

Discriminatory Harassment

POLICY

Emmaus of Santa Barbara believes in the intrinsic value of all human beings. It is, moreover, committed to the full, peaceable participation of all its program participants and members in the educational and personal development endeavors it fosters. Accordingly, Emmaus prohibits discriminatory harassment by all board members, administrators, program staff, and program participants. Emmaus of Santa Barbara is also committed to the free expression and advocacy of ideas and feelings and wishes to maintain the integrity of this commitment as well. For this reason, discriminatory harassment is defined here with great caution.

Definitions

Harassment

Harassment is any physical conduct that intentionally inflicts injury on the person or property of another, or any intentional threat of such conduct; any hostile, intentional, and persistent badgering, addressed directly at another, or small group of others, that is intended to intimidate its victim(s) from any Emmaus activity; or any verbal attack, intended to provoke the victim to immediate physical retaliation.

Discriminatory Harassment

Conduct, as described above, constitutes discriminatory harassment, if it is accompanied by intentionally demeaning expressions concerning the race, gender, religion, sexual orientation, or national origin of the victim(s).

PROCEDURES

Administration of Policy

Program Participants

Reporting - Any incident of discriminatory harassment by a program participant toward any other program participant that occurs during an official Emmaus activity that the complainant cannot or does not desire to resolve directly with the alleged harasser should be reported to the Office of the Program Director.

- *Disciplinary Procedures* - An alleged incident of discriminatory harassment by a program participant will be handled in accordance with the disciplinary procedures outlined in the ***Emmaus Safe Environment Policy*** handbook .
- *Resolution* - The alleged harasser may be found not to have committed a violation of rules and regulations or may be found responsible and subject to the sanctions explained in the disciplinary procedures outlined in the ***Emmaus Safe Environment Policy*** handbook.

In cases handled by the Office of the Program Director, the sanctions may include, but not be limited to, a verbal or written warning, mandatory counseling, a ban from specific areas of Emmaus activities, loss of specific program participant privileges, disciplinary probation, disciplinary suspension or permanent dismissal. In cases handled by the Office of the Executive Director, participants found responsible may ask for review of the matter according to the "Disciplinary Review Procedures" section outlined in the ***Emmaus Safe Environment Policy*** handbook .

Administrators and Staff

Administrator

Reporting - Any incident of discriminatory harassment by an administrator or board member that the complainant cannot or does not desire to resolve directly with the alleged harasser should be reported to the Office of the Executive Director.

Investigation - At the request of the complainant, the complaint will be investigated. The investigation may involve interviews and/or written statements from the complainant, the alleged harasser, and any witnesses who may be able to provide pertinent information about the facts of the case. In the course of the investigation, the alleged harasser will be informed of the allegations, the identity of the complainant, the facts surrounding the allegations and will be afforded a full opportunity to respond to the allegations.

Resolution - The results of the investigation may fall into two categories:

Unfounded - If the complaint is determined to be without merit, the complaint will be regarded as resolved.

Founded - If after conducting the investigation the complaint is determined to be with merit, the complaint will be resolved as described below:

Informal Resolution - In appropriate cases and with the approval of both the complainant and the alleged harasser the investigator may attempt private mediation in an effort to resolve the alleged complaint without the need for additional proceedings.

Formal Resolution - The Office of the Executive Director will take appropriate disciplinary action which may include counseling or education about discriminatory harassment, a verbal or written reprimand, or other disciplinary sanctions up to and including suspension or expulsion from participation in any Emmaus activities.

Staff

Reporting - Any incident of discriminatory harassment by a staff member toward a program participant, administrator, or other staff member, that the complainant cannot or does not desire to resolve directly with the alleged harasser, should be reported to the Office of the Executive Director. Prior to or after a complaint has been filed, the complainant may obtain information about this discriminatory harassment policy or the procedures for handling a complaint from their supervisor, the alleged harasser's supervisor, the Office of Executive Director. This initial discussion with the supervisor or the office of the executive Director is for the purpose of providing guidance as to the complainant's options and procedure. After discussion with the complainant, the alleged harasser's supervisor, in conjunction with the Office of the Executive Director, will begin an investigation at the request of the complainant.

Investigation - The alleged harasser's supervisor, in conjunction with the Office of the Executive Director, will investigate the complaint and determine whether there is a reasonable basis for believing the alleged violations of the policy have occurred. The investigation may include oral interviews and/or written statements from the complainant, the alleged harasser and any witnesses who may be able to provide pertinent information about the facts of the case. In the course of the investigation, the alleged harasser will be informed of the allegation, the identity of the complainant, the facts surrounding the allegations and will be afforded a full opportunity to respond to the allegations.

Resolution - The results of the investigation may fall into two categories:

Unfounded - If the complaint is determined to be without merit, the complaint will be regarded as resolved.

Founded - If after conducting the investigation the complaint is determined to be with merit, the alleged harasser's supervisor, in conjunction with the Office of the Executive Director, will take appropriate disciplinary action which may include (but not be limited to) counseling or education about discriminatory harassment, verbal or written reprimands, suspension or termination. Staff personnel may appeal such decisions in the same manner as other staff grievances.