

# Vermont Catholic Charities, Inc., Residential Care Homes Policies and Procedures

<b>SUBJECT: Harassment</b>	<b>Policy Number HR 0007</b>
	Section: Human Resources
	Sub-Section: Employee Relations
	Approved Date: March 1, 2010 Updated: October 1, 2017

## INTRODUCTION

Vermont Catholic Charities, Inc., is committed to demonstrating the utmost respect for each individual. VCCI commits to supporting an environment free from harassment, and has a zero tolerance policy regarding harassment of any kind. Vermont Catholic Charities, Inc., will take prompt action to investigate and remedy any action between employees or by outside vendors, customers and visitors that intimidates, demeans, threatens, or encourages a hostile or negative work environment.

## POLICY

Vermont Catholic Charities, Inc., strictly prohibits harassment of any form. Harassment is defined as any unwelcome conduct of a verbal or physical nature based on race, color, religion, national origin, sex, sexual orientation, age, ancestry, place of birth, physical or mental condition, veteran or handicap status, or any other factor which may be considered discriminatory, in accordance with the laws and regulations existing within the jurisdiction where Vermont Catholic Charities, Inc., is operating.

It is also unlawful to retaliate against anyone who raises a concern about harassment, sexual harassment or discrimination, or those involved in assisting or cooperating in an investigation of harassment. Employees must at all times treat other employees, residents, customers, vendors, or visitors respectfully and with dignity.

Sexual harassment is defined as any unwelcome sexually-oriented behavior, demand, or physical contact initiated by any individual at the workplace that is a term or condition of employment, a basis for employment decisions, or that interferes with the employee's work or creates a hostile or offensive work environment. Therefore, any employee who engages in, or fails to report such conduct will be made to bear the full responsibility of such conduct or knowledge, and may be subject to appropriate discipline up to and including termination of employment. This includes employees who witness this behavior or are formally or informally informed of such behavior.

Examples of the kinds of conduct that constitute sexual harassment include, but are not limited to:

1. Explicit demands for sexual favors
2. Sexually-oriented verbal or written kidding, teasing, or jokes
3. Repeated sexual flirtations, advances or propositions
4. Continued or repeated verbal abuse of a sexual nature
5. Repeated innuendo that an individual was hired, promoted, or transferred for sexually motivated reasons
6. Repeated inquiries or comments regarding an individual's sexual orientation or preferences
7. Graphic or degrading comments about an individual or his or her appearance
8. The display of sexually suggestive objects or pictures
9. Pressure for sexual activity
10. Physical contact such as patting, hugging, pinching or brushing against another's body
11. Disclosure of sexually oriented personal information in the work environment
12. Suggestive behavior or talk with other employees, or by outside vendors, customers, or visitors

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## **PROCEDURE**

1. Any employee who has suffered harassment or retaliation or who has observed such conduct must report it verbally or in writing to their immediate supervisor, or to the Administrator and/or the Human Resources Director. Any supervisor who receives such information, whether it is informal information or an official complaint must report this information to the Human Resources Director immediately.
2. Any employee who is the recipient of or witness to such harassment has an obligation and duty to inform the offending party that the behavior is offensive and that it must cease.
3. To the extent possible, the identity of the person making the complaint will be kept in confidence. Vermont Catholic Charities, Inc., will enforce strict penalties for retaliation of any kind toward the complainant or others reporting, assisting, or investigating such information.
4. All parties requested to assist or cooperate in an investigation are expected to do so fully and without fear of retaliation or negative impact on their position, job status, or future job opportunity.
5. All complaints will be investigated expeditiously. Upon completion of the investigation, Vermont Catholic Charities, Inc., will take appropriate action, which may include disciplining any employee who has engaged in improper conduct. Such discipline may include termination of employment for the reported offenses, or any retaliatory action taken as a result of the complaint.
6. All employees will be trained on the Harassment law and policy and will sign-off that he/she will abide by the policy and procedures.

## **\*VERMONT ADDENDUM-The State of Vermont Provides additional legal requirements**

## **PROCEDURE**

1. Any employee who has suffered harassment or retaliation or who has observed such conduct must report it verbally or in writing to their immediate supervisor or the Director of Human Resources.

Although employees are encouraged to file their complaint of sexual harassment through Vermont Catholic Charities, Inc., the following agencies also process complaints of sexual harassment:

**A) Vermont Attorney General's Office, Civil Rights Unit**  
**109 State Street**  
**Montpelier, VT 05602**  
**Telephone: 802-828-3171 (voice/TDD)**

Complaints should be filed within 300 days of the adverse action.

**B) Equal Employment Opportunity Commission**  
**1 Congress Street**  
**Boston, MA 02114**  
**Telephone: 617-565-3200 (voice)**  
**671-565-3204 (TDD)**

Complaints must be filed within 300 days of the adverse action.

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**C) Vermont Human Rights Commission**  
**133 State Street**  
**Montpelier, VT 05633-3601**  
**Telephone: 802 828-2480 (voice/TDD)**

Complaints must be filed within 360 days of the adverse action.

Each of these agencies can conduct impartial investigations, facilitate conciliation, and if it finds that there is probable cause or reasonable grounds to believe sexual harassment occurred, it may take the case to court. Although employees are encouraged to file their complaint of sexual harassment through this employer's complaint procedure, an employee is not required to do so before filing a charge with these agencies. In addition, a complainant also has the right to hire a private attorney, and to pursue a private legal action in state court within 3 or 6 years, depending on the type of claims raised.

Where can I get copies of this policy? A copy of this policy will be provided to every employee, and extra copies will be available in the following office: **Administrator's Office.**

Reasonable accommodations will be provided for persons with disabilities who need assistance in filing or pursuing a complaint of harassment, upon advance request.

Any supervisor who receives such information, whether it is informal information or an official complaint must report this information to the Human Resources Director immediately.

2. Any employee who is the recipient of or witness to such harassment has an obligation and duty to inform the offending party that the behavior is offensive and that it must cease.
3. To the extent possible, the identity of the person making the complaint will be kept in confidence. Vermont Catholic Charities, Inc., will enforce strict penalties for retaliation of any kind toward the complainant or others reporting, assisting, or investigating such information.
4. All parties requested to assist or cooperate in an investigation are expected to do so fully and without fear of retaliation or negative impact on their position, job status, or future job opportunity.
5. All complaints will be investigated expeditiously. Upon completion of the investigation, Vermont Catholic Charities, Inc., will take appropriate action, which may include disciplining any employee who has engaged in improper conduct. Such discipline may include termination of employment for the reported offenses or any retaliatory action taken as a result of the complaint.

Any employee who violates the Harassment policy process, is subject to disciplinary action, up to, and including termination.

***\*This policy replaces, revokes, and rescinds all former policies including HR 003 and 004, therefore, any modifications or changes to the utilization and administration of those policies is superseded by this new plan.***