



INCARNATION
ANGLICAN CHURCH

Incarnation Anglican Church Anti-Discrimination and Harassment Policy

Purpose

Incarnation Anglican strives to create and maintain an environment in which attendees, guests, volunteers, and employees are treated with dignity, decency and respect. The environment of Incarnation should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Employees should be able to work in a safe and enjoyable atmosphere; likewise, attendees and guests should be able to worship safely and enjoy all aspects of Incarnation Anglican free from harassment. The accomplishment of this goal is essential to the mission of the community. For that reason, Incarnation hereby sets forth in detail the standards of conduct it expects from management, staff, employees, volunteers, attendees, and guests. Through education and enforcement of this policy, Incarnation seeks to prevent, correct and discipline behavior that violates this policy.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to report suspected prohibited conduct and to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension or termination of employment.

Prohibited Conduct Under This Policy

Discrimination

Incarnation evaluates its employees solely on the basis of their job performance and their conduct in performing their work. The spiritual care and safety of attendees and guests comes first; attentiveness and diligence in performing your role at Incarnation comes a close second. Your ability as an employee to meet these objectives is the basis upon which you will be evaluated.

It is a violation of Incarnation's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory standards in evaluating employment performance if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, gender, or marital status. Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination.

The lone exception to our non-discrimination policy is this – in certain circumstances we may seek to hire a minister of a specified gender to serve a specific ministry within the church.

Harassment

Incarnation prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct intended to threaten, intimidate or coerce an employee, co-worker or any person working for or on behalf of Incarnation. Verbal taunting that is objectively unreasonable given the circumstances and impairs his or her ability to perform his or her job is included in the definition of harassment.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person's nationality, origin, race, color, gender, age, body, disability or appearance, including epithets, slurs and negative stereotyping.
- Nonverbal harassment includes 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, age, gender, pregnancy, appearance, disability, marital or other protected status.

The prohibition upon harassment also extends to the relationships and interactions between employees and volunteers, attendees, and guests, and vice-versa. The policy also applies to relationships and interactions among all persons involved in Incarnation activities, including volunteers and participants.

Normal non-abusive workplace interactions, including supervisor correction and training of subordinate employees, does not constitute harassment even in circumstances where a subordinate employee feels uncomfortable in being corrected or reprimanded by a supervisor regarding their job performance.

Sexual Harassment

Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under Incarnation's anti-harassment policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . . when . . . submission to or rejection of such conduct is used as the basis for employment decisions . . . or such conduct has the purpose or effect of . . . creating an intimidating, hostile or offensive working environment."

There are two types of sexual harassment:

- "*Quid pro quo*" harassment, where submission to harassment is used as the basis for employment decisions. Employee benefits such as raises, promotions and better working hours are directly linked to compliance with sexual advances. Therefore, only someone in a supervisory capacity (with the authority to grant such benefits) can engage in quid pro quo harassment. Examples: A supervisor promising an employee a raise if she goes on a date with him; a manager telling an employee she will fire him if he does not have sex with her.

- “*Hostile work environment*,” where the harassment creates an offensive and unpleasant working environment. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or volunteers, attendees, or guests. Hostile environment harassment consists of talk of a suggestive or sexual nature, unwelcome sexual materials or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling; sharing of inappropriate personal information or asking another to share personal information; or even persistent unwelcome personal attention all fall into this category.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment.
- Is used as a basis for an employment decision.
- Unreasonably interferes with an employee’s work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or “kidding” that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets and Internet postings; or other form of communication that is sexual in nature and offensive.
- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling and forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, noncoercive interactions between employees, including men and women, that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment. See ‘Healthy touch at Incarnation’ policy for further details.

Retaliation

No hardship, loss, benefit or penalty may be imposed on an employee, volunteer, member, or guest in response to:

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

Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process is a violation of this policy. Any person who is found to have violated this aspect of the policy will be subject to sanctions up to and including termination of employment.

Consensual Romantic or Sexual Relationships

Incarnation strongly discourages romantic or sexual relationships between any supervisory employee and her or his staff (an employee who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others or, at a later date, by the staff member as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. Incarnation reserves the right to discipline or terminate employees who engage in relationships covered by this section.

Communication

In some situations, identifying sexual harassment can be a subjective undertaking. One person may believe that certain conduct is simply friendly and therefore not harassing. Another person may view the very same conduct or attention as excessive and “crossing the line.” Clear and direct communications are important in curtailing conduct that may be perceived as harassing. If you feel uncomfortable as a result of a supervisor, co-employee, volunteer, attendee, or guest’s conduct or language, politely and directly tell them that you are uncomfortable and ask them to stop. Your first defense to harassing conduct is to make your feelings known. Be firm, be direct, be professional; ask them to stop.

Complaint Process

If you have been subjected to or witnessed discrimination or harassment and have asked the person to stop their prohibited conduct, but they have not, you should file a complaint. Because of the damaging nature of harassment to the victims and to the entire Church environment, any person who believes they have been subjected to discrimination or harassment or has reason to believe another person has been subjected to such conduct, is strongly urged to use this procedure.

Incarnation will courteously treat any person who invokes this complaint procedure and will handle all complaints swiftly and confidentially to the extent possible in light of the need to take appropriate corrective action.

Confidentiality

During the complaint process, the confidentiality 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 is possible. The expressed wishes of the complaining person for confidentiality will be considered in the context of Incarnation's legal obligation to act on the charge and the right of the charged party to obtain information. In most cases, however, confidentiality will be strictly maintained by Incarnation and those involved in the investigation. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential to the extent possible and according to any existing state or federal law.

Complaint Procedure

Incarnation has established the following procedure for lodging a complaint of harassment, discrimination or retaliation. Incarnation will treat all aspects of the procedure confidentially to the extent reasonably possible.

1. An individual who believes they have been harassed, discriminated, or retaliated against should initiate the complaint process by filing a complaint with Incarnation's Rector, the Personnel Team Chair, or any Vestry Member may receive complaints. All persons initiating a complaint are strongly urged to file a complaint in writing or to allow the complaint to be documented in writing; exceptions to this policy may be made in unusual circumstances or when a minor child is the complaining party. If a supervisor or manager becomes aware that harassment or discrimination is occurring, either from personal observation or as a result of an employee's coming forward, the supervisor or manager should immediately report this information.
2. Upon receiving a complaint or being advised by a supervisor or manager that a violation of this policy may have occurred, the Rector, the Personnel Team Chair, or the Vestry Member will review the complaint with one other person also designated to receive such complaints.
3. No person who is the subject of a complaint shall play any role in reviewing or assessing the complaint under this policy. If the Rector is the subject of the complaint the Personnel Team Chair and the Vestry Member will review the complaint and notify the presiding Bishop. The investigation of a complaint against the Rector will then proceed according to instruction from the Bishop.
4. The first priority of the review set forth in ¶ 2 above is to determine whether the complaint raises a reason to suspect child abuse or neglect and therefore should be immediately referred to the police and/or Arlington County Child Protective Services in accordance with Virginia Code § 63.2-1509. The second priority of the review is to determine whether the complaint can be investigated and assessed by the Rector, the Personnel Team Chair, and/or the Vestry Member or whether the complaint should be referred to an independent investigator outside the Church. Investigating a complaint should not be handled by persons who have a close personal relationship with the accused or charging party or have other potential conflicts of interest. If this is not possible within Incarnation, the matter should be referred to outside Incarnation.
5. If the complaint is not referred to an outside independent investigator, within five working days of receiving the complaint, the Rector, the Personnel Team Chair, or the Vestry Member will notify the person(s) charged [hereafter referred to as "respondent(s)"] of a complaint and

initiate the investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.

6. During the investigation, the Rector, the Personnel Team Chair, or the Vestry Member, together with other Vestry Members, or other staff will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred. All persons involved in the investigation should, to the maximum extent possible, maintain confidentiality of the process and refrain from involving persons unnecessary to the investigation or suggesting the outcome of the matter before it is concluded

7. The persons conducting the investigation should endeavor to conclude the investigation within 15 working days of the complaint being filed and to submit a written report of the findings to the Vestry. The Vestry may accept the findings or direct that further investigation should occur. If the person about whom the complaint was lodged is on the Vestry, that person and that person's spouse must not take part in any way in receiving or evaluation the report.

8. If it is determined that harassment or discrimination in violation of this policy has occurred, the Rector, the Personnel Team Chair, the Vestry Member and/or the Vestry will recommend appropriate disciplinary action. The appropriate action will depend on the following factors: a) the severity, frequency and pervasiveness of the conduct; b) prior complaints made by the complainant; c) prior complaints made against the respondent; and d) the quality of the evidence (e.g., first-hand knowledge, credible corroboration).

9. If the investigation is inconclusive or if it is determined that there has been no violation of policy, but potentially problematic conduct may have occurred, the Rector, the Personnel Team Chair, the Vestry Member and/or the Vestry may recommend appropriate preventive action.

10. Within five days after the investigation is concluded, the Rector, the Personnel Team Chair, the Vestry Member and/or the Vestry will meet with the complainant and the respondent separately, notify them of the findings of the investigation, and inform them of the action being recommended.

11. The time frames set forth in this complaint process may be shortened or lengthened at the discretion of the person or persons conducting the investigation for good cause based on the individual circumstances of each complaint / investigation.

Use of the Complaint Process

As stated above, if you have been subjected to or witnessed discrimination or harassment and have asked the person to stop their prohibited conduct, but they have not, we strongly urge you to use this procedure.

Properly invoking this complaint procedure will in no way be used against you or have an adverse impact on your employment status or involvement at Incarnation. Filing groundless or malicious complaints, however, is an abuse of this policy and will be treated as a violation of the policy.

Alternative legal remedies

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts.

HARASSMENT POLICY RECEIPT AND ACKNOWLEDGEMENT FORM

I acknowledge that I have received Incarnation's Anti-Harassment Policy. I understand that it is my responsibility to be familiar with and conform to the procedures contained in this policy. I am expected to abide by the rules and requirements contained in the policy with regard to the reporting of harassment, including the obligation to report violations of the policy and not to retaliate against anyone for exercising his/her rights under this policy.

Printed Name

Signature

Date

Incarnation Anglican affirms its commitment to ensuring a work environment that is free from any form of harassment, including sexual harassment.