**Sexual Harassment Definitions and Policies**

Definition: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

(EEOC 29 Code of Federal Regulations 1604.11)

**Purpose**
The purpose of this document is to define the policy of the National Heights Baptist Church, that all employees have the right to a work environment free from all forms of discrimination and conduct that can be considered harassing, coercive or disruptive, including sexual harassment.

**Policy**
The church’s position is that sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. No employee - either male or female - shall be subject to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that debilitates morale and that, therefore, interferes with work effectiveness. Such behavior may result in disciplinary action up to and including termination.

**Policy implementation**
It is the responsibility of the pastor, ministers and ministry associates to make sure the organizational component for which each is responsible is in full compliance with this policy. Employees who have complaints should report such conduct to their supervisors. If this is not appropriate, employees are urged to report to and ask the assistance of the pastor. It is the responsibility of the pastor to provide guidance, investigate charges of impropriety and recommend appropriate action. All claims must be thoroughly investigated.
Complaints procedure

1. **Employee** - Complaints of sexual harassment should be brought to the attention of the supervisor unless the alleged harasser is the employee's supervisor. In such cases, the employee should feel free to bypass the supervisor and take the complaint directly to the pastor or either the personnel committee, deacons or other governing body.

2. **Supervisor** - After notification of any employee's complaint, the supervisor will immediately contact the pastor unless the alleged harasser is the pastor. In such cases, the supervisor should feel free to bypass the pastor and take the complaint directly to the personnel committee, deacons or other governing body.

3. **Pastor** - After notification of any employee's complaint, the pastor will immediately contact the personnel committee, deacons or other governing body.

4. **Process**
   1. After notification of the employee's complaint, a confidential investigation will immediately be initiated to gather all facts about the complaint. The pastor will initiate and the personnel committee, deacons or other governing body will have the primary responsibility for the investigation.
   2. After the investigation has been completed, a determination will be made regarding the resolution of the case by the personnel committee. If warranted, disciplinary action, up to and including termination, will be taken.
   3. If no action is warranted, then both parties will be informed that the facts did not substantiate the allegations. In this situation, steps must be taken to facilitate both parties continuing to work with each other.

**Non-retaliation**

This policy prohibits retaliation against employees who bring sexual harassment charges or assist in investigating charges. Any such employee will not be adversely affected in terms and conditions of employment, nor discriminated against or discharged because of the complaint.

**Non-employees**

In addition to the above, any complaints of sexual harassment by a member against an employee or by an employee against vendors or any other non-employees who do business with the church should be reported and investigated in the same manner as employees.
Reporting Sexual Misconduct

There are three areas of responsibility: the victim(s), the congregation, and the reported perpetrator.

The victim
1. Provide immediate attention to the victim(s).
2. Assign church members close to the victim(s) to provide immediate and long-term ministry.
3. Provide professional counseling support.
   1. NHBC should pay the cost.
   2. The counselor should be one acceptable to the victim.
4. If the victim is a minor, the counselor is responsible for reporting the incident to the department of family services. [Check Missouri mandatory reporting statute RSMo 210.115.1.]

The congregation
1. The pastor should not try to handle the situation alone. He should immediately involve a key leader such as the deacon chairman. This lay leader should become a part of devising a strategy of response. If the pastor is the one accused, this lay leader should lead the process.
2. Contact outside resources for advice and counsel.
   1. Director of Missions.
   2. State Board of Missions: Office of LeaderCare & Church Administration.
   3. Legal counsel. An excellent resource is the Center for the Study of Law and Church at Cumberland Law School, Samford University, 1-800-888-7303.
3. Contact the church’s insurance company.
4. A group of mature lay leaders such as the deacons should be fully informed and given permission to help dispel rumors.
5. Inform the congregation, if deemed necessary.
   1. Tell the truth, not necessarily details and names.
   2. The congregation should never be misled or misinformed.

The reported perpetrator
1. Inform the accused person of the allegations.
2. Inform the accused of the process to be followed.
3. During the time of investigation, the accused should temporarily step down from the position.
4. If the person is a church employee, there should be full compensation during the time of initial investigation.
5. If there is a confession of wrongdoing or credible evidence, the perpetrator should be given the option of publicly confessing and resigning (such as in a letter).
6. If the person refuses to resign, he/she should be told of the process of dismissal.
7. Severance pay should be considered for the sake of the family. They are secondary victims.
Covenant of Ministerial Ethics

As a minister called of God to serve this church, I commit myself to these ethical practices:

I will continuously cultivate my relationship with the Lord that I may grow more and more into the image of Jesus, my Savior and Lord.

I will conduct myself in a way that exemplifies the gospel I preach, demonstrating what it means to be a Christian.

I will nurture strong relationships with my family.

I will develop relationships with friends and colleagues that will help hold me accountable for proper behavior.

I will demonstrate sexual integrity in ministry by observing these forbidden boundaries:

• Sexual relations outside marriage.
• Unwanted or inappropriate physical contact.
• Improper behaviors such as suggestive speech, either verbal or written.
• The use of pornography.

I will submit to the church-adopted policies and procedures for responding to an allegation of sexual misconduct. If I am guilty of such misbehavior, I will confess and resign. If there is credible evidence of misconduct, I will resign. I will permit full disclosure of information to be made to the deacons or a comparable authoritative body which could include the congregation. Further, I will accept that factual information will be revealed to inquiring churches considering me as their minister.

Signed: _____________________________________________________________

Dated: ________________________
Policies for Counseling

1. NHBC staff offer only short-term pastoral counseling. All ministerial staff should develop a referral network of other professionals who provide help beyond the scope of pastoral counseling.

2. Sessions in which opposite-sex counseling is permitted are limited to three (3) sessions. After the limit is reached, the staff member must refer the individual to another counselor.

3. Consider conducting opposite-sex counseling by telephone. If this is not an option, consider having the counselor's spouse present.

4. Conduct counseling sessions only on church premises when others are present in the building.

5. All notes and records taken during counseling sessions should be secured and kept confidential.

6. Refrain from any speech or action that could in any way be construed as sexual or romantic.

7. Keep the door to the counseling office open or install a window in the door of the office.