

*Our Lady Queen of Martyrs  
Catholic Academy*

72-55 Austin Street  
Forest Hills, New York 11375



**ANTI-HARASSMENT and DISCRIMINATION POLICY**

**All Unlawful Harassment is Prohibited**

It is important that each person employed by the Academy treat each and every co-worker with dignity and respect. The purpose of this policy is more than just enhancing the efficiency of the workplace. It is an integral part of the very Catholic Faith for which the Academy exists.

The Academy intends to provide to you a work environment which is conducive to its Catholic mission of serving the students, parents of students and our Catholic Community. The Academy is committed to providing a work environment that is free of discrimination and unlawful harassment. Harassment is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, in conflict with the teachings of the Catholic Faith, and is strictly prohibited.

To be a teacher or otherwise employed in a Catholic School, requires one to be a practicing Roman Catholic as all teachers and school employees are required to convey the Roman Catholic Faith by word and example to the students of the Academy.

The Academy strictly prohibits and does not tolerate unlawful harassment against employees or any other covered persons as noted below.

Actions, words, jokes, or comments based on an individual's race, color, religion/creed (under certain circumstances) including religious dress and grooming practices, national origin (including language use restrictions), ethnicity, ancestry, disability (mental and physical) including HIV and AIDS, alienage or citizenship status, veteran or active military service status, sex (under certain circumstances) which includes pregnancy, childbirth, breastfeeding and medical conditions relating to those, age, sexual orientation (under certain circumstances), gender including gender identity or gender expression (under certain circumstances), marital or partnership status (under certain circumstances), medical condition, genetic information, status as a victim of domestic violence, stalking or sexual assault, familial status, caregiver status, criminal history (under certain circumstances), credit history, relationship or association with a member or members of a protected category covered by the law, or any other legally-protected characteristic, or based on an individual's engaging in a protected activity (such as opposing another person's discriminatory actions or complaining about discrimination) will not be tolerated. This policy covers conduct at work as well as at Academy-sponsored activities involving supervisors, co-workers and non-employees<sup>1</sup> with whom our employees must interact as part of their job responsibilities.

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<sup>1</sup> A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and agency temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

The Academy prohibits harassment in the workplace, whether committed by supervisory or non-supervisory personnel. Whether or not the offending employee meant to give offense or believed his/her comments or conduct was welcomed is not significant. The Academy will not tolerate harassing behavior as defined herein.

You and all other employees are required to work in a manner that prevents harassment and discrimination in the workplace as set forth herein. This Policy is one component of the Academy's commitment to a harassment and discrimination-free work environment. The Academy will not tolerate unlawful harassment (including but not limited to, sexual harassment), discrimination or retaliation and all employees are required to work in a manner that prevents harassment and discrimination in the workplace. The Academy encourages you and all others to report all perceived incidents of harassment or discrimination. It is the Academy's policy to promptly and thoroughly investigate such reports. All employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

**RELIGIOUS MODIFICATION:** The Academy is a religious based school of the Roman Catholic Faith. Therefore to the extent that the tenets and teachings of the Roman Catholic Faith conflict with civil law, the doctrine, customs, tenets and teachings of the Roman Catholic Faith shall govern all occurrences and events at the Academy including the employment relationship. The Academy as a Roman Catholic religious organization is permitted to provide employment preference to members of the Roman Catholic Faith. The Academy is also permitted to use religion in determining employment decisions, including but not limited to recruitment, hiring, benefits, promotion, discipline and discharge.

The following examples are illustrative only, and not exhaustive as to the Religious Modification: (i) as to pregnancies by employees who are unwed parents (both a biological mother and biological father), such an employee shall not be permitted to remain in the Academy during the time of the pregnancy. Such persons will not be able to convey the Faith due to their living example and therefore are not permitted to teach or be present in the Academy building. The status of their continued employment will be determined in accordance with the teachings of the Roman Catholic Faith based upon facts specific to their situation but it can adversely impact one's employment continuation. In most situations, unwed parents will receive salary and benefit continuation in a different place of employment and be permitted to return to teaching after the birth of the child; (ii) Same sex marriages are in violation of Church doctrine, customs, tenets and teachings and the employment of an employee in such a marriage will be terminated upon religious grounds; and, (iii) Persons whose sexual orientation is of the same sex but who are celibate are not in violation of Church teachings solely due to their sexual orientation. Absent other behavior which may violate Church teachings or cause scandal to the Roman Catholic Faith, such a person's employment status will not be adversely affected.

## **I. POLICY**

1. The Academy's policy applies to all employees, interns whether paid or unpaid, non-employees, contractors and persons conducting business, regardless of immigration status, with the Academy.

2. Harassment (including but not limited to, sexual harassment), discrimination, and/or retaliation are not tolerated. Any employee or individual covered by this policy who engages in harassment, discrimination or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, warning, suspension, termination).

3. Retaliation Prohibition: Neither you or any other person covered by this Policy will be subject to adverse action because the employee reports an incident of unlawful harassment (including but not limited to, sexual harassment), discrimination, or retaliation, provides information, or otherwise assists in any investigation of a harassment, discrimination or retaliation complaint. The Academy will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected harassment, discrimination or retaliation. Any employee of the Academy who retaliates against anyone involved in a harassment, discrimination, or retaliation investigation will be subjected to disciplinary action, up to and including termination. All employees, interns whether paid or unpaid, or non-employees working in the workplace who believe they have been subject to such retaliation should inform a supervisor, a manager or Principal. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

4. Harassment (including but not limited to, sexual harassment), discrimination and retaliation are offensive, are a violation of our policies, are unlawful, and may subject the Academy to liability for harm to targets of harassment, discrimination or retaliation. Those who harass, discriminate and/or retaliate may also be individually subject to liability. Employees of every level, who engage in harassment, discrimination or retaliation, including managers and supervisors who engage in harassment, discrimination or retaliation or who allow such behavior to continue, will be penalized for such misconduct.

5. The Academy will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about harassment (including but not limited to, sexual harassment), discrimination or retaliation or otherwise knows of possible harassment, discrimination, or retaliation occurring. The Academy will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever unlawful harassment, discrimination or retaliation is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of harassment, discrimination, or retaliation.

6. You are encouraged to report any harassment or behaviors that violate this policy. The Academy will provide all employees a complaint form for employees to report harassment and file complaints. The complaint form will be available within your paycom.com self-services under the Documents tile, or upon request of the Principal or the Superintendent's Office.

7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment, discrimination or retaliation that they observe or become aware of, to a supervisor, a manager, the Principal, the Board Chairperson, or the Superintendent's Office at (718) 965-7300 extension 2224. Principals are required to immediately contact the Superintendent upon receiving a report of any violation of the Anti-Harassment Policy.

8. This policy applies to all employees, interns whether paid or unpaid, and non-employees and all must follow and uphold this policy. This policy is provided to all employees upon hiring and at any other time upon request, and is available under the Documents tile within each employee's paycom.com self-service portal. All employees (including paid or unpaid interns) must complete annual interactive Anti-Harassment and Discrimination training conducted by the Academy and acknowledge in writing their agreement to follow and uphold this policy.

9. The Academy is a religious organization of the Roman Catholic Faith. Therefore to the extent that the doctrines, customs, tenets and teachings of the Roman Catholic Faith conflict with civil law, the doctrine, customs, tenets, and teachings of the Roman Catholic Faith shall govern in all matters pertaining to the employment relationship.

## **II. WHAT IS SEXUAL HARASSMENT?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and local law except when otherwise required to comply with the requirements, teachings and tenets of the Roman Catholic Faith. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- 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, even if the reporting individual is not the intended target of the sexual harassment (Actions or conduct to insure compliance with teachings and tenets of the Roman Catholic Faith are not prohibited activity under this paragraph);
- Such conduct is made either explicitly or implicitly a term or condition of employment except when otherwise required to comply with the requirements, teachings and tenets of the Roman Catholic Faith; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment except when otherwise required to comply with the requirements, teachings and tenets of the Roman Catholic Faith.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “**quid pro quo**” harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of sexual harassment**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee’s body or poking another employee’s body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target’s job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person’s sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people’s ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual’s sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;

- Sabotaging an individual's work;
- Bullying, yelling, name-calling.
- Other physical, verbal or visual (including leering) conduct of a sexual nature.

### **Who can be a target of sexual harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by the Academy contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

### **Where can sexual harassment occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

### **III. OTHER FORMS OF HARASSMENT, DISCRIMINATION AND REASONABLE ACCOMMODATIONS**

As described above, harassment on the basis of any other protected characteristic is also strictly prohibited. Harassment consists of actions which have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile or offensive work environment. Harassment violates federal, state and local law when it is directed at an individual because of his or her membership in a protected class. Examples of harassing conduct includes, but is not limited to, epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail or other facility electronic media). The rules regarding "who can be a target of sexual harassment?" and "where can sexual harassment occur?" apply equally to incidents of harassment based on other protected classes.

Subject to the Religious Modification, all aspects of employment (including but not limited to, recruitment, hiring, compensation, benefits, promotion, discipline and termination) are based upon personal capabilities and qualifications, without regard to an individual's membership in a protected class. Due to its status as a religious organization, the Academy is permitted, under certain circumstances, to give employment preference to Catholics. The Academy is also exempt from governmental regulation where it would impede the free exercise of religion and constitute impermissible government entanglement with Church authority. This means that

certain behavior by employees can be regulated when necessary and consistent with the teachings and tenets of the Roman Catholic Faith.

### **Reasonable Accommodations**

The Academy is also committed to complying with the laws protecting qualified individuals with disabilities. The Academy will provide a reasonable accommodation for any physical or mental disability of a qualified individual with a disability to the extent required by law, provided the requested accommodation does not create an undue hardship for the Academy and/or does not pose a direct threat to the health or safety of others in the workplace and/or to the individual. The Academy also provides reasonable accommodations, as required by applicable law:

- to individuals based on their pregnancy, childbirth, recovery from childbirth, or medical condition related to their pregnancy or childbirth;
- for the religious needs of employees and job applicants, including the observance of the Sabbath and other holy days; and
- to the needs of individuals who are or have been subject to certain acts or threats of violence.

**Note:** To be a teacher or otherwise employed in a Catholic School requires one to be a practicing Roman Catholic as all teachers are required to convey the Roman Catholic Faith by word and deed to the students of the Academy.

If you believe you need an accommodation because of your disability, you are responsible under Federal and State law for requesting a reasonable accommodation from the Academy. Under the City law, the Academy may initiate the discussion for an accommodation with you. If you require an accommodation, you must notify the Principal or the Board Chair. You may make your request orally or in writing. The Academy encourages employees to make requests in writing and to include relevant information, such as: (i) a description of the accommodation you are requesting, (ii) the reason you need an accommodation; and, (iii) how the accommodation will help you perform the essential functions of your job.

After receiving your oral or written request or response to the Academy's inquiry, the Academy will engage in an interactive cooperative dialogue with you to identify the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations. The Academy encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, the Academy is not required to make the specific accommodation requested by you and may provide an alternative effective accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the academy. The Academy will provide the individual requesting an accommodation with a written final determination identifying any accommodation that has either been granted or denied.

### **Medical Information**

If your disability or need for accommodation is not obvious, the Academy may ask you to provide supporting documents showing that you have a disability within the meaning of the ADA and applicable NY State or NYC laws, and that your disability necessitates a reasonable accommodation. If the information provided in response to this request is insufficient, the Academy may require that you see a health care professional of the Academy's choosing, at the Academy's expense. In those cases, if you fail to provide the requested information or see the designated health care professional, your request for a reasonable accommodation may be denied. The Academy will keep confidential, to the extent required by law, any medical information obtained in connection with your request for a reasonable accommodation.

### **Determinations**

The Academy makes determinations about reasonable accommodations on a case-by-case basis considering various factors and based on an individualized assessment in each situation. The Academy strives to make determinations on reasonable accommodation requests expeditiously, and will inform the individual once a determination has been made. If you have any questions about a reasonable accommodation request you made, please contact the Principal.

### **IV. RETALIATION**

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a harassment (including but not limited to, sexual harassment), discrimination or retaliation claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and local (NYC) law. The law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- made a complaint of harassment, discrimination, or retaliation either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving harassment, sexual harassment, discrimination, or retaliation under a federal, state or local anti-discrimination law;
- opposed harassment, discrimination, or retaliation by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been harassed, discriminated against, or retaliated against; or
- encouraged a fellow employee to report harassment, discrimination, or retaliation.

Even if the alleged harassment, discrimination or retaliation does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.



Note: The Academy is a religious organization of the Roman Catholic Faith. Therefore compliance with the doctrines, customs, tenets and teachings of the Roman Catholic Faith shall not be deemed retaliation. Notwithstanding, in addressing any specific situation and applying corrective action, the dignity of each and every person must be respected. Accordingly all persons must be treated respectfully even when their employment actions or behavior is not in conformity with the teachings of the Roman Catholic Faith and corrective action by the Academy is necessary.

## **V. REPORTING HARASSMENT, DISCRIMINATION, AND RETALIATION.**

**Preventing harassment (including but not limited to, sexual harassment), discrimination, and retaliation is everyone's responsibility.** The Academy cannot prevent or remedy harassment, discrimination or retaliation unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute harassment, discrimination or retaliation is encouraged if the individual feels comfortable doing so, to tell the person offending him or her that the conduct is unwelcome and should cease immediately. If you are not comfortable addressing the behavior directly with the offender or have done so and the behavior continues, then you are encouraged to promptly report the matter to the Principal, the Board Chair or the Superintendent's Office. Anyone who witnesses or becomes aware of potential instances of harassment, discrimination or retaliation is encouraged to report such behavior to the Principal, the Board Chair or Superintendent's Office. Your complaint should be as detailed as possible, including the names of all individuals involved, approximate dates, times places, and any witnesses.

Reports of harassment, discrimination or retaliation may be made verbally or in writing. A form for submission of a written complaint ("Complaint Form") is available upon request of the Superintendent's Office and is also available under the Documents tile within each employee's paycom.com self-service portal. If you are reporting harassment, discrimination or retaliation on behalf of other employees should use the Complaint Form and note that it is on another employee's behalf.

If you witness or become aware of potential instances of sexual harassment you should report such behavior to the Principal, the Board Chair or the Superintendent's Office at (718) 965-7300 extension 2224.

Employees, paid or unpaid interns or non-employees who believe they have been a target of harassment, discrimination or retaliation may also seek assistance in other available forums, as explained below in the section on Violations of this Policy

Any employee, regardless of position or title, as to whom it is determined has engaged in violations of these policies, will be subject to remedial (i.e. counseling, probation, re-training, etc.) or discipline, up to and including termination of employment.

### **Administration of this Policy**

All supervisors and managers who receive a complaint or information about suspected harassment (including but not limited to, sexual harassment), discrimination or retaliation, observe what may be harassing, discriminatory or retaliatory behavior, or for any reason suspect

that harassment, discrimination or retaliation is occurring, are required to report such suspected behavior to the Principal, the Board Chair or the Superintendent's Office.

In addition to being subject to discipline if they engaged in harassing, discriminatory or retaliatory conduct themselves, supervisors and managers will be subject to discipline, up to and including termination of employment, for either failing to report suspected harassment, discrimination or retaliation, or otherwise knowingly allowing harassment, discrimination or retaliation to continue.

The Principal in the first instance is responsible for the administration of this policy. If you have any questions regarding this policy or questions about retaliation that are not addressed in this policy, please contact the Principal. If you feel uncomfortable contacting the Principal you may contact the Superintendent's Office at (718) 965-7300 extension 2224.

**Conduct Not Prohibited by This Policy:** These policies are not intended to preclude or dissuade employees from engaging in legally protected activities/activities regulated by City, State or Federal law such as discussing wages, benefits, or terms and conditions of employment. These policies are not intended to restrict communications or actions protected or required by City, State or Federal law.

## **VI. COMPLAINT AND INVESTIGATION OF HARASSMENT, DISCRIMINATION OR RETALIATION**

*All* complaints or information about harassment (including but not limited to, sexual harassment), discrimination or retaliation will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected harassment, discrimination or retaliation will be prompt and thorough, commenced immediately unless mitigating circumstances require otherwise for the safety/well-being of the complainant or victim and completed as soon as possible under the circumstances of each matter. The investigation will be kept confidential to the extent possible but the identity of the victim or witnesses may need to be disclosed to complete a thorough investigation. All persons involved, including complainants, witnesses and alleged offenders will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected harassment, discrimination or retaliation. The Academy will not tolerate retaliation against employees who, in good faith, file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

Investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the Principal in conjunction with the Superintendent's Office (or its designee) will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If the complaint is verbal, Human Resources (or its

designee) will encourage the individual to complete the Complaint Form in writing. If he or she refuses, the Principal (or designee) in conjunction with the Superintendent's Office will prepare a Complaint Form based on the verbal reporting.

- If documents, emails or phone records are relevant to the investigation, Human Resources (or its designee) will take steps to obtain and preserve them.
- The Principal (or designee) in conjunction with the Superintendent's Office will request and review all relevant documents, including all electronic communications.
- The Principal (or designee) in conjunction with the Superintendent's Office will interview all parties involved, including any relevant witnesses.
- The Principal (or designee) in conjunction with the Superintendent's Office will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and
  - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- The Principal (or designee) in conjunction with the Superintendent's Office will keep the written documentation and associated documents in a secure and confidential location.
- The Principal (or designee) in conjunction with the Superintendent's Office will meet with the complainant and the respondent separately and notify them of the findings of the investigation. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.
- The Principal (or designee) in conjunction with the Superintendent's Office will inform the individual, who reported the claim, of their right to file a complaint or charge externally as outlined in the next section.

## **VII. LEGAL PROTECTIONS AND EXTERNAL REMEDIES**

Illegal Harassment (including but not limited to, sexual harassment), discrimination and retaliation are not only prohibited by the Academy, but are also prohibited by state, federal, and local law. Aside from the internal process at the Academy, employees may also choose to pursue legal remedies with the following governmental entities at any time. While a private attorney is

not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

### **N.Y. State Division of Human Rights (DHR)**

The Human Rights Law (NYSHRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (NYSDHR) or in New York State Supreme Court.

Complaints with NYSDHR may be filed any time within one year of the harassment. If an individual did not file at NYSDHR, they can sue directly in state court under the NYSHRL, within three years of the alleged sexual harassment. An individual may not file with NYSDHR if they have already filed a NYSHRL complaint in state court.

Complaining internally to the Academy does not extend your time to file with NYSDHR or in court. The one year or three year filing period is counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with NYSDHR, and there is no cost to file with NYSDHR.

NYSDHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, NYSDHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

The NYSDHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact NYSDHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for NYSDHR's regional offices across New York State.

### **United States Equal Employment Opportunity Commission (EEOC)**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will

investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an employee believes that he/she was discriminated against at work, he/she can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with NYSDHR, NYSDHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### **New York City Commission on Human Rights**

All employers in NYC with four or more employees must comply with the NYC Human Rights Law regardless of whether their employees are full-time or part-time, permanent or temporary, paid on the books or off the books, or are paid or unpaid interns. Some provisions of the Law protect employees regardless of the size of the businesses.

Employers are required to provide written notice of employees’ rights under the NYC Human Rights Law both in the form of a displayed poster and as an information sheet, which is attached to this Policy.

Individuals can report harassment, discrimination or retaliation to the NYC Commission on Human Rights. Call 718-722-3131 or visit [NYC.gov/Human Rights](http://NYC.gov/Human Rights) to learn how to file a complaint or report harassment, discrimination or retaliation. Individuals can file a complaint anonymously.

### **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### **Contact the Local Police Department**

If the harassment, discrimination or retaliation involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

**ANTI-HARASSMENT AND DISCRIMINATION POLICY  
RECEIPT AND ACKNOWLEDGEMENT FORM**

I acknowledge that I have received, read, and understand the Academy's Anti-Harassment and Discrimination Policy. I understand that it is my responsibility to be familiar with and conform to the procedures contained in this policy. Failure to comply with the policy could result in disciplinary action up to and including termination of employment.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Catholic Academy Name: \_\_\_\_\_

Date: \_\_\_\_\_