
Christian Peacemaker Teams

SEXUAL HARASSMENT POLICY & PROCEDURE

I. Introduction

Christian Peacemaker Teams recognizes that sexual harassment is human exploitation and a violation of respect for another person, often involving a complex interaction of gender and power. It violates Christian values and it is illegal. While harassment takes different forms in different places, no setting is immune (including Christian organizations). We confess that sexual harassment has taken place within CPT.

As a Christian organization, we recognize that sexual harassment has no place within the Christian community. As we seek to dismantle the sexism found in our structures, policies, traditions and practices, we will work to create a culturally sensitive, anti-sexist environment in which all people are respected and welcomed. We also recognize that CPTers work in situations of tension and violence and within cultures deeply ingrained with structures of sexism. These forces can heighten the challenges of creating a safe, sensitive CPT community.

CPT will explore any report regarding sexual harassment registered with support team, Director(s) or the steering committee. Possible support structures and healing processes will be discussed with the complainant. It is the intention of this policy and its procedures to ensure that the complainant not be isolated or disadvantaged for registering a complaint.

As Christians, we are committed to telling the truth (Matthew 5:33-37). Speaking truthfully and candidly throughout a discernment process will help us limit the harm that can result from deceitful behavior.

CPT is committed to using both the methodology and language of Restorative Justice when misconduct is determined to have occurred and when parties to the complaint request such a process. Restorative Justice seeks the creation of conditions within which confession and repentance, restoration and accountability can take place. Restorative Justice takes the harm done seriously and requires acknowledgment of it, while providing room for growth and change. It holds out to both individuals (complainants and accused) and the community the hope for healing of brokenness. This does not mean that those who have experienced sexual harassment will be under any requirement to work on the same team with the person responsible for the harassment. Nor does it mean that inappropriate behaviors will be tolerated or that individuals whose behaviors appear resistant to change will never be separated from the organization.

II. Confidentiality

All written complaints of harassment will be investigated with appropriate confidentiality and transparency. Information sharing will be done with prudence and discretion, balancing the desire for open communication and reconciliation with the importance of maintaining the safety and confidence of all parties. This means that confidentially and/or disclosure will be discerned and articulated at each step of the process (investigation, accountability, healing, status within CPT, and restoration). Normally, the CPT Support Team will be notified of the identities of the person making the complaint and the person being accused, as well as the broad nature of the complaint, the findings, and any recommended disciplinary or restorative measures. All conversations, notes, and written reports generated during the course of the investigation will be held by the Director(s). Access to these files will be on a strict need-to-know basis as determined by the Discernment Committee (see Sec. VI. B. 6) during the course of it's work, and in consultation with the Director(s) in the event of an appeal, a repeat complaint, or a repeat offence. (Another circumstance when this report should be read is before providing a reference for a person found to have committed sexual harassment.)

III. Applicability

This policy applies to all CPTers as well as members of the CPT Steering Committee. Based on the discernment of the Director(s), a non-CPTer who has been sexually harassed by a CPTer or a participant in a CPT delegation may also make use of this policy. This policy covers offences alleged to have taken place during work or non-work hours. This policy will be made available to all CPTers, and it will be included in the packet of resource materials for training programs for potential full-time and reserve corps.

Members of CPT delegations will be provided with this policy in their orientation packet. Violation of the policy will be addressed by the team co-ordinator or delegation leader and appropriate actions taken, including early departure from the delegation if necessary.

IV. Definitions

CPT defines sexual harassment as unwelcome conduct of a sexual nature when:

1. submission to such conduct is made (whether explicitly or implicitly) a term or condition of employment, participation in a CPT activity, or a basis for personnel decisions affecting an individual;
2. submission to or rejection of such conduct is made (whether explicitly or implicitly) a term or condition of a service provided by CPT or an ongoing relationship with CPT;
3. such conduct has the purpose or effect of unreasonably interfering with the ability of one or more people to live and/or work comfortably in a CPT environment; creates an intimidating, hostile, or offensive CPT environment;
4. the ability or willingness (of the receiver) to reject the conduct is limited by factors such as age, poverty, physical or mental condition, social norms or status, conditions related to the conflict or concerns for their own security or well being.

Such conduct may include elements of power, whereby one person is in a position to confer or deny benefit to another. Note that the importance lies in how the recipient of the action perceives the behavior (i.e. it is unwelcome) and not on how the behavior was intended. If reasonably prudent men and women would recognize conduct of a sexual nature as unwelcome, then it would be sexual harassment in terms of this definition. Sexual harassment can be verbal or physical or visual and can consist of one or a series of incidents. Although it is impossible to define every action or all words that could be interpreted as sexual harassment, listed in the box are some examples of objectionable behavior.

Sexual Harassment

- **Verbal harassment:** epithets, derogatory comments or slurs.
Examples: Name-calling, sexually explicit or degrading words to describe an individual, sexually explicit jokes, suggestive comments about a person's anatomy or clothes, sexually suggestive noises, sexual remarks, inappropriate comments or questions about a person's sexual practices, homophobic jokes, making fun of someone because of her/his sexual identity, graphic verbal commentaries about the body or sexual experiences.
- **Physical harassment:** assault, impeding or blocking movement, touching, or any physical interference with normal work or movement, when directed at an individual.
Examples: Touching, pinching, patting, grabbing, shadowing (constantly hanging around), leering (suggestive staring), intentionally brushing against or poking another person's body, requiring a person to wear sexually suggestive clothing.
- **Visual harassment:** derogatory posters, cartoons, or drawings.
Examples: Displaying one's own body, sexually suggestive objects, cartoons, posters, magazines, pictures, or Internet porn web sites; leering, making sexual gestures; writing obscene letters or unwanted love letters or notes; staring at a person's body or parts of a person's body.
- **Unwanted sexual advances:** especially those that condition an employment benefit upon an exchange of sexual favors
Examples: persistent requests for dates; threat of termination, transfer, etc. if requested sexual favors are not granted; making or threatening reprisals after a negative response to sexual advances; propositioning an individual.

V. Retaliation

It is a violation of this policy to retaliate or take reprisals in any way against anyone who has articulated a good faith concern about harassment or discrimination against him or her or against another individual. Examples include:

1. disciplining, changing work assignments, providing inaccurate work information, or refusing to co-operate or discuss work-related matters with any employee because that employee has complained about or resisted harassment, discrimination, or retaliation
2. intentionally lying about, falsely denying, exerting pressure, or otherwise attempting to cover up conduct such as that described in any item above.

VI. Preventing Sexual Harassment

CPT's sexual harassment policy will be circulated to all CPT personnel. Review of these policies and procedures will be part of policy sessions in CPT trainings and delegate orientation packets.

In addition to the training and delegate sessions, CPT will provide periodic training for personnel about sexual harassment and CPT procedures. Training and educational materials will encourage CPTers, delegation members, and steering committee members to recognize harassing behaviors, to speak up clearly and report when they are experiencing harassment, to assist people experiencing harassing behaviors and to promote mutual respect. Educational materials on sexual harassment will be available in all CPT office and program locations.

All CPT personnel are expected to take part in maintaining a work environment free from sexual harassment and to contribute to eradicating sexual harassment.

Within a culture, certain everyday behaviors come to be seen as the norm so that people indulge in them without thinking and they are shown a degree of acceptance. This does not mean, however, that such behaviors are healthy or acceptable. We can raise critical questions, regardless of the cultural context, about power. For example:

- ◆ with a particular behavior, is there any abuse of power?
- ◆ from where did the messages come that this behavior was OK?
- ◆ are there messages that suggest or provide opportunities for demeaning or devaluing of a person?
- ◆ who benefits from the behavior?

VII. Procedure

This policy offers two options for dealing with sexual harassment. Both avenues are legitimate and one is not valued over the other.

OPTION 1: INFORMAL

Any person who feels harassed may, if she or he chooses, discuss the issue directly with the person who s/he feels is engaging in harassing behavior, preferably in the presence of a trusted third party. If the person does not desire a face-to-face meeting, s/he may write a letter presenting her/his concerns or choose a contact person to mediate on her/his behalf.

Any person who feels harassed is also encouraged to send a summary of her/ his version of the incident to the Director(s) so that any patterns of sexual harassment may be brought to light.

OPTION 2: FORMAL

The formal procedure may be used if informal measures do not resolve the issue or if the individual making the complaint believes the severity of the complaint warrants more than an informal procedure. Any individual bringing forth a complaint of harassment may terminate the formal procedure at any time.

Formal written and signed complaints and testimonies serve to protect all parties concerned, although an initial electronic communication is sufficient basis for a decision to proceed with an investigation. A formal written complaint will result in the formation of a Discernment Committee (see VI. B. 6, below), which will take the lead in the response procedure as outlined below:

1. While complaints of harassment may be initially brought verbally to the attention of the relevant Support Team member or Delegation Leader, to be dealt with under the procedures set out below complaints must be filed in writing.
 - a. If the person making the complaint is a member of a delegation: write to the Delegation Leader or on-site Team Coordinator.
 - b. If the person making the complaint is a non-CPTer: write to the on-site Team Coordinator, the team's Project Support Coordinator, or one of the Director(s).

- c. If the person making the complaint is a CPTer, or a Steering Committee member: write to the Project Support Coordinator, the Personnel Coordinator, the Chair or Vice-chair of the Steering Committee, or one of the Director(s).

If no written complaint is received, a Discernment Committee will not be formed. Any CPTer or Steering Committee member who receives a written complaint will forward it to the Director(s). The Director(s) have primary responsibility for the implementation of this policy. The Director(s) will inform the Chair of the Steering Committee that a complaint has been received. If the complaint is against a Director(s) the responsibilities of the Director(s) referenced below will be assumed by the Chairs of the Steering Committee and Personnel Subcommittee. (See below for further details.)

2. If a third party observes or possesses information that a CPTer, or delegation member, has engaged in sexual harassment, s/he is encouraged to report that information to the team's Project Support Coordinator, the Personnel Coordinator, the Chair or Vice-chair of the Steering Committee, or one of the Director(s) (see VI. B. 1. c). The Director(s) will act on such a report by ensuring that the person(s) alleged to have experienced harassment has access to CPT's policy, inquiry is made as to whether or not s/he has experienced sexual harassment, and s/he is offered support honoring her/his choice for follow up (non- formal or formal procedure); the Director(s) may use discretion with non-CPTers.
3. All written allegations of sexual harassment will be passed on as soon as possible to the Director(s), with any other future access provided to a Discernment Committee or the Personnel Committee according to the above guidelines for confidentiality (see sec. II). On the basis of the written allegation, the Director(s) will make an immediate determination as to whether action should be taken to prevent interaction between the person being accused and the person making the complaint. A non-disciplinary leave of absence may be considered.
4. The Director(s) will ensure that the person making the complaint has a copy of this Policy and Procedure, and any other necessary resources (for instance, counseling). The Director(s) will also offer assistance in finding a support person for the complainant. The role of the support person is to provide emotional support, serve as a witness to the process, and assist and possibly advocate for the person making the complaint as the investigation progresses.
5. The Director(s) will contact the person being accused and:
 - a. inform him/her that a complaint alleging sexual harassment has been filed and that an investigation is to be conducted;
 - b. inform him/her of the identity of the person making the complaint and direct him/ her not to communicate, either directly or indirectly, with that person about the complaint;
 - c. provide him/ her with a copy of this Policy and Procedure;
 - d. offer assistance in finding a support person. The role of the support person is to provide emotional support, serve as a witness to the process, and assist and possibly advocate for the person being accused as the investigation progresses;
 - e. inform the Project Support Coordinator immediately and, as appropriate, members of the current team. The Director(s) will ask the team members not to speak about the investigation outside the team until the investigation is complete.
6. Investigation will be carried out by a Discernment Committee appointed by the Director(s), in consultation with the chair of the Steering Committee. This committee will generally be comprised of one full-time or Reserve Corps member, one Support Team member and one member from the Steering Committee (an additional outside person with expertise in this area could be asked to join the committee). Care will be taken to ensure a gender balance and to avoid conflict of interests in the makeup of the Committee. The gift of the Steering Committee is its distance from the incident, thus enabling it to deal with the complaint and restoration process with impartiality. The Director(s) will strongly encourage members of the Discernment Committee to educate themselves on sexual harassment issues. The Discernment Committee will be appointed within 15 days of the filing of the complaint. Once the Discernment Committee is formed, it will normally complete its investigation and report within 30 days. If either time-limit needs extension, this must be approved in writing by the Steering Committee Chair.
7. The Discernment Committee will begin with a review of the personnel file of the person being accused, including any sealed personnel files.
8. The Discernment Committee will conduct an investigation. This might include consultation with legal or other advisors as appropriate and interviews with other persons who may have relevant information. The Discernment Committee will inform the person being accused of the nature of the allegations and advise him/ her that the Committee is willing to receive any information that may be used in their investigation. The Committee will ensure that accurate records of interviews, including date, time, parties present and the name of the recorder, are kept. The Committee will ask each interviewee to review, sign and date the record of her/ his interview.
9. The Discernment Committee will prepare a written report to the Director(s) and the Steering Committee Chair, based on, as much as is feasible, the statement of witnesses with direct knowledge, rather than on second- or

third-hand sources or circumstantial evidence. It shall include evidence that the person being accused *more likely did or more likely did not* engage in sexual misconduct, clearly outlining the source and basis of statements and information that is provided as evidence. The report will include a finding that:

- a. harassment likely did occur;
- b. harassment likely did not occur; or
- c. there is a need for further investigation.

10. If there is a finding that harassment likely did occur:

- a. the Discernment Committee will prepare a formal letter to the alleged perpetrator setting out:
 - i. the name of the person being accused;
 - ii. the name of the person making the complaint;
 - iii. the alleged harassment;
 - iv. information about date, time, place and circumstance that is sufficiently specific that both parties can recognize the incident described;
 - v. a request that the person being accused respond within five days of the receipt of the charge with a signed statement responding to each of the allegations stating either agreement or disagreement (including a full account of the latter);
 - vi. direction that the person being accused not communicate with the person making the complaint with respect to the charge.
- b. If the response of the person being accused does not challenge the allegations, but agrees with their substance, the Discernment Committee can proceed immediately to recommend appropriate actions to be implemented by the Director(s) (see VI. 13., below).
- c. If the person being accused denies the allegations, a fact-finding meeting will be held with the person being accused present. Other witnesses, whose testimony may be needed to establish probable grounds, may also be asked to participate in person, by conference call, or by written statement. The Discernment Committee will ask the person making the complaint to attend, unless there is a valid reason for her/ his absence. Personal supporters for the person making the complaint and the person being accused may be present, numbers to be adjudicated by the Discernment Committee.
 - i. The Discernment Committee will be alert to differences of power and persuasive abilities among those who attend, maintaining order and not allowing any participant to act inappropriately.
 - ii. This meeting will not be governed by judicial rules of evidence or procedure.
 - iii. Generally, witnesses to good or bad character are not permitted.
 - iv. If the person making the complaint, person being accused, or a personal supporter believes that the proceedings are not being conducted fairly, they may state the objection and the Discernment Committee will decide the merits of the objection.
 - v. Evidence of harassment will be offered (in the event that the person being accused has not provided written agreement with the particular allegation).
 - vi. If the person being accused disagrees with any of the findings, s/he will detail to the Discernment Committee all of his/her reasons for disagreeing with the findings. The Discernment Committee may then either amend or confirm its finding, or call for further investigation (VI. 12 & 13., below). The Discernment Committee will then prepare a report of this meeting and its recommended actions and send it to the Director(s) and the Chair of the Steering Committee.

11. If, following a diligent investigation, there is a determination that harassment likely did not occur, and recognizing that a false accusation has the capacity to do great harm to the reputation and well-being of the person falsely accused and the CPT living/working environment, the Discernment Committee, in consultation with the Director(s), will formulate a process that will attempt to determine whether the accusation was inadvertent or purposeful. If the accusation was found to be malicious, the Director(s), in consultation with the Discernment Committee, will ensure:

- a. the appropriate care of the person falsely accused; and
- b. appropriate measures of discipline and, if appropriate, restoration of the person making a false complaint.

12. If there is a determination that further investigation is deemed necessary, the Steering Committee Chair, in consultation with the Director(s), may authorize additional time, up to a period of thirty days. Further investigation will follow the same procedures as given above, allowing the Discernment Committee the opportunity to assemble sufficient information to permit a clear decision.

13. The Discernment Committee will inform the person being accused of the Discernment Committee's decision and actions required. Actions will be guided by a restorative justice approach. (The Discernment Committee is encouraged to consult with people who have extensive knowledge about sexual harassment and restorative justice processes). The temporary or permanent removal of CPT credentials and dismissal may occur for the safety of the person making the complaint and others. If the Discernment Committee deems that the person who

committed the harassment can remain in CPT, actions recommended will likely include: an opportunity for acknowledgment of harm done, therapy, self-disclosure to team mates, and other measures, if appropriate, that may lead to reconciliation and restoration between the victim and the person who engaged in harassment. The Director(s) will ensure adequate monitoring of compliance with disciplinary or restorative measures. Monitoring includes regular check-ins and reports to the Director(s). The Director(s) will share monitoring reports with the Steering Committee Chair and others who need to know.

14. The Discernment Committee will make appropriate announcements regarding the decision and actions to be taken to those involved (including the person making the complaint, the Support Team, the Steering Committee, and field teams), and others needing to know. This may include a general announcement to CPTers. Should the person who committed the harassment, having complied with the provisions of the decision, return to the field, the Director(s) will ensure that relevant team mates are informed of the Discernment Committee's decision and the arrangements for ongoing monitoring. Once the person who committed the harassment has complied with the provisions of the decision, the Director(s) will announce this to the person making the complaint, to the Support Team, and others needing to know. This may include a general announcement to CPTers.

VIII. Appeals Process

1. Either party of the complaint may appeal the Discernment Committee's decision in writing to the Steering Committee Chair within thirty days of being given notice of the decision.
2. Such an appeal will provide facts and reasons to demonstrate that the probable grounds on which the earlier decision was based do not exist in the view of the person appealing.
3. The Steering Committee Chair will inform the other party to the complaint, the Discernment Committee, and the Director(s) of the appeal.
4. The Chair and Vice-chair of the Steering Committee will appoint an Appeals Committee of three people generally comprised of Steering Committee members and at least one member of the full-time or Reserve Corps, within 30 days of the appeal request. The members of the Appeals Committee are to be chosen for their ability to bring an impartial perspective to the process.
5. The Appeals Committee has a different task from the Discernment Committee. Their task is not to re-investigate the situation or re-interview the people involved, but to assess the records and documents of the Discernment Committee.
6. The Appeals Committee will convene a meeting at which:
 - a. the person making the appeal will explain why s/he believes that the probable grounds in support of the earlier decision do not exist;
 - b. one or more of the Discernment Committee will present the allegations, the evidence supporting the Discernment Committee's findings and the decision;
 - c. the Appeals Committee, having deliberated in private and decided by consensus, will inform the Chair of the Steering Committee that they either:
 - i. affirm the earlier decision;
 - ii. overturn the earlier decision;
 - iii. modify the decision or the measures / sanctions or both, giving reasons; or
 - iv. choose to defer a decision and refer questions of fact to the Discernment Committee, which may consider additional facts or documents. The Appeals Committee will set the time and location of a subsequent meeting to address any additions or new statements of fact.
7. The Steering Committee Chair will give written notice of the Appeals Committee's decision to the person making the appeal, the other party to the complaint, the Director(s), and the Discernment Committee. The Chair will also give notice, as appropriate, to others involved. This may include a general announcement to CPTers.
8. All relevant documents will be added to the secure personnel file.

IX. Additional Resources

All parties involved in a sexual harassment investigation retain the option of turning to local or state authorities and/or private counsel for information, support, or legal action at any point.

1. In the U.S.: the Equal Employment Opportunity Commission (EEOC) can be contacted at: 1-800-800-3362.
2. In Chicago: the Illinois Department of Human Rights can be contacted at: 312-814-6269.
3. In Canada, contact your Provincial Human Rights Commission.