

Workplace Harassment and Discrimination Policy

1. Statement of Intent and Scope

Westminster Presbyterian Church (the “Church”) is committed to maintaining a worship, work, and community environment free from discrimination, harassment, and retaliation. Consistent with our Christian values and applicable federal, state, and local laws, all individuals associated with the Church are entitled to be treated with dignity, equality, and respect.

This policy applies to all staff members (full-time, part-time, temporary, exempt, and non-exempt), ordained clergy, session members, committee members, lay leaders, authorized volunteers, interns, independent contractors (1099/W-9), contract service workers, service providers, congregants, and visitors.

Harassment is prohibited:

- Within Church offices, sanctuary, and facilities.
- Off-site at Church-sponsored functions, retreats, youth trips, and community gatherings.
- In digital, telephone, and remote work environments—including personal text messages, messaging apps, phone calls, social media, emails, and virtual meetings (including inappropriate items, backdrops, or conduct visible in remote work locations).

2. Definitions and Prohibited Conduct

General Harassment and Discrimination:

Discrimination and harassment consist of verbal, written, visual, or physical conduct demeaning or hostile toward a person because of their race, color, creed, religion, national origin, citizenship, sex, sexual orientation, gender identity, gender expression, transgender status, age, marital status, military or veteran status, disability, domestic violence victim status, criminal history, or any other status protected by applicable law.

Sexual Harassment:

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and local law. It includes harassment based on sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.

Under New York State law, any harassing conduct is unlawful if it subjects an individual to inferior terms, conditions, or privileges of employment and rises above **petty slights or trivial inconveniences**. The conduct is judged from the standpoint of a reasonable victim with the same protected characteristics. **A lack of intent to offend does not excuse harassing conduct; impact is what governs.**

Sexual harassment includes, but is not limited to:

- **Unwelcome Sexual Advances or Physical Contact:** Unsolicited touching, pinching, patting, hugging without consent, cornering, blocking movement, or physical assault.
- **Quid Pro Quo Harassment:** Direct or implied demands where submission to, or rejection of, sexual advances or favors is made a condition of employment, advancement, leadership appointment, or favorable participation in church life.
- **Hostile Environment:** Conduct that creates an intimidating, hostile, or offensive environment. This includes sexualized jokes, teasing, comments about physical appearance, obscene gestures, displaying sexually suggestive materials (print or electronic), or continuing to express romantic/sexual interest after being told it is unwelcome.
- **Sex Stereotyping:** Treating someone adversely or making disparaging remarks because they do not conform to traditional gender expectations, roles, or stereotypes (e.g., claiming a particular church role is suited only to a specific sex).
- **Gender Identity Harassment:** Refusing to respect an individual's gender identity, including the intentional and persistent misgendering or misuse of an individual's requested name and pronouns.

3. Bystander Intervention

Westminster encourages all staff, leaders, and volunteers to actively foster a safe church community. Any person who witnesses or becomes aware of inappropriate, harassing, or retaliatory behavior should consider safe intervention techniques when feasible:

- **Interrupt / Distract:** Divert attention or change the subject to break the problematic interaction.
- **Delegate:** Notify a supervisor, Pastor, Clerk of Session, or Personnel Committee member immediately to intervene.
- **Document:** Keep timely written notes of observed behavior (date, time, witnesses, specific words/actions) to assist in any subsequent investigation.
- **Check In:** Offer direct support to the targeted person and remind them of the Church's reporting channels.

4. Mandatory Reporting by Supervisors and Leaders

Church leadership is held to a high standard. All supervisors, clergy, Session members, and committee chairs are **required** to report any incident of harassment, discrimination, or retaliation that they observe, suspect, or have reported to them. Leaders may be held responsible and face disciplinary action for failing to report suspected violations or for tolerating such behavior.

5. Reporting Procedures

Anyone who experiences, witnesses, or becomes aware of conduct violating this policy is urged to report it promptly.

Reports may be made verbally or in writing using the Church's **Harassment Complaint Form** (available in the church office, manual, and online). Reports should be directed to:

- **Primary Contacts:**
 - Head of Staff / Senior Pastor
 - Chair of the Personnel Committee
- **Alternate Contacts:**
 - Clerk of Session (if the complaint involves the Head of Staff or immediate supervisor)

Contact Information:

- Head of Staff: pastor@wpcalbany.org, 518-436-8544
- Personnel Committee Chair:
- Clerk of Session: leahthreatte@gmail.com

6. Investigation and Resolution Procedures

1. **Immediate Action:** Upon receiving a complaint, the Church will initiate a prompt, thorough, and fair investigation. Interim measures (such as adjusted schedules, administrative leave, or restricting building access) may be implemented immediately to protect the parties involved.
2. **Investigative Process:** The investigator (or designated response team) will meet individually with the complainant, the respondent, and relevant witnesses, reviewing any documentation. Investigations will be kept as confidential as possible while permitting a complete review.
3. **Clergy Inquiries:** If an allegation involves an ordained Minister of Word and Sacrament (such as the Head of Staff or Associate Pastor), the Church will follow Book of Order procedures and promptly notify the **Albany Presbytery's Stated Clerk / Commission on Ministry** to fulfill ecclesiastical disciplinary guidelines.
4. **Corrective Action:** If harassment, discrimination, or retaliation is substantiated, the Church will take immediate, tailored corrective action.
 - For **employees:** Sanctions up to and including mandatory counseling, formal written reprimand, reassignment, unpaid suspension, or termination of employment.
 - For **volunteers / lay leaders:** Removal from leadership roles, suspension of volunteer privileges, or referral to Session for disciplinary procedures.
 - For **contractors / vendors:** Immediate termination of contracts and removal from premises.
 - For **congregants / visitors:** Behavioral covenants, mediation, temporary barring, or permanent exclusion from Church property and activities.

7. Absolute Prohibition of Retaliation

Retaliation against any individual for exercising rights under this policy or the law is strictly prohibited and illegal.

Protected activities include making an internal complaint, opposing discriminatory practices, reporting an observed incident, or participating/testifying as a witness in an investigation. Any retaliatory action—such as adverse assignment, disciplinary threats, reduction in hours, negative references, or exclusion—will result in disciplinary action up to and including termination.

8. External Rights and Legal Remedies

Harassment and discrimination are against the law. In addition to the Church's internal complaint mechanism, individuals have the legal right to seek assistance or file formal administrative or judicial complaints with government agencies:

- **New York State Division of Human Rights (NYSDHR):**
 - Individuals may call the NYSDHR confidential sexual harassment hotline at **1-800-HARASS-3 (1-800-427-2773)** for free legal guidance regarding sexual harassment complaints.
 - Complaints under the New York State Human Rights Law may be filed directly with the NYSDHR within **three (3) years** of the incident.
 - Website: dhr.ny.gov
- **United States Equal Employment Opportunity Commission (EEOC):**
 - Complaints under Title VII of the Civil Rights Act must typically be filed within 300 days of the incident.
 - Website: eeoc.gov | Phone: 1-800-669-4000
- **Local Law Enforcement:**
 - If the conduct involves physical assault, stalking, or unwanted sexual contact, individuals are encouraged to contact local law enforcement (e.g., Albany Police Department).

Attachment I: Harassment Complaint Form

Westminster Presbyterian Church — Harassment & Discrimination Complaint Form

If you believe you have experienced, witnessed, or learned of conduct that violates Westminster's Workplace Harassment and Discrimination Policy, please complete this form and submit it to the Head of Staff, the Personnel Committee Chair, or the Clerk of Session. Reports may also be submitted verbally.

1. Complainant Information:

- Name:
- Contact Information (Phone / Email):
- Relationship to Church (Employee, Volunteer, Congregant, Contractor, Other):

2. Respondent Information:

- Name of individual(s) accused of misconduct:
- Role / Relationship to Church:

3. Description of Incident(s):

- Date(s) and time(s) of occurrence:
- Location(s) (e.g., Church room, virtual meeting, text/messaging, off-site event):

- Please describe in detail what occurred, including any specific statements or physical acts (attach additional pages if necessary):

4. Witnesses:

- Were there any witnesses? If yes, please list their names and contact details:

5. Documentation:

- Do you have written notes, emails, text messages, voicemails, or photos relevant to this complaint? *(Please attach copies if available.)*

Signature: _____

Date: _____