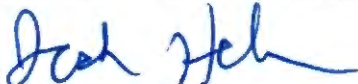


**Community Extended Nuclear Transitional Residence for Ex-Offenders
Centre**

Harassment	
Policy Number: PE-26	Chapter: Personnel
Pages: 3	Related ACA Expected Practices: 4-ACRS-7E-04
Revised: 11-10-05; 11-30-07; 11-23-09; 09-01-23	Reviewed: 04-20-07; 07-07-08; 05-27-09; 09-10-10; 07-08-11; 07-31-12; 06-26-13; 07-03-14; 07-20-15; 07-22-16; 06-20-17; 08- 17-18; 09-12-19; 09-09-20; 08-23-21; 06-15-22; 09-01-23
Approved: 	Effective: 9-28-23

I. POLICY

It is the policy of Centre to create and maintain a work environment that is free from any form of sexual harassment or intimidation in accordance with Title VII of the Civil Rights Act of 1964, as amended. This policy is intended to provide protection to all employees, volunteers, contractors, vendors, visitors, and/or applicants for employment, against sexual harassment.

Centre strictly prohibits sexual harassment either explicit or implicit and harassment on the basis of race, creed, color, gender, religion, age, national origin, disability, sexual orientation, gender identity, or other applicable protected class status. Such harassment will not be tolerated.

It is a violation of this policy for any agent of Centre, employee, volunteer, client, or other individual to harass any employee, client, or other individual affiliated with Centre. Any individual determined to have violated this policy will be subject to appropriate disciplinary action, which, in the case of an employee or volunteer, may include termination or dismissal from employment/duty.

All staff receives training on Sexual Harassment/Abuse/Assault Prevention and Intervention during initial orientation training and on an annual basis thereafter.

Definition of Harassment- Prohibited harassment under this policy consists of unwelcome verbal or physical conduct or communication of a sexual nature based upon gender, age, creed, color, religion, age, national origin, disability, sexual orientation, gender identity, or other applicable protected class status.

Sexual harassment/abuse/assault/misconduct is verbal or physical conduct of a sexual nature directed toward a client, employee, or volunteer by another client, employee, or volunteer of the facility.

Sexual abuse/assault/misconduct/harassment is specifically prohibited. Sexual harassment consists of unwelcome sexual favors or other verbal or physical conduct or communication of a sexual nature when:

- Submission to such conduct or communication is either explicitly or implicitly made a term or condition of obtaining or retaining employment; or
- Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or
- Such conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or creating an intimidating, hostile or offensive employment environment.

Examples of Conduct that May Constitute Harassment- Sexual harassment may include but is not limited to:

- Sexual or suggestive comments, catcalls or whistling;
- Sexual gestures or displaying sexually suggestive objects, pictures, cartoons, or posters;
- Sending sexually inappropriate emails, texts. or displaying pornography;
- Sexual propositions;
- Sexist remarks;
- Patting, pinching or unnecessary touching;
- Unwanted sexual advances;
- Using sexually degrading words to describe an individual;
- Sending suggestive or obscene notes, cards, or invitations;
- Unwanted staring or leering;
- Granting benefits or opportunities because of an individual's submission to sexual advances or sexual favors;
- Harassment not of a sexual nature directed against an individual due to their gender;
- Sexual jokes.

Centre strictly prohibits sexual abuse or assault within any of Centre's programs.

Definitions: Staff on Client Sexual Abuse/Assault/Harassment/Misconduct: Engaging in, or attempting to engage in a sexual act with any client or the intentional touching of a client's genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of any person.

1. Sexual acts or contacts between a client and a staff member, even when no objections are raised, are always against Centre policy.
2. Any sexual act or contact between a client and a staff member is always illegal and a violation of federal law and will be reported to the appropriate law enforcement agency.

II. PROCEDURE

1. Complaint Procedures- Any employee, who believes that he or she has been the victim of sexual harassment abuse, and/or assault or other harassment prohibited by this Policy, or who has knowledge of any such harassment, abuse, and/or assault directed against

another person, is required to report the harassment, abuse, and/or assault to the appropriate staff person.

- a) The employee should immediately report the conduct to their immediate supervisor or other manager, or to the Executive Director or designee of Centre. It is NOT sufficient to report a complaint of harassment to any person other than one of these persons. THE COMPLAINANT MUST NOTIFY ONE OF THESE PERSONS unless extenuating circumstances exist for not notifying one of these persons. Any supervisor or manager receiving a complaint must immediately notify the Executive Director or their designee.

2. Investigation and Action

- a) Upon receipt of a report, a Centre manager/supervisor and/or the Executive Director or designee will promptly investigate the complaint. The investigation will be conducted in a confidential manner.
- b) Where an employee is determined to have violated this policy, Centre will take disciplinary action up to and including termination of employment against the employee. Where a non-employee is determined to have violated this policy, Centre will act reasonably calculated to end the harassment.
- c) Centre may seek legal redress, including attorneys' fees and costs, against any employee or other person who causes Centre to incur any expense or liability because of harassment.

3. No Retaliation

No retaliatory action will be taken against any person(s) who in good faith reports conduct that he or she believes may violate this policy. No retaliatory action will be taken against any individual for assisting or participating in an investigation, proceeding, or hearing related to a harassment, abuse, or assault complaint. Any person who violates these provisions may be subject to discipline, up to and including termination of employment/duty.