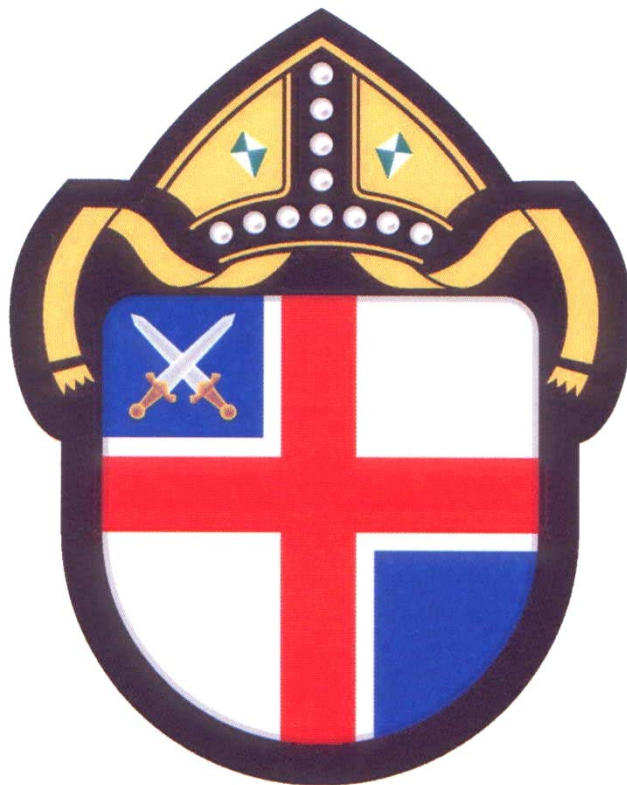


Policy for the Prevention of Sexual Harassment of Church Workers



Diocese of Central Florida

Sexual Harassment Policy

The Diocese of Central Florida (the “Church”) prohibits sexual harassment of church and church-related institution personnel by anyone (including supervisors or decision-makers, co-workers, consultants, vendors and other non-employees). Such sexual harassment is prohibited. The behavior of individuals engaging in such conduct, or supervisors or decision-makers who knowingly allow such behavior to continue, will not be tolerated.

All church and church-related institution personnel, whether supervisory or non-supervisory, and whether paid or volunteer, are prohibited from engaging in the conduct prohibited by this policy.

A. Prohibited Behavior

As noted above, the Church prohibits all forms of sexual harassment in the church and church-related institutions. Specific definitions and examples of sexual harassment are set forth below.

1. Sexual Harassment

Sexual harassment is prohibited by this Policy. Sexual harassment includes unwelcome sexual advances and requests for sexual favors. Other unwelcome conduct which may constitute sexual harassment includes, but is not limited to, the following:

Verbal:

- repeated sexual innuendos, sexual epithets, derogatory slurs, off-color jokes (for example, jokes that include sexual language, innuendo, references, scenarios, etc.)
- propositions, threats, or suggestive or insulting sounds (for example, comments about body, sexuality, etc., including insults and innuendo) even if the comment is about someone else
- inappropriate e-mail (for example, e-mail that includes sexual jokes or other references of a sexual nature about any person, gossip or speculation about a person’s sexuality, sexual practices, sexual health, pregnancy, virility, etc.). This includes e-mail that was sent accidentally, for example by hitting the “forward” button instead of “reply,” or forgetting that a particular individual or worker is on one of your group lists

Visual/Non-Verbal:

- derogatory posters, cartoons or drawings (for example, cartoons and calendars that include nudity, sex acts, provocative poses, innuendo, sexual language, etc.)
- suggestive objects or pictures (for example, photographs that include nudity, sex acts, provocative poses; wallpaper, screensavers, or other electronic displays of a sexual nature)
- graphic commentaries, leering or obscene gestures (for example, vulgar gestures, gestures simulating sexual acts, “shooting the finger,” kissing the air toward someone or licking the lips in a sexually suggestive or provocative manner)

Physical:

Unwanted physical contacts (including touching, interference with an individual’s normal work movement, unwelcome displays of romantic or sexual affection, aggressive physical contact or assault)

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Other:

Making or threatening reprisals to an individual who opposes, objects to or complains about sexual harassment; possession of inappropriate material of a sexual nature (as defined above) in the church and church-related institution or its display, duplication, or transmission.

Such verbal and physical conduct may constitute harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or other church and church-related institution work
- b. Submission to or rejection of such conduct by an individual is used as a basis for employment or other church and church-related institution work decisions affecting such individual
- c. 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

2. Retaliation

The church or church-related institution will not take any action in retaliation against any church or church-related institution personnel who, in good faith and with a genuine belief that he/she has been sexually harassed, brings or voices a complaint pursuant to this Policy or otherwise opposes sexual harassment. In addition, the Church will not tolerate any retaliatory acts by other individuals.

Retaliation is a serious violation of Church policy and applicable law. If you believe you have been subjected to retaliation in violation of this Policy, you should report your complaint immediately in the manner specified in Section B below. Individuals will be subject to discipline, up to and including termination if they are found to have retaliated against an individual because such individual:

- a. in good faith and with a genuine belief that he/she has been subjected to sexual harassment, made an honest complaint about such conduct
- b. participated honestly and in good faith in any investigation into a sexual harassment complaint
- c. in good faith opposed acts of sexual harassment

B. Procedure for Reporting Suspected Sexual Harassment and/or Retaliation

1. General Procedures Applicable to All Church and Church-related Personnel

If you believe that the actions or words of a supervisor/manager, co-worker, customer, vendor, volunteer, or other individual in the church or church-related institution constitutes illegal or prohibited sexual harassment, you have a responsibility to report that behavior promptly to the church and church-related institution's management. Prompt reporting enables the church and church-related institution to stop the sexual harassment, before it becomes more severe or pervasive.

If you believe you have been the victim of any form of sexual harassment or retaliation, you must promptly give notice of your complaint to one or more of the following:

- a. Your supervisor
- b. Anyone in your supervisory chain
- c. The rector/vicar or clergy person in charge of the congregation
- d. A warden of the congregation

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- e. The Bishop
- f. The Canon to the Ordinary

You are not required to complain to your supervisor or within your chain of command. In addition, to reporting the offending behavior to one of the people listed above, you are encouraged to speak directly to the individual whose conduct you find objectionable. You are not required to do this and it is suggested for you to consider doing this only if you are comfortable doing so. If you decide to speak directly to the person involved, you may find that clear communication can sometimes resolve an issue immediately, as well as build greater understanding between individuals in the church or church-related institution.

You may formally or informally complain to any of the above personnel via any of the following:

- Telephone call
- Letter
- E-mail
- Fax
- In-person meeting
- Filing a “Notice of Concern” (*See Form C*)

Keep a written contemporaneous record of your actions.

All supervisors and decision-makers are required to report all formal and informal complaints, as well as any suspected or known policy violations, immediately to the rector or clergy person in charge of the congregation (for parishes) or to the Canon to the Ordinary or Bishop (for dioceses), or to the Head of School/Institution and Rector where applicable (for church-related institution), even if you ask the supervisor or decision-maker to keep the complaint confidential, or indicate that you do not wish to file a formal complaint. Church personnel are required to report immediately any suspected or known policy violations to the rector/vicar or clergy person in charge of the congregation.

All supervisors and decision-makers are expected to act promptly and appropriately to prevent sexual harassment in the church or church-related institution, and retaliation against those who make a good faith complaint of sexual harassment, or those who participate honestly and in good faith in either an investigation of a complaint or oppose illegal or prohibited sexual harassment in the church, church-related school or institution.

All complaints of sexual harassment will be reviewed and investigated promptly and impartially by the church’s management and/or its designee. Complaints may be made verbally or in writing. Once church or church-related institution management receives notice of any complaint of sexual harassment it will swiftly determine whether or not a fact-finding investigation is necessary.

If it is determined that a fact-finding investigation is necessary, it will be launched promptly. If necessary, intermediate measures may be taken before completing the investigation to reduce the possibility of any sexual harassment.

Moreover, the church or church-related institution will protect the confidentiality of the allegations to the extent possible; however, no individual can be promised or guaranteed strict or absolute confidentiality. For example, information may have to be disclosed to those officials and/or church and church-related institution personnel with a need to know in order to carry out the purpose and intent of this Policy.

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Corrective or disciplinary action will be taken against any church or church-related institution personnel found to have engaged in sexual harassment. Such action may include counseling and/or appropriate disciplinary measures, including termination.

As the complaining party, you will be given notice, in a timely fashion, of the outcome of the investigation of any formal or informal complaint.

2. Additional Options for Church and Church-Related Institution Employees, Not Volunteers

This section provides additional options for church and church-related institution **employees, not volunteers**, who believe they have been the victim of any form of sexual harassment, as prohibited by federal, state or local law.

If you are a church or church-related institution **employee, not a volunteer**, as defined under this Policy and you believe you have been the victim of any form of illegal sexual harassment, in addition to the procedure set forth above, you also have the option of consulting with an attorney and/or filing a complaint with the Florida Commission on Human and/or the Equal Employment Opportunity Commission (EEOC), as well as pursuing any other remedies permitted by law.

As a general matter, the time frame for filing a complaint with the Florida Commission on Human Relations is one year from the date of the alleged act of unlawful sexual harassment.

In Florida, a complaint with the EEOC must be filed within 180 days from the date of the unlawful sexual harassment.

The church or church-related-institution **employee, not volunteer**, must note that these time limits typically do not run from the date that the complaint made to the church or church-related institution is resolved but from the date the act of sexual harassment, is alleged to have occurred. **Please note that this is not legal advice.** Individual employees are responsible for confirming the time frames for filing a complaint with these administrative agencies by contacting the agencies themselves and/or counsel.

Nothing in this posting or in the Church's sexual harassment policy creates any legal rights that did not otherwise exist nor does the Church admit that it is covered by or subject to any federal, state, or local laws.

C. General Definitions

1. Church Personnel

For purposes of this Policy, the term "church personnel" shall mean:

- a. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church
- b. All paid personnel (including church and church-related institution employees) whether employed in areas of ministry or other kinds of services by the diocese, its congregations, schools or other agencies

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- c. All interns, persons in the ordination process, persons serving in field education assignments

2. Church or church-related institution Employees

For purposes of this Policy, the term “church or church-related institution employees” shall mean all individuals hired by the church or church-related institution who are employees of the church or church-related institution for purposes of federal, state and/or local discrimination and harassment laws.

3. Supervisors and Decision-Makers

For purposes of this Policy, the term “supervisors and decision-makers” shall mean:

- a. All persons who have the express authority to hire, select, supervise, discipline, promote, demote, terminate, set compensation or other terms and conditions of employment
- b. All persons who have the express authority to recruit, duly appoint, select, license, discipline, supervise, terminate, or set terms and conditions of volunteer service
- c. All members of decision-making bodies who have the authority to approve the creation of ministries, programs, church and church-related institution activities, or personnel policies
- d. Standing Committees, Diocesan Councils/Executive Boards, Vestries, Bishop’s Committees and Boards of Directors for Schools.

D. Education and Training Requirements

1. Church and church-related institution Personnel

Church and church-related institution personnel are required to complete training on the prevention of sexual harassment and the organization’s sexual harassment policy. Existing church and church-related institution personnel must be trained by December 31, 2010. New church and church-related institution personnel must be trained before they start work in their church or church-related institution position. If that is not possible, the Policy must be reviewed and discussed with them before they start work and the training must be completed within three (3) months of starting.

2. Supervisors and Decision-Makers

Within three months of becoming a Supervisor or Decision-Maker, individuals must review the Policy for the Prevention of Sexual Harassment of church and church-related institution Workers and sign a statement indicating that they understand the policy and are in compliance with it. They are encouraged to attend *Prevention of Sexual Harassment of Church Workers* training.

Forms

A. Acknowledgment, Release, and Signature for Inclusion in Application or with Church Deployment Office Form

To the best of my knowledge, the information contained in this application is complete and accurate. I understand that providing false information is grounds for not hiring me or choosing me for a volunteer position or for my discharge if I have already been hired or chosen. I authorize any person or organization, whether or not identified in this application, to provide any information concerning my previous employment, education, credit history, driving record, criminal conviction record, sexual offender registry or other qualifications for my employment or volunteering. I also authorize _____ [Parish or Institution] to request and receive such information.

If hired or chosen, I agree to be bound by _____ [Parish or Institution's] policies and procedures, including but not limited to its ***Policies for the Prevention of Sexual Harassment***. I understand that these may be changed, withdrawn, added to or interpreted at any time at the _____ [Parish or Institution's] sole discretion and without prior notice to me.

I also understand that my employment or volunteering may be terminated, or any offer or acceptance of employment or volunteering withdrawn, at any time, with or without cause, and with or without prior notice at the option of _____ [Parish or Institution] or myself.

Nothing contained in this application or in any pre-employment or pre-volunteering communication is intended to or creates a contract between myself and _____ [Parish or Institution] for employment, volunteering or the providing of any benefit.

I have read and understand the above provisions.

Signature _____ Date _____

Print name _____

Parish or Institution _____

Forms

B. Background Inquiry Release Form

For: _____
(Church or Organization)

In relation to my serving in the Diocese of Central Florida, I understand and authorize the access of information from various federal, state, and other agencies maintaining information regarding any public record information.

I also understand this information may be accessed during my service and up to 30 days after separation from this Diocese. I hereby consent to your obtaining various public record information from Diocesan/Church employers, from Professional Screening Services, Inc. and/or any other party or agency, in accordance with the Fair Credit Reporting Act and any and all state and federal laws. I also understand that the requested information below is to be used for proper identification only and not for discriminatory purposes.

Signature _____ Date _____

Please print the following information

Name: _____
(First) (Middle) (Last)

Current Address _____
(Street)

(City) (State) (Zip code)

List other counties/states where you have lived within past 10 years

Social Security Number _____ Date of Birth _____

Gender _____ Driver's License Number _____ State _____

Diocese where you are canonically resident _____

Diocese in which you currently serve (if different) _____

Return completed form: ATTN: The Reverend Canon Timothy C. Nunez, Diocese of Central Florida,
1017 East Robinson Street, Orlando, FL 32801

(Feb 2018)

Forms

C. Confidential Notice of Concern

Individual(s) of Concern:

Date of occurrence:

Time of occurrence:

Type of Concern:

☐ Inappropriate behavior in the workplace

☐ Sexual harassment policy violation

☐ Retaliation

☐ Other concern:

Describe the situation: What happened, where it happened, when it happened, who was involved, who was present, and who was notified? If reported to the State, what was their recommendation about investigating? Attach additional sheets if needed.

Has this situation ever occurred previously? Attach additional sheets if needed.

If you answered yes to the previous question:

What action was taken? How was the situation handled, who was involved, who was questioned, were police called? Attach additional sheets if needed.

What is the follow-up plan? Does anyone else need to be notified? Will the situation need monitoring? Would you like someone to call you to discuss this situation? Attach additional sheets if needed.

Submitted by:

Telephone number:

Location and address:

Resources

A. Equal Employment Opportunity Commission (EEOC)

FEDERAL

U.S. Equal Employment Opportunity Commission
1810 L Street, N.W.
Washington, D.C. 20507
(202) 663-4900
TTY: (202) 663-4494
1 (800) 669-4000
<http://www.eeoc.gov>

DISTRICT OFFICE

Miami District Office (The Miami District Office has jurisdiction over the State of Florida, Counties of Alachua, Baker, Bradford, Brevard, Broward, Charlotte, Citrus, Clay, Collier, Columbia, Desoto, Dixie, Duval, Flagler, Gilchrist, Glades, Gadsden, Hamilton, Hardee, Hendry, Hernando, Highlands, Hillsborough, Indian River, Jefferson, Lafayette, Lake, Lee, Leon, Levy, Madison, Manatee, Marion, Martin, Miami Dade, Monroe, Nassau, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, Sarasota, Seminole, St. Johns, St. Lucie, Sumter, Suwannee, Taylor, Union, Volusia, and Wakulla, and the Commonwealth of Puerto Rico and the U.S. Virgin Islands.)

One Biscayne Tower
2 South Biscayne Boulevard, Suite 2700
Miami, FL 33131
1-800-669-4000
FAX: 305-808-18 55
TTY: 1-800-669-6820

B. Human Rights Issues in Private Employment

Office Addressing Human Rights Issues
in Private Employment in the State of Florida

Florida Commission on Human Relations
2009 Apalachee Parkway, Suite 200
Tallahassee, FL 32301
In FL: (850) 488-7082
Tel: (800) 342-8170
Fax: (850) 488-5291
TTY: (800) 955-8771
<http://fchr.state.fl.us>