

HARASSMENT-FREE WORKPLACE POLICY

The Presbytery of Utah is committed to maintaining a workplace free of harassment. This policy defines what harassment is, why it is harmful, and when it is illegal. We include our steps to prevent harassment, and our process to report, investigate, and respond to complaints of harassment. We do not tolerate intimidation, humiliation, physical or mental abuse in our workplace. Those found to engage in this behavior will be disciplined, up to and including termination.

Definition

Harassment is unwelcome or offensive behavior. It becomes unlawful when (1) enduring the offensive conduct becomes a condition of continued employment, and/or (2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. If the harassment is based on race, color, national origin, age, sexual orientation, gender identity, religion, ethnicity characteristics, sex (including pregnancy), national origin, disability, or genetic information, it can be a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, or the Americans with Disabilities Act of 1990. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Offensive Conduct

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Harassment can occur in a variety of circumstances, such as:

- The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct, also known as third-party harassment.

Types of Harassment

1. **Physical** or threatening behavior toward a person or property – in its extreme, it can be termed assault.
2. **Personal/Psychological** harassment can include bullying, where the victim is subjected to unwanted remarks, insults, offensive and derogatory statements.
3. **Discriminatory** harassment is directed at someone's race, age, sex, or other form of protected class (as listed above), who is subjected to offensive remarks.
4. **Cyberbullying** harassment is threatening or offensive conduct on social media. It spreads quickly and can easily get out of hand. Cyberbullying is very serious and has caused victims to take their own life.
5. **Sexual** harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature on the part of supervisors, employees, and non-employees. See separate policy in this Handbook.
6. **Third-party** harassment is often someone who witnesses harassment in the workplace and is adversely affected by it.

Actions to Prevent Harassment

- This Harassment-Free Workplace policy is required reading by all new employees.
- We strive to create a work environment where staff feels free to raise concerns and are confident those concerns will be addressed.
- The Chair of Personnel ensures that the Harassment-free workplace policy is read and understood by Presbytery staff.
- Annual Harassment Awareness Training, that includes specific Sexual Harassment Awareness Training, will be required for all staff persons, and is recommended for members of Session, Deacons, and key church volunteers. These awareness sessions for the staff of the Presbytery of Utah should be documented and recorded by the Stated Clerk.
- Staff persons who find themselves the target of harassment or in a situation that makes them feel uncomfortable are strongly encouraged to inform the harasser directly that the conduct is unwelcome and must stop, and discuss the situation with the Executive Presbyter or a member of the Personnel Committee. Incidents of harassment should be reported to management at an early stage to prevent escalation.
- If personal safety for a staff person or others in the workplace is determined to exist, the offender can be removed from premises. The incident must be reported to the Executive Presbyter and may be followed by an investigation and possible termination.
- If serious harassment is observed or reported, such as assault, verbal or written threats, steps should be taken to separate the parties, with or without the aid of police. The incident must be reported to the Executive Presbyter and the Stated Clerk who may take immediate steps as deemed appropriate, including forming of a Response Team. Please see this procedure outlined in the Sexual Misconduct Policy.
- If the harassment continues and the staff person wishes to formally document the harassment, a formal letter of complaint needs to be sent to the Stated Clerk who then initiates an investigation committee according to the Presbytery's policies.