

Congregation Kol Ami Policy Against Sexual Harassment (Oct. 2018)

As part of its commitment to ensuring a workplace that is free of discrimination or harassment of any kind, Congregation Kol Ami ("Kol Ami") prohibits sexual harassment of any employee, Trustee, volunteer, applicant for employment, intern, contractor, subcontractor, vendor, consultant, or other person providing services in the workplace, or any employee of such contractor, subcontractor, vendor, consultant, or other person providing services in the workplace. This prohibition includes inappropriate conduct by any supervisor, employee, Trustee, volunteer, client, third-party contractor, vendor or visitor based on sex or gender. Such conduct will not be tolerated by Kol Ami. The purpose of this policy is to ensure that at Kol Ami, all individuals are provided with a work environment free from harassment based on sex or gender.

While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include unwelcome sexual advances, requests for sexual favors, obscene gestures, displaying sexually graphic magazines, calendars, or posters, sending sexually explicit text messages, e-mail or voice mail and other verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature or sexually-related comments. Depending upon the circumstances, the conduct can also include sexual joking, profanity, vulgar or offensive conversation or jokes, commenting about an employee's physical appearance, conversation about your own or someone else's sex life, or other conduct directed toward a person because of his or her gender that creates an unprofessional and hostile working environment. Sexual harassment also includes the threat or promise of certain benefits or job actions by a person in a position of authority in exchange for participation in or acquiescence to sexual conduct.

If you believe you have been subjected to or if you have witnessed any conduct that may violate this policy, we encourage you to immediately report the matter to your manager, the Executive Director (914-949-4717, ext. 101), or (Co-) President(s) (President @nykolami.org). Individuals who wish to make a complaint under this policy may, but are not required to, utilize the sexual harassment complaint form that can be found at the end of this document. Kol Ami will conduct a prompt, thorough, and unbiased investigation into the facts and circumstances of any sexual harassment complaint. All parties involved in the investigation will be afforded a fair opportunity to provide any information or documents they believe to be relevant to the investigation. To the extent practicable, both the identity of any individuals involved in the investigation as well as any information obtained during the investigation will be kept confidential. All employees are encouraged to cooperate with any investigation. Where appropriate, the complainant will be advised as to when an investigation has been completed, whether Kol Ami was able to determine if any policy violation(s) occurred, and whether any remedial measures have been or will be implemented.

If you are unsure with whom to raise a complaint about sexual harassment, or if you have not received a response within five business days after submitting a complaint about what you believe to be sexual harassment, please immediately contact any

Officer of the Board of Trustees. A listing of the Officers of the Board of Trustees may be found at the Kol Ami website (www.nykolami.org).

All supervisors and managers who receive a complaint or information about sexual harassment are **required** to report such information to the Executive Director or, if the Executive Director is the subject of the complaint, the (Co-) President. Any supervisory or managerial employee who knowingly allows such conduct to occur or continue will be subject to appropriate corrective action, up to and including termination.

Kol Ami considers any violation of this policy to be a form of misconduct. Anybody, regardless of position or title, whom Kol Ami determines has engaged in sexual harassment of any kind in violation of this policy, will be subject to prompt, appropriate corrective action, up to and including termination.

In addition, Kol Ami will not allow any form of retaliation against individuals who report or complain about sexual harassment, who cooperate in the investigation, or who otherwise participate in any proceeding under the law. Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. Such retaliatory conduct is a separate violation of this policy and applicable law.

Sexual harassment is a form of unlawful discrimination under Title VII of the Civil Rights Act and Section 296 of the New York Executive Law. Similar local laws might also prohibit sexual harassment in the workplace. We are firmly committed to providing all individuals with a work environment that is free of any unlawful sexual harassment. As such, anyone who wishes to make a complaint regarding sexual harassment is encouraged to utilize the internal complaint mechanism provided so that Kol Ami may investigate the matter and take appropriate remedial measures. Nonetheless, anyone who wishes to file an administrative complaint regarding perceived sexual harassment may do so by contacting the United States Equal Employment Opportunity Commission, the New York State Division of Human Rights, or, in some cases, a local human rights agency. Such individuals may also elect to pursue their claims in the New York State court system. Individuals subjected to unwelcome sexual harassment may be entitled to recover damages, including reinstatement and/or monetary damages for any job loss or loss in wages incurred a result of the sexual harassment, as well as compensatory damages for emotional distress and attorneys' fees. Under certain circumstances, an individual subjected to sexual harassment may also be entitled to recover punitive damages. Under certain circumstances, sexual harassment may also be considered criminal conduct. Anyone who believes he or she has been the victim of a crime should contact his or her local police department.

Sexual Harassment Complaint Form

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the Executive Director or (Co-) President(s). You will not be retaliated against for filing a complaint.

COMPLAINANT INFORMATION

Name:

Work Address:

Work Phone:

Job Title:

Email:

Department:

Select Preferred Communication Method: Email Phone In person

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made about:

Name:

Title:

Work Address:

Work Phone:

Relationship to you: Supervisor Subordinate Co-Worker Other

(If "Other," please describe): _____

2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) conduct occurred:

Is the conduct continuing? Yes No

4. Please list the name and contact information (if known) of any witnesses or individuals who may have information related to your complaint:

The following question is optional, but may help the investigation

5. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

Signature: _____ *Date:* _____