

THE WESLEYAN CHURCH OF CANADA

SEXUAL and OTHER FORMS OF HARASSMENT
GUIDELINES

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I. INTRODUCTION

The Wesleyan Church of Canada is grounded in the Holy Scriptures and the Bible's command to love one another. The Discipline of The Wesleyan Church ("The Discipline") likewise has consistently provided a framework for all Wesleyan churches, entities, and individuals to treat others with respect and dignity. The Wesleyan Church of Canada (the "Church") recognizes that sexual and other forms of harassment are contrary to Biblical and Wesleyan principles and is a very serious problem which can and does occur in Wesleyan entities in any number of circumstances including the workplace, among volunteers, and among church members. These Guidelines have been created for possible adoption by Canadian Wesleyan entities to educate on this very important issue, prevent such harassment in all church settings, not just in the workplace, and to provide specific guidelines and processes to appropriately respond to and manage harassment incidents that do occur.

II. UNDERSTANDING HARASSMENT

Harassment is understood as improper conduct by an individual, that is directed at and offensive to another individual in the workplace, including at any event or any location related to work, and that the individual knew or ought reasonably to have known would cause offence or harm. It comprises objectionable act(s), comment(s) or display(s) that demean, belittle, or cause personal humiliation or embarrassment, and any act of intimidation or threat.

Sexual harassment is most commonly defined as unwelcomed sexual advances, requests for sexual favors, and other unwanted verbal, written, portrayed or physical conduct of a sexual nature which is perceived by the recipient as demeaning, intimidating or coercive. Sexual harassment may be obvious or subtle and includes both verbal and non-verbal behaviours.

Whether an action is harassment depends upon how the recipient is affected – not on the intent of the harasser. In a workplace setting, the unwanted behaviors may be the basis for employment decisions affecting that individual or may adversely interfere with the individual's work performance. In all settings, the behavior generally creates an environment that is intimidating, hostile or offensive to at least one other individual. The harassing behaviors can occur through the use of technology, including but not limited to text messaging, email and social networks. It can occur via the showing or sending of offensive pictures. It may include physical contact, but often does not. When harassment rises to the level of unwanted physical contact it may become sexual abuse, sexual assault or one of a myriad of other crimes of a sexual nature.

The following are some, but not all acts that may constitute sexual harassment:

- Gender specific name calling or offensive remarks
 - Telling offensive sexual or gender-related jokes
 - Inappropriate conversations incorporating sexual content
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- Inappropriate gifts or making sexual advances, propositions or invitations
- Obscene phone calls, “sexting” or sending crude emails
- Posting pictures of a sexual nature
- Sexual gestures or acts, whistling, inappropriate staring or leering suggestively
- Inappropriate touching or unwanted physical contact
- Questions or discussion about sexual activities
- Unwelcome comments or attention on a person’s appearance or physical attributes

Such behaviours can constitute sexual harassment if the acts are unwanted, the acts create a hostile, intimidating or offensive workplace, and the acts are committed because of the gender of the recipients.

An act is defined as unwanted or unwelcome if the act is not invited or welcomed and the receiver regards the act as undesirable or offensive. The fact that the recipient does not verbalize the act is unwelcomed does not mean that he or she welcomes it.

Harassment can include persistent and severe behaviours but can also include a single incident. In a judicial setting, the totality of the circumstances is taken into consideration in determining whether an act constitutes harassment. This would include the severity, frequency and pervasiveness of the acts and whether person stopped upon learning the acts are unwanted.

Contrary to common belief, harassment is not only perpetrated by males against female victims. Women also harass men and persons of the same gender sexually harass one another.

Harassment is not confined to interactions between adults. News stories about bullying in elementary school and high school are pervasive. Bullying of students often includes actions which constitute harassment.

Harassment is mistakenly thought by many to only include behaviors by a person with authority over another, who becomes the victim of the abuse. While this type of harassment is common, harassment also occurs between others regardless of status or authority. In fact, it also includes actions by an outsider who comes into one’s environment, such as a delivery person, client, or church member.

III. HARASSMENT CAUSES HARM

Contrary to common myth, harassment is not a harmless act. Harassment in the workplace is not lawful because it negatively impacts a worker’s employment opportunities. Manifestations of having been harassed in an individual victim’s work can include absenteeism, drop in performance, unfavorable performance evaluations, and eventual withdrawal from formerly enjoyed activity, termination or even a change in career goals. These workplace manifestations have been found to have a substantial negative financial impact on the victim. Physiologically, victims may experience headaches, gastrointestinal distress, weight fluctuations, sleeplessness, dermatological reactions, and depression, lethargy and panic attacks. Other reactions are psychological and



include depression, anxiety, anger, irritability, and insecurity, feelings of powerlessness, low self-esteem, guilt and confusion.

In a workplace or ministerial setting, harassment of only one person can have a wider negative impact. The work environment is often tense resulting in poor productivity of many. Where harassment is present, common signs include high rates of turn-over in staff and the lack of stability within that office, ministry or community. When the harasser is a clergyperson, such reprehensible behavior breaches a sacred trust. Harassment, especially sexual harassment by clergy can effectively cause the victim to separate from his or her faith community and even result in a person's loss of faith.

IV. APPLICABLE AUTHORITY & LEGISLATION

In Canada, harassment is addressed in a number of provincial and federal laws and has been considered by a great number of courts, boards and committees. For instance, the *Charter of Rights and Freedoms*, the *Canadian Human Rights Act*, the *Canada Labour Code*, the *Criminal Code* and the applicable provincial legislation all explicitly or implicitly address harassment. For instance, Canadian law prohibits discrimination and harassment based on such things as: race, national or ethnic origin, colour, religion, age, sex, pregnancy, marital status, family status, genetic characteristics, disabilities, and for criminal records for which a pardon has been granted. The Supreme Court of Canada has considered a number of cases dealing with the issue of harassment and the Court has set a number of important precedents. While the brief review in this section is not meant as a comprehensive guide to the law of harassment in Canada it does outline several important areas of concern to The Wesleyan Church.

Note: Each church or other user of these guidelines should consult their jurisdiction's Provincial legislation and Human Rights laws as these vary from province to province.

In *Janzen v. Platy Enterprises Ltd.* [1989] 1 S.C.R. 1252, 59 D.L.R (4th) 352, the Supreme Court of Canada established that sexual harassment in the workplace is a form of discrimination. **As an example** at the provincial level, the New Brunswick *Human Rights Act* (the "NBHRA") explicitly identifies sexual harassment in the employment context as a form of discrimination. Section 10 of the NBHRA provides the following definition:

“sexually harass” means engage in vexatious comment or conduct of a sexual nature that is known or ought to reasonably be known to be unwelcome.

In *Robichaud v. Canada (Treasury Board)*, [1987] 2 S.C.R. 84, the Supreme Court of Canada established that employers shall be held liable for the discriminatory acts of their employees where those actions are work-related.

Mirroring *Janzen* and *Robichaud*, section 10 of the NBHRA places a positive duty on the employer to ensure that the work environment is free from conduct or behaviours that may constitute sexual harassment. Section 10 of the NBHRA also provides that the actions of an employee or representative constituting sexual harassment may be deemed the actions of the employer. As such, both the common law decisions and the legislation place a high expectation and duty on the

employer to ensure that sexual harassment in the workplace is not tolerated or is dealt with in a timely, diligent and appropriate manner.

The relevant sections of the NBHRA are reproduced below:

10(2) No employer, representative of the employer or person employed by the employer shall sexually harass a person employed by the employer or a person seeking employment with the employer.

10(4) No person who provides goods, services, facilities or accommodation to the public, nor any representative of that person, shall sexually harass a recipient or user, or a person seeking to be a recipient or user, of those goods, services, facilities or accommodation.

10(6) For the purposes of this section

(a) an act committed by an employee or representative of a person shall be deemed to be an act committed by the person if the person did not exercise the diligence appropriate in the circumstances to prevent the commission of the act,

(b) an act committed by an employee or representative of an association shall be deemed to be an act committed by the association if an officer or director of the association did not exercise the diligence appropriate in the circumstances to prevent the commission of the act, and

(c) an act committed by an officer or director of an association shall be deemed to be an act committed by the association.

What constitutes sexual harassment in the employment context may extend beyond the typical understanding of the term workplace. In *Simpson v. Consumers' Assn. of Canada*, 152 O.A.C. 373, the Ontario Court of Appeal established that if sexual harassment occurs outside of the physical confines of the office, it may still have occurred in the context of the work environment. In other words, sexual harassment can occur in a variety of settings and may include after hours, work-related or social events or generally outside of the confines of the business establishment.

Claims for sexual harassment in the workplace are brought before the _____
_____ (name of provincial employment and human rights authority)
and/or through the local law enforcement service. These Guidelines should be considered and administered with the appropriate provincial authorities in mind.

While laws at both the federal and provincial levels provide remedies for workplace harassment, uncompensated interns and volunteers may not be considered to be employees and thus may not find any statutory recourse against harassing behavior they may experience in the workplace. Regardless of whether the person being harassed is an employee, a volunteer or a church participant/attendee, the Wesleyan church takes a strong stance that all such harassment is unacceptable. As mentioned, harassment does not confine itself to the workplace. Such behavior is found among and between individuals in every conceivable environment, including churches.



In fact, studies have shown that institutions which were formerly dominated by or restricted to male leadership, experience a greater than average number of incidents of sexually harassing behaviors. These Guidelines are intended to address all forms of harassment wherever it may occur.

In a church setting, clergy enjoy what is often an honored, respected and even revered status. The Discipline states that Church members should esteem their ministers highly. The Discipline of The Wesleyan Church 2012, Paragraph 286 Wesleyan Publishing House, 2012. Thus, a relationship with a minister and a non-minister will often have an unequal balance of power. When a minister violates this trust by harassing another, it is especially offensive. This should be taken into consideration in handling incidents of harassment involving clergy

V. WHY GUIDELINES ARE NEEDED

- It's Against the Law. Harassment is against the law and in some circumstances constitutes criminal behavior.
 - Churches Are Not Exempt. While churches may be exempt from civil interference in employment decisions, lawsuits based on discrimination claims for alleged violations of employment and human rights unrelated to internal governance or religious beliefs are likely open to the jurisdiction of the _____ (*name of provincial employment and human rights authority*) and the provisions of the _____ (*name of provincial legislation*).
 - People are Harmed. Harassment causes actual and sometimes lasting harms to individuals and to their families. It is serious and should be treated thus.
 - Misunderstanding. There is much misunderstanding about harassment. Guidelines educate.
 - Bad for Community. Harassment in all its forms is harmful to the workplace, ministerial environment, classroom and church community. It reduces productivity and creates an environment of fear, distrust and discomfort.
 - Contrary to Biblical Teaching. Harassment is contrary to Biblical principles and The Discipline.
 - Laws not always applicable. Most, if not all, laws covering harassment apply to harassment which occurs in the workplace. Harassment in other arenas or against those not considered employees may not find a civil remedy.
 - Christian Duty. Some persons are unable to protect themselves against harassment. It is appropriate in a Wesleyan environment to provide protection against all forms of harassment, especially to those who may be unable to protect themselves.
 - Guidelines are Effective. Strong guidelines designed to prevent harassment reduce incidents of harassment.
 - Liability Exists. Churches and other Wesleyan entities, governing boards and individuals in supervisory positions can be found liable for acts of harassment committed by others under their supervision or within the entity if nothing has been done to prevent the harassing behavior or to stop the behavior once informed of it.
 - Guidelines Reduce Liability. In addition to reducing incidents of harassment, strong guidelines which are adhered to, can protect a church or entity as well as its governing
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boards and supervisors from liability resulting from the harassing behaviors of others who serve as agents for the entity.

VI. THE DISCIPLINE OF THE WESLEYAN CHURCH & HARASSMENT

The Discipline does not speak directly to the issue of harassment. Notwithstanding, there are several pertinent related paragraphs in the Discipline as follows:

- **265(11)** - Actions toward others include “To respect the inherent individual rights of all persons, regardless of race, color or sex.”
- **410(1)** - Christian social concern states that “The Wesleyan Church upholds the rights of all individuals to equal opportunity politically, economically and religiously, and pledges itself to an active effort to bring about the possession of dignity and happiness by all people everywhere (cf. 220; 265:10,11; 360:3d).”
- **410(5)** – “The Wesleyan Church abhors the trend to ignore God’s laws of chastity and purity, and rigorously opposes public acceptance of sexual promiscuity and all factors and practices which promote it. The Wesleyan Church maintains a biblical view of human sexuality which makes the sexual experience, within the framework of marriage, a gift of God to be enjoyed as a communion of a man and a woman, as well as for the purpose of procreation. Sexual relationships outside of marriage and sexual relationships between persons of the same sex are immoral and sinful. . . .”
- **410(12)** – “The Wesleyan Church believes that its members should exercise responsible stewardship of their time for worship, work, rest, personal leisure, and service to others. Special care should be given to honoring Christ in one’s choices and pursuit of entertainments. This will include refusing to patronize and to carefully regulate the use in the home of activities, media and communication where they feature the cheapening of human life, the gratuitously violent, the use of immoral or profane language and the sexually explicit and pornographic. . . .”

Note: These references are from The Discipline of The Wesleyan Church 2012 Wesleyan Publishing House, 2012; other editions may differ.

VII. TRAINING

A comprehensive training program for all ministers, employees, and lay leaders should include the following:

- ✓ Understanding what constitutes harassment.
- ✓ Learning harassment is, at least, offensive, and, at worst, harmful and does not belong in the workplace, church, ministry, nor any church interpersonal interactions.
- ✓ Civil Laws applicable to the jurisdiction of the Organization
- ✓ Familiarity with this entity’s Guidelines & Procedures.
- ✓ Reporting process for making complaints about harassing behavior.
- ✓ Responses to reports of harassment.
- ✓ When & how there will be involvement of supervising authorities.
- ✓ Disciplinary Actions for harassing behavior.

A training requirement often consists of viewing a comprehensive online interactive video. While this may be the most popular form of training because it is inexpensive and trainees can complete

the training at their leisure, group training sessions are still widely available. If you decide to utilize a generic training resource via an online source, it is very important that you also require that all participants be required to familiarize themselves with the Guidelines which you have adopted. These Guidelines are specific to your organization and outline the specific procedures that you want those in your organization to follow.

If you are searching for an online harassment training program to use for your organization, be aware that most training materials available for purchase or free focus on harassment in the workplace because that arena is what is covered under by federal harassment discrimination statutes. The focus here of these Guidelines for your Wesleyan entity is much broader as their purpose is to instruct ministers, ministry leaders, volunteers, members, as well as, employees of your organization on harassment in all entity encounters. As such, be sure to choose a training program which meets the broad needs of your entity.

VIII. RESPONSE PERSONNEL

It is important to have an Officer and Committee at the ready so that when a formal written complaint is received, it can be responded to quickly. Additionally, it is very important that the identity of the Officer is widely known for the purpose of submitting harassment complaints. It is possible that the Committee may not consist of the exact same individuals every time that is convenes.

Officer. Every entity should identify a Harassment Officer (“Officer”). The Officer is tasked with:

- Ensuring that the harassment Guidelines are disseminated in an appropriate way to all employees, volunteers, leaders and church members;
- Ensuring that the harassment Guidelines are reviewed regularly and updated, as needed;
- Being identified as the recipient of harassment complaints for the entity;
- Assisting an alleged victim (“Complainant”) to seek resolution informally, per Step 1 below, if asked to do so by Complainant; and,
- Convening the Harassment Committee, when necessary, and providing assistance to the Committee, though the Officer will not sit on the Committee.

Harassment Committee. Every entity should identify several individuals who are members of the local church, for service on the Harassment Committee (“Committee”). The Discipline calls this committee a Local Judicial Committee (Disc. 5110). This Committee is empowered by the Local Board of Administration to investigate, report, and recommend follow-up actions. When convened, the Committee should consist of no less than 3 persons, 2 of whom should be the same gender as the Complainant. The Committee, when convened, is tasked with:

- Timely investigations of formal harassment complaints;
- Reaching a conclusion to each complaint;
- Recommending appropriate disciplinary actions; and
- Issuing a written report summarizing the investigation, conclusion reached and recommended course of action.

IX. PROCESS FOR RESPONDING TO HARASSMENT COMPLAINTS

Regardless of whether a formal complaint is made, it is incumbent upon the church to address any situation of harassment which comes to the attention of the leaders of the church. It is important that every complaint is responded to as quickly as possible, with the seriousness required and that confidentiality is maintained to the extent possible.

Serious allegations of harassment which involve the physical or sexual assault of a child (generally under the age of 16) or any vulnerable adult (e.g.: those with mental disabilities) should be reported to the police and Children's Aid Society.

Responses to allegations of harassment are the same, regardless of whether the allegations are between:

- two lay people in the church
- a lay person and paid staff
- paid staff members at the church
- any person in the church, and an outside vendor of the church (e.g.: delivery person, etc.)
- etc.

Step 1. **Seek to Resolve the Matter Informally.** If the Complainant is willing to do so, he/she should advise the alleged harasser ("Respondent") directly to clearly state that the actions or words of the Respondent are unwelcomed and should stop. The Wesleyan Church calls for the use of Matthew 18:15 – 17 as an approach to conflict resolution. This approach can be especially helpful in a harassment situation because it provides the opportunity to explain why the actions or words are perceived to be harassing by the Complainant even if they were not intended as such by the Respondent. If requested, the Officer will assist both the Complainant and Respondent with this informal process, being mindful the Officer is there to facilitate the process, not to take sides. If Step 1 is successful, no other steps will likely be needed, and the matter is considered resolved. If Complainant is not willing to engage this informal process, or if circumstances make Step 1 unwise or otherwise inappropriate, the Complainant may move to Step 2, the formal process, by filing a written complaint with the Officer.

Step 2. **Begin Formal Process By Convening Harassment Committee.** The receipt of a written complaint triggers the start of the formal process. The Officers responsibility at this point is to determine if the allegations meet the organizations definitions of harassment. Some allegations may not be based in any reality and be unfounded attempts at character assassination. Other times the events do not meet the threshold and may instead constitute inappropriate behaviours that still need to be addressed, but not using the formal harassment process. In these cases, the file is closed with a finding of 'Harassment Allegations are Unfounded.'

If the reported behaviour meets the threshold of organizations definition of harassment, then the Harassment Committee is convened by the Local Board of Administration or referred to the District in cases involving ordained or licensed ministers, or employees of the district, or elected members of district committees (Disc. 5125:1).



Note: for added clarity, accusations of harassment against an ordained or licensed pastor or district employee or elected member of a district office are to be passed to the District Board for their investigation and response. They are not handled by the local church (Disc. 5125:1).

Additionally, in the event the Officer is the alleged harasser, is related to the alleged harasser or otherwise is alleged to be involved in the harassing behavior in any form, the formal written complaint should be given to a trusted member of the Church Board of Administration or in the case of a complaint against a National official, the National Board. Further, in such event, the involved Board Member will not be allowed to participate in any way in the formal process. Likewise, any individual who is implicated in the formal complaint will not be allowed to participate as part of the Committee. Once the formal process has begun, the process shall be followed to its conclusion with the issuance of a report and the appropriate related official actions.

Third party witnesses are encouraged to verbally report harassment incidents to the Officer who will determine the course of action.

Step 3. **Investigation by the Committee.**

In some situations, the Harassment Committee may consider engaging an external investigator. This would be especially true if the Complainant believes the Officer/Committee has a perceived interest in protecting the Respondent.

a. **Meet with Complainant.**

- Take Complaint Seriously. Treat Complainant with Compassion. Harassment often leaves the person feeling victimized, anxious, upset and unsure. Listen Openly.
- Obtain Clarification and Details. Ask clarifying questions to obtain a more complete picture of the incident(s). Learn when the incident occurred, what specifically occurred and who else was involved or present. Ask if and how Complainant told Respondent the behavior was not welcomed.
- Ask for any documentation or proof of the allegations. Note: A Complainant is urged to keep a detailed written record of all harassing behaviors which should include: dates and times, names of those present or witnesses to an incident, what occurred in the incident and all tangible evidence such as emails, postings, notes or pictures received.
- Take Notes.
- Explain the Committee's Process and steps to be followed.
- Discuss Confidentiality. To the extent possible, the names of the Complainant, reporter and Respondent should not be disclosed publicly.

b. **Meet with Respondent.**

- Share the Allegations made in the Complaint. Do not disclose the name of a third-party witness, if any.
 - Stress the Seriousness of Allegations. Share the entity's no tolerance position.
 - Listen Openly to Respondent's Perception of Incident(s). As with Complainant, take care not to make assumptions or judgments.
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- Obtain Clarification & Details.
- Ask for pertinent evidence in support of the Respondent
- Take Notes.
- Explain the Committee's Process and Next Steps.
- Admonish Against all forms of Retaliation and advise respondent against confronting Complainant.
- Discuss Confidentiality.

c. Additional Investigatory Actions. Do any of the following, as needed:

- Speak individually with others who either witnessed the harassing incident or have second-hand knowledge of the incident and whose names were disclosed by the Complainant or Respondent as potential sources of information.
- Look for unusual actions of the Complainant. Out of the ordinary behaviors such as changes in the Complainant's productivity, absenteeism or like behaviors are commonly seen with workplace harassment.
- Re-interview Complainant &/or Respondent to obtain clarifications and additional information.

Step 4. **Reach a Conclusion.** The conclusion of the Committee is reached by a 2/3 majority vote (Disc. 5110:3), and will be one of the following:

- Not Harassment – A conclusion that the incident is not harassment should be reached if the Committee believes that the incident(s) does not rise to the level of harassment or cannot be substantiated.
- Allegation was Falsified or Unfounded – If the investigation leads to the conclusion that the allegation was falsified, vindictive, vexatious, or frivolous, this should be reflected in the Committee's report with recommendations for discipline commensurate with such action.
- Harassment Allegations are Founded – In the event that the Committee reaches the conclusion that harassment has occurred, the report should include adequate details indicating what lead the Committee to this conclusion.

Step 5. **Recommend an Appropriate Discipline or Resolution.** See Section X below.

Step 6. **Issue an Official Report.** A written report should be issued by the Committee to the Local Board of Administration for follow up action (Disc. 5110:3). This report should contain the following: summary of the incident, all actions taken by the Complainant, the actions of the Officer and Committee in response to the complaint, the conclusion of the Committee in sufficient detail where the report indicates harassment occurred, and a recommendation regarding discipline and/or any other course of action. This report should be dated and signed by each Committee member. A copy of the report should be given to the appropriate ministry supervisor and placed in both the Complainant's and Respondent's employment and/or volunteer file. [*See sample report in Section 13 of these Guidelines.*]

In the case where a determination of guilt has been found, the District office shall also be advised.

Step 7. **Close the Loop**. Upon receipt of the report, the appropriate entity (i.e. LBA or DBA) shall follow up on the report to ensure that all actions appropriate and necessary to fully conclude the matter are taken in a timely manner. The actions may include, but are not limited to the following:

- Imposing disciplinary actions;
- Drafting and sending follow up letters;
- Putting District Office, Church insurer and/or Attorney for the Wesleyan Church on notice (required for all reports indicating that harassment has occurred);
- Instituting any necessary changes in the workplace;
- Ensuring both Complainant and Respondent are informed of the findings of the Committee; and
- If the Harasser is a Person from outside the entity, and is
 - Affiliated with a business entity:
 - Contact the entity and make a formal complaint;
 - Decide whether to cancel business relationship with the entity or require that entity to send a different company representative in the future for delivery, sales meetings, etc.; and
 - Formalize this with a detailed follow up letter.
 - Not affiliated with a business entity:
 - Determine whether harasser has a legitimate reason for coming into contact with the Complainant;
 - If yes, determine if there is an alternate method of accomplishing the reason;
 - If so, put things in place to make this happen; and
 - If no legitimate or necessary reason exists, consider banning the harasser from the office, ministry, or other environment in which the harassment occurred.

X. **DISCIPLINARY ACTIONS**

If complaint is substantiated and the report indicates that harassment has occurred, or a falsified complaint was filed, discipline appropriate to the behavior and circumstances should be applied. Discipline of the harasser or person who falsified the complaint communicates to this individual that such behavior will not be tolerated. Likewise, discipline also communicates to third parties that such behavior must not occur by anyone in this setting. To the Complainant, discipline acknowledges the Complainant's concerns. It also communicates that the entity is not merely giving lip service to harassment; it stands by its Guidelines to ensure that the workplace, ministerial arena and the like are free from harassment. Adopting and following a comprehensive harassment Guidelines which includes following through with appropriate disciplinary actions can serve to protect an entity from legal claims alleging that the entity allowed the harassment to occur and/or continue.

The Discipline should be consulted and followed where appropriate (see Disc. 5110-5125).

NOTE: The Committee does not have power to implement discipline, only to recommend discipline. The authority to discipline a member of the local church resides in the Local Board of Administration. Authority to discipline an ordained or licensed minister resides in the District Board of Administration (Disc. 5110:3; 5125:1)

Depending upon the specific circumstances of each complaint, including: severity of behavior, number of harassing behaviors, and the difference in status between Complainant and Respondent, the following disciplinary actions are recommended:

- Admonishment (verbal reprimand and expectations for repentance, education in harassment avoidance, and stern warning of no repetition of behaviours)
- Rebuke, harassment education, and written warning (verbal and written reprimand, with a warning of future consequence if the behavior continues); or
- Temporary Suspension from ministry roles (with or without pay); or
- Permanent Termination of employment or volunteer involvement in ministry role; or
- Termination from membership

Note: as stated earlier, the power to discipline resides in the Local Board of Administration or the District Board of Administration, not in the Committee.

XI. PREVENTION & PROTECTION AGAINST HARASSMENT

In a concerted effort to prevent and protect against harassment from occurring within Wesleyan ministries, entities, churches, offices and communities, all such entities are encouraged to:

- Adopt and implement Guidelines such as these.
- Provide annual training to educate ministry leaders about harassment (and a written record of who attended and when the training was offered. See Section on: ‘Acknowledgement’).
- Monitor regularly to ensure compliance with these Guidelines.
- Adopt a “No Tolerance” position against harassment and discrimination as described in this document.
- Include by reference the adopted Guidelines in all handbooks or agreements covering employees or volunteer commitments.
- Make sure the Wesleyan entity has appropriate insurance coverage which includes misconduct coverage, if possible & appropriate.
- The appointment of a Harassment Officer, and Investigative Committee
- A filing system to record and preserve any incident of harassment and how it was handled by the Wesleyan entity

A Wesleyan entity can easily adapt and adopt these Guidelines specific to its circumstances, as follows:



1. In the heading, delete heading “Wesleyan Church of Canada: and insert your entity name. Alter first paragraph by changing the last sentence as follows: “These Guidelines have been adopted by _____ (insert your entity name) to educate on this very important issue, prevent such harassment, and to provide specific procedures to manage sexual harassment incidents that do occur.”
2. Insert on the last page the following: “These Guidelines are adopted by _____ (insert entity name) on _____ (insert date).” This statement should be followed by a signature line for the secretary (usually) of the corporate body that has approved the Guidelines.
3. Provide the resulting draft document to your governing board for review, discussion & vote, as appropriate and consistent with your By-laws.
4. Make sure the final version of the document that is adopted is dated and signed.
5. If the adopted Guidelines will be used as part of your entity’s training requirement, you are advised to use the following acknowledge page.

XII. ACKNOWLEDGEMENT

Acknowledgement page is often attached as the last page of Guidelines so that a participant can tear that page off upon familiarizing himself with the Guidelines, sign as indicated, and turn in this proof of participation as required.



(Insert Entity Name Above)

ACKNOWLEDGEMENT

Regarding

HARASSMENT GUIDELINES

I have read and understand these Harassment Guidelines.

I agree to abide by these Guidelines.

I agree, if I have not already done so, to participate in all required harassment training.

In my work and/or ministry, I will agree to treat all others with respect and dignity.

If I witness harassment in any form in this or any other Wesleyan entity, I will promptly speak up to stop the harassing behavior and will report such incident to the appropriate person.

Print name

Sign name

Date



XIII. HARASSMENT COMMITTEE REPORT

SAMPLE ~ SAMPLE ~ SAMPLE

**REPORT OF THE HARASSMENT COMMITTEE
of**

(entity name)

Report Date: _____

Complainant: _____ **Respondent:** _____

Complaint Summary: The attached written complaint was received on _____ *(date)*.

Committee's Response: The Harassment Committee ("Committee") was convened by the Church's Local Board of Administration on _____ *(date)* to investigate the Complaint. The Committee took the following actions: *(date, action taken, length of action, as appropriate; expand space as needed)*

- 1.
- 2.
- 3.
- 4.

Committee's Findings: As a result of the investigation, the Committee has reached the finding that:

_____ Respondent's actions DO constitute harassment.

_____ Respondent's actions DO NOT rise to the level of harassment or could not be substantiated.

_____ The report of harassment was falsified by: _____ *(name)*

Recommendations: The Committee recommends that the following actions be taken:

Respondent _____ Admonished _____ Rebuked with warning
or should be: _____ Suspended from his position for _____ *(time period)*

Complainant _____ Terminated from his position.

[circle one]

[check as & if appropriate]

Other actions recommended:

Respectfully submitted by the members of the Harassment Committee,

[This sample report has been compacted. Spaces for responses should be enlarged as needed.]

