

CONGREGATION BETH SHALOM OF BRANDON EQUAL EMPLOYMENT OPPORTUNITY (EEO) AND ANTI-HARASSMENT AND BULLYING POLICY

APPROVED BY THE BOARD OF DIRECTORS FEBRUARY 6, 2018

A. PROHIBITED DISCRIMINATION

It is the policy of Congregation Beth Shalom of Brandon to ensure a safe, respectful and harassment and bullying free environment for all employees, vendors, lay-leadership, volunteers, members, prospective members and guests.

Congregation Beth Shalom of Brandon prohibits harassment, bullying and sexual exploitation prohibited by law, or which are contrary to our community's standards. Such behavior, includes (i) interactions between employees by other employees, (ii) interactions between employees and non-employees (including, but not limited to congregants and vendors) with whom Temple's employees come into contact during work, and (iii) interactions between members or guests with other members or guests in the course of participation in Synagogue life. These are all covered individuals under this Policy.

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

B. PROHIBITED FORMS OF HARASSMENT AND BULLYING

Generally, bullying is defined as using superior strength, power or influence to humiliate, shame, threaten, or intimidate someone into acting or thinking a certain way. This behavior can appear on the playground, in the board room, on social media, or during the course of any form of communication or interaction.

Generally, 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:

- (i) Has the purpose of creating an intimidating, hostile, or offensive work environment; or, has the purpose of unreasonably interfering with an individual's work performance, or
- (ii) Otherwise adversely affects an individual's employment opportunities, except consistent with law, or
- (iii) Has the purpose or effect of unreasonably interfering with the person's relationship with the Temple or participation in the events of programs or the Temple.

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

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 characteristic, and is displayed or circulated in the workplace or on social media, for example.

Any harassment or bullying in violation of the foregoing rules is prohibited and will not be tolerated when it involves (i) behavior to employees by other employees, (ii) behavior of employees by and to non-employees (including, but not limited to congregants and vendors), and behavior, interactions and communications between members, guests and vendors.

C. SEXUAL HARASSMENT

For the 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 membership status with or at CBS; or b) submission to or rejection of such conduct by an individual is used as the basis for decisions affecting individual’s relationship with the 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 the Temple or participation in the Temple’s events and programs.

For example, the following kinds of behavior, or others with 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 related 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 prohibited when it involves (i) harassment of employees by other employees, member, guests or vendors, or (ii) harassment of members, guests or vendors by other members, guests or vendors.

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 subordinate--even though the congregant or subordinate appears to acquiesce (particularly in the context of the work that relates to the functioning of the 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.

E. RETALIATION

Retaliation against an individual for exercising their rights under this Policy is also 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.

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, bullying, 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 the Synagogue, please contact the President of the Temple or a member of the Synagogue's Clergy.

G. COMPLAINT PROCEDURES AND CORRECTIVE ACTION

Anyone covered by this Policy is encouraged to promptly report any conduct they are subject to, or have witnessed, which may violate this Policy. If the Temple does not know about the conduct, it cannot act.

Complaints or inquiries under this Policy may be made to the President of the Temple, or a member of the Clergy, or the Director of Education. The President shall have overall responsibility for the enforcement of this Policy, except where he/she or the Rabbi is either the alleged violator, victim or material witness to the alleged conduct, in which

case the First Vice 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.

The matter must then be brought to the attention of the President or the Temple or member of the Clergy, 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 you believe may violate this Policy to continue unreported. It is important that this be reported so that the Temple can act to stop such conduct at the earliest possible time.

H. CONFIDENTIALITY: Confidentiality of 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.

I. INVESTIGATION: Complaints will be investigated promptly. The nature and details of the investigation process will vary depending on the details of the complaint. The 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.

J. CORRECTIVE ACTION: Any employee, member, or vendor who is determined to have committed discrimination, bullying, harassment, exploitation or retaliation in violation of this Policy will be subjected to appropriate consequences and measures up to and including termination of employment, vendor agreement or membership. In addition, if the employee, vendor or member is found to have violated the Policy but is retained as an employee, vendor or member, other appropriate action may be taken including, but not limited to, change of status or position, leave of absence without pay, sensitivity training, counseling, 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 the Temple.

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

A member of the Temple who is 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, imposed to leave of absence from the members position with the 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 the Temple. When warranted, the Temple may choose to “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.

K. SERVICES FOR VICTIMS OF INAPPROPRIATE CONDUCT

The 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 or the complaint.

L. INAPPROPRIATE CONDUCT THAT MAY NOT CONSTITUTE UNLAWFUL HARASSMENT

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

M. EDUCATION AND TRAINING

All employees (including clergy), Board members, and vendors will be given, and will sign a receipt attesting that they have received and read this policy. Members will be provided with a copy of this Policy.