

Standards for Creating Safe, Respectful and Equitable Jewish Workplaces

The SafetyRespectEquity Coalition has developed the following standardsⁱ to prevent and address gender discrimination and sexual harassment in Jewish workplacesⁱⁱ. Jewish tradition recognizes that every person is created in the Divine image and should be treated as such, and the Jewish values of repairing the world, mutual responsibility, and not standing idly by while others are being harmed are fundamental to the creation, implementation, and upholding of these standards. In recognizing our moral and ethical obligations to one another, we urge Jewish workplaces and communal spaces to take active steps to prevent and address the many other, often intersecting, forms of discrimination and harassment.

The standards outlined below are designed to combat interactions that may be physical, verbal, or sexual in nature, both in-person and online, and can involve individuals of all genders towards members of the same or another gender. They emphasize prevention, intervention, and compliance that is transparent and accountable. The standards focus specifically on the role of leadership, adoption of institution-wide policies and guidelines, reporting and response procedures, and education and training.

Coalition members mutually commit to taking proactive measures to prevent and address gender discrimination, sexual harassment, and sexual misconduct and to adopting the following standards across their institutions:

1. Leadership and Accountability

Jewish organizational and communal leaders, including senior management (paid and non-paid), clergy, and boards, are obligated to take reasonable steps to prevent and address discrimination and harassment. This includes communicating the importance of a diverse and inclusive workplace that is free of discrimination and harassment and modeling the behavior they are expecting of employees. Leaders will also allocate time, money, and other resources to prioritize diversity and inclusion as well as harassment prevention. Leaders must also be aware of the relevant laws regarding discrimination and harassment and seek expert advice as necessary.

2. Policies and Guidelines

Clear and written non-discrimination and anti-harassment policies will be created, distributed, and applied to all employees across all levels of the workplace, including the executive leadership. They will empower employees (whether targets or witnesses) to report discrimination or harassment and should encourage, but not require bystanders to intervene by speaking up and by supporting targets of these behaviors. They will also prohibit retaliation against any individual who in good faith reports harassing or discriminatory behavior or who attempts to intervene to stop the behavior or support a target of the behavior.

Non-discrimination policies will prohibit gender discrimination regarding the terms, conditions, or privileges of employment, including hiring, promotion, pay, benefits, evaluations, and work conditions. They will also prohibit limiting or segregating applicants or employees on the basis of gender that would deprive them of equal employment opportunities.

Anti-harassment policies will prohibit sexual harassment *by or of* an employee that occurs within a work context, whether on or off the workplace site, and through any means of communication including, but not limited to, social media and electronic communications such as email and texts. This includes harassment by co-workers, management, congregants, donors, volunteers, and others with whom employees regularly interact. Policies will clearly outline prohibited conduct that is not limited to legally actionable behavior and include examples.

3. Reporting and Response

Jewish workplaces will treat all complaints seriously, respectfully, and with urgency and will establish impartial procedures for reporting, tracking, and responding to complaints of discrimination and harassment with proportionate corrective action. The procedures for victims/targets or witnesses to report complaints, as well as the process for responding to, investigating, and resolving these complaints, will be communicated to all employees, both orally and in writing, should be well disseminated at regular intervals, and should be easily accessible (e.g., in handbooks, on websites, etc.). Reporting and investigation protocols will also specify that all individuals will be protected from retaliation or reprisal for lodging a good faith complaint or for participating in investigations.

Reporting: Reporting procedures will include multiple and accessible avenues for reporting and outline and describe the general steps and approximate timeframes in which the organization will follow when responding to a report. Complainants and alleged perpetrators will be advised of the policy against retaliation and complainants should be encouraged to report any future incidents or acts of perceived retaliation during the pendency of the investigation. Reporting protocols will specify that it is a violation to file a malicious or groundless complaint. Complainants will not be prevented from pursuing legal remedies, contacting legal authorities, or retaining legal representation at any time.

Investigations: Investigations will be conducted by individuals who are impartial and trained in handling gender discrimination and sexual harassment cases. Third party investigators may be utilized. Investigation procedures should authorize certain non-executive personnel to retain third party investigators when complaints are made against executive level personnel or at other times as may be described. Management will be prohibited from interfering in or impeding the investigation process. Findings of the investigation will be documented.

Response: Complainants and alleged perpetrators will be informed of the findings of the investigation. When harassment or discrimination has been found to have occurred, perpetrators will be disciplined in a meaningful, appropriate, and proportional manner. Consequences will be documented and can range from receiving coaching (e.g., following the making of an inappropriate joke) to termination (e.g., following sexual assault). Furthermore, corrective measures will be implemented at the organizational level when necessary. Response mechanisms will ensure that the protective measures that are put in place during or following an investigation do not have the unintended consequence of harming a good faith complainant

professionally or personally. Finally, to the extent that supports and resources are available to complainants who have had their discrimination or harassment complaints validated, such supports and resources will be outlined for complainants and information on how to access them will be provided.

4. Education and Training

Jewish workplaces will commit time, energy, resources, and staff to educate and train employees across all levels of the organization regarding gender discrimination and sexual harassment and about the actions they should take to prevent, respond, and intervene when such discrimination and harassment arise. This includes training on all organizational policies including non-discrimination and anti-harassment policies as well as training on the mechanisms for reporting and investigating complaints. Training sessions on unconscious or implicit bias, bystander intervention, and respectful workplaces are also recommended. Training will be mandated for all employees as well as new hires and should be comprehensive, interactive, properly resourced and performed on a regular basis by qualified trainers. Training will be tailored to meet the needs of specific workplaces and various employee cohorts as well as go beyond legal liability. Organizational leaders, supervisors, and managers will receive training about their unique legal obligations and responsibilities in upholding these standards.

5. Additional Standards to Consider

In addition to complying with the above expectations, the Jewish workplaces may wish to implement the following standards to be a model employer. These standards address other forms of discrimination and harassment on other protected bases, financial donations, parental leave, workplace romances, disclosure of corrective action, and risk factors for harassment and discrimination.

Other Forms of Discrimination and Harassment: While gender discrimination and sexual harassment are the central issues that these standards are designed to combat, best practices require attention to combatting all forms of illegal discrimination and harassment including race, ethnicity, sexual orientation, gender identity or expression, age, disability, pregnancy. Furthermore, non-discrimination policies should prohibit limiting or segregating applicants or employees on the basis of a protected class that would deprive them of equal employment opportunities.

Accepting and Granting Funds: Jewish workplaces should commit to neither accept nor grant funds to/from individuals who have been found to have engaged in discrimination, harassment, or assault.

Parental Leave: Jewish workplaces should provide parental leave equally to all parents, regardless of gender, gender identity, sexual orientation, or marital status and to those fostering or adopting. Medical leave related to pregnancy, delivery, and recovery should be provided to mothers in addition to parental leave.

Romantic Relationships: Jewish workplaces should have a policy that addresses romantic relationships and abuses of power.

Sharing of Information: Targets of harassment or discrimination in Jewish workplaces should be informed of the disciplinary measures taken against perpetrators. Jewish workplaces should have a process for protecting other workplaces when providing referrals for employees who are found to have discriminated, harassed, or engaged in prohibited behaviors. They should also compile annual data on the findings of discrimination and harassment and make them publicly available in an anonymous aggregated report.

Training: Leaders in Jewish workplaces should be trained in identifying, assessing, and responding to risk factors in their workplace that may make discrimination and harassment more likely to occur.

The SafetyRespectEquity Coalition Standards are meant to help provide guidance to organizations who wish to establish safe, respectful and equitable work places and communal spaces. They do not guarantee safety, respect or equity. Any use thereof should be based on the user's own evaluation and consultation with legal counsel and is at the sole risk of the user. The SafetyRespectEquity Coalition and its members are not responsible for any harm that may result from any such use.

i These standards were developed by reviewing existing standards and codes of conduct in other organizations and in consultation with Jewish professionals and experts in the field of discrimination and harassment.

Existing standards that have been reviewed include: The American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) Code of Conduct, Branigan and Allen 'A Preview of Proposed EEOC Enforcement Guidance and Effects of #MeToo' 2018, Department of Justice's New Initiative to Combat Sexual Harassment in the Workplace, EEOC's Select Task Force On The Study Of Harassment In The Workplace, Facebook's Policy on Sexual Harassment and Unconscious Bias Video Modules and References, Fair Foods Council Code of Conduct, InterAction's Pledge On Preventing Sexual Abuse, Exploitation, And Harassment By And Of NGO Staff, Press Forward's Rules of Engagement, SAG-AFTRA Code of Conduct on Sexual Harassment, Society for Human Resource Management's (SHRM) Anti-harassment Policy and Complaint Procedure, and the Tofurky Company's Charitable Giving Program Policy on Gender Discrimination and Harassment.

The Coalition is grateful for the input of the following experts and professionals into the development of these standards: Guila Benchimol, Gali Cooks, Sharon Masling, Mordy Walfish and Sharon Weiss-Greenberg.

ii The Coalition will be designing model policies that can be adopted by both Jewish workplaces and Jewish communal spaces.