

POLICY PROHIBITING HARASSMENT

Authority

The Church strives to provide a safe, positive working climate for its administrative, professional and support employees. Therefore, it shall be the policy of the Church to maintain an employment environment in which harassment in any form is not tolerated.

The Church prohibits all forms of unlawful harassment of employees and third parties by all Church program participants and staff members, contracted individuals, vendors, volunteers, and third parties. The Church encourages employees and third parties who have been harassed to promptly report such incidents to the Compliance Officer. [1][2][3][4][5] All Church employees or members who witness or who have been informed of conduct that may constitute a violation of this policy are encouraged to report the conduct to the Compliance Officer.

The Church directs that complaints of harassment be investigated promptly, and corrective action taken when allegations are substantiated. Likewise, actions designed to reasonably prevent any future occurrence of the harassment should be implemented. Confidentiality of all parties shall be maintained to the extent possible, consistent with the Church's legal and investigative obligations.

No retaliation shall occur as a result of the making of a good faith complaint of harassment or the participation in any investigation of harassment and a complaint of retaliation will be investigated in the same manner as the original complaint of harassment

Definitions

For purposes of this policy, harassment is defined as verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, sex, age, disability, religion or when such conduct: [4][5]

1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to perform job functions or creates an intimidating, threatening or abusive work environment or impacts an individual's access to or participation in Church activities.
2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance or access to or participation in Church activities.
3. Otherwise adversely affects an individual's employment opportunities or the access to or participation in Church activities.

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when: [6]

1. Acceptance of such conduct is made, explicitly or implicitly, a term or condition of an individual's continued employment or the access to or participation in Church activities;
2. Submission to or rejection of such conduct is the basis for employment or other decisions affecting the individual.
3. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the employee's job performance or adversely interfering with the

access to or participation in Church activities, or creating an intimidating, hostile or offensive working or Church environment.

Delegation of Responsibility

In order to maintain a work environment that prevents and prohibits unlawful harassment, the Church designates the Chair of the Administration and Personnel Committee as the Compliance Officer. The identity of the Chair is contained on the Church's website at Lenapevalleychurch.org.

The Compliance Officer shall publish on the Church website and the complaint procedure to church members, employees, independent contractors, and vendors. The publication shall include the position, office address and telephone number of the Compliance Officer. The Compliance Officer may delegate responsibility for the investigation of any complaint.

The Church shall offer training for its members, program participants and Church employees regarding unlawful harassment.

Each employee, volunteer and Church Member is responsible for maintaining a working environment free from all forms of unlawful harassment.

Upon receipt of a complaint of harassment, the supervisor or designee shall:

1. Notify the Compliance Officer
2. Inform the employee or third party of the right to file a written complaint and the complaint procedure that will be followed for the investigation of the oral or written complaint including the identity of the individual who will be conducting the investigation.
3. Notify the complainant and the accused of the progress of the investigation at appropriate stages of the procedure.
4. Refer the complainant to the Compliance officer if the supervisor is the subject of the complaint.

Guidelines

The investigation process shall follow the procedures set forth in the Church Non-Discrimination Policy. A copy of the Non-discrimination Policy and this Policy shall be provided to the Complainant and Respondent.

A complaint alleging retaliation shall also be investigated in the same manner as under the Non-Discrimination policy.

Step 4 – Church Action

If the investigation results in a finding that the complaint is substantiated and that the conduct constitutes a violation of this policy, the Church shall take prompt, corrective action to ensure that such conduct immediately ceases and will not recur. Church staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. The respondent shall be informed of the corrective action.

Disciplinary actions shall be consistent with Church policies, Church procedures, and state and federal laws and may include termination of employment.

Appeal Procedure

1. If the complainant is not satisfied with the result of the investigation, s/he may submit a written appeal to the Senior Pastor within fifteen (15) days.
2. The Senior Pastor shall review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Senior Pastor shall prepare a written response to the appeal within fifteen (15) days. Subject to applicable confidentiality obligations, copies of the response shall be provided to the complainant, the accused and the individual who conducted the initial investigation.
4. No other appeal is available except as provided by state and federal laws, statutes and regulations.

Legal

1. 43 P.S. 951 et seq
2. 20 U.S.C. 1681 et seq
3. 42 U.S.C. 2000e et seq
4. 42 U.S.C. 2000ff et seq
5. 29 CFR 1606.8
6. 29 CFR 1604.11
7. Pol. 104
8. Pol. 317

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