

SEXUAL HARASSMENT POLICY – FERRWOOD MUSIC CAMP

Objective:

The objective of this policy is to define workplace sexual harassment and to outline procedures for filing complaints, investigating sexual harassment claims and issuing appropriate disciplinary measures in the case of violations.

Scope:

This policy applies to all instructors, counselors, staff members, and volunteers (aka workers) associated with Ferrwood Music Camp (aka employer). Workers are prohibited from harassing others both on and off the employer premises and during or outside of work hours.

Defining Sexual Harassment:

Sexual harassment is unwelcome conduct of a sexual nature that is persistent or offensive and interferes with a worker's job performance or creates an intimidating, hostile, or offensive work environment.

Sexual harassment is defined by the federal Equal Employment Opportunity Commission as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment can be physical and psychological in nature. An aggregation of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing.

Examples of prohibited conduct:

Though sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include the following:

- Physical assaults of a sexual nature, such as rape, sexual battery, molestation or attempts to commit these assaults, and intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body or poking another employee's body.
- Unwelcome sexual advances, propositions or other sexual comments, such as sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience.
- Preferential treatment or promises of preferential treatment to a worker for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward.
- Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of the worker's job more difficult because of that worker's sex.

- Sexual or discriminatory displays or publications anywhere in the Ferrwood workplace by Ferrwood workers.
- Retaliation for sexual harassment complaints.

RESPONDING TO CONDUCT IN VIOLATION OF POLICY

Workers:

If a worker feels that he or she is being subjected to sexual harassment he or she should immediately inform the harasser that the conduct is unwelcome and needs to stop. If the inappropriate conduct does not cease, or if the worker is unable to or uncomfortable with addressing the alleged harasser directly, he or she should report the incident to camp Director. A written statement recording the date, time, nature of the incident, name of accused, and names of any witnesses will be initiated.

It is important to report all concerns or incidents of sexual harassment or inappropriate sexual conduct to the Director as soon as possible. Management must be made aware of the situation so that it can conduct an immediate and impartial investigation and take appropriate action to remediate or prevent the prohibited conduct from continuing.

Management (Director/Administration):

Management and Administration must deal expeditiously and fairly when they have knowledge of sexual harassment. Required action:

- Consider all complaints or concerns of alleged or possible harassment seriously regardless of the alleged offense is considered minor or who is involved.
- Report all incidents to Administration, CAN DO Community Foundation so that a prompt investigation can occur.
- Take appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigation of complaints.

Management and administration who knowingly allow or tolerate sexual harassment or retaliation, including failure to immediately report such misconduct are in violation of this policy and subject to discipline.

Administration Is responsible for:

- Ensuring that all parties involved (complainant and respondent) are aware of the seriousness of a sexual harassment complaint.
- Explaining Ferrwood/CAN DO Community Foundation's sexual harassment policy and investigation procedures to all parties involved.
- Exploring informal means of resolving sexual harassment complaints.
- Notifying the foundation board if criminal activities are alleged, so that board may take appropriate legal action.
- Arranging for an investigation of the alleged harassment and the preparation of a written report.
- Submitting a written report summarizing the results of the investigation and making recommendations to designated foundation officials.

- Notifying the complainant and the respondent of the corrective actions to be taken, if any, and administering those actions.

The CANDO Community Foundation Board of Directors will determine if an in-house investigation will be conducted or if an outside agency will be contacted to complete the investigation.

Complaint Resolution Procedures:

Written complaints should be submitted, to the Director or Administration, as soon as possible after any incident has occurred. To ensure the prompt and thorough investigation of a sexual harassment complaint, the complainant should provide as much of the following information as possible:

- The name and position of the person(s) allegedly committing harassment.
- A description of the incident(s) including date(s), location(s), and name(s) of any witnesses.
- The effect of the incident(s) on the complainant's ability to perform his or her job.
- The names of other individuals who might have been subjected to the same or similar harassment.
- What, if any, steps the complainant has taken to try to stop the harassment.
- Any other information the complainant believes to be relevant to the harassment complaint.

Discipline:

Workers who violate this policy are subject to appropriate discipline. If an investigation results in a finding that this policy has been violated, the mandatory minimum discipline is a written reprimand or directed to leave premises. The discipline for serious or repeated violations is termination of position and removal from premises. Persons who violate this policy may also be subject to civil damages or criminal penalties.

Confidentiality:

All complaints and investigations are treated confidentially to the extent possible and information is disclosed on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation and the Director takes adequate steps to ensure the complainant is protected from retaliation during and after the investigation.

The procedures available under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a victim of sexual harassment under local, state, or federal law.

Contact Information for 2019:

Phil Latella, Camp Director
591 Hillside Drive
Hazle Township, PA 18202

Melissa Frederick
1 South Church Street, Suite 200
Hazleton, PA 18201

I have read and understand the document:

SEXUAL HARASSMENT POLICY – FERRWOOD MUSIC CAMP

NAME: _____

Please Print

SIGNATURE: _____

DATE: _____