

# DISCRIMINATION AND HARASSMENT POLICY

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The Archdiocese of Los Angeles (“The Archdiocese”) strives to create a work environment where all persons treat each other with dignity, charity, and respect in accord with Christian principles and the social teachings of the Church. Therefore, The Archdiocese is committed to providing a work environment that is free from harassment and discrimination in any form. Harassment of or discrimination against any staff member or any person serving The Archdiocese, e.g., vendors, visitors, and volunteers, by any staff member is strictly prohibited. Likewise, staff members and volunteers are protected from harassment by vendors or others serving The Archdiocese. The Archdiocese will treat allegations of harassment or discrimination seriously and will investigate such allegations promptly, confidentially, and in a manner that is appropriate to the claim. Retaliation against any individual for making a complaint of harassment or discrimination or for participating in a harassment or discrimination investigation is strictly forbidden. Retaliation constitutes a violation of this policy.

A charge of harassment, discrimination, or retaliation shall not, in and of itself, create the presumption of wrongdoing. However, substantiated acts of harassment, discrimination, or retaliation will result in disciplinary action, up to and including termination of employment. Persons found to have filed false or frivolous charges will also be subject to disciplinary action, up to and including termination of employment.

## **HARASSMENT**

Harassment can occur in the workplace when individuals are subjected to hostile or intimidating treatment because of their race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, age, or pregnancy. It may occur at any time during work or during work-related activities, at or away from the location. It may include but is not limited to any or all of the following forms:

### **VERBAL HARASSMENT**

Derogatory, offensive, or inappropriate comments or jokes; threatening words spoken to another person.

### **PHYSICAL HARASSMENT**

Unwanted physical touching, contact or assault; deliberate impeding or blocking of another’s movements; any intimidating interference with normal work or movement.

### **VISUAL HARASSMENT**

The display or circulation of derogatory, demeaning, or inflammatory posters, cartoons, written words, drawings, or gestures (including by email or similar transmission or by other electronic means, which, from time to time, are included as visual harassment).

### **SEXUAL HARASSMENT**

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when any or all of the following apply:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's

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employment.

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile, or offensive working environment.

Specific examples of sexual harassment include, but are not limited to:

1. Making unsolicited sexual advances and propositions.
2. Using sexually degrading words to describe an individual or an individual's body.
3. Displaying sexually suggestive objects or pictures.
4. Telling inappropriate or sexually related jokes.
5. Making reprisals, threats of reprisals, or implied threats of reprisals following a negative response to sexual advances.
6. Offering employment benefits such as promotions, favorable performance evaluations, preferred duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.
7. Persistent and unwelcome flirting, kissing, massaging, leering, or intimate touching.

It is the responsibility of Archdiocesan Catholic Center Administration to:

1. Implement this policy through regular meetings with staff, including clergy and religious, ensuring that everyone understands the policy and its importance.
2. Make all staff, including clergy and religious, aware of this policy and the commitment of the Archdiocese of Los Angeles toward its strict enforcement.
3. Remain watchful for conditions that create or may lead to a hostile or offensive work environment.
4. Establish practices designed to create a work environment free from discrimination, intimidation, harassment, or retaliation.

It is the responsibility of each person to:

1. Conduct himself or herself in a manner which contributes to a positive work environment.
2. Avoid any activity that may be considered discriminatory, intimidating, retaliatory, or harassing.

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3. Immediately inform anyone harassing him or her that the behavior is offensive and unwelcome.
4. Report all incidents of discrimination, intimidation, retaliation, or harassment to his/her supervisor, or, if not the supervisor, to the next higher level of management or the Director of Human Resources.
5. If informed he/she is perceived as engaging in discriminatory, harassing, intimidating, retaliatory, or unwelcome conduct, to discontinue that conduct immediately.

## FILING A COMPLAINT AND INVESTIGATION PROCEDURES

The following procedures must be followed for filing and investigating a harassment claim:

1. The employee, religious, or priest ("Person") should first tell the individual causing the harassment that the conduct is offensive and must stop. If the objectionable behavior does not cease immediately, the Person must report the harassment to his or her immediate supervisor. If the Person is not comfortable or able to approach the alleged harasser, he or she should report the harassment to his or her immediate supervisor.
2. If the complaint is against the Person's immediate supervisor, the Person must report the harassment to the next higher supervisor or Director of Human Resources.
3. Directors or supervisors who either believe or who have been told that harassment is occurring between Persons in their departments are required to report any such harassment promptly to the Director of Human Resources.
4. The Person alleging harassment will be asked to complete a formal, written complaint. The claim will be investigated thoroughly, involving only the necessary parties. Confidentiality will be maintained as much as possible.
5. The investigation by the Human Resources Department will include a meeting with the Person alleged to have harassed, sharing with that Person the nature of the allegations as well as the name of the Person bringing the allegations. If appropriate, the alleged harasser will be placed on paid administrative leave during the course of the investigation.
6. Once the facts of the case have been gathered, the Moderator of the Curia, in consultation with the Director of Human Resources and appropriate supervisors, will decide what, if any, disciplinary action is warranted. The disciplinary action will relate to the nature, context, and seriousness of the harassment and can include all disciplinary actions up to and including immediate termination.
7. If the complaint is against a non-employee such as a parent, parishioner, volunteer or vendor, the Moderator of the Curia will take steps, within his power, to investigate and eliminate the problem.

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For additional information regarding this policy, please refer to the Archdiocese of Los Angeles Administrative Handbook 2014 Edition by visiting <http://handbook.la-archdiocese.org/>

## DISCRIMINATION AND HARASSMENT POLICY NOTICE & ACKNOWLEDGEMENT (MANAGEMENT)

As a supervisor/manager, I acknowledge that I have received, read and understand the Archdiocese of Los Angeles (Archdiocese) “Policy against Discrimination and Harassment.” I understand that the Archdiocese can be held responsible for acts of discrimination and/or harassment that I personally commit, condone, tolerate or fail to investigate and properly address.

I also understand that I can be sued and held personally liable for my conduct if at any time I know (or have reason to know) of (a) conduct that could be considered discriminatory and/or harassing, or (b) the existence of a work environment that could be regarded as hostile, intimidating, offensive or abusive, and I fail to report the situation immediately to higher management and the Director of Human Resources. If I am determined to be at fault by a court of law, I understand that it is possible that I shall have to pay for my own attorney or reimburse the Archdiocese if it has provided me with a defense.

Because I am a member of management, I promise to conduct myself in accordance with the Archdiocese’s discrimination and harassment policies and will not engage in any form of conduct prohibited by those policies. I will immediately report any act, allegation or rumor of conduct that may be regarded as discrimination and/or harassment to the Director of Human Resources. I will cooperate fully with any investigation of a claim, and I will not retaliate against any person who has reported the existence of improper conduct.

Finally, I understand that if I violate any aspect of the Archdiocese of Los Angeles’ Policy against Discrimination and Harassment I will be subject to disciplinary action, up to and including immediate termination of my employment.

I have received, read and understand this notice.

**Any violation of this policy must be immediately reported to your supervisor, manager, and/or the Human Resources Department at (213) 637-7494.**

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Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (Please Print)

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Department/Location