

## TUCSON INTERFAITH HIV/AIDS NETWORK SEXUAL HARASSMENT POLICY STATEMENT

Tucson Interfaith HIV/AIDS Network affirms that all human beings are created in the image of God, and thus have been made equal. We support equity among all persons without regard to ethnicity, situation, gender, or sexual orientation.

TIHAN stands in opposition to sexual harassment and commits itself to investigate quickly and impartially any charge of sexual harassment within the organization and to take action deemed appropriate. Further, TIHAN bears affirmative responsibility to create an environment of hospitality for all persons which is free of harassment and encourages respect, equality and kinship. Any person who feels they are being subjected to sexual harassment should follow the proper grievance procedure.

### SEXUAL HARASSMENT GRIEVANCE PROCEDURE

#### **PURPOSE**

TIHAN establishes here the procedure for resolving allegations of sexual harassment by volunteers, employees, CarePartners and other members of TIHAN.

#### **COMMITMENT**

TIHAN affirms its moral responsibility to deal resolutely with the issue of sexual harassment and further, states compliance with Title VII of the Civil Rights Act of 1964 and the 1981 guidelines of the Equal Employment Opportunity Commission (EEOC), which states that sexual harassment is a discriminatory practice and holds employers liable for all forms of sexual harassment, co-workers harassment and harassment from clients and customers.

#### **DEFINITION**

Sexual harassment is defined as any unwanted sexual advance, requests for sexual favors, sexually explicit language or actions and other verbal, nonverbal or physical conduct of a sexual nature, which is perceived by the recipient as demeaning, intimidating or coercive. Remarks or actions directed at an individual on the basis of gender or sexual orientation, which have the effect of producing an intimidating or offensive work, worship, or social environment, are considered sexual harassment. Sexual harassment is also understood as an exploitation of a power relationship rather than as an exclusively sexual issue, or has the purpose or effect of creating an intimidating, hostile or offensive work environment.

Although this definition does not specifically describe all possible cases of sexual harassment, there are common elements which apply to the various forms of sexual harassment. Unwanted, frequently coercive (condition of employment) or offensive behavior, intimate touches, explicit sexual remarks (to the recipient, but not necessarily viewed that way by the harasser) are several factors that indicate sexual harassment conduct.

#### **CONFIDENTIALITY**

The confidentiality of all parties involved will be strictly respected insofar as it does not interfere with TIHAN's legal obligation to investigate allegations of misconduct or to take corrective action.

## **SEXUAL HARASSMENT GRIEVANCE PROCEDURE**

### **Sexual Harassment Grievance Against an Employee**

The grievance procedure for employees of TIHAN would be essentially the same as listed in numbers 1 - 9 below. However, since harassment by employees or of employees is governed by law, TIHAN not only has a moral obligation to resolve allegations but a legal one as well.

The findings of the appointed person shall be brought before the Board of Directors with recommendations. The Board will review the findings and make final disposition. In no case will the alleged harasser or the complainant be a party of the reviewing committee.

### **Sexual Harassment Grievances Between TIHAN Volunteers and CarePartners**

Any member of TIHAN may present grievances to the Director if the alleged offense took place at a TIHAN-sponsored activity. The grievance must be made by the alleged victim. The grievance may be written or verbal.

1. The complainant has the right to bring an advocate to help in presenting the grievance. The advocate may be another TIHAN member. If an advocate is chosen, however, the individual is bound to the same standard of confidentiality as the complainant.

2. The complainant may decide, after conferring with the director, to speak directly with the alleged harasser and may indicate that the director has been consulted regarding this grievance.

Or, if decided, the director will personally follow up on the grievance within 5 days, or appoint a qualified individual from TIHAN to do so.

3. The director, or appointed person, will speak discreetly with the complainant gathering specific facts: names, dates, specific comments and actions by the alleged harasser, and witnesses.

4. The director may, if deemed appropriate or if requested by the complainant, speak with the alleged harasser.

5. The person appointed, if not the director, will report the findings to the director with conclusions within ten calendar days from the initial presentation of the grievance.

6. If appropriate, the director may meet with the complainant and alleged harasser together and attempt to reconcile the issues. If the director, or the complainant, determines such a meeting would be detrimental to the complainant's mental and emotional well-being, the complainant's representative may represent the complainant.

7. If the alleged harasser does not confirm the alleged harassment and the director and/or appointed person believe the grievance is valid, the director will take appropriate action.

8. Depending on the severity of the incident, appropriate action may include a written report by the investigator to the Board of Directors, counseling, or legal action.

9. If either the complainant or the alleged harasser does not feel that their position was heard fairly or completely, the individual may take the grievance to the Board of Directors for further consideration.

10. Written documentation of the disposition of the above grievance shall be filed with the Board of Directors.

Since it is impossible to determine every circumstance here, the outcome should be the best for all parties where possible.