

**TEMPLE BETH ZION**  
**EQUAL EMPLOYMENT OPPORTUNITY (EEO) AND ANTI-HARASSMENT POLICIES**

**A. PROHIBITED DISCRIMINATION**

Temple rejects all forms of discrimination prohibited by Federal and New York State law regardless of whether the law applies to the Temple, because such discrimination is wrong. This includes unlawful discrimination because of a person's sex, sexual orientation, race, creed, color, religion, military status, gender, national origin, age, disability, marital status, domestic violence victim status, predisposing genetic characteristics or religion. Please note that nothing in the law and therefore nothing in this Policy shall limit in anyway Temple or the Board or officers from acting or having policies concerning employment or the terms and conditions of employment that are consistent with the Temple being a Jewish religious organization for the practice of Judaism and for the fulfillment of the Temple's mission.

Further, Temple prohibits all forms of harassment prohibited by law and sexual exploitation, as more fully discussed in this Policy. Such harassment, includes (i) harassment of employees by other employees, (ii) harassment of employees by non-employees (including, but not limited to congregants and vendors) with whom Temple's employees come into contact during work, and (iii) harassment by employees of non-employees with whom the employees come into contact during work. These are all covered individuals under this Policy.

To this end, the Temple will endeavor to provide copies of this Policy to (i) all employees of Temple including its Clergy (ii) all members of the Temple (iii) all members of the Board Temple and (v) those entities with whom Temple regularly does business.

**B. PROHIBITED FORMS OF HARASSMENT**

Generally, unlawful harassment is defined as severe or pervasive verbal or physical conduct which denigrates or shows hostility or aversion to an individual because of his or her sex, sexual orientation, race, creed, color, religion, military status, gender, national origin, age, disability, marital status, domestic violence victim status or predisposing genetic characteristics, or that of his or her relatives, friends or associates, and which:

Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or

Has the purpose or effect of unreasonably interfering with an individual's work performance; or

Otherwise adversely affects an individual's employment opportunities, except consistent with law; or

Has the purpose or effect of unreasonably interfering with the person's relationship with Temple or participation in the events and programs of Temple

For example, the following kinds of behavior, or others with a similar harassing effect, are absolutely prohibited:

Abusing people through epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts (even if claimed to be "jokes" or "pranks") which relate to race, sex, sexual orientation, creed, color, religion, military status, gender, national origin, age, disability, marital status, or predisposing genetic characteristics, and

Written or graphic material which denigrates or shows hostility or aversion toward an individual or group because of race, sex, sexual orientation, creed, color, religion, military status, gender, national origin, age, disability, marital status, domestic violence victim status or predisposing genetic characteristics, and is displayed or circulated in the workplace.

Any harassment in violation of the foregoing rules is absolutely prohibited and will not be tolerated when it involves (i) harassment of employees by other employees, (ii) harassment of employees by non-employees (including, but not limited to congregants and vendors) with whom Temple's employees come into contact during work, and (iii) harassment by employees of non-employees with whom the employees come into contact during work.

### **C. SEXUAL HARASSMENT**

For purposes of this Policy sexual harassment is defined as such conduct that the Supreme Court of the United States has found to be sexual harassment in the context of employment. As a guide, sexual harassment includes:

Severe or pervasive unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or status with or at Temple; or b) submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual's relationship with Temple; 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; or d) such conduct has the purpose or effect of unreasonably interfering with the person's relationship with Temple or participation in the events and programs of Temple.

For example, the following kinds of behavior, or others with a similar harassing effect, are absolutely prohibited:

Abusing a person through insulting or degrading sexual remarks, jokes, innuendoes, or other sexually oriented conduct (including, among other things, graphic or descriptive comments relating to an individual's body or physical appearance, sexually oriented teasing or pranks, improper suggestions, objects or pictures, or unwanted physical contact); or

Threats, demands or suggestions that an employee's work status depends in any way upon tolerating or accepting sexual advances or sexually oriented conduct.

Any harassment in violation of the foregoing rules is absolutely prohibited and will not be tolerated when it involves (i) harassment of employees by other employees, (ii) harassment of employees by non-employees (including, but not limited to congregants and vendors) with whom Temple's employees come into contact during work, and (iii) harassment by employees of non-employees with whom the employees come into contact during work.

#### **D. SEXUAL EXPLOITATION**

Sexual exploitation is a different but related type of behavior. When someone in a position of authority (e.g., a member of the clergy, temple officers, or professional staff members) sexualizes a relationship with a congregant or a subordinate – even though the congregant or subordinate appears to acquiesce (particularly in the context of the work that relates to the functioning of Temple), it is considered a violation of trust and fiduciary responsibility. That is, such a relationship should not be permitted between an individual in a position of either religious or lay authority and a person (i) who turned to that person for help or support, or (ii) who is supervised by that person. Such situations are often characterized by a relational power imbalance, and are often clandestine.

#### **E. RETALIATION**

Retaliation against an individual for exercising their rights under this Policy is also strictly prohibited and is a separate violation of this Policy. This includes any retaliation for inquiring about rights under this Policy, or reporting or complaining about possible violations, or assisting in a complaint investigation, including providing truthful information about a possible violation. Such retaliation is prohibited and will not be tolerated.

#### **F. NO ONE HAS AUTHORITY TO VIOLATE THIS POLICY**

Under no circumstances does any member of the Clergy, Board member, officer, manager, supervisor, employee or any other person have any authority whatsoever to engage in discriminatory, harassing, exploitive or retaliating conduct in violation of this Policy. If anyone claims to have such authority, or you have any questions about whether conduct that you find objectionable is authorized by Temple, please contact the Executive Director, or the President of Temple, or a member of the Clergy of Temple.

#### **G. COMPLAINT PROCEDURES AND CORRECTIVE ACTION**

**Reporting** Any one covered by this Policy is encouraged to promptly report any conduct that they are subject to, or that he/she is subjected to or witnessed, which may violate this Policy. If Temple does not know about the conduct, it cannot act.

Complaints or inquiries under this Policy may be made to the Executive Director or the President of Temple, or a member of the Clergy of Temple, or the Chair of the Personnel Committee, or the Director of Education. The Executive Director shall have overall responsibility for the enforcement of this Policy, except where he/she or the Senior Rabbi is either the alleged violator, victim or material witness to the alleged conduct, in which case the President or his/her designee shall have responsibility for the enforcement of this Policy. It is our hope that by placing different individuals to whom complaints or inquiries may be directed, you can freely discuss your complaint or inquiry with one of them even if you may not feel comfortable doing so with another one.

Alternatively, you may initially discuss the matter with any supervisor or member of Temple's administration, who will then bring your complaint to the attention of Executive Director or another appropriate person if the Executive Director or the Senior Rabbi is either the alleged violator, victim or material witness to the alleged conduct. Of course, you may also feel free to discuss the matter initially with any other employee or member of Temple; and, if you wish, you may also involve that person as your advocate to help you in bringing your complaint forward. However, in all cases the matter must then be brought to the attention of the Executive Director or the President of Temple or member of the Clergy of Temple, or the Chair of the Personnel Committee or the Temple Educator because of the need for consistency and centralized decision-making in the implementation and enforcement of this Policy.

Please do not allow conduct that may violate this Policy to continue unreported. It is extremely important that this be reported so that Temple can act to stop such conduct at the earliest possible time. If Temple does not know about the conduct, it cannot act.

**Confidentiality** Complaints and inquiries under this Policy will be kept confidential to the greatest extent practicable, consistent with the Temple's need to conduct an adequate investigation so that it can take prompt and appropriate action.

**Investigation** Complaints will be investigated promptly. The nature and details of the investigation process will vary depending on the details of the complaint. Temple's objective in every instance is to make a fair determination of what happened so it can then take corrective action, if warranted, as soon as possible. The investigation may include, among other things, interviews of witnesses and the person who is the subject of the complaint.

**Corrective Action** Any employee who is determined to have committed discrimination, harassment, exploitation or retaliation in violation of this Policy will be subjected to appropriate disciplinary measures up to and including termination of employment. In addition, if the employee who is found to have violated this Policy is retained as an employee other appropriate action may be taken, including, but not limited to, change of status or position, leave of absence without pay, sensitivity training, removal from the specific task that requires such person to have any contact with the person making the complaint, or other appropriate actions as determined by Temple.

Appropriate action will be taken or suggested if the employee of a vendor, supplier, agency, contractor or other entity with whom Temple does business engages in conduct that violates this Policy, which may include termination of the relationship between Temple and the vendor, supplier, agency, contractor or other entity with whom Temple does business.

For members of Temple who are found to have violated this Policy appropriate action may include warnings, removal from the specific task that requires such person to have any contact with the person making the complaint, an imposed leave of absence from the members position with Temple, a requirement to take sensitivity training and/or counseling, removal on a temporary or permanent basis from any or all positions with the Temple or terminating membership in Temple.

When warranted, Temple may retrain anyone covered by the Policy concerning this

Policy and what it means. Other forms of corrective action may also be called for depending on the circumstances.

#### **H. SERVICES FOR VICTIMS OF INAPPROPRIATE CONDUCT**

Temple will make reasonable efforts to assist the person who has been a victim of inappropriate conduct. This assistance may include information about counseling and possible referral to appropriate professional organizations. The person making the complaint will be informed about the action that was taken as a result of the investigation of the complaint.

#### **I. INAPPROPRIATE CONDUCT THAT MAY NOT CONSTITUTE UNLAWFUL HARASSMENT**

Temple has zero tolerance for the types of conduct described in this Policy. Because of this, Temple may treat as a violation of this Policy instances of similarly offensive conduct that does not constitute harassment or exploitation as defined by this Policy or law, regardless of the specific wording of this Policy or technical definitions in the law, and may deal with such conduct by any measures or corrective action that is deemed appropriate by the Executive Director or officers of Temple.

#### **J. EDUCATION AND TRAINING**

All employees (including clergy), Board members and Temple members will be requested to read this Policy so that they are informed of the standards of behavior that are expected. All employees (both full and part time) are required to receive training about this Policy and its meaning and implementation, which will be conducted by the Executive Director and/or those whom he/she designates. As new employees or staff are hired or retained, they will be scheduled for such training as soon as practical after they begin working for Temple. Additional copies of this policy are available by request in the Temple office.