

# MENNONITE VILLAGE POLICY & PROCEDURE

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TITLE: Discrimination & Harassment Policy

PROCEDURE NO: HR 700.01

REPLACES: PL.01, Board Policy 405

PAGE(S): 2

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## **PURPOSE:**

To prohibit and prevent discrimination and harassment of employees.

## **POLICY:**

### **DISCRIMINATION**

Mennonite Village does not discriminate against any applicant or employee in hiring or in the terms, conditions and privileges of employment.

Employment discrimination is defined as an employee or job applicant receiving unfavorable treatment based on protected classes under Oregon law including race, color, religion, sex, sexual orientation, national origin, marital status, age, expunged juvenile record, uniformed service and disability.

### **HARASSMENT**

All employees are expected and required to treat one another, as well as our residents and customers, in a courteous and respectful manner at all times.

Harassment of any kind is prohibited. This specifically includes sexual harassment, sexual assault, and other harassment based upon race, color, religion, sex, sexual orientation, gender, gender identity, age, national origin, genetic information, marital status, veteran status, disability or other characteristics protected under local, state or federal law. This form of misconduct undermines morale and the integrity of the employment relationship, and interferes with productivity.

**Sexual Harassment:** Sexual harassment is a form of sex discrimination under state and federal law. Unwelcome sexual advances, requests for sexual favors or sexually suggestive conduct or statements are sexual harassment when:

- Submission to the advance is either an explicit or implicit term or condition of employment;
- Submission to or rejection of the advance affects the basis of employment decisions for the employee; or,
- Such conduct or statements have the purpose or effect of interfering with the employee's work performance or creating an intimidating, hostile or offensive working environment.

Examples of harassment which may violate this policy also include:

- Verbal harassment such as epithets, derogatory comments or slurs, demeaning or sexually explicit jokes;
- Physical harassment such as assault, impeding or blocking movement, unauthorized touching or any physical interference with normal work or movement when directed at any individual;
- Visual forms of harassment such as derogatory, offensive or sexually suggestive emails, texts, memes or pictures displayed or viewed in the workplace; and,

- Behavioral forms of harassment such as suggestive facial expressions or noises, leering or obscene gestures.

Although sexual harassment is sometimes difficult to define, in general, all employees should be aware that sexual conduct and conversations are inappropriate in the workplace.

Mennonite Village will not tolerate harassment.

#### **PROCEDURE:**

#### **REPORTING PROCEDURE FOR DISCRIMINATION, INCLUDING HARASSMENT AND SEXUAL ASSAULT**

Any employee aware of or experiencing discrimination, harassment or sexual assault in the workplace should report that information immediately to the Human Resources Director or any employee in the Human Resources department. An employee may make the report verbally or in writing to the employee's immediate supervisor or higher management, if the employee prefers. Employees may report to any of the persons listed above, regardless of any particular chain of command. All employees are encouraged to document any incidents involving discrimination, harassment, and sexual assault as soon as possible. All employees will be provided a copy of the policy at time of hire and at the time they file a complaint of discrimination or harassment.

A prompt, thorough and objective investigation of the complaint will be conducted by a qualified person. Documentation will be maintained to ensure reasonable progress. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation. Employees who have had a complaint should immediately make a further complaint should the harassment reoccur.

Appropriate corrective actions will be taken upon completion of our investigation. Employees found to be harassing other employees will be immediately and appropriately disciplined, up to and including immediate discharge.

Retaliation against employees who experience, witness or report a complaint regarding behaviors described above or other conduct addressed by this policy will not be tolerated.

**Statute of Limitations:** Employees have five years since the date of offense to bring about a claim of sexual harassment or discrimination.

#### **Nondisclosure & Nondisparagement Agreements:**

Mennonite Village will not require or coerce you from entering into a nondisclosure or nondisparagement agreement, otherwise known as confidentiality agreement that prevents you from discussing discrimination including harassment. However, after a claim of discrimination, including harassment, you may voluntarily request to enter into an agreement containing a nondisclosure, nondisparagement, or no-rehire provision. This agreement must give you at least seven days to revoke after signature.