

Harassment /Sexual Harassment

Harassment/Sexual Harassment Policy: PFSJCS is committed to maintaining an environment free of harassment based on gender, race, color, national origin, religion, disability, age, sexual orientation, or veteran status. We expect all members to conduct themselves in a professional manner and to show concern for fellow members and visitors.

1 Harassment

The harassment of individuals by school members on the basis of gender, race, color, national origin, religion, disability, age, sexual orientation, or veteran status of any form will not be tolerated by the School.

Harassment is behavior that is not welcome by an individual and is considered by the individual (and would be by any reasonable individual) to be humiliating, demeaning or offensive. Behavior is considered harassment when such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment. Harassment can be physical or verbal behavior and can include stereotypical statements, derogatory statements, abusive language, and discriminatory remarks that are offensive or objectionable to the recipient, cause the recipient humiliation, or interfere with the recipient's performance.

All members should take special note that retaliation against an individual who has complained about harassment, and retaliation against individuals for cooperating with an investigation of a harassment complaint is unlawful and will not be tolerated by the School.

2 Sexual Harassment

Because the School takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a school that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for school conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

Definition of Sexual Harassment

In Massachusetts, the legal definition for sexual harassment is this - "Sexual Harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly as a term or condition for reward

or;

such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive environment.

Under these definitions, direct or implied requests by an individual for sexual favors in

exchange for actual or promised benefits constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a school environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment depending on the totality of the circumstances including the severity of the conduct and its pervasiveness:

Unwelcome sexual advances -- whether they involve physical touching or not;
Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
Displaying sexually suggestive objects, pictures, cartoons;
Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
Inquiries into one's sexual experiences; and
Discussion of one's sexual activities.

All members should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

Complaints of Sexual Harassment

If any of our members believes that he or she has been subjected to sexual harassment, the employee has the right to file a complaint with our organization. This may be done in writing or orally.

If you would like to file a complaint, you may do so by contacting Bob Brick or Ljuba Marsh and they are also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

Sexual Harassment Investigation

When we receive a complaint we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

Disciplinary Action

