

5960 Policy Regarding Harassment and Discrimination

(For incidents involving youth, see the District Youth Protection Policy.)

Guiding Principles

At the core of our Rotary community is a spirit of mutual respect grounded in the Rotary Code of Conduct and the Four-Way Test.

Of the things we think, say, or do

1. Is it the **TRUTH**?
2. Is it **FAIR** to all concerned?
3. Will it build **GOODWILL** and **BETTER FRIENDSHIPS**?
4. Will it be **BENEFICIAL** to all concerned?

We seek to respect the integrity and worth of every individual and his or her individual viewpoints. Disrespect, including harassment and discrimination, adversely affects relationships and results in a loss of well-being, and a negative image for both the individuals involved and Rotary. It can also cause loss of membership. The purpose of this policy is to encourage mutually respectful behavior and to set out procedures in situations where complaints regarding Harassment or Discrimination are made.

District 5960 Expectations

All members will feel physically, intellectually, and psychologically safe when in Rotary meetings and functions.

All members will be respectful at all times in all types of communication.

All members will respectfully communicate discomfort directly to the disrespectful or harassing person when possible, and, if not possible, then to the Club President or a Club board member if the behavior occurs at the Club level, or to the District Governor or the District Rules and Legislation Team Leader if the behavior occurs at the District level.

Creating a harassment-free environment is everyone's responsibility. If you see something that looks like harassment, let the person know that their actions are not in line with Rotary's policies. Silently watching with disapproval sends the message that the behavior is acceptable.

Allegations of harassment should be taken seriously every time. Harassment or discrimination by a member of Rotary will be addressed as outlined in the section on Procedures and Resolution below.

Definitions

A. Harassment:

Harassment is broadly defined as any conduct, verbal or physical, that denigrates, insults, or offends a person or group based on any characteristic (age, ethnicity, race, color, abilities, religion, socioeconomic status, culture, sex, sexual orientation, relationship status, or gender identity). It includes behaviors or patterns of behavior that create an intimidating or offensive work or social environment or otherwise restrict opportunities for Rotary service.

Harassment can take many forms. When a behavior becomes pervasive or extreme, it is harassment. Here are some examples:

- Using insulting words, whether spoken or written, including in an email or on social media;
- Bullying, including verbal or physical threats or intimidation;
- Making derogatory remarks on social media or in an email;
- Engaging in gossip, including insulting statements about people's private lives that could damage their reputations;
- Deliberately impeding a person's movements;
- Asking questions or making comments about a person's sexual activity or experiences;
- Making jokes or using derogatory language about someone's age, ethnicity, race, color, abilities, religion, socioeconomic status, culture, sex, sexual orientation, relationship status, or gender identity;
- Making or threatening unwelcome physical contact, such as brushing against, embracing, or pinching;
- Making unsolicited comments about a person's attractiveness or appearance;
- Leering or whistling;
- Using, displaying, or sharing sexually suggestive or offensive words, objects, pictures, articles, letters, emails, texts, or websites;

- Making references to age, ethnicity, race, color, abilities, religion, socioeconomic status, culture, sex, sexual orientation, or gender identity.

B. Sexual Harassment:

Sexual harassment is defined as unwelcome sexual advances, including gender-based or same-sex based comments and conduct, requests for favors or other verbal, nonverbal or physical conduct of a sexual nature. Examples of such conduct include, but are not limited to, stereotypical or inappropriate jokes, language, cartoons, nicknames or propositions; repeated unwanted social invitations; unwanted touching; sexually objectifying media; and, suggestive or insulting sounds.

Procedures and Resolution

Because respect is necessary for sharing ideas, learning and working towards a common goal, Rotary District 5960 is committed to having a process for assuring that its meetings and activities are free from harassment and discrimination.

When a person experiences, or a bystander observes, harassment or discrimination and raises a concern or formal complaint, principles of respectful communication shall govern the interactions of all concerned. The reporting individual will be encouraged to share what he or she experienced, saw, or heard, the impact of the behavior, and what would be helpful to resolve the issue.

Privacy shall be scrupulously guarded. All communications regarding the matter involved shall be confidential, and should be documented contemporaneously. Any written notes or communications shall be kept in confidential records at the Club or District level, as appropriate, for six years.

All allegations of criminal behavior should be referred to local law enforcement, unless the complainant/victim wishes it to not be reported.

Members should always cooperate fully with any investigation at any level and should not interfere.

Club Level Matters

District 5960 Clubs shall act to prevent harassment and discrimination by presenting programs which raise awareness of potentially harassing or discriminatory behavior. Members shall be informed of relevant District policies including, but not limited to, the Youth Protection Policy and this policy.

Allegation of harassment by a member of Rotary shall be reviewed through the following steps within a reasonable time frame but not more than one week; unless a longer period is agreed to by the complainant/victim.

Steps to Resolve Harassment or Discrimination Allegations Occurring on Club Level:

1. Individuals involved should attempt to resolve it themselves when possible.
2. If this is not possible or realistic, refer the concern to the Club President or if the President is involved in the matter or cannot be neutral, to a trusted Club board member.
3. The Club President or trusted Club board member shall gather information about the alleged incident(s) from all persons involved in the incident(s). He or she shall record the names of the persons involved and summarize the reported problem, including time, date, place, what happened, and outcome of the discussion, i.e. whether there was resolution or if further action is necessary.
4. If the issue remains unresolved, it should be referred to the Executive Committee of the Club's Board of Directors in closed session. The aggrieved person(s) or their representative shall present the complaint, witnesses, and evidence to the Executive Committee in closed session. The person(s) about whom the grievance is made or their representative shall also present their concerns, witnesses, and evidence to the Executive Committee in closed session. The President or the Executive Committee may request consultation with the District Governor.
5. If still unresolved, the Executive Committee shall refer the matter to the District Governor to investigate and mediate. If there is potential legal action, the matter shall be referred to an attorney.

Club leaders shall strive to resolve the matter in the most respectful and kind manner possible. Based upon each member's responsibility to abide by the Rotary Four-Way Test, the Rotary Code of Conduct, Rotary International Bylaws, the Club's Constitution, the Club Bylaws, and this policy, the Executive Committee may advise mediation, recommend anger management classes, or in extreme cases, require resignation from the Club, or may commence or respond to litigation.

At any point in the investigation, the Club may consult with the District, without directly referring the matter to the District.

District Level Matters

Steps to resolve harassment or discrimination allegations occurring on the district level:

1. Individuals involved should attempt to resolve it themselves when possible.
2. If this is not possible or realistic, refer the concern to the District Governor or Rules and

Legislation Team Leader if the District Governor is involved in the matter or cannot be neutral.

3. The District Governor or Rules and Legislation Team Leader shall gather information about the alleged incident(s) from all persons involved in the incident(s). He or she shall record the names of the persons involved and summarize the reported problem, including time, date, place, what happened, and outcome of the discussion, i.e. whether there was resolution or if further action is necessary.

4. If the issue remains unresolved, it should be referred for resolution to the Executive Committee of the District Board of Directors (less anyone accused of the misconduct in question) in closed session. The aggrieved person(s) or their representative shall present the complaint, witnesses, and evidence to the Executive Committee in closed session. The person(s) about whom the grievance is made or their representative shall also present their concerns, witnesses, and evidence to the Executive Committee in closed session.

5. If there is potential legal action, the matter shall be referred to an attorney.

If the District Governor is the subject of the complaint, the immediate past district governor or the committee will review and respond to the complaint. If an allegation is made against a Governor, Governor-elect, or Governor-nominee, you must also contact your District Support staff.

If the District Governor, Past District Governor, or the committee fails to address an allegation of harassment adequately, it will be referred to Rotary's General Secretary.

District leaders, including Governors, Assistant Governors, and Team leaders, are encouraged to work with their clubs to create a harassment-free environment.

District leaders shall strive to resolve the matter in the most respectful and kind manner possible. Based upon the member's responsibility to abide by the Rotary Four-Way Test, the Rotary Code of Conduct, Rotary International Bylaws, the Club's Constitution, the Club Bylaws, and this policy, the Executive Committee may advise mediation, recommend anger management classes, or in extreme cases, require resignation from District Leadership or suggest that an offending member's Club membership be terminated. The Executive Committee may, as appropriate, commence or respond to litigation.

Appendix

Conducting the investigation

Suggested steps (for your guidance, not mandatory) to conduct an investigation.

Step 1-Review the complaint and decide with whom you want to speak. Arrange interviews with everyone involved in the situation:

The best thing to do is to talk to the accuser, the subject of the complaint, and other people who may have witnessed the event and might be able to provide perspective. If someone refuses to be interviewed or will not return your calls or emails, note that in your report. Try to contact the person at least three times using two different methods. The interviews can be conducted in person, by phone, or in an online meeting. Be sure to take careful notes regardless of how you conduct the interviews.

Step 2-Conduct a thorough investigation:

Start by talking to the person who made the allegation, asking for:

1. A description of the event;
2. The names of possible witnesses;
3. Whether they think you should talk to anyone else who was present;
4. What outcome they want (for example, action from the district, or the district asking the RI Board to take action).

Then talk to the subject of the complaint, telling them that an allegation has been made. Ask them to describe what happened. Request the names of possible witnesses to the event or behavior and any documentation or evidence they have to suggest the event did not take place as alleged.

Use a similar approach with witnesses. Ask questions that establish facts and avoid "why" questions that can lead to shaming or blaming the person who made the allegation.

Ask open-ended questions (e.g., beginning your questions with words such as “what” and “how” can help you explore what happened). Let people tell you their story. Only prompt them when they run out of words. Wait 10 seconds after they stop talking before you ask more questions.

It's best to talk to people who directly saw what occurred. This will lead you to a stronger conclusion

Step 3- Write a summary of the incident including any action you recommend:

When you've finished your interviews, write a report. Be complete. Do not express a personal opinion about an individual's credibility. Instead, list the behaviors or consistencies or inconsistencies that may support their credibility or diminish their credibility.