

# **Westminster Presbyterian Church Anti-Harassment Policy**

## **Purpose**

This policy is intended to assure that Westminster Presbyterian Church (“Westminster”) takes all necessary steps to prevent unlawful harassment in the workplace and to correct harassing conduct, should it occur, before it becomes severe or pervasive. This policy, as well as Westminster’s Child/Youth Protection Policy, applies to non-ordained staff, volunteers, parishioners and all other persons while on Westminster premises except for ordained staff who are subject to similar rules of the New Castle Presbytery.

## **Definition of "Harassing Conduct"**

For the purposes of this policy, harassing conduct is defined as any unwelcome verbal, physical, or visual conduct that is based on any characteristic protected by law when:

- the behavior can reasonably be considered to adversely affect the work or worship environment;
- an employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct; or
- it has the purpose or effect of interfering with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Harassing conduct can take many forms and includes, but is not limited to: slurs, jokes, statements, gestures, assault, impeding or blocking another's movement or otherwise physically interfering with normal work, pictures, drawings, or cartoons based upon a person’s race, religion, disability, age, gender, sexual orientation, or other characteristic protected by law.

Sexually harassing conduct in particular includes all of these prohibited actions, as well as other unwelcome conduct, such as: unwelcome sexual flirtations, advances, or propositions; verbal abuse of a sexual nature; subtle pressure or requests for sexual activities; unnecessary touching of an individual; graphic comments about an individual’s body; a display in the workplace of sexually suggestive objects or pictures; sexually explicit or offensive jokes; or physical assault. Sexually harassing conduct can be by a person of either the same or opposite sex.

## **Policy Against Harassing Conduct**

Westminster strives to maintain an environment that fosters mutual employee respect and promotes harmonious, productive working and worship relationships. Westminster believes that harassment in any form constitutes misconduct that undermines the integrity of the employment or worship relationship.

Therefore, Westminster is committed to an environment on its premises that is free of sexual harassment (which includes harassment based on gender, sexual orientation, pregnancy, childbirth, or related medical conditions), as well as harassment based on such factors as race, color, creed, national origin, ancestry or citizenship, age, physical or mental disability, marital status, genetic info or any other categories protected by law.

The prohibition against harassment applies equally to all persons on the premises, including supervisors, co-workers, and non-employees such as volunteers, church members and visitors, vendors and contractors.

### **Duty to Report Harassing Conduct**

Westminster understands that victims of harassment may be embarrassed and reluctant to report acts of harassment for any number of reasons, such as fear of being blamed, concern about retaliation, or because it is difficult to discuss such matters openly with others. Westminster has a duty to protect all employees from harassing conduct in the workplace and, therefore requires employees to report any incident of harassment immediately. Similarly, volunteers or other persons on the premises should report any incident of harassment immediately. Prompt reporting of inappropriate conduct enables Westminster to take the corrective action necessary to stop the behavior before it becomes severe or pervasive.

Any employee who observes, or believes to have observed, any harassing conduct in the workplace must report that conduct immediately. The report should be made to the employee's direct supervisor unless the supervisor is the person engaged in the harassing conduct. In that case, or if there is any other reason why the employee would feel uncomfortable reporting the conduct to his or her direct supervisor, the report should be made to the Head of Staff, Church Administrator or Convener of the Personnel Committee. A supervisor who receives a complaint or who observes harassing conduct must immediately inform the Head of Staff or Church Administrator so that an investigation may be initiated. Persons other than employees who observe any harassing conduct on the premises should report the conduct to the Head of Staff or the Church Administrator.

## **Investigation of a Report of Harassment**

Every reported complaint of harassment will be investigated thoroughly and promptly. Typically, the investigation will include the following steps: (1) an interview of the person who lodged the harassment complaint to obtain complete details regarding the alleged harassment; (2) interviews of anyone who is alleged to have committed the acts of harassment to respond to the claims; and (3) interviews of any persons who may have witnessed or who may have knowledge of the alleged harassment. All Complaints and investigative interviews must be thoroughly documented at the time the information is received. Generally investigations and interviews shall be conducted by more than one person to provide corroboration of investigative reports.

The investigating official will notify the complainant and the accused party of the results of the investigation. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation. All persons involved in the investigation must maintain the confidentiality of information received in the investigation and divulge it only on a need to know basis.

Any complaint against a church member which alleges a violation of the Scriptures or Constitution of the Presbyterian Church (USA) must be investigated, pursued and resolved in accordance with the Rules of Discipline in the Book of Order.

## **Corrective Action; Non-Retaliation**

Westminster will not tolerate retaliation against any person for making a good faith complaint of harassment or for cooperating in an investigation. If an employee feels that he or she has been subjected to any form of retaliation, the employee must report that conduct to his or her immediate supervisor, Head of Staff, Church Administrator or Convener of the Personnel Committee without delay.

If harassment or retaliation is established, Westminster will take corrective action. Corrective action may include, for example: training, referral to counseling, or disciplinary action ranging from a verbal or written warning to termination of employment, depending on the circumstances.