

Anti Harassment Policy
Of Hudson River Presbytery
(1/6/24)

Mission determines the forms and structures needed for the church to do its work. Administration is the process by which a council implements its decisions. Administration enables the church to give effective witness in the world to God's new creation in Jesus Christ and strengthens the church's witness to the mission of the triune God. ... All councils shall adopt and implement the following policies: a sexual misconduct policy, a harassment policy, a child and youth protection policy, and an antiracism policy. Each council's policy shall include requirements for boundary training which includes the topic of sexual misconduct, and child sexual abuse prevention training for its members at least every thirty-six months.

Excerpted from G-3.0106 - Administration of Mission (2023)

Objective

The Presbytery of Hudson River strives to create and maintain an environment in which people are treated with dignity, decency and respect. When the Presbytery of Hudson River gathers to do its work as a council, committees, commissions, or staff, it is committed to providing an environment that is characterized by mutual trust and is safe and free from harassment, bullying, and intimidation in any form. The Presbytery will not tolerate any type of harassment of its employees, minister members, ruling elders, volunteers, or ministry partners. Through enforcement of this policy and by education of its members and employees, the Presbytery will seek to prevent, correct and discipline behavior that violates this policy.

All members and employees of the Presbytery, regardless of their role or position, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. (More details for employees are spelled out separately in the presbytery's employee handbook.) Appropriate disciplinary action will be taken against any member or employee of the presbytery who violates this policy. Based on the seriousness of the offense, disciplinary action may include removal from a role or position.

Prohibited Behavior

As used in this policy, the term "harassment" includes sexual harassment as well as actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic.

Any action may be considered harassing if it:

1. creates a hostile, intimidating or offensive work environment;
2. unreasonably interferes with an employee's or Presbytery member's work performance; or
3. adversely impacts an individual's employment or volunteer opportunities.

Examples of prohibited conduct include:

Microaggressions

A microaggression is a verbal or nonverbal slight that impacts an individual who might identify as being from a marginalized or non-mainstream community. Microaggressions are typically indirect, subtle, even unintentional, but nonetheless are considered discriminatory to the recipient.

Anti-Bullying

Bullying is a pattern of behavior in which the bully attempts to intimidate their victim. Examples of bullying behavior range from teasing, to extortion, to physical assault. In addition to physical interactions, bullying includes any form of interpersonal, including electronic, communication.

Workplace Violence

Workplace violence is acting or using words to make an individual feel endangered. This includes actions that create actual harm to another individual or words that result in another individual having a reasonable belief that they are in danger.

Conduct that threatens, intimidates, or coerces another employee, presbytery member, or a member of the public at any time will not be tolerated, this includes any form of electronic communication.

Sexual Harassment

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. This includes any form of electronic communication.

Prevention Practices

The Presbytery of Hudson River provides regular anti-harassment training to ensure an environment free of sexual and other unlawful harassment. Minister members, commissioners, committee/commission members, Presbytery employees (and other categories of presbytery leaders) are expected to complete the offered hours of initial training and participate regularly in anti-harassment education training opportunities. All persons covered by this policy shall provide the presbytery office with documentation of training at least every 36 months.

Reporting Procedures

The Presbytery has established the following procedure for lodging a complaint of harassment, discrimination or retaliation. The Presbytery will treat all aspects of the procedure confidentially to the extent reasonably possible.

Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The Stated Clerk may assist the complainant in completing a written statement or, in the event a person refuses to provide information in writing, the Stated Clerk will dictate the verbal complaint.

Responding Procedures

Matthew 18:15-17

“If your sibling sins against you, go and point out the fault when the two of you are alone. If you are listened to, you have regained that one. But if you are not listened to, take one or two others along with you, so that every word may be confirmed by the evidence of two or three witnesses. If that person refuses to listen to them, tell it to the church, and if the offender refuses to listen even to the church, let such a one be to you as a gentile and a tax collector.”

Remembering that Jesus continued to associate and eat with gentiles and tax collectors, the recommended means of response is to focus on grace rather than judgment, and education more than discipline, in all but the most intentional acts of harassment.

To err on the side of grace is

- not to dismiss or diminish the offense, but to name the sin, gently rather than in anger;
- to recognize that people come into this subject matter from a variety of backgrounds and history;
- to acknowledge that, consequently, the time, length, and intensity of new understanding will vary from person to person.

This requires mutual conversation, and formal or informal courses of study, designed to equip more than reprimand or punish.

As a final resort one can turn to appropriate measures within the Constitution's *Church Discipline*. It is incumbent upon us to remember, however, that despite its title, “The power that Jesus Christ has vested in his Church, a power manifested in the exercise of church discipline, is one for building up the body of Christ, not for destroying it, for redeeming, not for punishing. It should be exercised as a dispensation of mercy and not of wrath, so that the great ends of the Church may be achieved, that all children of God

may be presented faultless in the day of Christ.” (D-1.01 Power Vested in Christ’s Church).

We trust that, just as Jesus associated and ate with gentiles and tax collectors, so too does he in all of our contemporary failings, including intentional and unintentional demonstrations of harassment.

Definitions and Examples of Harassment

Microaggressions

A microaggression is a verbal or nonverbal slight that impacts an individual who might identify as being from a marginalized or non mainstream community. Microaggressions are typically indirect, subtle, even unintentional, but nonetheless are considered discriminatory to the recipient.

Examples of microaggressions include, but are not limited to:

- Asking a new acquaintance, "Where were you born?" Implication: "You don't belong here. You are not one of us."
- Saying, "I guess you like Korean/Mexican/soul/American food." Implication: "I have identified you in terms of a racial/ethnic stereotype."
- Asking the youngest member of the worship team to provide contemporary music. Implication: "We assume you won't participate in worship unless we have something non-traditional, and we're not interested enough to work with you to make worship relevant."

Anti-Bullying

Bullying is a pattern of behavior in which the bully attempts to intimidate their victim. Examples of bullying behavior range from teasing, to extortion, to physical assault. In addition to physical interactions, bullying includes any form of interpersonal, including electronic, communication.

Examples of bullying include, but are not limited to:

- Yelling, shouting, gesturing, "getting in someone's face."
- Directing, demanding, or ordering a council, committee, or commission to do what the leader or a small group of individuals wants.
- Standing in the doorway to the room or office while talking to staff, physically blocking their exit.
- Arbitrarily changing work hours or meeting times

Workplace Violence

Workplace violence is acting or using words to make an individual feel endangered. This includes actions that create actual harm to another individual or words that result in another individual having a reasonable belief that they are in danger.

Examples of workplace violence amounting to behavioral misconduct include but are not limited to

- verbal or physical threats
- assaults or other violence

- any behavior that causes others to feel unsafe such as bullying, shouting, or name calling
- belligerent, threatening or offensive comments
- hitting, pushing, or other similar physical contact, including touching or threats to take such action
- gestures or the display of offensive signs or pictures
- other aggressive behavior

Conduct that threatens, intimidates, or coerces another employee, presbytery member, or a member of the public at any time will not be tolerated, this includes any form of electronic communication.

Sexual Harassment

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. This includes any form of electronic communication. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances.
- Offering anything in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.
- Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 - (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - (2) submission or rejection of the conduct is used as a basis for making employment or volunteering decisions; or,
 - (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.