

A Professional Work Environment

The Diocese of Delaware is first and foremost a community of people. In all matters, other people, whatever their role or station, should be treated with utmost respect and courtesy. We are a caring community of mutual support, and that should characterize all aspects of one's job performance and personal conduct.

The Diocese of Delaware strongly supports the right of all employees to have a professional work environment. Consistent with its equal employment opportunity policy, The Diocese of Delaware expressly forbids sexual harassment or any other type of harassment involving a protected category under applicable law — for example, on the basis of race, color, gender, ancestry, religion, national origin, sexual orientation, marital status, veteran status, citizen status, age, and/or disability. Harassment is unacceptable at the office and in any work-related setting outside the workplace, such as business-related social events or business travel.

Violations of this policy will lead to disciplinary action, up to and including termination. Managers who become aware of an instance of possible harassment or learn of a complaint of harassment are required to report the matter immediately to the Canon to the Ordinary or the Business Manager.

Definition of Sexual Harassment

Sexual harassment has been defined by the Equal Employment Opportunity Commission Guidelines as unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when, for example: (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 such 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 working environment. Such conduct violates this policy, even if it is not unlawful. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a professional and respectful manner.

Sexual harassment does not refer to occasional compliments or behavior of a socially acceptable nature. It refers to conduct that, however it may be intended, is unwelcome, offensive, and disrespectful of the rights of another.

Sexual harassment may occur through a range of subtle and not so subtle behaviors. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances; subtle or overt pressure for sexual favors; sexual jokes; innuendos; suggestive, insulting, or obscene comments or gestures; advances or propositions; verbal abuse of a sexual nature; graphic commentary about an individual's body, sexual prowess, or sexual deficiencies; leering, whistling, touching, pinching, assault, or coerced sexual acts; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.

Other Prohibited Harassments

This harassment may be verbal or physical conduct that denigrates or shows hostility toward an individual because of his or her race, color, religion, gender, national origin, age, sexual orientation, or disability or that of his or her relatives, friends, or associates and that (1) has the purpose or effect of creating an abusive or hostile work environment, (2) has the purpose or effect of unreasonably interfering with an associate's work performance, or (3) otherwise adversely affects an associate's employment opportunities. Such harassment may include, but is not limited to, the following: epithets, slurs, stereotyping, intimidating, threatening, or any hostile act that relates to race, color, religion, gender, national origin, age, sexual orientation or disability; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, sexual orientation, or disability.

Individuals Covered Under the Policy

The Diocese of Delaware's prohibition against harassment applies to all employees and applicants for employment, as well as individuals who interact with employees of The Diocese of Delaware in the course of their work, such as visitors, outside vendors, and repair people.

Prevention of Sexual Harassment and Exploitation Training

The Church Insurance Company of Vermont strongly recommends 6 hours of training divided into two segments in order to raise awareness regarding sexual misconduct. The *Safeguarding God's Adults* and *Safeguarding God's Children* training is mandatory for all employees of The Diocese of Delaware.

If an employee has participated in a Church Insurance Company-approved training elsewhere, the employee must participate in the Diocese of Delaware Training program.

It is recommended that employees participate in training every 3-5 years in order to refresh their understanding of pertinent issues.

Reporting Harassment

The Diocese of Delaware encourages early reporting of any perceived incident of harassment, regardless of the identity or position of the offender. Individuals who believe that they, or another employee, may have been the subject of harassment should promptly discuss their concerns with their immediate supervisor or the Canon to the Ordinary or the Business Manager. An employee will not be penalized directly or indirectly for a good faith use of this procedure.

Responsive Action

All reported allegations of harassment will be investigated promptly, with the findings conveyed to the Canon to the Ordinary. (See *Diocese of Delaware Harassment Incident Investigation Form*: Appendix F.) In the absence of a Canon to the Ordinary, the Bishop will designate a person that will fulfill the obligations of this document. The Canon to the Ordinary will decide what action(s) The Diocese of Delaware should take. The Canon to the Ordinary will promptly investigate the facts and circumstances of any claim of harassment. To the extent possible, the employer will endeavor to keep the reporting employee's concerns confidential. During the investigations, the employer generally will:

- Interview the complainant and the alleged harasser, and conduct further interviews as necessary
- Document the employer's findings regarding the complaint
- Document recommended follow-up actions and remedies, if warranted
- Inform the complainant of the employer's finding

Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal or informal complaint, must immediately report the concern to Canon to the Ordinary.

Once the employer's investigation is completed, the employer will take whatever corrective measures are warranted against any person who has engaged in conduct in violation of this policy. These measures may include, but are not limited to, counseling, suspension, or immediate termination. Regardless of position or title, if the employer determines that someone has engaged in conduct that violated this policy, that person will be subject to discipline, up to and including termination.

When a violation of this policy is found, responsive action may include, for example, training, referral to counseling, and/or disciplinary action such as a verbal or written warning, reassignment, temporary suspension without pay, or termination.

Confidentiality

Any complaint and investigation will be handled with discretion. Confidentiality will be maintained to the extent practical and appropriate under the circumstances.

Protection from Retaliation

Retaliation against an individual who reports conduct believed to violate this policy or assists in providing information relevant to an issue under this policy is a serious violation and will not be permitted. Acts of retaliation should be reported immediately and will be promptly investigated. When a violation of this policy is found, disciplinary measures, up to and including termination, will be imposed.

Questions

Any employee who has questions or concerns about any aspect of this policy should feel free to contact the Chair of the Personnel and Compensation Committee or the Canon to the Ordinary.

Management

When there is a report of Harassment, sexual or otherwise, it is the responsibility and commitment of the Diocese of Delaware to conduct a timely investigation. Managers are required to alert the Canon to the Ordinary or the Business Manager of a potential harassment situation. Failure to do so may result in personal liability on behalf of the manager.

The Canon to the Ordinary and/or the Business Manager, the Chancellor of the Diocese, and the manager may meet to discuss the situation and course of action, which may follow the outline below. No manager should conduct an investigation without prior consultation with the Canon to the Ordinary, the Business Manager or the Chancellor of the Diocese.

1. Conduct an initial meeting with the person raising the issue;
 - Identify all issues
 - Gather all material facts
 - Determine if a formal investigation is needed
 - Ensure that the complainant has confidence that the Canon to the Ordinary or the Business Manager can resolve this impartially.
2. Gather Evidence:
 - Interview the person raising the issue and determine the facts around who, what, where, when and why
 - Explain the limits of confidentiality
 - Review the process of investigation
3. Explain the issue to the person who is the focus of the investigation:
 - Provide a detailed explanation of the issue
 - Get a detailed account of the events surrounding the issue from the person who is the focus of the investigation
 - Explain how the process will move forward and provide a time frame
4. Interview witnesses and ascertain facts:
 - All witness statements will be reduced to writing and signed by the witness
5. Reach a conclusion:
 - Attempt to determine what actually happened, taking into consideration the following:
 - i. Timeliness of reporting
 - ii. Pattern and practice
 - iii. Motivation
 - iv. Truthfulness/Credibility

6. Make a recommendation:
 - After reaching a conclusion, it may be necessary to determine the amount of discipline warranted. Some options include:
 - i. No disciplinary action
 - ii. Education of an individual or group
 - iii. Verbal discussion/counseling
 - iv. Written warning
 - v. Suspension without pay
 - vi. Corrective action plan
 - vii. Demotion
 - viii. Reduction in salary
 - ix. Termination
7. Write the Report:
 - The report should include the following:
 - i. The investigation background
 - ii. Application of Diocesan guidelines or principals
 - iii. Key factual finding of the investigation
 - iv. Actions taken
 - v. Conclusion