

BOUNDARY POLICIES

Workplace and Sexual Harassment Policy

*Approved for Presbytery use by the Coordinating and Planning Commission, May 14, 2020;
Adopted by the Presbytery of Florida, as revised, on _____, 2026.*

Introduction

The Presbytery of Florida is committed to maintaining a workplace free from sexual and other forms of harassment. Workplace harassment is against the law and violates the teachings of Christ. All persons have a right to a workplace free from harassment, including harassment based on age, race, faith, color, ethnicity, national origin, sexual orientation, sex, disability, marital status, and gender identity. All Presbytery employees, volunteers, contractors, and others conducting business with the Presbytery must work in a manner that avoids harassment in the workplace.

This policy is one component of the Presbytery's commitment to a harassment-free work environment. Employees, volunteers, contractors, and others doing business with the Presbytery are urged to report workplace harassment by filing a complaint with the Presbytery of Florida. A complaint may also be filed with the appropriate agency or civil authority.

Upon adoption by the Presbytery, this policy may be used as a model or standard by sessions and congregations developing their own policies for dealing with allegations of workplace and sexual harassment within the local session's jurisdiction.

Training relative to this policy shall be required at least every thirty-six months for:

1. Teaching Elders and Commissioned Ruling Elders (CREs) serving congregations;
2. Teaching Elders in validated ministries;
3. Certified Christian Educators;
4. Teaching Elders and Ruling Elders elected to Presbytery service;
5. Candidates for ministry; and
6. Presbytery staff.

Policy:

1. The Presbytery's policy applies to all employees, volunteers, contractors, and other persons conducting business with the Presbytery. In the remainder of this document, the term "employees" refers to this collective group. The Presbytery of Florida will hereafter be referenced as "the Presbytery."
2. Harassment in any form will not be tolerated. Any individual covered by this policy who engages in sexual or other harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Workplace harassment is a form of discrimination, offensive, a violation of our policies, unlawful, and contrary to the teachings of Christ. It could also subject the Presbytery to liability for harm to its victims. Harassers may also be individually liable. Employees and others who engage in workplace harassment, including sexual harassment, or who allow such behavior to continue, will be penalized.

4. Unlawful workplace harassment is not limited to the physical workplace or event, itself, nor is it limited to work or event hours.
5. The Presbytery will respond to all complaints of sexual harassment in accordance with the *Book of Order*. The Presbytery will keep the investigation confidential to the extent possible. All employees, as defined in Section 1, are expected to cooperate with investigations into sexual and workplace harassment.
6. Employees are **required** to report all complaints they receive, or any harassment that they observe or become aware of, to the Equipping Presbyter/Stated Clerk of the Presbytery. The Presbytery will provide all employees with a complaint form for reporting an incident of harassment.
7. Retaliation Prohibition: No person covered by this policy shall be subject to adverse action for reporting an incident of harassment, providing information, or otherwise assisting in any investigation of a harassment complaint. The Presbytery will not tolerate retaliation against anyone who, in good faith, reports or provides information about suspected harassment. Any Presbytery employee who retaliates against anyone involved in a harassment investigation will be subjected to disciplinary action, up to and including termination. All employees who believe they have been subject to such retaliation should inform a supervisor, manager, or the Equipping Presbyter/Stated Clerk of the Presbytery. All employees who believe they have been targeted of such retaliation may also seek relief in other available forums, as noted in the Legal Protections section below.
8. This policy must be provided to all employees, posted on the website, and posted prominently at all work locations to the extent practicable. It must also be included in the Presbytery Manual of Operations.

What is “Workplace Harassment?”

Workplace harassment includes, but is not limited to, the following:

Nonverbal behavior, including distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital, or other protected status

Offensive or unwelcome comments, including epithets, slurs, taunting, purposeful lies, or negative stereotyping about a person’s nationality, origin, race, color, religion, gender, sexual orientation, age, body, and/or disability

Hostile environments that create an offensive or unpleasant work or worship environment through the use of epithets, slurs, taunting, purposeful lies, or negative stereotyping, delivered in person or through social media or other means

For a claim of hostile work environment, such conduct must be subjectively abusive and objectively severe and pervasive enough to create a work environment that a reasonable person

would find hostile or abusive. Several factors are considered to determine whether the conduct is severe and pervasive: frequency and severity of the conduct, whether it was physically threatening, humiliating, or an offensive utterance; whether it unreasonably interfered with work performance or the victim's psychological well-being; and whether the harasser was a superior in the organization. None of these are necessarily conclusive alone, but rather are to be used as factors in making a determination.

The definition of workplace harassment does not include reasonable challenges to work performance or negative job-related feedback, nor does it apply to reasonable discussions or respectful expressions of opinion about various convictions or beliefs.

What is "Sexual Harassment?"

Sexual harassment includes unwelcome conduct that is either of a sexual nature or directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment, even when the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment or service; or
- Submission to or rejection of such conduct is used as the basis for decisions that affect an individual's employment or service.

A sexually hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation, or physical violence of a sexual nature, or that are directed at an individual because of that individual's sex. Sexual harassment also consists of:

- any unwanted verbal or physical advances;
- sexually-explicit derogatory statements; or
- sexually discriminatory remarks made by someone that are offensive or objectionable to the recipient, cause the recipient discomfort or humiliation, or interfere with the recipient's or another's job performance.

Sexual harassment also occurs when a person in authority attempts to trade job benefits for sexual favors. This can include hiring, promotion, continued employment/service, or any other terms, conditions, or privileges of employment/service. This is also called "quid pro quo" harassment.

An employee who feels harassed should report it so that any violation of this policy can be corrected promptly. Any sexually-oriented harassing conduct, even a single incident, can and shall be addressed under this policy.

Examples of Sexual Harassment

The following list includes, but is not limited to, acts that may be deemed as sexual harassment:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, poking, or brushing against another employee's body;

- Rape, sexual battery, molestation, or attempts to commit these assaults
- Unwanted sexual advances or propositions, such as:
 - Subtle or obvious pressure for unwelcome sexual activities;
 - Sexual grooming or requests for sexual favors accompanied by implied or overt threats regarding the target's job performance evaluation, a promotion or other job benefits or detriments.
- Sexually-oriented gestures, noises, remarks, jokes, or comments about a person's sexuality, sexual appeal, or sexual experience
- Sex stereotyping, when conduct, personality traits, or physical characteristics may not conform to other people's perceptions about how individuals of a particular sex should act or look
- Sexual or discriminatory displays or publications anywhere in the workplace, such as pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that any observer finds sexually demeaning or pornographic, including such sexual displays on workplace computers or cell phones, or sharing such displays while in the workplace
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or transgender status, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work; or
 - Bullying, yelling, or name-calling

Retaliation

Unlawful retaliation is any action that could discourage a worker from coming forward to file or support a harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Protected activity occurs when a person has:

- filed a complaint of workplace harassment, either to the Presbytery or to a civil authority;
- testified or assisted in a proceeding involving workplace harassment;
- opposed workplace harassment by making a verbal or informal complaint to the Presbytery or a higher council;
- reported that another employee has been harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful and immoral. The retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Workplace Harassment

Preventing and reporting harassment is everyone's responsibility. The Presbytery cannot address harassment unless it is aware of it. An employee who has observed or been subjected to behavior that may constitute harassment is morally obligated to report such behavior to the Equipping Presbyter/Stated Clerk or, if the Equipping Presbyter/Stated Clerk is the accused, to the Assistant Stated Clerk who will report the matter immediately to the Stated Clerk, Synod of South Atlantic.

Reports of harassment may initially be made verbally, but must be subsequently filed in writing in accordance with D-4.0102 and D-7.02. A form for filing a written complaint is attached to this policy and available on the Presbytery website.

Supervisory Responsibilities

Upon receiving a complaint or information about suspected/alleged harassment, observing what may be harassing behavior, or suspecting that harassment is occurring, all moderators in the Presbytery are **required** to report such suspected harassment to the Equipping Presbyter/Stated Clerk of the Presbytery or, if the Equipping Presbyter/Stated Clerk is the accused, to the Assistant Stated Clerk who shall report the matter immediately to the Stated Clerk, Synod of South Atlantic.

Individuals who fail to report suspected harassment or otherwise knowingly allow it to continue will be subject to discipline. They may also be subject to discipline for engaging in retaliation.

Complaint and Investigation of Harassment

All written reports sent to the Stated Clerk constitute an allegation and must be fully investigated. Investigations will be conducted in accordance with the *Book of Order*, either as a remedial complaint, if filed against a congregation, committee, or commission (D-4.0102, D-4.02); or as a disciplinary process, if filed against an individual (D-7.0102, D-7.02).

Contacting Legal Authorities

In accordance with G-4.0302 and D-7.0501, if harassment of a minor or an adult who lacks mental capacity is alleged, or if the alleged harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, any member of the Presbyterian Church (U.S.A.) engaged in ordered ministry, and any certified Christian educator working within or for the Presbytery or its congregations, shall report such conduct to ecclesiastical and civil legal authorities.

INCIDENT REPORT – PRESBYTERY OF FLORIDA

Phone: 850-535-2335

Please use this form to report incidents of injury, medical emergencies, significant camper misbehavior, sexual abuse/misconduct, workplace/sexual harassment, or endangerment of minors/vulnerable adults. If possible, a report should be completed within 24 hours of the event. Reports of sexual abuse/misconduct have no time limit.

Danger or medical emergency? Call **911** immediately and stay with/near the victim.

Minor or vulnerable adult endangerment? Call the Florida DCF Hotline **1-800-962-2873**.

Submit the completed form directly to:

Dogwood Acres incidents: staff@dogwoodacres.org

All other Presbytery incidents: Presbytery of Florida Stated Clerk or Assistant Stated Clerk:
<mailto:incident@presbyteryofflorida.com>

A **fillable version** of this form is available at: <https://www.presbyteryofflorida.net/resources/>

Date of Report: [Date]

REPORTING PERSON

Full Name: [Name] Address: [Address]

Phone: [Phone Number] E-Mail: [Email Address]

INVOLVED PERSON/S

1. Full Name: [Name] Address: [Address]

Phone: [Phone Number] E-Mail: [Email Address]

2. Full Name: [Name] Address: [Address]

Phone: [Phone Number] E-Mail: [Email Address]

If more space is required attach additional sheet with contact information as above.

INCIDENT TYPE

- | | |
|--|---|
| ☐ Injury | ☐ Sexual Abuse/Misconduct |
| ☐ Behavioral | ☐ Workplace/Sexual Harassment |
| ☐ Medical | ☐ Endangerment of Minors/Vulnerable Adults |
| ☐ Other Incident: [Brief Description] | |

INCIDENT DETAILS

Date of Incident: [Date] Time: [Time] ☐ AM ☐ PM

Location of Incident: [Location]

Describe the Incident: [Describe the Incident]

Action Taken: [Action Taken]

INJURIES

Was anyone injured? ☐ Yes ☐ No

If yes, describe the injuries: [Description of Injuries]

WITNESSES

Were there witnesses to the incident? ☐ Yes ☐ No

If yes, enter the witnesses' names and contact info: [Name(s) / Contact Info]

POLICE / MEDICAL SERVICES

Police Notified? ☐ Yes ☐ No If yes, was a report filed? ☐ Yes ☐ No

Was medical treatment provided? ☐ Yes ☐ No ☐ Refused

If yes, where was medical treatment provided? ☐ On-site ☐ Hospital ☐ Other: [Other]

PERSON FILING REPORT

Signature: _____ Date: _____

Print Name: _____

OFFICE USE ONLY

Report received by : [Name] Date: [Date]

Follow-up action:

Action Taken: [Describe]