



ANTI-HARASSMENT POLICY

For Lemoore Presbyterian Church (LPC)

Respect for the dignity and worth of each individual is a basic tenet of the Church. We strive to create and maintain an environment in which people are treated with dignity, decency and respect. Our environment should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Everyone should be able to work and learn in a safe yet stimulating atmosphere. The accomplishment of this goal is essential to our mission.

Harassment, including any form of sexual misconduct, is not acceptable. Accordingly, it is the policy of this congregation that it is never permissible or acceptable for anyone to engage in any form of harassment, including any form of sexual misconduct.

This Policy applies to all church members and staff and to all volunteers and independent contractors. Through enforcement and education, we will seek to prevent, correct and discipline behavior that violates this Policy.

This Policy is intended to cover prohibited conduct directed to legally capable persons age 18 and over, and complements our Child and Youth Protection Policy, which pertains to any misconduct relating to children and youth under the age of 18 and endangered adults.

PROHIBITED CONDUCT UNDER THIS POLICY

We prohibit harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this Policy. For purposes of this Policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce another person. In compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, we enforce this Policy in accordance with the following definitions and guidelines.

- a. **Verbal Harassment:** Verbal harassment includes, without limitation, comments that are offensive or unwelcome regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs and negative stereotyping.
- b. **Nonverbal Harassment:** Nonverbal harassment includes, without limitation, distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital or other protected status.
- c. **Sexual Harassment:** Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under our anti-harassment policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . . when . . . submission to or rejection of such conduct is used as the basis for employment decisions . . . or such conduct has the purpose or effect of . . . creating an intimidating, hostile or offensive working environment." Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature are directed to another person.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this Policy:

- **Verbal Sexual Harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or “kidding” that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- **Nonverbal Sexual Harassment** includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets and Internet postings; or other form of communication that is sexual in nature and offensive.
- **Physical Sexual Harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling, and forced sexual intercourse or assault. Courteous, mutually respectful, pleasant, non-coercive interactions between employees, including men and women, that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

RETALIATION

Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process is forbidden and is a violation of this Policy. Retaliation is any hardship, loss, benefit or penalty imposed on any person in response to:

1. Filing or responding to a bona fide complaint of discrimination or harassment.
2. Appearing as a witness in the investigation of a complaint.
3. Serving as an investigator of a complaint.

EDUCATION AND TRAINING ABOUT WHAT CONSTITUTES HARASSMENT

The education and training of those covered by this Policy will include but not be limited to the following:

- Giving a copy of this Policy to all staff, independent contractors and volunteers.
- Training all pastors and staff about this Policy.
- Training all newly elected/ordained Elders, Deacons and Trustees about this Policy in our regular annual officer training sessions. Attendance at the training session(s) at which this Policy is discussed is mandatory.
- Giving all returning Elders, Deacons and Trustees a copy of this Policy with a reminder that the Policy is in force and that they are obliged to abide by it.
- Providing information to the congregation about this Policy and its procedures for identifying and reporting all types of harassment.

REPORTING AN ALLEGED VIOLATION OF THIS POLICY

Any person who feels that he or she has been subject to any type of harassment, including sexual misconduct, is encouraged (but not required) to firmly and promptly notify the offender that the behavior is inappropriate and violates this Policy. Moreover, an individual who believes he or she has been the victim of or who has witnessed harassment, including sexual misconduct, should promptly bring such conduct to the attention of his or her immediate supervisor; the Director, Church Administration and Human Resources; and/or our Pastor/Head of Staff.

If a supervisor or manager becomes aware that harassment or discrimination is occurring, either from personal observation or as a result of an individual coming forward, the supervisor or manager should immediately report it to the Director, Church Administration and Human Resources, the Head of Staff or

Clerk of Session, as appropriate. Failure to promptly report incidents of harassment will hinder our ability to initiate investigation of a complaint of harassment and may limit our ability to stop and prevent further harassment. Cooperation in reporting acts of harassment is essential to an anti-harassment policy.

We will treat courteously any person who makes a complaint regarding an alleged violation of this Policy and all such complaints will be handled as swiftly as reasonably possible in light of the need for appropriate corrective action. Individuals who report alleged violations of this Policy are encouraged to provide as much information as possible so that a fair and effective investigation may follow. Any person who reports an alleged violation of this Policy and who believes that the report has not been satisfactorily resolved should promptly report the matter to the Pastor/Head of Staff or, if the Head of Staff is unavailable or is the alleged harasser, to the Clerk of Session.

Lodging a complaint will in no way be used against the complainant, nor shall it have an adverse effect on such an individual's status. Retaliation is a serious violation of this Policy and should be reported immediately.

ADDRESSING COMPLAINTS OF HARASSMENT, INCLUDING SEXUAL MISCONDUCT

The following general procedures and potential consequences are applicable when addressing a complaint of harassment, including sexual misconduct.

General Procedures

We will promptly initiate an appropriate investigation of all allegations of harassment.

Investigations will be conducted by either the Presbytery (if the accused is a member of the ordained staff or is a ruling elder commissioned to pastoral service in congregations of the presbytery), the Session (if the accused is a Church member) or the Personnel Committee (if the accused is a non-member employee, volunteer or independent contractor). Such investigation shall be carried out with due regard for the personal dignity and privacy of all parties involved.

Regardless of who conducts the investigation, we will take preliminary measures reasonably designed to ensure that no harassment occurs while such an investigation is in progress.

Following the conclusion of the investigation, appropriate corrective action will be taken as follows:

- If it is determined that a person has violated this Policy, such person will be subject to appropriate corrective measures commensurate with the seriousness of the particular offense or other relevant circumstances;
- If it is determined that no violation of this Policy has occurred, or that the investigation was inconclusive, we reserve the right to take appropriate corrective measures;
- If it is determined that the complaining party falsely accused another of harassment, knowingly or in a malicious manner, the complaining party will be subject to appropriate corrective measures. In all cases, the person who made the complaint and the alleged harasser will be advised of the outcome of the investigation.

POTENTIAL CONSEQUENCES FOR VIOLATION OF THIS POLICY

Allegations Against a Person Subject to the Book of Order

Based on the seriousness of the offense, disciplinary action involving a person subject to the Book of Order may include any of the forms of censure specified in the Book of Order (see Section D-12.0101).

In the event a person subject to the Book of Order is serving as an employee, volunteer or independent contractor, a violation of this Policy could also result in one or more of the consequences listed below.

Allegations Against a Person not Subject to the Book of Order

Depending upon the status of the person being disciplined, consequences for violation of this Policy could include verbal or written reprimand, suspension or termination of employment, removal from a position of leadership or other responsibility and/or contract termination.