

# Sexual Harassment Policy

of the WEST MICHIGAN CONFERENCE  
of THE UNITED METHODIST CHURCH



## PREAMBLE

"All human beings, both male and female, are created in the image of God, and thus have been made equal in Christ. From the beginning God intended us to live out our equality in relation with one another (*Book of Resolutions 1988*, pp. 374-375).

## PURPOSE

The purpose of this sexual harassment policy is to ensure the just treatment of all persons at all levels of The United Methodist Church. It is intended to resolve problems so that constructive relationships and an effective climate may be maintained for the benefit of all.

## DEFINITION

According to the 1988 resolution: "Sexual harassment is any unwanted sexual advance or demand, either verbal or physical, which is perceived by the recipient as demeaning, intimidating or coercive. Sexual harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual issue. Sexual harassment also includes the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender." (See *1992 Book of Resolutions*, p. 449).

Sexual harassment depends on how the person being harassed is affected, NOT on the intent of the harasser.

Aside from blatant sexual harassment, the creation or tolerance of a "hostile" environment can be a legal violation. A hostile work environment can be said to exist when any of the above referenced activities occur in the work place or whenever work-derived relationships prevail. In the eyes of the law, supervisors can be held accountable if they knew or should have known that such activity was taking place and took no action to stop it.

## EXPECTATIONS

The document entitled "Sexual Harassment Policy of the West Michigan Conference of The United Methodist Church" shall be given to and read at the time of hire or commencement of volunteer work.

All employees will respect others and maintain a professional work atmosphere free from conduct others may reasonably find offensive.

Every employee is to report immediately the offending incidents as described above to the supervisor or chair of the appropriate personnel committee.

Supervisors will not abuse their positions by any suggestion that a subordinate do any personal favor in order to remain in good standing.

Every reported incident will be taken seriously and dealt with in an appropriate manner.

Supervisors will not ignore, condone, or tolerate any action that could be construed as sexual harassment.

## **PROCEDURE FOR EMPLOYEES**

Any employee who believes she/he has been subjected to sexual harassment or observes such conduct is encouraged to report in writing the incident to her/his supervisor. (If the supervisor is the harasser, then the chair of the appropriate personnel committee is to be contacted).

- Step 1. The supervisor or chair of the appropriate personnel committee receiving the report of sexual harassment shall listen supportively and record all information while maintaining the strictest confidentiality.
- Step 2. The recipient of the report meets with the alleged harasser, presenting him/her with information about the alleged incident. The alleged harasser may have another person present to witness the proceedings, if so desired. The supervisor or chair shall have another person present as a witness to the proceedings.
- Step 3. Determine if a meeting between the two parties is possible in order to resolve the issue.
- Step 4. Schedule such a meeting.
- Step 5. Hold the meeting with the supervisor or chair and observer for the supervisor or chair, and the two parties involved. Each party may bring an observer to the proceedings.
- Step 6. The supervisor or chair shall document the proceedings in full and file appropriately.
- Step 7. If the matter is not resolved in a meeting between the two parties, or if such a meeting is not possible, the supervisor or chair shall recommend, based on the information presented, a course of action, up to and including dismissal, which must be ratified by the appropriate personnel committee.

## **RECOMMENDED PROCEDURE FOR PERSONS RELATED TO BUT NOT EMPLOYED BY THE WEST MICHIGAN ANNUAL CONFERENCE OR A LOCAL CONGREGATION**

A victim or witness of sexual harassment may want to do the following:

1. Take the initial responsibility to de-escalate the situation by writing the harasser declaring clearly that his/her behavior is not liked. Describe the offensive behavior.

If the behavior does not stop, or escalates, it is an important component of the complaint that action was taken to stop the behavior.

2. Keep a confidential log or diary of each incident, noting the time, place and details of the harasser's behavior, personal reactions to it, and any attempt to stop it.
3. Share feelings about the behavior with a close friend or trusted associate, to check that the reaction is not off-base, to enlist help in stopping the behavior, and to go on record and have witnesses to the reaction and perhaps the behavior itself:
4. Send a certified letter to the harasser stating concerns and objections regarding the specific behavior causing discomfort. Reiterate the dates and times of conversations with the harasser and attempts to stop the behavior. Tell him/her that more formal action is planned if the offensive behavior does not stop.

Keep the certified letter receipt and a copy of the letter.

### **The following cannot be emphasized enough:**

1. Document! Regardless of what is decided about personal reconciliation, all interaction with the harasser should be documented.
2. The situation must not be ignored. Situations do not get better if they are ignored.
3. Do not be discouraged.
4. The main objective is to stop the harassment.

### **CAN RECONCILIATION BE ACHIEVED?**

The goal in any relationship is to live together in Christ-like love. If the relationship is strained by sexual harassment, there should be an attempt at reconciliation. Individuals who believe that they have been sexually harassed are encouraged to take action to deal with the situation in a rational, responsible, and timely way. The aims of individual action are as follows:

- a. To give the harassed and the harasser a chance, usually for the first time, to see things the same way. Since neither person may have an understanding of how their behavior is being perceived by the other, discussion may help. Entry of a third party as this stage usually further polarizes the views of the opposing parties.

- b. To encourage persons who are unsure if they have been harassed, as well as those who have inadvertently given misunderstood signals, to present a consistent and clear message.
- c. To give harassers who do not understand what they are doing a fair warning, when appropriate; to give those who are wrongly accused a chance to defend themselves.
- d. Where possible, give those who are correctly accused the chance to make amends.
- e. To provide the harassed person an immediate chance to get the harassment stopped without provoking a public counterattack, experiencing public embarrassment, harming third parties, damaging the church's reputation, or causing the harasser to lose face.
- f. To provide harassed persons with the means to demonstrate that she/he tried all reasonable means to get the harassment stopped. This step may be convincing later if and when more formal action is taken.

#### **WHEN ALL ELSE FAILS**

If resolution does not take place, a person victimized by sexual harassment will have the right to make formal complaint, if against a clergy person, according to the Annual Conference Policy on Clergy Sexual Misconduct, and/or *The Book of Discipline of The United Methodist Church*, 1992, paragraph 454. If the complaint is against a lay person, then it shall be made in accordance with provisions as set forth in *The Book of Discipline of The United Methodist Church*, 1992, paragraphs 2622-2628.