

# *Muslim Academy of Greater Orlando*

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## **MAGO**

### **Harassment Policy**

MAGO is committed to the elimination of discrimination on the grounds of sex, marital status, sexual orientation, race, color, nationality, creed, or religious belief, ethnic or national origins, age and disability. It is the right of every member of staff to work or study without fear of harassment or victimization. MAGO recognizes the problems associated with harassment and are committed to providing an environment in which all individuals can operate effectively, confidently and competently. If a complaint is brought to the attention of management, it will be investigated promptly and appropriate action taken.

### **What is Harassment?**

Harassment is defined as any conduct which is unwanted by the recipient, or any such conduct based on the characteristics below which affects the dignity of any individual, or group of individuals at work. Harassment may be repetitive, or an isolated occurrence against one or more individuals. Harassment may be:

Physical	Contact, assault or gestures, intimidation, aggressive behavior
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Verbal	Unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter based on any of the above characteristics
Non-verbal	Offensive literature or pictures, graffiti and computer imagery, isolation or non co-operation and exclusion from social activities
Bullying	Persistent, offensive, abusive, intimidating or insulting behavior, abuse of power or unfair sanctions which makes the recipient feel upset, threatened, humiliated or vulnerable, which undermines their self-confidence and which may cause them to suffer stress.

### **Responsibilities**

It is the duty of every member MAGO and those visiting MAGO premises, to take responsibility for their behavior and modify it if necessary, as harassment is not acceptable under any circumstances. In the

event of a failure to do so, disciplinary action in accordance with MAGO's procedure may be a consequence and anyone found responsible may also be held personally liable should the person who has been harassed undertake legal proceedings. The Principal is required to ensure that the policy is effectively applied and that harassment does not occur.

Anyone experiencing harassment has the right to avail themselves of this procedure on harassment, irrespective of the right, which may exist to pursue a grievance through the school. MAGO will ensure that this policy is widely publicized and its contents made known to all staff (including teaching assistant staff), students, and parent visitors.

You are entitled to expect MAGO to institute a formal investigation into a written complaint and have the right to institute grievance proceedings against management for failing to investigate and take appropriate action.

### **Supportive Framework**

MAGO recognizes that making a complaint of harassment is likely to be a distressing experience and that it may be difficult for employees to raise complaints directly with their Principal. Accordingly, teachers may approach a colleague, to raise the issue with management on their behalf in line with this procedure.

If one of the parties concerned in a personal harassment case has to be removed from the workplace, then as a matter of principle, MAGO will remove the alleged harasser.

## **Procedure for dealing with Harassment**

This procedure has been designed to deal with complaints of harassment, which need to be handled in a sensitive manner. The procedure, therefore, seeks to ensure minimal stress for the complainant, timely resolution of complaints and a degree of flexibility appropriate to individual circumstances

At all stages of the procedure, the need to maintain confidentiality will be paramount. Information circulation will be minimized to that which is necessary to ensure a fair investigation and hearing.

This procedure is separate from the disciplinary procedure, which may be used following the results of the investigation under this procedure. Alternatively, an incident may be so serious, or there may be sufficient evidence to proceed straight away with the disciplinary procedure.

It is recognized that in bringing a complaint, the complainant must be protected from further harassment or detriment arising from the alleged incident and associated complaint.

### **Keeping a record**

It is important that anyone who believes that they have suffered from harassment should keep notes of the details outlined below for each incident and that they are made as soon after the event as possible.

Detailed notes should include the following:

- Date;
- Time;
- Place;
- Name of person harassing them;
- What actually happened?

- How the person actually felt at the time;
- Name of any witnesses;
- Action taken and whether reported to management;
- Any correspondence relating to the incidents and subsequent complaints.

### Stage 1

Wherever possible you should make every effort to resolve the issue informally. You should make it clear to the offender that the behavior is not welcomed and must stop. If you are too embarrassed to speak to them directly, you could do so in writing or ask a colleague to do it for you. A note should be made of the action you have taken.

### Stage 2

If you feel unable to take personal action or the behavior continues then you are advised to contact the Board, whose role will be to make known to you what options are available.

Any discussion will be confidential and no further action will be taken without your consent.

Options that are available at this stage are:

- to take no further action but to record any further incidents and keep the situation under review;
- ask the harasser to stop the offending behavior and again keep the situation under review;
- make a formal complaint.

No record will be kept on personal files, but it is recommended that you make a note of the meeting.

### Stage 3 – Formal Complaint

If you wish to make a formal complaint this should be put in writing to your Principal. The letter must specify that it is a formal complaint and give details of the incident(s) and what action you have taken to date.

## **Investigation Procedure**

The purpose of the investigation is to protect the rights of both parties and ensure that both are entitled to a full and fair opportunity to put forward their version of events. This procedure will be conducted in the presence of a Board Official.

### **Time Limits**

The investigation must be completed as expeditiously as possible. The complainant and the alleged harasser must both be kept informed of the likely timescale for completion of the investigation.

### **Investigating Panel**

The investigation will be carried out by a panel comprising the manager who received the complaint, the Director of Personnel and Administration and a Vice Principal. No party should be connected with the case in any way. The panel should reflect the nature of the complaint in terms of race/sex/disability as far as possible. This may require bringing in a third person to the panel, or seeking a manager from a different department. The Director of Personnel and Administration will provide advice on this matter.

The person against whom the complaint has been made should be informed of the nature of the complaint and sent a copy of the letter, details of the procedure involved and advised to seek representation.

### **Action**

The Board panel will consider the facts and will decide:

- That the allegation has not been substantiated;
- To initiate MAGO's agreed disciplinary procedure;
- Take Board management action.

This could include:

- setting up arrangements to monitor the situation;
- required attendance on training courses;
- making arrangements for both parties to work as separately as possible within the same workplace;
- a further period of compassionate leave.

The decision will be given to both parties in writing as soon as is practicable

### **Keeping management records**

After a complaint has been investigated, the following arrangements should be followed:

- Where the complaint is not substantiated, then no record will be kept on the alleged harasser's file.
- Where the matter proceeds to a disciplinary hearing, then the storage of records should be in accordance with the disciplinary procedure

### **Action when complainant is dissatisfied**

The decision of the investigating panel is final and binding, however the complainant and the alleged harasser have the right under MAGO's Grievance Procedure to challenge the way in which the decision was reached.

### **The disciplinary process**

If the decision of the investigating panel is to initiate MAGO's disciplinary procedure, then the normal rules of the procedure will be applied. However in addition the following points should be taken into account.

- The complainant will be asked to provide a signed witness statement and may be required to attend as a witness although every effort will be made to avoid this.
- If required to attend, the complainant will be allowed to be accompanied by a friend or trade union representative who may speak on their behalf.

- All documentation considered by the investigating panel will be provided to the parties involved in the disciplinary process.

### **Serious Criminal Offences**

In cases of alleged assault or alleged behavior that is considered to be a criminal offence, MAGO will contact the Police for the appropriate action if the complainant so wishes and/or MAGO consider the incident to be a serious criminal offence.

The Board will uphold its policy and protect staff that could be victims of parent harassment or ridicule as it is MAGO's prime goal to keep this school's environment a healthy and safe place to work in.