

YELLOWSTONE PRESBYTERY POLICY AGAINST HARASSMENT

The Presbytery of Yellowstone is committed to maintaining a workplace free from harassment in the workplace or at meetings of the presbytery or any of its committee meetings. Therefore Yellowstone Presbytery will not tolerate any form of harassment or discrimination based on any of the following characteristics: race, color, gender, gender identity, national origin, age, sexual orientation, sex (including pregnancy), religion, national origin, disability, veteran status, or other characteristic protected by law. Such behavior 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, for testifying, or participating in any way in an investigation proceeding or lawsuit under these laws, or against individuals who oppose employment practices that they reasonably believe discriminate against individuals, in violation of these laws. The presbytery will 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

For purposes of this policy, harassment is defined as any unwelcome or offensive conduct that targets one or more of the characteristics listed above and has the purpose or effect of creating an intimidating, hostile, or offensive work environment or that interferes with an individual's work performance. It becomes unlawful when enduring the offensive conduct becomes a condition of continued employment, and/or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

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 directly being harassed, but can be anyone affected by the offensive conduct, also known as third-party harassment.

TYPES OF HARRASSMENT

- **Physical or threatening behavior** toward a person or property. In its extreme, such behavior can be considered assault.
- **Personal/Psychological** harassment can include bullying, where the victim is subjected to unwanted remarks, insults, offensive and derogatory statements.
- **Discrimination** is directed at someone's race, age, sex, or other form of protected class (as listed above), who is subjected to offensive remarks.
- **Cyberbullying** is threatening or offensive conduct on social media. It spreads quickly and can easily get out of hand.
- **Sexual harassment** includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature including display of sexually explicit images or texts on the part of supervisors, employees, and nonemployees. (See separate policy against sexual harassment in Yellowstone Presbytery's Administrative Manual.)
- **Third-party harassment** is when a person witnesses harassment in the workplace and is adversely affected by it.

PROCEDURE

At the time of hire, all new employees will receive a copy of the most current presbytery Policy Against Harassment. Employees have an obligation to report any behavior that they reasonably believe violates the presbytery's anti-harassment policy. Employees who believe they have been subjected to or have witnessed harassment or discrimination are strongly encouraged to inform the harasser that the conduct is unwelcome and must stop and report their experience to the Executive Presbyter, the Moderator of the Leadership Cabinet, the Moderator of the Personnel Committee, or any member of the Personnel Committee. The Personnel Committee must be advised of all allegations of unlawful harassment.

If personal safety for a staff person or others 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 Moderator of the Personnel Committee who may take immediate steps as deemed appropriate. If the harassment continues and the staff person wishes to formally document the harassment, a formal letter of complaint must be sent to the Stated Clerk who then initiates an investigation committee according to the Presbytery's policies.

The investigating committee will conduct a fair and thorough investigation into the allegations of harassment while respecting the privacy of the complaining employee and the alleged harasser to the fullest possible extent.

Yellowstone Presbytery will not tolerate any form of retaliation or retribution against an employee who, in good faith, reports acts of harassment and/or discrimination or who participates in an investigation of allegations of harassment.

Intentional sexual harassment is a major violation of PGA policy and will be dealt with accordingly by corrective action, such as counseling, suspension, or termination, depending upon the severity of the violation.

It is the intent of Yellowstone Presbytery to provide a work environment free from verbal, physical, and visual forms [e.g., signs, posters, or documents] of harassment and an environment free of harassment, intimidation, or coercion in any form. Displaying sexually explicit images or text on presbytery property or at meetings of Yellowstone Presbytery or its committees is a violation of presbytery policy. Employees are not allowed to download, archive, edit, or manipulate sexually explicit material from the Internet while using presbytery resources. Any sexually explicit material sent by a fellow employee or received from outside sources should be given to the Executive Presbyter.

All employees are expected to be sensitive to the individual rights of their co-workers. Every employee is expected to attend awareness-raising classes concerning harassment within one year of employment.

REVIEW

This policy shall be reviewed every three years for needed updates and improvement.