

UNLAWFUL HARASSMENT POLICY

It is the policy of the Diocese of Oakland to foster a working environment in which each employee is treated with dignity and respect. Unlawful harassment in any form or degree is destructive of such a working environment and will not be tolerated. Inappropriate and unprofessional conduct that is inconsistent with this policy will also not be tolerated.

Harassing conduct can take many forms and includes, but is not limited to, slurs, jokes, statements, gestures, pictures, or cartoons regarding an employee's gender, race, color, national origin, religion, age, physical disability, mental disability, medical condition, ancestry, marital status, sexual orientation, family care leave status, or veteran status.

Sexually harassing conduct, in particular, includes all these prohibited actions as well as other unwelcome conduct such as requests for sexual favors, conversation containing sexual comments, and unwelcome sexual advances. It is considered to be sexual harassment when:

- Submission to such conduct is made either implicitly or explicitly a term or condition of the individual's employment;
- Submission to or rejection of such conduct by an individual is used as a factor in decisions affecting that individual;
- Such conduct has the purpose or effect of either unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive employment environment.

Harassment based upon a legally protected classification and retaliation for opposing or participating in investigations of harassment are contrary to this policy. Any employee who engages in harassing behavior or reprisal against another employee will be subject to disciplinary action up to and including discharge. Reprisal is defined as any action intended to intimidate, retaliate against, harass, or disadvantage any person because the person has opposed harassment, has reported or complained of harassment, or has testified, assisted or participated in any investigation, proceeding, or hearing, under this policy or otherwise, regarding harassment.

All employees are responsible for conducting themselves in a manner that promotes a professional and pleasant work environment. Each Division/Department Director and Pastor/Parochial Administrator/Parish Life Director has a duty to maintain his or her workplace free of unlawful harassment. The duty to report incidents of harassment extends to acts engaged in by anyone conducting business on the premises or with employees in the scope of their work (e.g., vendors, volunteers, and visitors).