



Rural Oregon Continuum Of Care

Harassment Policy

AIMS

The Rural Oregon Continuum of Care (OR-505 CoC - BOS) is committed to providing a safe, and respectful environment for staff and clients and partner agencies free from all forms of discrimination, bullying and sexual harassment. All staff and partner agencies are required to treat others with dignity, courtesy, and respect. In addition, Oregon law requires all agencies to have a specific harassment policy. Below, a harassment policy is modeled in compliance with Oregon law that partner agencies should follow.

SCOPE

This policy applies to:

- All staff and partner agencies, including: managers and supervisors; full-time, part-time or casual, temporary or permanent staff; job candidates; student placements, apprentices, contractors, sub-contractors and volunteers;
- How the Rural Oregon Continuum of Care provides services to clients and how it interacts with other members of the public;
- All aspects of employment, recruitment and selection; conditions and benefits; training and promotion; task allocation; shifts; hours; leave arrangements; workload; equipment and transport;
- On-site, off-site or after-hours work; work-related social functions; conferences – wherever and whenever staff may be as a result of their duties;
- Staff and partner agency treatment of other staff, of clients, and of other members of the public encountered in the course of their duties.

HARASSMENT PREVENTION

Harassment of any kind is prohibited. This specifically includes sexual harassment, sexual assault, and other harassment based upon state and federal protected classes including:

- race, color, ethnic background
- religion
- sex, sexual orientation, gender, gender identity
- age
- national origin
- genetic information

- marital status
- veteran status
- disability or
- other characteristics protected under local, state or federal law.

Sexual Harassment: Sexual harassment is a form of sex discrimination under state and federal law. Unwelcome sexual advances, requests for sexual favors or sexually suggestive conduct or statements are sexual harassment when:

- Submission to the advance is either an explicit or implicit term or condition of employment;
- Submission to or rejection of the advance affects the basis of employment decisions for the employee; or,
- Such conduct or statements have the purpose or effect of interfering with the employee's work performance or creating an intimidating, hostile or offensive working environment.

Sexual Assault: Sexual assault is a form of sex discrimination under state and federal law. Sexual Assault means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

Examples of harassment which may violate this policy also include:

- Verbal harassment such as epithets, derogatory comments or slurs, demeaning or sexually explicit jokes;
- Physical harassment such as assault, impeding or blocking movement, unauthorized touching or any physical interference with normal work or movement when directed at any individual;
- Visual forms of harassment such as derogatory, offensive or sexually suggestive emails, texts, memes or pictures displayed or viewed in the workplace; and,
- Behavioral forms of harassment such as suggestive facial expressions or noises, leering or obscene gestures.

Although sexual harassment is sometimes difficult to define, in general, all staff should be aware that sexual conduct and conversations are inappropriate in the workplace.

The Rural Oregon Continuum of Care will not tolerate harassment.

[Reporting Procedures for Discrimination, Including Harassment and Sexual Assault](#)

All staff and partner agencies are responsible for creating and maintaining a safe and positive work environment. If any staff within the partner agencies have felt like they have experienced harassment, sexual harassment, discrimination, retaliation, sexual assault or if they have witnessed harassment, sexual harassment, sexual assault or discrimination by a co-worker, supervisor, vendor, visitor, customer or others that violates our policy, it is important that they take steps to address it immediately.

- First, if the staff member is comfortable doing so, talk to the person whose behavior is bothering them and ask the person to stop.
- Next, if the staff member is not comfortable speaking with that person, or if they have asked them to stop and they have not, the staff member should contact their supervisor or any member within the specific agency. **If the staff member is uncomfortable speaking to their supervisor, they may bring their concerns to any manager.** Note: each partner agency is expected to have their own Anti-discrimination policy that specifies who employees should contact.
- Staff members should be sure to document any incidents that they believe are in violation of this policy, including a description of the conduct, names of individuals involved, names of potential witnesses and dates.

A prompt, thorough and objective investigation of the complaint will be conducted by a qualified person within your specific agency. Documentation will be maintained to ensure reasonable progress. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation. Staff who have had a complaint should immediately make a further complaint should the harassment reoccur.

Appropriate corrective actions will be taken upon completion of our investigation. Staff found to be harassing other staff will be immediately and appropriately disciplined, up to and including immediate discharge.

Retaliation against staff who experience, witness or report a complaint regarding behaviors described above or other conduct addressed by this policy will not be tolerated.

Nondisclosure & Non-disparagement Agreements: Agencies within the Rural Oregon Continuum of Care may not require or coerce staff from entering into a nondisclosure or non-disparagement agreement, otherwise known as confidentiality agreements that prevents staff from discussing discrimination including harassment. However, after a claim of discrimination, including harassment, staff may voluntarily request to enter into an agreement containing a nondisclosure, non-disparagement, or no-rehire provision. This agreement must give the staff member at least seven days to revoke after signature.

Statute of Limitations: Staff members have five years since the date of offense to bring about a claim of sexual harassment or discrimination.

Definitions Under This Policy:

Nondisclosure Agreement: Any agreement by which one or more parties agree not to discuss or disclose information regarding any complaint of work-related harassment, discrimination, or sexual assault.

Nondisparagement Agreement: Any agreement by which one or more parties agree not to discredit or make negative or disparaging written or oral statements about any other party or the Rural Oregon Continuum of Care.

No-rehire Provision: Any agreement prohibits an employee from seeking reemployment with agencies within the Rural Oregon Continuum of Care and allows the agencies to not rehire that individual in the future.

Workplace Bullying Policy

The Rural Oregon Continuum of Care believes that all staff within the partnership agencies have a right to a safe and respectful work environment. Therefore, partnership agencies within the Rural Oregon Continuum of Care will not tolerate any bullying behavior in the workplace. Bullying has many negative effects on both individual staff and partnership agencies within the Rural Oregon Continuum of Care as a whole, including reduced productivity and employee morale.

Workplace bullying is a pattern of repeated mistreatment that harms, intimidates, undermines, offends, degrades, or humiliates an employee. Bullying may be physical, verbal, or non-verbal. It can also happen using electronic technology, such as by email, social media sites, text messages, and websites (cyberbullying). Bullying may involve any staff member, including:

- Supervisors against their subordinates
- Staff against their co-workers
- A group of co-workers targeting another employee
- A work environment where bullying has become accepted as workplace culture

- A third party who bullies an employee or vice versa

Some examples of workplace bullying include repeated acts, such as:

- Physical or verbal threats, insults, public humiliation
- Spreading malicious untruthful information or gossip
- Blame without factual justification
- Being treated differently than the rest of the staff in a work group
- Being the target of cussing or disrespectful language
- Exclusion or social isolation
- Excessive “prank” jokes or teasing of an employee

Managers and supervisors who have high expectations, identify areas requiring improved performance, or impose corrective action within established workplace guidelines are not engaging in bullying as long as their actions are carried out in a respectful and fair manner.

Partnership agencies within the Rural Oregon Continuum of Care regards workplace bullying as unacceptable and will not tolerate it under any circumstance.

Staff should report workplace bullying to their supervisor, another supervisor with whom they are comfortable speaking within their specific partnership agency. Partnership agencies will treat all complaints of workplace bullying seriously and the partnership agencies will be investigated promptly. During the investigation, partnership agencies within the Rural Oregon Continuum of Care will make every effort to maintain confidentiality to the fullest extent possible.

Americans With Disabilities Act Accommodations and Non-Discrimination

Partnership agencies within the Rural Oregon Continuum of Care are committed to complying with all applicable provisions of all state and federal laws and regulations related to individuals with disabilities. Partnership agencies will not discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability, or record of disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, partnership agencies within the Rural Oregon Continuum of Care will provide reasonable accommodations to qualified individuals with a disability, as defined by state or federal regulations, who has made that partnership agency within the Rural Oregon Continuum of Care aware of their disability and need for accommodation, provided that such accommodation does not constitute an undue hardship on the agency. This policy governs all aspects of employment, including recruitment, hiring, compensation, discipline, termination, and access to benefits and training.

Employer Accommodations for Pregnancy

If a staff member needs a temporary change to how, when, or where they work due to known limitations relating to pregnancy, childbirth or a related medical condition (including but not limited to lactation), they may request an accommodation with their partnership agency.

The Agency within the Rural Oregon Continuum of Care will approve such a request so long as the accommodation requested is reasonable and will not create an undue hardship for that agency. The partnership agency will determine on a case-by-case basis whether a requested accommodation is reasonable or would create an undue hardship after considering the nature of the accommodation, the business needs of the agency and its clients, the needs of the agency's other staff, operations, and resources.

Partnership agencies within Rural Oregon Continuum of Care will not deny employment opportunities, take adverse employment action or in any manner discriminate or retaliate against staff based on the need to make a pregnancy-related reasonable accommodation. Additionally, partnership agencies within the Rural Oregon Continuum of Care will not require staff to accept a reasonable accommodation that is unnecessary to perform the essential duties of their job nor will the agencies require staff to accept a reasonable accommodation if the staff member does not have a known limitation. Additionally, the partnership agencies will not require a staff member to take family leave, or any other leave, if the agency can make a reasonable accommodation to the known limitations.

[Requesting an Accommodation](#)

If a staff member has disability that they believe needs a reasonable accommodation to perform the essential functions of their job, that staff should be aware they can contact whoever is in charge of human resources within the partnership agency. A request for an accommodation should include an explanation of why the staff member requires an accommodation, which may include any physical limitations or risks the staff member faces in their job, or a description of the difficulties the staff member is having with one or more aspects of their job. The staff member's request may also include a description of the accommodation they are requesting. A request should also include the date when accommodation will become necessary and the expected duration of the staff member's need for accommodation. If the end date for the date of accommodation changes in the future, that staff member should be aware that they need to notify their supervisor or whomever oversees human resources within the partnership agency.

The partnership agency will make a determination regarding the staff member's request for an accommodation within five business days. However, delays may be caused by waits for medical or other documentation, or necessary information from third parties. The staff member needs to be informed of the status of their request.

Approved accommodations should be implemented as quickly as possible. If the staff member's request is denied, they should be given an explanation of the denial. The reasonable accommodation process is

interactive and ongoing; the supervisor and/or Human Resources will work with the staff member to determine if there is an accommodation that meets their needs.