



ROOTED SPIRIT SANCTUARY MINISTRIES

A California Non-Profit Corporation

SEXUAL HARASSMENT POLICY

The Policy Statement

Rooted Spirit Sanctuary Ministries is committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work including sexual harassment. Rooted Spirit Sanctuary Ministries will operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously, and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment.

All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimized for making such a complaint.

Definition of Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated, and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating, or humiliating for the recipient.

Sexual harassment can involve one or more incidents, and actions constituting harassment may be physical, verbal, or non-verbal. Examples of conduct or behavior which constitute sexual harassment include, but are not limited to:

Physical conduct

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- Physical contact, e.g. touching, pinching
- The use of job-related threats or rewards to solicit sexual favors

Verbal conduct

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories, and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex or gender of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

Non-verbal conduct

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Leering

Anyone can be a victim of sexual harassment, regardless of their sex or gender, and of the sex or gender of the harasser. Rooted Spirit Sanctuary Ministries recognizes that sexual harassment may also occur between people of the same sex or gender. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

Rooted Spirit Sanctuary Ministries recognizes that sexual harassment is a manifestation of real or perceived power relationships and often occurs within unequal relationships (real or perceived) in the workplace, for example between manager or supervisor and employee.

Anyone—including employees of Rooted Spirit Sanctuary Ministries, church members, contractors, or visitors—who sexually harasses another will be reprimanded in accordance with this internal policy.

All sexual harassment is prohibited whether it takes place within Rooted Spirit Sanctuary Ministries premises or outside—including at social events, business trips, training sessions or retreats sponsored by Rooted Spirit Sanctuary Ministries.

Complaints Procedures

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. Rooted Spirit Sanctuary Ministries recognizes that sexual harassment may occur in unequal relationships (i.e. between a supervisor and his/her employee) and that it may not be possible for the victim to inform the alleged harasser.

If a victim cannot directly approach an alleged harasser, or feels unsafe to do so, they can approach one of the designated staff members responsible for receiving complaints of sexual harassment. This person could be another supervisor, a member of the human resources department, etc.

When a designated person receives a complaint of sexual harassment, they will:

- immediately record the dates, times and facts of the incident(s)
- ascertain the views of the victim as to what outcome they want
- ensure that the victim understands the organization's procedures for dealing with the complaint
- discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if they are not satisfied with the outcome
- keep a confidential record of all discussions
- respect the choice of the victim
- ensure that the victim knows that they can lodge the complaint outside of the organization through the relevant country/legal framework

Informal Complaints Mechanism

If the victim wishes to deal with the matter informally, the designated person will:

- give an opportunity to the alleged harasser to respond to the complaint
- ensure that the alleged harasser understands the complaints mechanism
- facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator within the organization to resolve the matter
- ensure that a confidential record is kept of what happens
- follow up after the outcome of the complaints mechanism to ensure that the behavior has stopped
- ensure that the above is done speedily and within 14 days of the complaint being made

Formal Complaints Mechanism

If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.

The designated person who initially received the complaint will refer the matter to a senior human resources manager to instigate a formal investigation. The senior human resources manager may deal with the matter themselves, refer the matter to an internal or external investigator, or refer it to a committee of three others in accordance with this policy.

The person carrying out the investigation will:

- interview the victim and the alleged harasser separately
- interview other relevant third parties separately
- decide whether or not the incident(s) of sexual harassment took place
- produce a report detailing the investigations, findings, and any recommendations
- if the harassment took place, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e. an apology, a change to working arrangements, a promotion if the victim was demoted as a result of the harassment, training for the harasser, discipline, suspension, dismissal)
- follow up to ensure that the recommendations are implemented, that the behavior has stopped, and that the victim is satisfied with the outcome
- if it cannot be determined that the harassment took place, they may still make recommendations to ensure proper functioning of the workplace
- keep a record of all actions taken
- ensure that all records concerning the matter are kept confidential
- ensure that the process is done as quickly as possible and in any event within 14 days of the complaint being made

[Explanation note: Organizations will need to create specific complaints mechanism to meet their needs. For instance a small organization may not be able to have a panel of three to decide on sexual harassment claims, and it may be more appropriate to have certain individuals trained in the organization to investigate the complaints. If a committee is created to carry out the investigation, the committee should be set up bearing in mind gender-balance and could include, a representative of the organization, a worker representative, etc.

The Committee members, just as HR personnel or investigators dealing with sexual harassment, should be trained on understanding and deciding what constitutes sexual harassment, how to investigate it, etc.

It is also vital that the wishes and needs of the victim are incorporated into the outcome of the complaints mechanism. For example, if it is found that a victim was harassed by a colleague and that they work together on a daily basis; the views of the victim should be ascertained before making a decision on re-organizing the office. For example, the victim may not want to be moved to a different department and as the victim, he/she should be entitled to decide this and not be re-victimized by being forced to move within the organization.]

Outside complaints mechanisms

A person who has been subject to sexual harassment can also make a complaint outside of the organization. They can do so through [insert mechanism depending on State/legal framework, etc].

[Explanation note: This section is intended to inform employees of their rights to use other state or federal mechanisms that may be available to them. Some employees may not feel comfortable bringing a complaint through the disciplinary measures at work and they should be informed of their right to seek a remedy elsewhere. The internal policy of an organization cannot prevent an employee from also using the national mechanisms available to him or her.]

Sanctions and disciplinary measures

Anyone who has been found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:

- verbal or written warning
- adverse performance evaluation
- reduction in wages
- transfer

- demotion
- suspension
- dismissal

The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial. Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser.

[Explanation note: The policy should be applied consistently throughout the organization and sanctions should be based on the gravity of the conduct. Suitable deterrent sanctions should be included in workplace policies on sexual harassment to ensure that incidences of sexual harassment are not treated as trivial events. They should become part and parcel of organization regulations and/or collective labor agreements].

Implementation of this policy

[YOUR ORGANIZATION NAME] will ensure that this policy is widely disseminated to all relevant persons. It will be included in the bylaws. All new employees must be trained on the content of this policy as part of their induction into the organization.

Every year, [YOUR ORGANIZATION NAME] will require all employees to attend a refresher training course on the content of this policy.

It is the responsibility of every manager to ensure that all his/her employees are aware of the policy.

[Explanation note: This creates an obligation on the organization to ensure that all employees are aware of the policy.]

Monitoring and evaluation

[YOUR ORGANIZATION NAME] recognizes the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective.

Supervisors, managers and those responsible for dealing with sexual harassment cases will report on compliance with this policy, including the number of incidents, how they were dealt with, and

any recommendations made. This will be done on a yearly basis. As a result of this report, the organization will evaluate the effectiveness of this policy and make any changes needed.

[Explanation note: Monitoring and evaluation can be done through different means, including questionnaires completed by employees, feedback from victims or those who work in the complaints procedure. This is important to review the effectiveness of the policy and the complaints procedure.]