



31608 Railroad Canyon Rd.
Canyon Lake, CA 92587
Phone: (951) 244-0048
Fax: (951) 244-0522
echo@avalonweb.com

December 9, 2024

ECHO HILLS HOMEOWNERS ASSOCIATION

RE: Workplace Harassment Policy

Dear Member:

The Board anticipates discussing this proposed change during the open session portion of the Board's meeting on November 21, 2024, scheduled to start at 5:00 PM at the Avalon Management 2nd Floor Conference Room, Temecula, CA 92590. The Board solicits and welcomes feedback from members regarding this proposal.

Purpose: The purpose of the proposed Workplace Harassment Policy is to provide guidelines for the association's stance and enforcement against any form of harassment.

Effect: The rule changes set forth in the Workplace Harassment Policy shall take effect and serve as a guideline for the association to address reported claims of harassment.

Please retain a copy of this notice for your records.

You can provide your comments at the above-described Board meeting. You may also submit written comments for the Board's review via e-mail to the Association's manager, Terry Kammes, at terry@avalonweb.com. Any such written comments should be provided at least 48 hours prior to the meeting so that they can be assembled and forwarded to the Board in advance of the meeting.

Sincerely

Avalon Management
As Agent for Board of Directors
Echo Hills Homeowners Association

ECHO HILLS HOMEOWNERS ASSOCIATION

WORKPLACE HARASSMENT POLICY

I. Introduction

Echo Hills Homeowners Association (“Association”) is committed to providing an inclusive and welcoming environment for all and strives to foster an environment of diversity throughout the community. The Association is further committed to providing a community that is free from harassment and abuse.

In order to fulfill its duties, the Board of Directors (“Board”) is given the authority to contract with various services as they determine necessary or proper for the operation of the Association. (CC&Rs Article 3, Section 3.6). Although employees of these contracted companies are not employees of the Association, under California law, the Association is responsible for ensuring that those working for it have a safe environment to work in that is free of harassment¹.

Accordingly, the Association has implemented this Workplace Harassment Policy (“Policy”) to govern and regulate conduct and behavior that are harassing in nature, specifically with relation to workplace harassment, including but not limited to, verbal abuse, uncivil/unprofessional behavior, intimidation and threats. (collectively, “Prohibited Conduct” or “Harassing Acts”).

This Policy applies to all residents, owners, guests/invitees, Association staff/personnel, Association vendors and contractors and anyone else (collectively, “Individuals”) when on the Association’s property.

II. Prohibited Conduct

The Association is governed by the Restated Declaration of Covenants, Conditions and Restrictions for Echo Hills Homeowners Association (“CC&Rs”). Article 5, Section 5.3.14 of the CC&RS provides that no Owners shall “Engage in any type of harassment, illegal, noxious or offensive activity toward any Owners, residents, Association representatives, management representatives, Board members and/or vendors working in the Project.”

All Individuals are expected to refrain from all Harassing Acts against the Association’s Board of Directors (“Board”), Association personnel, Association vendors, the Association’s management team (“Management”). This prohibition includes any verbal abuse and/or threats, orally, in writing, and online as well as in-person conduct (*e.g.*, intimidation, yelling, and/or use of profanity). It shall be a violation of this Policy for any member, resident, Association staff member, or Association vendor or contractor to exhibit harassing and/or abusive behavior toward any Board member, Association personnel, Association vendor, Management, including without limitation, aggressive behavior, yelling, use of foul or belittling language, harassment, ridicule, and/or personal attacks.

¹ CA Govt Code § 12923 (2023)

It is also imperative that all Individuals strive to maintain a respectful and civil community, refraining from demeaning, humiliating, berating, or embarrassing others based on disagreements regarding Association policies, activities, conditions or actions, or based on any personal grounds.

III. Reports of Workplace Harassment within the Community

Should the Association receive reports of alleged harassment in the workplace, and following its reasonable opportunity to conduct a lawfully noticed Board meeting wherein this matter can be discussed, the Board may authorize an investigation into the claims and allegations. The Board can authorize a specific director, the community manager, the Association's legal counsel, or other qualified party to conduct the investigation. The investigation may involve inviting involved parties to investigatory hearings before the Board at which evidence can be presented.

Following a reasonable investigation conducted by the Association, the Board will make a determination as to whether workplace harassment has occurred and, if so, may levy a monetary penalty as set forth below.

IV. Policy Violations; Enforcement

All Individuals are required to conduct themselves in a manner that does not constitute harassment against: (1) Management; and (2) Association contractors, employees, directors, or committee members. Should the Association receive reports of a violation of this Policy by a resident or member, the following actions shall be taken:

1. **1st Violation** – Owners will be called to a hearing during which the Board will consider levying a monetary penalty in the amount of \$1,000.00 per violation, after notice and hearing, should there be reports and/or evidence of Prohibited Conduct(s). In addition, the Board reserves the right to suspend an owner's right to use the building amenities for a period of up to thirty (30) days.
2. **2nd Violation** – Owners will be called to a hearing during which the Board will consider levying a monetary penalty in the amount of \$1,500.00 per violation. In addition, the owner's right to use common area amenities may be suspended for up to an additional thirty (30) days.
3. **3rd and Subsequent Violations** – After additional notice and hearing, the Board may levy a monetary penalty in the amount of \$2,000.00 against the owner for the third and for each subsequent violation of this Policy. In addition, the owner's right to use the common area amenities may be suspended for up to an additional thirty (30) days.

The Association takes its obligation to protect the Association's vendors very seriously. In a case where a resident's behavior in any way jeopardizes the Association's beneficial contractual relationship with its managing agent or other vendors, the Association will seek to hold the appropriate parties responsible for any damages sustained. Please be advised that intentional interference with third-party contractual relations is a tort of intention which, among other things, carries punitive damages. In addition to the above, the Board may take any other enforcement actions as permitted by the Association's governing documents and applicable law.