

Name: _____

Email: _____

Sexual Misconduct Policy Form

The Presbyterian Church (U.S.A.) has a strong policy opposing sexual harassment or abuse.

Definitions related to Sexual Misconduct

Sexual Harassment is defined for this policy is as follows: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when

1. Submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's employment or their continued status in an institution;
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 by creating an intimidating, hostile, or offensive working environment.

Sexual Misconduct is the comprehensive term used in this policy and its procedures to include:

1. Child sexual abuse.
2. Sexual harassment, as defined above.
3. Rape or sexual contact by force, threat, or intimidation.
4. Sexual conduct (such as offensive, obscene or suggestive language or behavior, unacceptable visual contact, unwelcome touching or fondling) that is injurious to the physical or emotional health of another.
5. *Sexual Malfeasance* defined as sexual conduct within ministerial (e.g. clergy with a member of the congregation) or professional relationship (e.g. counselor with a client; lay employee with a church member; presbytery executive with a committee member who may be a layperson, a minister, or an elder). Sexual conduct includes unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature. This definition is not meant to cover relationships between spouses, nor is it meant to restrict church professionals from having normal, mutual, social, intimate, or marital relationships.

Volunteer is the term used for persons who provide services and receive some benefits (e.g. food, shelter, transportation, risk management insurance or the like) but no remuneration. For purposes of this policy, volunteers are treated the same as employees.

Please complete the following certification: I certify that (a) no civil, criminal, or ecclesiastical complaint has ever been sustained or is pending against me for sexual misconduct; and (b) I have never resigned or been terminated from a position for reasons related to sexual misconduct.

Signature _____ Date _____

(Note: If you are unable to make the above certification, you may instead provide a description of the complaint, termination, or the outcome of the situation and any explanatory comments you care to add.)

Release

The information contained in this questionnaire is accurate to the best of my knowledge and may be verified by the employing entity. I hereby authorize the Presbyterian Church (U.S.A.) to make any and all contacts necessary to verify my prior employment history, and to inquire concerning any criminal records or any judicial proceedings involving me as a defendant. By means of this release I also authorize any previous employer and any law enforcement agencies or judicial authorities to release any and all requested relevant information to the Associate for Assessment and Matching of People in Mutual Mission, Worldwide Ministries Division, Presbyterian Church (U.S.A.).

I have read this release and understand fully that the information obtained may be used to deny me employment or any other type of position from the employing entity. I also agree that I will hold harmless the employing entity or judicial authority from any and all claims, liabilities, and cause of action for the legitimate release or use of any information.

Signature _____ Witness _____

Witness _____

SEXUAL MISCONDUCT POLICY

It is the policy of The Employer to maintain a workplace free from any form of sexual misconduct, including sexual harassment, by any employees or by any non-employee work contacts. This policy is based on the Sexual Misconduct Policy adopted by the 203rd General Assembly (1991) and as that document may be subsequently amended. Guidelines and procedures for implementing the sexual misconduct policy should be adopted and implemented by each Employer.

Our General Assembly community depends on trust and civility. A willingness to recognize the dignity and worth of each person is essential to our mission. It is the responsibility of each person to respect the personal dignity of others. The Presbyterian Church (USA) expects members of the General Assembly community to demonstrate a basic generosity of spirit that precludes expressions of sexual misconduct.

The scope of this policy is not limited to the physical location of the work place and relationships with other staff at that location. It includes contacts anywhere in connection with carrying out Church responsibilities and relationships with employees, volunteers, and members of any Presbyterian Church (USA) bodies or entities.

Any form of sexual misconduct is unacceptable behavior within the work place and is subject to appropriate disciplinary action.

Allegations of sexual misconduct will be fully and fairly investigated and corrective or disciplinary action, which may include dismissal from employment, taken, as warranted. (See Procedures for Reporting Sexual Misconduct/Harassment)

Definition of Sexual Misconduct (See Sexual Misconduct Policy approved by 203rd General Assembly)

Sexual misconduct is the comprehensive term used in this policy to include:

- a. Sexual Harassment Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 2. submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such an individual; or
 3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile or offensive working environment based on the declared judgment of the affected individual.
- b. Child Sexual Abuse This type of sexual misconduct includes, but is not limited to, any contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the adult person or of a third person. The behavior may or may not involve touching. Sexual behavior between a child or an adult is always considered forced whether or not consented to by the child. The upper age limit for status as a child is that recognized by the state in which the act of child sexual abuse was committed.
- c. Rape or Sexual Contact by force, threat or intimidation.

I, _____ affirm that:
(please print)

I have read and understand the Sexual Misconduct Policy for staff members of General Assembly entities.

Signature

Date

In the interest of the safety and security of our children, I acknowledge that the First Presbyterian Church of Metuchen will check my name in the National Sex Offender Public Registry Website.

Signature

Date