

POLICY NUMBER 28 HARASSMENT POLICY

Introductions And Purpose

Effective ministry in Christ requires that certain ethical standards be maintained to ensure the respect and safety of all persons. Prioritizing ethical behavior conveys the Good News of the gospel and provides an understanding of God. Therefore, when there is a potential disruption in the community, the Presbytery of Nevada will respond to allegations of harassment with justice and compassion.

It is Presbytery of Nevada policy that all members always maintain the integrity of ministerial and professional relationships. The Presbytery of Nevada prohibits harassment of any kind and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy.

Persons Covered

All persons engaged in presbytery-related activities, either as participants or in leadership, shall adhere to this policy.

Harassment

Harassment includes but is not limited to the following:

Offensive or unwelcome comments regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body, disability, and appearance. This includes epithets, slurs, and negative stereotypes. Verbal taunting that impairs the ability to perform his or her job function is included in the definition of harassment.

Unwelcome romantic and sexual advances, giving of gifts, inappropriate touching, and language may be considered harassment especially where a difference of power is being used as leverage to manipulate and intimidate to gain advantage in a relationship.

Nonverbal harassment includes the distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, gender identity, marital or other protected status.

Hostile environment harassment creates an offensive and unpleasant working or worshipping environment. Anyone may create a hostile environment, which can also be created by repeated denigrating phone calls, text messages, e-mails, or letters.

The definition of harassment does not apply to reasonable challenges to performance or negative job-related feedback, reasonable discussions, or respectful expressions of opinions about various convictions or beliefs.

Complaint Process

The Presbytery of Nevada will courteously treat any person who invokes a complaint under this policy according to the Book of Order requirements. All complaints will be handled swiftly and confidentially to the greatest extent possible, considering the need to take appropriate action according to the PCUSA Book of Order. Complaints will in no way be used against the Complainant.

Filing groundless or malicious complaints is an abuse of this policy,

Confidentiality

During the complaint process, the privacy of the information received, the privacy of the individuals involved, and the wishes of the complaining person will be protected to as great a degree as possible within the limits of the Book of Order and current state and federal law. The Complainant will be expected, however, to use their names at the time the complaints are filed. The expressed wishes of the Complainant for confidentiality will be considered in the context of the egregiousness of the complaint, any legal obligation of the Presbytery of Nevada to act on the charge, the right of

the charged party to obtain information, and the Book of Order. The utmost care will be given so that persons experiencing trauma are protected from further emotional harm. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential to the greatest possible extent and according to any existing state or federal law and the Book of Order

Retaliation

No hardship, loss, benefit, or penalty may be imposed on the Complainant or Victim in response to:

- Filing or responding to a bona fide complaint of discrimination or harassment.
- Appearing as a witness in the investigation of the complaint.
- Serving as an investigator of a complaint.

Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process violates this policy. Any person found to have violated this policy will be subject to sanctions up to and including removal from the Presbytery of Nevada according to the procedures in the Book of Order.

Complaint Procedure

The Presbytery has established the following procedure for filing a harassment complaint. The Presbytery will treat all aspects of the procedure confidentially to the extent possible.

An individual who feels harassed, discriminated against, or retaliated against may initiate the complaint process by filing a written complaint to the Stated Clerk. No formal action will be taken against any person under this policy unless there is a written and signed complaint. The Book of Order will be followed for time limits and other complaint requirements.

Alternative legal remedies. Nothing in this policy may prevent the Complainant or the respondent from pursuing formal legal remedies, mediation, or resolutions through local, state, or federal agencies or the courts.

Training

Within thirty-six (36) months of completion of the initial Boundary Training, all members of the Presbytery of Nevada are required to complete updated/review training. Tracking fulfillment of initial and subsequent training will be reported to the office of the Stated Clerk following the Book of Order and the procedures and Policies of the Presbytery of Nevada.

Authority

When this policy and the Book of Order conflict, the Book of Order is followed.

APPENDIX – Definitions

Accused: the person against whom the complaint is being made.

Book of Order: The Constitution of the Presbyterian Church (U.S.A.) Part 2, most recent edition and the decisions of the Permanent Judicial Commission and Authoritative Interpretations of the General Assembly of the PCUSA.

Complainant: is the person claiming knowledge of the harassment of a person covered by this policy. The Complainant may or may not be the Victim of the harassment. A person such as a friend, family member, or colleague of the Victim may be the Complainant whose information initiates an inquiry.

Victim: identifies the person alleged to have been harassed.