

EFC POLICY OF SEXUAL HARASSMENT

This policy was adopted by the EFC Executive Board on 12/7/02

Last Amended by

Notification : EFCGA Official Letter

The Evangelical Formosan Church (EFC) is committed to creating and maintaining a community in which church council members, coworkers, pastors, pastoral staff and church members can work together in an atmosphere free of all forms of harassment, exploitation, or intimidation, including sexual harassment. Every member of the EFC should be aware that the EFC is strongly opposed to sexual harassment and that such behavior is prohibited by law (cf. Title VII of the Civil Rights Act, 1964, 42 U.S.C. Sections 2000e et seq. (1992)). The EFC will take necessary action to prevent, correct, and even discipline behavior which violates this policy. Church council chairperson, senior pastor, institute president and the Pastor-in-charge of the EFC General Assembly (EFCGA) are responsible to take reasonable steps to prevent sexual harassment and correct it when it occurs. Unless a separate approved Policy of Sexual Harassment is adopted by EFC's institute, all EFC's institutes are under this policy.

DEFINITION OF SEXUAL HARASSMENT:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature up to and including sexual assault constitute sexual harassment when

1. submission to such conduct is made either explicitly or implicitly a condition of instruction, employment or participation in other activities related to the EFC.
2. submission to or rejection of such conduct by an individual is used as a basis for evaluation in making any decision affecting that individual or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's performance or participation in employment related, or other activity.

Both men and women may be victims of sexual harassment. One person may be sexually harassing another person and not be aware of it. In determining whether the alleged conduct constitutes sexual harassment, consideration shall be given to the record as a whole and to the totality of the circumstances, including the context in which the alleged conduct occurred.

PRE-GRIEVANCE PROCEDURES:

Pre-grievance procedures are designed to facilitate the effort to address perceived sexually harassing behavior without filing a formal or legal complaint. If a member of the EFC and its institutes believes s/he has been sexually harassed, s/he would normally follow one or both of the following procedures before initiating a formal complaint.

▪ **Direct verbal communication:**

If you believe that you are sexually harassed, you should inform the perceived harasser immediately that his/her behavior or language makes you uncomfortable. Request that it stop. Such education can usually solve the problem faster than any other method.

▪ **Direct written communication:**

Write a short, informative note to the harasser detailing the perceived inappropriate behavior and asking that it stop. You may include a copy of the EFC's Sexual Harassment Policy Statement. Be sure to retain a copy of your note for your personal files.

All members of the EFC are expected to act responsibly and to respect the confidence of all involved in any of the pre-grievance procedures.

All communication and its results should be recorded. All such personal records should include dates, places, nature of the original and any ensuing behavior, and the names of any witnesses.

FORMAL COMPLAINT PROCEDURES

If the aggrieved individual wishes to initiate a formal complaint, or if efforts to resolve a complaint informally do not succeed, the aggrieved individual should file a written complaint in writing. The EFC will not take formal action on an allegation unless the complaint is filed in writing.

▪ **Complaint Receivers:**

A member of EFC local churches, EFC institutes, Or EFCGA desiring to file a complaint should file a written complaint with the senior pastor, president, or Pastor-in-charge, respectively. Should the complaint be against the senior pastor or president, the complaint shall be lodged with the Pastor-in-charge of the EFCGA. Should the complaint be against the Pastor-in-charge, the complaint should be lodged with the vice Pastor-in-charge of the EFCGA.

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- **Investigation:**

The senior pastor, president, or Pastor-in-charge shall promptly investigate all reported allegations of sexual harassment and report to the Executive Committee of church council (or Board of Elders), institute, or GA, respectively. In all cases, the written complaints shall be promptly reported to the Chairperson of the Executive Committee of the EFCGA. In determining whether the alleged conduct occurred and, if it did, whether it constitutes sexual harassment in violation of this policy, the church council Executive Committee, Board of Elders, the institute Executive Committee, or the EFCGA Executive Committee shall look at the totality of the circumstances. A determination regarding the violation of this policy shall be made from the facts of a particular situation on a case-by-case basis. If necessary, the EFCGA Executive Committee may request the assistance of outside resources on behalf of the above relevant Executive Committee in conducting the investigation and in making the determination.

- **Correction Action:**

Upon a determination that the reported conduct occurred and that it constituted sexual harassment under this policy, the church council, institute, or GA, whichever was involved in the reported case, shall take appropriate corrective action(s) against the offending person such as: oral or written warning; referral to counseling; probation with a warning of suspension; suspension with or without pay; or termination.

CONFIDENTIALITY

Every practical attempt will be made to keep all information obtained in connection with a report or investigation of alleged sexual harassment confidential. However, the Chairperson of the relevant Executive Committee may disclose information to those individuals whom s/he reasonably believes have a need to know the information in connection with the investigation, correction, or prevention of sexual harassment in the workplace.

RETALIATION

No individual shall be permitted to retaliate in any way against an individual who files a complaint or participates in an investigation under this policy. Retaliatory action is a serious violation of this sexual harassment policy and shall be reported immediately to the person or office with whom the original complaint was filed. Any person found to have engaged in retaliatory conduct against another individual for reporting sexual harassment or for participating in any investigation of such will be subject to appropriate disciplinary action of the same types as provided for sexual harassment offenders.

APPEAL

Following the disposition of a case, any party who is dissatisfied with the decision may appeal by submitting a statement to the Chairperson of the Board of Directors within 30 working days. The Chairperson, within 15 working days of submission of such a request, shall submit the matter to an appointed special committee, including the Head of the EFC Bylaw Department, of the Board of Directors to review the finding of violation or non-violation and/or the nature and extent of sanctions invoked by the church council, institute, or GA. The written response of the Chairperson of the Board of Directors for such appeals shall constitute the final determination of the complaint.

Note:

1. The numbers in the mark “ 【 】 ” means that the rules in this file has been updated on 【xth Executive Board Meeting -of the xth General Assembly】