

1.05 Sexual Harassment Policy

Policy Title	1.05 Sexual Harassment Policy
Policy Owner	Human Resources Department
Policy Approver(s)	Director of Human Resources, CFO, COO, President
Related Policies	Non-Harassment Policy
Related Procedures	Ethics Reporting
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Purpose

Harassment in all of its forms has a negative impact on personnel and the overall productivity and ability to meet the mission of CTSFW. Any member of personnel who is harassed may suffer from a range of physical, mental, and emotional stresses that may reduce their well-being, keep them away from work, and negatively affect their productivity. A harassed member of personnel may even resign, which decreases morale and increases both turnover and labor-related costs.

CTSFW is committed to the prevention and eradication of harassment in the workplace in all its forms. Harassment is against the law and will not be tolerated under any circumstances by CTSFW. The purpose of this policy is to prevent harassment in the workplace, to communicate the rights and responsibilities of those involved in a harassment claim, and to alleviate effects in the event harassment does occur.

Scope

This policy applies to all personnel of CTSFW, regardless of status or position, including faculty, ordained and commissioned staff, all other staff, temporary workers, contractors and consultants.

This policy also applies to any acts of harassment that may occur between personnel and non-personnel (potential members of personnel, customers, clients, vendors, business partners, couriers, etc.).

Responsibilities

The Human Resources Department and members of the management and the executive team are responsible for receiving, mediating and investigating harassment complaints. This includes having a thorough knowledge of procedure, the extent of the limits of their decision-making and action-taking authority, and how to support the personnel involved.

A member of personnel making a claim of harassment will be expected to follow the stated procedure for filing a claim.

All parties involved in a harassment claim will be informed of the nature of the investigation to take place (if any), who will make the decisions, and whether the decision can be appealed.

To prevent conflict of interest, the individual charged with investigating the claim should not be the same person as the accused, nor should these individuals possess any bias for or against either the claimant or the accused.

Definitions

- Sexual Harassment – Unwelcome behavior with deliberate sexual undertones or advances that embarrasses, demeans or humiliates another, which any reasonable person would recognize as unwelcome. Sexual Harassment can take the form of actions (e.g. touching), displays (e.g. posters), and comments (e.g. joking).
- Retaliation – Negative responses by the accused or others against the individual reporting a possible policy violation or those participating in an investigation related to this policy. Retaliation is not allowed. Retaliation may include, but is not limited to threats or any adverse action against an individual because of the situation.

Governing Laws and Regulations

United States

- Civil Rights Act

Policy

General Principles

1. All personnel have the right to work in a harassment-free environment.
2. All personnel have a responsibility to treat others with respect.
3. All personnel should report any actions that they believe may violate this policy, no matter how slight the actions may seem.
4. Executives and managers at CTSFW must commit to identifying, mitigating and eliminating discrimination in the workplace in order to promote a safe and healthy work environment for everyone.

5. All personnel are encouraged to speak up, even directly with the harasser, when they see harassment occurring and feel safe doing so.
6. Harassment is prohibited related to race, national or ethnic origin, color, religion, age, gender, sexual orientation, marital or family status, disability, pregnancy, childbirth, or related medical conditions, genetic information, or differences in authority. Harassment also includes an individual being ostracized by colleagues.
7. Other demeaning or disrespectful behavior not addressed by the prohibited grounds stated above is prohibited.
8. All CTSFW personnel are required to receive formal anti-harassment training on a yearly basis.
9. All claims of harassment will be taken seriously and investigated promptly.
10. Even if no formal complaint has been filed, management has the responsibility to resolve instances of harassment as soon as the instance has been brought to their attention.

Sexual Harassment

1. Often sexual harassment takes place between people of unequal power in the workplace or is directed towards someone in a position of vulnerability due to their being in the minority.
2. Sexual harassment includes offensive, unwelcome, or intimidating behavior relating to a person's gender, or could reasonably be thought to put sexual conditions on a person's employment or employment opportunities. Examples of these behaviors include:
 - a. Touching a person in a sexual way.
 - b. Commenting on someone's sexual attractiveness or unattractiveness.
 - c. Persistence in asking for a date after having been refused.
 - d. Discussions or questions about a person's sexual life.
 - e. Looking or staring at someone in a sexually suggestive way.
 - f. Writing sexually suggestive messages.
 - g. Displaying images of a sexual nature.
 - h. Telling someone that they are not suited to a particular job because of gender.

Abuse of Authority

1. Abuse of authority occurs when a person unreasonably uses their power or authority to interfere with a member of personnel or their job. It includes intimidation, threats, coercion, and humiliation. It does not include normal managerial activities such as performance appraisal, counseling and discipline as long as they are not done in a discriminatory manner.

Sexual Harassment Complaints

1. Many personnel are afraid to file a harassment complaint for fear of embarrassment, retaliation, job loss, rejection by colleagues, or not being believed. A complaint-free workplace does not guarantee that harassment problems do not exist.

2. Harassment complaints may be informal or formal.
 - a. Informal – These complaints do not involve a formal investigation, report or decision and are usually initiated by a personnel in order to gain help, advice or intervention.
 - b. Formal – These complaints typically result in investigation, a report, and a final decision on action to be taken.
3. Any personnel making a claim of harassment will be protected by anonymity whenever possible. Personnel will not be penalized or retaliated against for reporting improper conduct, harassment, discrimination, retaliation, or other actions that are believed to violate this policy.
4. Mediation by an objective third-party is available to resolve complaints, but only with the consent of both the complainant and the accused. Mediation is not recommended where a power discrepancy exists or in cases of severe harassment where termination may result. Mediation can be terminated at any time and escalated to a formal investigation.
5. The formal process for resolving harassment claims is:
 - a. Filing a complaint – File formal harassment complaints with the Director of Human Resources.
 - b. Investigating a complaint – An independent and objective investigator will be assigned by Human Resources. This individual will interview all parties involved in the complaint, as well as witnesses, to determine the veracity of the claim.
 - c. Reporting of findings – The report will state who was interviewed, what questions were asked, conclusions, and recommended remedies and/or actions.
 - d. Decision-making and appeals – A decision will be made by Human Resources within 30 days of receipt of the findings report. The decision will (and must) follow directly from the information in the findings report. Both the complainant and the harasser have ten days from the announcement of the decision to launch an appeal of that decision.
 - e. Remedies for the victim – Remedies can include an apology from the harasser (if appropriate), financial compensation, and reparations for lost job opportunities.
 - f. Corrective action for the harasser – Corrective action can include written reprimand, leave without pay, demotion, and/or termination.
6. All personnel found guilty of harassment will be required to undergo additional anti-harassment training, assuming they are still employed by CTSFW at the conclusion of the claim investigation.

If a member of personnel is unsatisfied with the outcome of the internal harassment investigation, he or she may contact a member of management or use the Whistleblower Hotline.

Non-Compliance

Violations of this policy will be treated like other allegations of wrongdoing at CTSFW. Allegations of misconduct will be adjudicated according to established procedures. Sanctions for violation of this policy may include, but are not limited to, one or more of the following:

- Temporary or permanent revocation of system access;
- Disciplinary action according to applicable policies;
- Termination of employment; and/or
- Legal action according to applicable laws and contractual agreements.