

## §1300 EEO STATEMENT AND NON-HARASSMENT POLICY

*Respect for the human person entails respect for the rights that flow from his dignity as a creature. See Catechism of the Catholic Church (“CCC”), §1930. Respect for the human person proceeds by way of respect for the principle that everyone should look upon his neighbor (without any exception) as ‘another self,’ above all bearing in mind his life and the means necessary for living it with dignity. See, CCC at §1931. Created in the image of the one God and equally endowed with rational souls, all men have the same nature and the same origin. Redeemed by the sacrifice of Christ, all are called to participate in the same divine beatitude: all therefore enjoy an equal dignity. See, CCC at §1934. Based on this truth, the Diocese of Springfield condemns all forms of harassment and unjust discrimination. These policies are meant as a guide for our agencies and institutions to follow the laws of our Country and State, but also as a reminder of Christ’s command to “love one another, as I have loved you.” John 15:12.*

### §1301 SCOPE

*The Church, and thereby this Diocese, has a religious mission; therefore, it may make employment-related decisions based upon an individual’s religion. It may also make employment-related decisions based upon an individual’s conduct or lifestyle on and off the job, and the consistency of that conduct or lifestyle with Catholic teachings, doctrine, or laws. The Church’s rights in this regard are protected by the First Amendment of the United States Constitution.*

*The Diocese remains committed, however, to the principles of equal employment and compliance with federal, state and local laws providing equal employment opportunities, and all other employment laws and regulations that are not contradictory to Catholic teaching. The Illinois Human Rights Act states that employees have the right to be free from unlawful discrimination and sexual harassment and the Diocese supports that right.*

<p><b>1301.1. Policy</b> These policies and procedures shall apply for the Diocese of Springfield in Illinois (Diocese), its curia, agencies<sup>1</sup> and institutions.</p>
--

### §1302 PURPOSES OF THESE POLICIES AND PROCEDURES

*Respect for and development of human life requires peace. Peace cannot be attained on earth without safeguarding the goods of persons, free communication among men, respect for*

---

<sup>1</sup> An "agency" as used herein shall include any department, institution, office, parish, school, Juridic person or any subdivision thereof governed by the moral authority of the Roman Catholic Bishop of Springfield in Illinois. (The authority to determine policies for these entities is stated in the, **2017 Diocesan Synodal Statutes, Part I, General Norms #9**, “Diocesan policies further specify and delineate in greater detail the fundamental particular laws of these statutes and require all diocesan, parish and Catholic school personnel to act in a prescribed manner in handling specified situations. Diocesan procedures are uniform methods or standards of implementing diocesan policies.”)

*the dignity of persons and peoples, and the assiduous practice of fraternity. Peace is the work of justice and the effect of charity. See, CCC at §2304.*

**1302.1. Policy** The Diocese shall provide a professional and positive work environment for its employees and a workplace free of tensions involving matters inconsistent with its mission. It is the purpose of these policies and procedures to help affect that goal and to prevent all forms of harassment or unjust discrimination.

### **§1303 EQUAL EMPLOYMENT OPPORTUNITY**

**1303.1. Policy** The Diocese shall maintain a work environment that is free of harassment, discrimination, or retaliation due to age (40 and older), race, color, national origin, ancestry, sex, pregnancy (including childbirth, lactation, and related medical conditions), marital status, order of protection status, citizenship status, employment status, arrest and conviction information, credit history, crime victim status, physical or mental disability, genetic information (including testing and characteristics), sexual orientation, veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws, and not contradictory to Catholic teaching.

#### ***Procedures***

- a) The Diocese is dedicated to the fulfillment of this policy regarding all aspects of employment, including but not limited to recruiting, hiring, placement, transfer, training, promotion, rates of pay, and other compensation, termination, and all other terms, conditions, and privileges of employment.
- b) This policy should be followed by all priests, deacons, candidates for ordination, and lay and religious employees working in the parishes, schools, agencies and institutions of the Diocese. We are all responsible for upholding this policy.

### **§1304 REASONABLE ACCOMMODATION**

**1304.1. Policy** Employees with disabilities or who are pregnant, recovering from childbirth, or have a medical or common condition related to pregnancy that affects the employee's ability to perform the job, have the right to request one or more reasonable accommodations. A reasonable accommodation means a modification to access to the work site or an adjustment to the work process or work schedule that would enable you to perform your job despite your disability or condition.

## §1305 QUESTIONS REGARDING EQUAL EMPLOYMENT OPPORTUNITY

**1305.1. Policy** Employees may discuss questions regarding equal employment opportunity with their immediate supervisor, Pastor, Principal, Agency Director, the Director - Office for Human Resources, or the Vicar General/Moderator of the Curia.

## §1306 WORKPLACE HARASSMENT

**1306.1. Policy** The Diocese forbids all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's age (40 and older), race, color, national origin, ancestry, religion, sex, pregnancy (including childbirth, lactation, and related medical conditions), marital status, order of protection status, citizenship status, employment status, arrest and conviction information, credit history, crime victim status, physical or mental disability, genetic information (including testing and characteristics), sexual orientation, veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws, and not contradictory to Catholic teaching.

## §1307 DEFINITIONS

### §1307.1 Sexual Harassment

**1307.1.1. Policy** Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; (2) submission to, or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

#### *Procedures*

- a) While it is not possible to identify every act that constitutes or may constitute sexual harassment, the following are some examples of sexual harassment:
  - a. Unwelcome requests for sexual favors;
  - b. Lewd or derogatory comments or jokes;
  - c. Comments regarding sexual behavior or the body of another;
  - d. Sexual innuendo and other vocal activity such as catcalls or whistles;

- e. Obscene letters, notes, emails, invitations, photographs, cartoons, articles, or other written or pictorial materials of a sexual nature;
- f. Repeated requests for dates after being informed that interest is unwelcome;
- g. Retaliating against another for refusing a sexual advance or reporting an incident of possible sexual harassment to the Diocese or any government agency;
- h. Offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors; and
- i. Any unwanted physical touching or assaults or blocking or impeding movements.

### **§1307.2 Other Workplace Harassment**

**1307.2.1. Policy** Other workplace harassment is verbal or physical conduct that insults or shows hostility or aversion toward an individual because of the individual's age (40 and older), race, color, national origin, ancestry, religion, sex, pregnancy (including childbirth, lactation, and related medical conditions), marital status, order of protection status, citizenship status, employment status, arrest and conviction information, credit history, crime victim status, physical or mental disability, genetic information (including testing and characteristics), sexual orientation, veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws, and not contradictory to Catholic teaching.

#### ***Procedures***

- a) Again, while it is not possible to list all the circumstances that may constitute other forms of workplace harassment, the following are some examples of conduct that may constitute workplace harassment:
  - a. The use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to the protected categories;
  - b. Written or graphic material that insults, stereotypes, or shows aversion or hostility toward an individual or group because of one of the above protected categories and that is placed on walls, bulletin boards, email, voicemail, or elsewhere on our premises, or circulated in the workplace; and
  - c. A display of symbols, slogans, or items that are associated with hate or intolerance toward any select group.

### §1308 WORKPLACE HARASSMENT PROHIBITED

**1308.1. Policy** All forms of harassment of, or by, vendors, or visitors, to the parish, school, curial office, or other agency and institution in the Diocese or working with same are strictly prohibited and shall not be tolerated.

### §1309 ANNUAL TRAINING

**1309.1. Policy** The Diocese shall provide resources for required annual sexual harassment training for all employees in accord with the Illinois Workplace Transparency Act.

### §1310 INVESTIGATION

**1310.1. Policy** The Diocese, either at the agency level or, where appropriate, by the Office for Human Resources, shall conduct a prompt and thorough investigation of all allegations of discrimination, harassment, or retaliation, or any violation of the Equal Employment Opportunity Policy in a confidential manner to the extent possible. The Diocese shall take appropriate corrective action, if and where warranted.

### §1311 REPORTING DISCRIMINATION AND HARASSMENT

**1311.1. Policy** The Diocese prohibits retaliation against employees who, based on a reasonable belief, provide information about, complain, or assist in the investigation of any complaint of harassment or discrimination.

**1311.2. Policy** The Diocese shall promptly and thoroughly investigate any claim and take appropriate action where we find a claim has merit. To the extent possible, the Diocese will retain the confidentiality of those who report suspected or alleged violations of the harassment policy.

**1311.3. Policy** All instances of alleged harassment shall be reported to the immediate supervisor, or Pastor/Parochial Administrator, Principal, or Agency Director.

#### *Procedures*

- a) If any employee believes that he or she has been subjected to conduct which may constitute sexual harassment, the employee should immediately report the offensive conduct to his or her immediate supervisor. The supervisor should then report the allegation to the Pastor, Principal, or Director, who should then report the allegation to the Office for Human Resources or the Office of Legal Services and Policy Development.

- b) If the complaint arises because of the action of the employee's supervisor or manager, the aggrieved employee should contact a higher level of management locally, or the Diocesan Director of Human Resources who, in turn, will advise the employee and consult with the appropriate level of management to resolve the issues surrounding the complaint.
- c) Discipline for violation of this policy may include, but is not limited to, reprimand, suspension, demotion, transfer, and discharge. If the Diocese determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, the Diocese may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped. Policy Book II, §1150, **Employment Issues**, is instructive and should also be reviewed.

**1311.4. Policy** The Diocese, either at the agency level or, where appropriate, by the Office for Human Resources, shall follow up as necessary to ensure that no individual is retaliated against for making a complaint or cooperating with an investigation.

## §1312 SUMMARY OF FEDERAL AND STATE STATUTORY PROVISIONS PROHIBITING SEXUAL HARASSMENT

**1312.1. Policy** The following summaries of federal and state statutory provisions prohibiting sexual harassment shall be instructive.

### *Procedures*

- a) Sexual harassment and other harassment is a form of discrimination that violates Title VII of the Civil Rights Act of 1964. Title VII applies to employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as to the federal government.
- b) The Illinois Human Rights Act prohibits any employer, employee, agent of the employer, employment agency or labor organization to engage in sexual harassment and states the employer shall be responsible for sexual harassment of the employer's employees by nonemployees or nonmanagerial and nonsupervisory employees only if the employer becomes aware of the conduct and fails to take reasonable corrective measures. The Illinois Human Rights Act was amended on 8/9/2019 with additional provisions regarding sexual harassment with the Illinois Workplace Transparency Act.

## §1313 RESOLUTION OUTSIDE DIOCESE

**1313.1. Policy** The purpose of this policy is to establish prompt, thorough, and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, employees have the right to contact the Illinois Department of

Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) about filing a formal complaint.

***Procedures***

- a) An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense. In addition, an appeal process is available through the Illinois Human Rights Commission (IHRC), after the IDHR has completed its investigation of the complaint.
- b) A complaint with the EEOC must be filed within 300 days
- c) Administrative Contacts for Complaints
  - a. Illinois Department of Human Rights (IDHR)
    - i. Chicago: 312-814-6200 or 800-662-3942
    - ii. Chicago TTY: 866-740-3953
    - iii. Springfield: 217-785-5100
    - iv. Springfield TTY: 866-740-3953
    - v. Marion: 618-993-7463
    - vi. Marion TTY: 866-740-3953
  - b. Illinois Human Rights Commission (IHRC)
    - i. Chicago: 312-814-6269
    - ii. Chicago TTY: 312-814-4760
    - iii. Springfield: 217-785-4350
    - iv. Springfield TTY: 217-557-1500
  - c. United States Equal Employment Opportunity Commission (EEOC)
    - i. Chicago: 800-669-4000
    - ii. Chicago TTY: 800-869-8001

**§1314 REMEDIES**

**1314.1. Policy** The Diocese, either at the agency level or, where appropriate, by the Office for Human Resources, shall take appropriate actions to remedy substantiated workplace discrimination, harassment, or retaliation as defined in these policies.

***Procedures***

- a) Pursuant to Federal and State law, certain statutory remedies may also be available to a person who has been harassed in contravention of the law and these policies, including: back pay, compensatory damages, punitive damages, lost future earnings, equitable relief, such as an order reinstating the aggrieved employee, and/or attorney's fee and litigation expenses.