

MOUNT ZION ANTI-HARASSMENT POLICY



Mount Zion Baptist Church is committed to providing a community that is free from all forms of discrimination, including sexual harassment. Mount Zion's policy on anti-harassment and discrimination is part of its overall efforts to provide a workplace free from discrimination and retaliation to the extent Mount Zion is covered by such laws. This policy is also part of Mount Zion's commitment to diversity and inclusion, and a workplace that is free from harassment, disrespect, and divisiveness.

All forms of harassment and retaliation are prohibited by the Civil Rights Act of 1964, as amended in 1991, and the Washington State Law Against Discrimination, RCW 49.60 to the extent these laws apply to Mount Zion.

Policy General Provisions

- This policy applies to all employees, applicants for employment, pastors, trustees, ministry members, deacons, committee members, supervisors, congregation members, visitors, interns and volunteers (whether paid or unpaid), contractors, vendors, customers and all persons conducting any business with Mount Zion. This policy applies to all persons regardless of their immigration status. In the remainder of this document, the term "covered persons" refers to this collective group.
- Sexual harassment will not be tolerated. Sexual harassment includes harassment on the basis of sex (including pregnancy, related medical conditions, and breastfeeding, gender identity or expression, sexual orientation, or any other category protected by applicable local, state or federal laws). Any person covered by this policy who engages in sexual harassment or retaliation will be subject to corrective action, up to and including termination from employment.
- Sexual harassment is offensive, is a violation of our policies, can be unlawful, and may subject Mount Zion to possible legal liability. Harassers may also be individually subject to liability, as can supervisors and managers who fail to act. **Covered people who engage in harassment will be subject to corrective action for such misconduct.** Covered persons will be subject to corrective action if they fail to take appropriate action when they receive a complaint of, observe, or otherwise become aware of sexual harassment.
- Mount Zion makes it a priority to investigate and conduct a prompt and thorough investigation that ensures a fair process for all parties, whenever Mount Zion receives a complaint about harassment/discrimination, or otherwise becomes aware of possible

harassment/discrimination within seven (7) calendar days of the alleged occurrence. Mount Zion will keep the complaint and investigation confidential to the extent possible. When there is a determination that it is likely that harassment/discrimination occurred, effective corrective action will be taken. All covered persons are required to cooperate with any internal investigation of harassment/discrimination.

- Harassing behavior does not need to be illegal harassment for Mount Zion to take corrective action. Mount Zion will strive to create a **workplace free from disrespect, divisiveness, incivility, and inappropriate behavior**. Therefore, behavior that could create a harassing environment should the behavior continue or escalate will not be tolerated and will lead to corrective action.
- **Retaliation is prohibited:** Mount Zion will not tolerate retaliation against anyone who reports or provides information about possible harassment/discrimination. Anyone covered by this policy who takes retaliatory action against anyone who has reported harassment/discrimination or who has provided information about possible harassment/discrimination will be subject to corrective action.
- There will be no barriers to accessing the policy or participating in enforcement. All employees will receive training in this policy and the policy will be made available to all people covered by this policy in a variety of languages when necessary, so that it can be used and understood by all employees. The policy will also be communicated orally to any person who does not read.

Sexual Harassment Definition

Sexual harassment is defined as unwelcome language or conduct of a sexual nature, or language or conduct that is because of sex, when:

- Such language or conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment (this can happen even if the complaining party is not the intended target of the sexual harassment);
- Such conduct is made either explicitly or implicitly a term or condition of employment; or,
- Submission to or rejection of such conduct is used as the basis for employment decisions.

Sexual harassment includes, but is not limited to, derogatory comments, jokes, or statements; sexual advances; sexually explicit language or stories; or visual, verbal or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes genderbased harassment of a person even when the harassment is not sexual in nature, but rather

is because of the person's gender. Sexual harassment can include language or conduct against a person of the same sex as the harasser.

Any sexually harassing conduct or language will be addressed under this policy, even if it is not a violation of the law. The list below is of examples of harassing behavior; however, it does not cover every type of harassment that will be a violation of this policy.

Examples of Language and Conduct that is Considered Prohibited Harassment

- Physical conduct including but not limited to: sexual assault; grabbing, poking, pressing or intentionally brushing up against another person's body; blocking someone's movement or invading their space; touching someone's breast, buttocks, or between their legs; or any other unwanted and intentional physical contact.
- Visual conduct including but not limited to: leering; sexual gestures; displaying of sexually suggestive objects, pictures, cartoons, posters, screen-savers, or websites.
- Verbal conduct including but not limited to: sexually derogatory comments, epithets, slurs and jokes; verbal abuse of a sexual nature; graphic verbal comments about an individual's body; derogatory comments related to gender or stereotypical gender roles; subtle or obvious pressure for unwelcome sexual activities; sexually suggestive or obscene letters, notes, emails, or texts; conversations, stories, comments or jokes about a person's sexuality or sexual experience; unwelcome questions about a person's sexuality or gender identity or expression.
- Asking a co-worker on a date multiple times if the request was unwelcome;
- Verbal abuse or joking concerning a person's gender characteristics such as vocal pitch, facial hair or the size or shape of a person's body.
- Offering an employment benefit (such as a raise, bonus, promotion, assistance with one's career or better working conditions) in exchange for sexual favors, or threatening an employment detriment (such as termination, demotion, worse working conditions, or disciplinary action) when a person refuses to engage in sexual activity.
- Sending sexually related, sexually derogatory, or sexually suggestive text messages, videos or offensive comments or messages via social media.
- Physical or verbal abuse concerning an individual's gender or the perception of the individual's gender.
- Making or threatening retaliatory action after receiving a negative response to sexual advances.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity or expression, or the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's work, workstation, tools or equipment, or other interference with the individual's ability to perform the job;
 - Ignoring or ostracizing them;
 - Yelling or name-calling.

- Degrading comments in the form of sex stereotyping, which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how persons of a specific sex should act or look.
- Other actions not listed above could constitute sexual harassment and/or a violation of this policy and be subject to corrective action.

Location and Timing of Behavior

Sexual harassment is not limited to the physical workplace at Mount Zion. It can occur during travel, at events sponsored by Mount Zion, or via phone, email, text, or social media. Such behavior can also occur outside of scheduled work time. Covered persons who engage in harassing conduct outside of the workplace or outside of work hours will be subject to corrective action.

Discrimination Definition

Making unfair/prejudicial distinctions based on groups/protected characteristics such as age, gender, national origin, sex (male/female), race, religion, creed, LGBTQ status, pregnancy, military status, use of guide dog, citizenship/immigration status.

Responsibilities of Persons Covered by this Policy

- Each covered person has the responsibility to refrain from sexual harassment that impacts the workplace. The harasser will be subject to corrective action up to and including termination from employment in accordance with Mount Zion's disciplinary policy.
- Any covered person who believes they have been the target of sexual harassment or witnesses sexual harassment, is encouraged to follow Mount Zion's Reporting Procedure to report the sexual harassment.
- The covered person does not need to confront the harasser for a complaint, investigation, and corrective action to take place. A covered person who experiences sexual harassment may, if they choose to and can do so safely, inform the harassing person that such conduct is unwelcome and offensive and must stop.
- Employees, pastors, associate ministers, deacons, committee members, supervisors, congregation members, visitors, interns and volunteers (whether paid or unpaid), contractors, vendors, customers and all persons conducting any business with Mount Zion shall familiarize themselves with this Policy and the Reporting Procedure and attend all required sexual harassment trainings.

Mount Zion Responsibilities

- Mount Zion, **including pastors, associate ministers, church officers, leaders, and supervisors**, and anyone covered by this policy are ultimately responsible for maintaining a workplace free from all forms of harassment and discrimination.
- **Anyone covered by this policy** must take all forms of harassment and discrimination seriously and take prompt and effective action when they receive a complaint, observe harassment/discrimination, or otherwise become aware of possible harassment/discrimination. Anyone covered by this policy will follow Mount Zion's Investigation Procedures and will cooperate with an investigation.
- Anyone covered by this policy is required to follow Mount Zion Investigation Procedures when they receive a complaint, see possible harassment/discrimination, or otherwise become aware of possible harassing/discriminating behavior. In such circumstances where a person discloses sexual or other types of harassment/discrimination but does not want to make a formal complaint, or when the complaining party changes their mind and retracts the complaint, the individual receiving the complaint is still obligated to act upon the information and follow the Investigative Procedures.
- Retaliation against those who report sexual harassment/discrimination or who participate as a witness to a complaint is prohibited. If **anyone covered by this policy** sees any retaliation or retaliatory harassment toward an employee, they must report this conduct to a member of Mount Zion's Human Resources Ministry and/or the Diaconate Ministry. If **anyone covered by this policy** engages in retaliation, they will be subject to corrective action.

Anyone covered by this policy shall familiarize themselves with this Policy and the Reporting Procedure and attend all anti-harassment/discrimination training under this agreement. Anyone covered by this policy shall be able to understand and recognize harassment or discrimination and should be able to provide information and direction regarding anti-harassment or discrimination, the Policy, and the Reporting Procedure.

Distribution of Policy

This Policy and Reporting Procedure shall be distributed annually to all employees and will be provided to employees upon hire and promotion. This Policy and Reporting Procedure will be distributed and displayed in multiple languages when necessary for the policy to be understood and used by everyone, and provided orally to persons who cannot read.

Reporting information will be prominently posted in all work locations, shall be posted in the church office, church foyer, kitchen/Fellowship Hall and will be available on-line at <https://mountzion.net>

Retaliation

In general, retaliation is unlawful under federal, state and applicable local laws. While the Washington State Law Against Discrimination (RCW 49.60) may not specifically apply to Mount. Zion, it generally protects any individual who has engaged in “protected activity”. Protected activity occurs when a person has:

- Made a complaint of sexual harassment, either internally, with an administrative antidiscrimination agency, or filed a lawsuit about harassment/discrimination;
- Provided information, testified or assisted in a proceeding involving harassment/discrimination;
- Opposed harassment/discrimination by making an oral or informal complaint to management, or by simply informing a supervisor or Leader of harassment/discrimination; or
- Reported that another employee has been harassed.

Employees are protected from retaliation and retaliatory harassment from all persons covered by this Policy. Even if the alleged harassment does not rise to the level of a violation of law or of this Policy, the individual is protected from retaliation if the person who engaged in protected activity believed that the behavior was unlawful or a policy violation. However, someone who makes a complaint of harassment that they know is false may be subject to discipline.

Retaliation is any action that could discourage an employee from coming forward to make or support a harassment/discrimination claim. The action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence for reporting sent via social media or outside of work hours).

Examples of retaliation include but are not limited to:

- Termination or demotion;
- A decrease in hours, removing work, or denying a promotion;
- Being given more work, more difficult work, or undesirable tasks;
- Isolation or transfer to a less desirable location;
- Hyper scrutiny by a supervisor or manager or poor performance reviews;
- Threatening messages sent via social media or text;
- Retaliatory harassment by supervisors or managers, or by co-workers when the harassment is reported to or witnessed by a supervisor or manager. Examples are: ○ Leaving the person out of meetings or work-related events; ○ Refusing to communicate with the person; ○ Spreading rumors about the person;
 - Interacting with the person in a hostile manner that is different from interactions prior to the complaint;

- Disciplinary action based on pretextual reasons;
- Threatening the safety or livelihood of the complaining party's family members; • Taking a purposefully unreasonable amount of time to investigate the complaint;
- Giving a negative reference.

Mount Zion Discrimination and Harassment Reporting Procedure

To ensure a workplace and church environment free from harassment and discrimination, everyone should take collective responsibility for ending harassment and discrimination in the workplace and church environment and is encouraged to report sexual harassment. **Mount Zion will not be able to prevent or correct harassment unless it is aware of what is happening.**

Reporting Methods:

1. If anyone covered by this policy feels that they are being subjected to discrimination or are being sexually harassed or discriminated against or witnesses discrimination or harassment by another employee, volunteer, or any other person covered by this policy, they are encouraged to immediately contact one of the following to make a complaint:
 - a. Chairperson of Human Resources Ministry, hr@mountzionseattle.org. (Mandatory if the complaint involves an employee(s) of Mount Zion Baptist Church.)
 - b. Chairperson of the Diaconate Ministry.
2. All complaints of discrimination and sexual harassment, including an oral or written complaint, must be submitted within seven (7) calendar days of the alleged occurrence. All complaints will be investigated. Mount Zion has a complaint form available for employees to report and file complaints. However, a complaint will still be investigated when the form is not used.
3. Any complaining party or witness who believes that they are being retaliated against for making a complaint or participating in an investigation is encouraged to follow the Reporting Procedure set forth above to make a complaint of retaliation.

Complaint Resolution Procedures

The objectives of conflict resolution are to restore the relational integrity that the Word of God commands followers of Christ to have between one another; to confront the guilty and protect the innocent; to repair relationships broken by sin; to sustain the effectiveness of the witness of the gospel in the church; and to glorify God through our Lord and Savior, Jesus Christ. In dealing with all grievances between members of Mount Zion Baptist Church, it shall be the practice of the church to adhere to the principles and process given to us by our Lord Jesus Christ in Matthew 18:15-20: "If your brother sins against you, go and tell him his fault, between you and him alone. If he listens to you, you have gained your brother. But if he does not listen, take one or two others along with you, that every charge may be established by the evidence of

two or three witnesses. If he refuses to listen to them, tell it to the church. And if he refuses to listen even to the church, let him be to you as a Gentile and a tax collector. Truly, I say to you, whatever you bind on earth shall be bound in heaven, and whatever you loose on earth shall be loosed in heaven. Again, I say to you, if two of you agree on earth about anything they ask, it will be done for them by my Father in heaven. For where two or three are gathered in my name, there am I among them.”

The Hearing

The Complaints (the petitioner) must specify the alleged violations and the efforts already undertaken to resolve the dispute. **Complaints must provide the specific policy, procedure or practice(s) the dispute allegedly violates.**

When a complaint is received, the Chair of the Diaconate and the Chair of Human Resources Ministry shall deliver a copy to the person named in the complaint (the respondent) within seven (7) calendar days, including a copy of the complaint and the specific policy, procedure or practice(s) the dispute allegedly violates.

A select committee (officers) in good standing of the Diaconate and the Human Resources Ministry shall investigate the complaint and may exercise its discretion to resolve the dispute between the parties. The select committee, after investigating, may refer the matter to the Diaconate Executive Committee or an independent Grievance Team for a hearing and resolution if there is a possibility of conflict of interest.

It shall be the responsibility Diaconate and Human Resources representatives to proactively seek resolution of all conflicts in a timely fashion. Any written and signed grievance against employees, officers/leaders (pastors, trustees, deacons) may be subject to review by a Grievance Team appointed by the Advisory Council to avoid any conflict of interest. The Grievance Team shall not have authority over the church but will function in a spirit of seeking biblical resolution and restoration between followers of Christ.

Conflicts of Interest – The Grievance Committee shall avoid both apparent and actual conflicts of interest. If a member of the Grievance Committee may be considered on any standard by a reasonable individual to have bias for or against any person involved in a Dispute, or their action or inaction is the basis for the grievance, that member of the Grievance Committee shall excuse themselves from the review of that Dispute. If any member of the Grievance Committee excuses themselves from the review of a Dispute, the Chair of the Nominating Committee shall substitute. c) Authority - The Grievance Committee has the authority to make final decisions on Disputes regarding all matters including, but not limited to: 1) Violations of applicable federal, state, and local laws and regulations, Mount Zion Baptist Church laws, policies, and procedures; and violations of this Policy; and 2) The commission of any act or acts which may disparage Mount Zion Baptist Church to the detriment of its good name and reputation; and 3) The

commission of any act or acts which the Grievance Committee determines to be indecent, heinous, or present a danger to the safety and well-being, physical or mental, of any congregant or individual affiliated with Mount Zion Baptist Church.

The petitioner and respondent may submit documentary evidence to the Diaconate Executive Committee or Grievance Team at any time prior to the conclusion of the hearing process.

The Hearing Process

The hearing should be held as soon as possible but not greater than 30 days. The Hearing shall be held in private unless both the petitioner and respondent agree to a public hearing. All participants in the complaints and hearings shall be advised that they are bound by confidentiality, unless both the petitioner and the respondent agree to make it public.

The petitioner and respondent may appear at the hearing and listen to the presentation and provide other information, if requested.

The petitioner is the first to present any additional comments or details not provided in the complaint.

After the petitioner's presentation, the respondent may present any additional comments or details not provided in response to the complaint.

The Hearing officials may ask questions of both the petitioner and respondent. The petitioner and respondent may ask questions of the Executive Committee Chair/Grievance Investigation Team.

The Executive Committee may close the hearing and reconvene at later date, if information needed to make an informed decision is not available.

When the Executive Committee concludes that it has sufficient information to render a decision, it may close the hearing.

The Hearing official excuses the petitioner and respondent.

Post Hearing

By majority vote or by consensus, the Diaconate Executive Committee may issue a finding that the complaint is without merit. A finding that the complaint is without merit ends the complaint process.

By majority vote or by consensus, the Diaconate Executive Committee may issue a finding to the petitioner and respondent that the complaint is valid and stipulate appropriate corrective action. The stipulated corrective action is a binding decision and ends the complaint process. There are two exceptions.

CONFIDENTIALITY All leaders under this policy understands and agrees that they will have access to the confidential information of Mount Zion Baptist Church. For the purposes of this Policy, “confidential information” means all information regarding Mount Zion - including Mount Zion’s bylaws, policies and procedures, documents, and any decisions of the Senior Pastor and staff, Mount Zion congregation, Church Advisory Council, and ministries, committees, and auxiliaries - to which the Leader has access. Confidential information also includes information which, by the nature of the circumstances surrounding the disclosure by the leader, ought in good faith to be treated as confidential. Confidential information includes, and is not limited to, proprietary, restricted, and sensitive information, documents and data concerning Mount Zion, its staff, members, operations, auxiliaries, clergy, and Senior Pastor.

Mount Zion employees or leaders shall not, except as compelled by law or court order, publicize or otherwise disclose (“Disclose”) to any person or entity, or any judicial body, except subject to a valid subpoena, any Mount Zion documents or confidential information, or the subject matter thereof without the express written permission of the Advisory Council. Also, they shall not photograph, scan, copy, memorialize or otherwise reproduce any Mount Zion documents or emails without the express written permission of the Advisory Council if seeking to produce such Mount Zion documents. c) Leaders and employees shall not notify, speak or in any way communicate with the press, public or any other media outlet, including social media, (the “Press”) without the express written permission of the Advisory Council. d) Leaders and employees shall abide by this Policy for resolving Disputes, as defined below, prior to seeking any other remedy, including initiating legal action, regarding Mount Zion’s bylaws, policies and procedures, and any decisions of the Senior Pastor and staff, Mount Zion congregation, Church Advisory Council, and Mount Zion committees, and auxiliaries.

Recommendation to the Advisory Council

The Diaconate or appointed Investigative Team may, if appropriate, recommend final approval of its findings (decision) to the Congregation through the Advisory Council under two conditions:

1. The finding includes a monetary solution.
2. The finding includes a policy and procedures change that require approval by the congregation.

Neither the petitioner nor respondent may appeal the Diaconate finding (decision) to the Advisory Council or the Church Congregation. **Corrective Action:**

Progressive discipline will be implemented to address inappropriate behavior in a fair and consistent manner. Following are the steps to the progressive discipline process:

1. A Verbal Warning will be issued as a first step to prevent future incidents of inappropriate behavior.
2. A Written Warning or reprimand, whichever deemed appropriate pertaining to the alleged offense, will be issued to document the employee/officer/ministry leader's behavior, date and situation, and placed on file.
3. A Final Warning is the last chance to improve inappropriate behavior. This step may also include suspension, with or without pay, and a warning that termination or removal from the ministry role and will be the next step if the behavior is not corrected.
4. Termination//Removal is a last resort, when it is best for the employee/officer/ministry leader to relinquish their position.