

Sexual Harassment Prevention Notice



Combating
Sexual Harassment

Sexual harassment is against the law.

All employees have a legal right to a workplace free from sexual harassment, and the Diocese of Rockville Centre (DRVC) is committed to maintaining a workplace free from sexual harassment.

Per New York State Law, DRVC has a sexual harassment prevention policy in place that protects you. This policy applies to all employees, paid or unpaid interns and non-employees in our workplace, regardless of immigration status. You are receiving this notice, as required by law, either at the time of hiring or during your annual sexual harassment prevention training.

If you believe you have been subjected to or witnessed sexual harassment, you are encouraged to report the harassment to any of the following persons or office listed below, so we can take action:

- A. The Office of Human Resources; or
- B. The Cabinet Secretary
- C. The department supervisor/manager
- D. Any member of management with whom the employee feels comfortable.

Our complete policy is attached

Our training materials may be found at the link below:

www.virtus.org

Our Complaint Form is attached

If you have questions or to make a complaint, please contact:

Allison Cannon
Chief Human Resources Officer
Phone: 516-678-5800, ext. 282
Email: acannon@drvc.org

For more information and additional resources, please visit:
www.ny.gov/programs/combating-sexual-harassment-workplace

Policy Against Discrimination and Sexual Harassment

The Diocese prohibits discrimination and sexual harassment and retaliation of or against its applicants, interns, contractors, volunteers or employees by another employee, supervisor, customer, client, vendor or other third party in all aspects of the employment relationship including: recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, activities, access to programs and treatment. All employees of the Diocese will receive annual discrimination and harassment training that they must complete.

Definitions of Prohibited Conduct

Discrimination: This includes employment and educational decisions made on the basis of personal characteristics that are protected by law, including but not limited to race, religion, color, national or ethnic origin, age, gender or sex, marital status, citizenship status, disability, caregiver status, pregnancy, status as a victim of domestic violence, status in the uniformed services of the United States (including veteran status), or any other basis prohibited by law.

Employment decisions can include hiring, job classification, work assignments or status, salary or other compensation, promotion or transfer, discipline, discharge, layoff, leaves of absence, job training, benefits or other terms or conditions affecting one's employment.

Examples that violate this policy include:

- Use of ethnic slurs or racial epithets.
- Telling jokes that may be construed as harassment of others based on their race, national origin, age, disability or religious beliefs or any other protected characteristic.
- The display of cartoons or other images (including images displayed on computers) that may be construed as harassment of others based on their race, national origin, age, disability, religious beliefs, or any other characteristic protected by law.

Sexual harassment: is a form of sex discrimination that violates Diocese policy and is unlawful under federal, New York State and local law (as applicable). Sexual harassment includes unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individual's sex or gender (including pregnancy, childbirth and related medical conditions) gender identity/expression, and/or sexual orientation when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment, even if the individual is not the intended target.

Sexual harassment can be verbal (e.g., jokes, insults, gestures or teasing), visual (e.g., offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (e.g., unwanted touching, physically threatening another) that denigrates or shows hostility or aversion towards an individual based on sex or gender, gender identity, gender expression and/or sexual orientation.

Examples of conduct that violate this policy include:

- unwelcome sexual advances, flirtations, leering, whistling, touching, pinching, assault, blocking normal movement.
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment.
- obscene or vulgar gestures, posters, or comments.
- sexual jokes, noises, or comments about a person's body, sexual prowess, sexuality, sexual experience, or sexual deficiencies.
- propositions, or suggestive or insulting comments of a sexual nature.
- derogatory cartoons, posters, and drawings.
- sexually explicit e-mails, text messages, posts or voicemails.
- conversation about one's own or someone else's sex life.
- conduct or comments consistently targeted at only one gender, even if the content is not sexual.
- teasing or other conduct directed toward a person because of the person's gender.
- sex stereotyping.

Retaliation: is adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, participated in the reporting and investigation process set forth in this policy or testified or assisted in an investigation or proceeding involving an actual or perceived violation of this policy. Adverse conduct includes, but is not limited to any action that would keep an employee from reporting sexual harassment or retaliation; shunning and avoiding an individual who reports sexual harassment or retaliation; express or implied threats or intimidation intended to prevent an individual from reporting sexual harassment or retaliation; and denying employment benefits because an applicant or employee reported or encouraged another employee to report sexual harassment or retaliation or participated in the reporting and investigation process.

Reporting Procedure

The Diocese cannot prevent discrimination and/or sexual harassment unless it knows about it. If an employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of his/her supervisor, the Cabinet Secretary, Human Resources (516-678-5800 ext. 282) or any member of management with whom the employee feels comfortable. Reports of sexual harassment may be made verbally or in writing. Written complaints can be submitted internally using a complaint form. The complaint form can be found attached as Appendix A. If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, the employee should contact the Chief Operating Officer immediately.

Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, must immediately report the issues raised to Human Resources available at 516-678-5800 ext. 282.

Investigation Procedure

Upon receiving a complaint, the Diocese will timely conduct a fair and thorough investigation into any claim of a violation of this policy to ensure due process for all parties. The Diocese will endeavor to keep the reporting employee's concerns confidential. However, complete confidentiality may not be possible in all circumstances. Employees are required to cooperate in investigations conducted pursuant to this policy.

During the investigation, the Diocese generally will interview the complainant and the accused, conduct further interviews as necessary and review documents or other information the investigator believes are relevant.

Upon completion of the investigation, the Diocese will determine whether this policy has been violated based upon its reasonable, good-faith evaluation of the information gathered during the investigation. The Diocese will inform the complainant and the accused of the results of the investigation.

Any employee found to have engaged in conduct in violation of this policy will be considered to have engaged in employee misconduct. Individuals who violate this policy (which includes supervisory or management personnel who fail to report or knowingly allow discrimination and/or sexually harassing behavior to continue) will be subject to disciplinary action, up to and including termination from employment. Individuals who engage in conduct that rises to the level of a violation of law can be held personally liable for such conduct.

Legal Protections and External Remedies

Aside from the internal complaint process, employees may choose to pursue external legal remedies with the following governmental entities:

New York State Division of Human Rights (DHR)

The DHR enforces the New York State Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., which protects employees, paid or unpaid interns and nonemployees regardless of immigration status from unlawful discrimination, harassment or retaliation. The DHR has the power to award relief, which varies but may include requiring an employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is:

NYS Division of Human Rights
One Fordham Plaza, Fourth Floor
Bronx, New York 10458
(718) 741-8400
www.dhr.ny.gov

Individuals also may contact the DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). If an employee believes he/she has been subjected to harassment, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

The EEOC can be contacted by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting its website at www.eeoc.gov or via email at info@eeoc.gov

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Employees who work in Nassau County can file complaints of sexual harassment with the Nassau County Commission on Human Rights (240 Old Country Road, 6th Floor, Suite 606, Mineola, NY 11501; 516-571-3662 or www.nassaucountyny.gov/414/Human-Rights-Commission).

Employees who work in Suffolk County can file complaints of sexual harassment with the Suffolk County Human Rights Commission (H. Lee Dennison Building, 100 Veterans Memorial Hwy, Third Floor, Hauppauge, NY 11788; 631-853-5480).

Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department or, in an emergency, dial 911.

DISCRIMINATION AND SEXUAL HARASSMENT COMPLAINT FORM

If you believe the Diocese's policy against discrimination and sexual harassment has been violated, you are encouraged to complete this form and submit it to DRVC Human Resources, P.O. Box 9023, Rockville Centre, NY 11571-9023 or via e-mail to privacy@drvc.org. Once you submit this complaint form, the Diocese will follow the investigation process described in its policy.

If you are more comfortable reporting complaints verbally or in manner other than this form, please contact the Cabinet Secretary to whom you report, your manager, the Chief Human Resources Officer or any member of management with whom you feel comfortable so we may begin investigating your complaint.

GENERAL INFORMATION

Your Name / Job Title:

Your Department / Supervisor:

Preferred Communication Method (if via e-mail or phone, please provide contact info):

COMPLAINT

- 1. Please tell us who you believe has violated our policy against discrimination and sexual harassment.**

2. Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct violated our discrimination and sexual harassment policy. Please use additional sheets of paper if necessary and attach any relevant documents or evidence to this form.

3. Please provide specific date(s) the alleged misconduct occurred. Additionally, please advise if the alleged misconduct is continuing?

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint.

5. Have you previously complained or provided information (verbal or written) about a violation of the Diocese’s discrimination and sexual harassment policy to the Diocese? If yes, when and to whom did you complain or provide information?

I have reviewed the Diocese’s policy against discrimination and sexual harassment and request that the Diocese investigate this complaint in a timely and confidential manner and advise me of the results of the investigation.

Signature: _____ Date: _____