

First Presbyterian Church of Huntsville Sexual Misconduct Policy

Harassment

Harassment is defined as unreasonable discriminatory treatment, actions, or behavior initiated against an employee based on protected class status such as race, color, religion, sex, national origin, age, disability, or veteran status. The word employee encompasses all paid staff as well as any and all unpaid volunteers.

Sexual Harassment

Sexual harassment, according to the EEOC, is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when

- submission or rejection by an individual is used as a basis for an employment decision affecting the individual, or
- submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, or
- such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment is not gender-specific; men as well as women can be victims, and harassers may be of the same sex as the victims.

Subject to the above EEOC definition, some examples of behaviors or actions that may be considered sexually harassing include, but are not limited to, the following:

- commenting on or describing sexual activities,
- initiating unwanted or unnecessary physical touching,
- making unwelcome verbal requests or pressuring for sexual favors,
- staring or leering at coworkers in an offensive manner,
- displaying offensive sexual material,
- any innuendo that could be perceived as offensive,
- describing an individual's physical anatomy in a sexually offensive manner, or
- using crude and offensive sexual language.

Reporting

If an employee believes he or she has been harassed or sexually harassed, the employee should report the alleged behavior immediately to the Pastor or Chair of the Personnel Committee.

Retaliation against individuals who file complaints regarding harassment or provide information relevant to such complaints is strictly prohibited and will not be tolerated.

Investigations

Each issue will be reviewed independently. The pastor, the chair of the Personnel Committee, and one other member of the committee chosen by the chair of the committee will conduct investigations relating to harassment or sexual harassment in a reasonably prompt, thorough and impartial manner. If the issue is with the pastor the Clerk of the Session will serve on the investigating committee in the pastor's place.

Only appropriate witnesses and other personnel (in a need-to-know capacity) will be contacted during the investigation. Confidentiality will be maintained to the extent reasonably possible.

Appropriate action will be taken at the conclusion of each case, after relevant information is reviewed and thoroughly evaluated.

Criminal Charges

In the event an employee believes that a criminal offense may have been committed, the individual is encouraged to report relevant information to the appropriate law enforcement authority for investigation and other appropriate action.

Pastor's / Personnel Committee Chair Responsibility

The Pastor or the Personnel Committee chair are responsible for taking appropriate and timely action to respond to allegations of harassment or sexual harassment regardless of the manner in which he or she may have become aware of the conduct.

Where an investigation substantiates allegations of harassment, the individual is subject to disciplinary action up to and including dismissal, depending on the facts and circumstances found by the investigation.

The Personnel Committee responsible for

- understanding and supporting First Presbyterian Church's policy on harassment, including sexual harassment;
- notifying employees of First Presbyterian Church's policy on harassment, including sexual harassment;
- ensuring that personal conduct is appropriate for the workplace;
- assertively and affirmatively creating a work atmosphere in which harassment, including sexual harassment, is not tolerated;

- ensuring that appropriate corrective action is taken when a potential violation of this policy arises;
- monitoring the circumstances to ensure the situation that gave rise to the complaint has been remedied; and

Employee Responsibility

It is in the employee's interest to directly inform the alleged offender that the conduct is unwelcome and must stop. In most cases, the offended employee should report alleged harassment or sexual harassment to the Pastor or Chair of the Personnel Committee