

First Unitarian Church, South Bend
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Sexual Harassment Policy and Procedure

Created by: Board of Trustees

Approved by: Board of Trustees

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Purpose: The Congregation believes that the church should be a safe environment for all and that no form of sexual harassment can be tolerated. Refer to the definition of sexual harassment at the end of this document. Complaints of sexual harassment will be taken seriously and dealt with in a spirit of compassion and justice.

Procedure:

1. The complainant should bring the concern to any one of the following First Contacts: the Minister, the Coordinator of Religious Education, or any member of the Board of Trustees (BOT).
2. The police should be contacted if illegal actions are suspected by any of the people involved at any stage of the procedure, or if any person involved is suspected of being in physical danger. As direct communication is the preferred manner to deal with disputes, the First Contact may choose to help by being present while those involved discuss and try to resolve the issue. The First Contact may ask the Minister for assistance at any stage. The First Contact is only responsible for seeing that the matter is addressed and that the Minister or BOT is made aware of the incident. This responsibility remains even if the issue seems resolved with direct communication, or the complainant tries to withdraw the accusation. Any incident or accusation of harassment must be addressed and recorded. If the complaint concerns the Minister, the First Contact shall inform the Committee on Ministry and the President of the BOT. The President shall call on the Primary Contact for the MidAmerica Region of the UUA, and the Ministry of Good Offices of the Unitarian Universalist Ministers Association, for support and guidance. The President of the BOT must inform and involve the entire BOT before taking any additional actions.
3. If direct communication fails and:
 - a. The complainant wishes to pursue the matter within the church, the First Contact shall bring the matter to the BOT in the form of a written complaint signed by the complainant. The First Contact may ask the Minister for help writing the letter.
 - b. The complainant does not wish to pursue the matter within the church, the First Contact will inform the Minister of the situation. The Minister will make a written record to be held in a confidential file. The First Contact or the Minister may inform the BOT if they feel it is appropriate. If the complaint concerns the Minister, the written record will be held in a confidential file by the President of the BOT.
4. Upon receipt of a complaint of harassment, the BOT is encouraged to appoint an Action Group of three members to investigate the concern.

5. The first responsibility of the Action Group will be to contact the Congregational Services Director and the office of Ethics and Safety in Congregational Life of the UUA for guidance about how to proceed.

Web page: <http://www.uua.org/safe>

Email: safecongregations@uua.org

If the accused does not wish to pursue a resolution of the complaint within the church, the Action Group will report to the BOT and recommend a course of action.

6. After the Action Group has completed its confidential investigation, it must present a written report. The group may recommend to the BOT any of the following actions, or others as appropriate:

A covenant of right relations between the parties

A restriction or ban on communication between the parties involved

Counseling as a requirement

Termination of membership for the accused

Finding the complaint to be without merit

7. Any person who may be affected by this process has the right to appeal by petition to the BOT. The Board will convene as soon as possible, but no later than the next regularly scheduled BOT meeting, to consider the petition. The decision of the Board in this regard is final upon a majority vote at a legally constituted meeting.

DEFINITION OF SEXUAL HARASSMENT

While all types of harassment are prohibited, sexual harassment requires particular attention.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- submission to the conduct is made either explicitly or implicitly a term or condition of employment;
- submission to or rejection of such conduct is used as a factor in employment decisions affecting an individual; or
- the conduct unreasonably interferes with an individual's employment or creates an intimidating, hostile, or offensive employment environment.

Some examples of conduct which may constitute sexual harassment, depending on the circumstances, include but are not limited to, the following:

- Unwelcome sexual advances, whether or not it involves physical touching; sexual assault, or coerced sexual acts;
- Requests for sexual favors in exchange for actual or promised benefits such as a favorable review, salary increases, promotions, or other benefits;
- Unwelcome suggestions regarding, or invitations to, social engagements or social events;
- Any indication, expressed or implied, that any aspect of employment conditions, depends or may depend on the granting of sexual favors or on a willingness to accept or tolerate conduct or communication of a sexual nature;
- Unwelcome or coerced physical proximity or physical contact which is of a sexual nature or sexually motivated;
- Use of offensive or demeaning terms which have a sexual connotation;
- Inappropriate remarks of a sexual nature;
- Sexual gestures, suggestive comments, sexually insulting comments, epithets, jokes or name-

calling; written or verbal references about sexual conduct;

- Communication or displaying sexually suggestive objects, pictures, cartoons or computer Web sites in writing, electronically or verbally;
- Sex stereotyping, such as when the conduct or traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look; or
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, or gender identity, such as interfering with an individual's work area, equipment, or ability to do their job, name-calling, etc.