson or Chairperson-Elect is named in the complaint, MIAMI's CEO and Chief Legal Counsel will identify a substitute to be selected from the Board of Directors.

RESERVATION OF MIAMI'S RIGHTS TO TAKE ALL NECESSARY AND APPROPRIATE ACTION:

MIAMI reserves the right to take any necessary and appropriate action against a member who engages in any form of discrimination, harassment, retaliation, or inappropriate behavior in violation of this MIAMI Member Code of Conduct. Such actions may include, but are not limited to, prohibition from attendance at future MIAMI meetings or events, suspension from MIAMI-related travel, removal from a leadership or committee appointment, referral of a request for removal of an Officer, Director, or Governor from their respective Board of Directors or Governors, suspension of membership, expulsion from membership, or any other legal or equitable action deemed appropriate by MIAMI. To the greatest extent allowed by law, MIAMI is not and will not be held responsible for any member's alleged violation of this MIAMI Member Code of Conduct or otherwise inappropriate or unlawful act.

RETALIATION IS PROHIBITED:

MIAMI strictly prohibits all individuals from retaliating against any person who in good faith reports, or participates in the investigation of, possible discrimination, harassment, retaliation, or other inappropriate behavior in violation of this MIAMI Member Code of Conduct.