OUR LADY OF THE LAKE

POLICY REGARDING HARASSMENT AND SEXUAL HARASSMENT OF EMPLOYEES

The purpose of this document is to summarize the rights, obligations and reporting responsibilities of personnel within our Parish regarding matters involving harassment and/or sexual harassment of employees. This policy only applies to employees. However, volunteers are required to report instances of employee harassment which the volunteer may witness.

A. Harassment and Sexual Harassment. Definitions and Examples:

1. Definition of Harassment and Examples

(a) Civil Rights laws make it illegal to discriminate against and/or harass an employee because of sex, race, religion[1], color, national origin, physical or mental disability, marital status, age, gender, genetic information, blood type, liability for service in the armed forces, gender identity or expression, civil union status, domestic partnership status, or any other civil right protected by federal, state or local laws. Harassment is the intentional creation of a hostile or intimidating environment based upon any one or more of these areas.

(b) Harassment may involve severe and/or pervasive conduct. Severe conduct is conduct sufficient to alter the work environment, even though it may occur only once. Pervasive conduct is a persistent pattern of harassment.

(c) Harassment encompasses a broad range of physical, psychological, written or verbal behavior, and includes, but is not limited to, the following:

- physical or mental abuse
- offensive jokes or slurs
- offensive and uninvited verbal, graphic (including any electronic or digital display or printout), visual or physical conduct by one individual towards another;
- obscene messages
- images or communications obtaining libelous, defamatory or fraudulent materials

[1] It is permissible for a religious employer uniformly to require that all of its employees follow the tenets of its religion. It is also permissible for a religious employer to require religious affiliation as a uniform qualification for employment of clergy, religious teachers or other employees engaged in the religious activities of the organization.

- ethnic or racial slurs
- anything that may be considered disparaging or harassing of others based on race, national origin gender, age, disability or other status protected by Civil Rights laws

2. Definition of Sexual Harassment and Examples

(a) Sexual Harassment is a particularly insidious form of workplace harassment. Civil Rights law makes sexual harassment illegal, whether caused by supervisors or co-employees.

(b) Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, and constitutes harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual, or

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

(c) It is not possible to identify each and every act that constitutes or may constitute sexual harassment. However, examples of sexual harassment include, but are not limited to, the following:

- unwelcome requests for sexual favors
- lewd or derogatory comments or jokes
- comments regarding sexual behavior, or about the body of another individual
- sexual innuendo or other vocal activity such as catcalls or whistles
- obscene letters, notes, invitations, photographs, cartoons, articles, or other written or pictorial materials (whether documentary, digital or electronic) of a sexual nature
- continuing to express sexual interest in a person after being informed that that interest is unwelcome
- retaliating against an individual for refusing a sexual advance or reporting an incident of possible sexual harassment
- offering or providing favors or employment benefits, such as promotions, favorable evaluations, or favorable assigned duties or shifts, etc. in exchange for sexual favors

- any unwanted physical touching, assault, or impeding of movement

B. Workplace Harassment of Employees, Including Sexual Harassment, Is Expressly Prohibited.

It is the policy of our Parish to provide a work environment that is free of harassment/sexual harassment. Any form of workplace harassment/sexual harassment will be treated as a disciplinary matter.

C. Victims And Witnesses Are To Report All Instances Of Harassment And Sexual Harassment

Employees who are victims of, or witnesses to, workplace harassment/sexual harassment must report it immediately to the Pastor. In addition to this formal avenue for reporting harassment/sexual harassment, employees who are victims or witnesses are encouraged to report harassment and sexual harassment informally to any supervisor. An employee is not obligated to report harassment/sexual harassment to a superior who is engaging in the harassment. In such instance, the employee should report to the superior's supervisor, any other supervisor, and/or to the Archdiocese's Office of Human Resources.

D. Investigation Of Harassment And Sexual Harassment Complaints.

All reported complaints of employee harassment/sexual harassment will be promptly and thoroughly investigated. All reported complaints of harassment/sexual harassment will be dealt with as confidentially as possible, consistent with the obligation to conduct an investigation.

E. No Retaliation For Reporting Harassment And Sexual Harassment Complaints.

No employee shall suffer any job detriment or retaliation at the hands of the employer for reporting harassment/sexual harassment. If a person reporting harassment/sexual harassment believes that he/she has been subjected to retaliation, the person should immediately report the retaliation in the same manner which he/she is to use to report harassment/sexual harassment (see Par. C above), but may bypass the person who is retaliating.

F. Disciplinary Action For Harassment And Sexual Harassment.

Participating in workplace harassment/sexual harassment by any employee will result in disciplinary action, up to and including termination of employment. Employees should also be aware that, under the law, employees may be individually liable, including legally and financially responsible, for causing harassment/sexual harassment. Furthermore, supervisors, even though not causing harassment/sexual harassment, may be individually liable if he/she fails to receive complaints of harassment/sexual harassment and/or fails to act upon such complaints.

G. Training On Harassment And Sexual Harassment And Dissemination of Policy.

The Pastor or his designee is responsible for providing training regarding harassment/sexual harassment. At least annually, the Pastor or his designee shall advise supervisors as to their responsibilities to report/prevent harassment and sexual harassment. In addition, **[at least annually]** the Pastor or his designee shall disseminate to all employees the Parish's policy against harassment/sexual harassment. The Pastor or his designee shall also be responsible to check that procedures are in place for reporting harassment/sexual harassment, that such procedures are known by employees, and that they are effective.

H. The Reporting Of Harassment/Sexual Harassment By Volunteers.

Volunteers are persons who render services without receiving compensation for such services. Volunteers are not employees. A copy of this policy shall be provided to each volunteer. Although the law and this policy do not protect persons who are not employees, it is the policy of this organization that any volunteer who witnesses employee harassment/sexual harassment as defined herein shall immediately report the harassment/sexual harassment in the same manner as an employee is required to report it.