

# Sexual Misconduct and Inappropriate Behavior

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## **POLICY**

Employees, volunteers and contractors are strictly prohibited from engaging in sexual misconduct or inappropriate behavior with residents or other staff. Instances of sexual misconduct and/ or inappropriate behavior jeopardize the safety of all staff and residents. The intent of this policy is to promote a high standard of ethical and professional conduct among employees.

## **PROCEDURE**

1. Sexual misconduct and inappropriate behavior are defined as actions of a staff person, volunteer or contractor that are not beneficial to the client and may be demonstrated through the following acts:

- a) Initiating, encouraging, and/or participating in written communication between residents and staff that is not open and public such as sending secretive notes.
- b) Spending too much time with a particular client or creating the perception of preferential treatment.
- c) Spending time alone with residents beyond the requirements of the program.
- d) Speaking too familiarly with residents or staff in the presence of residents discussing personal and /or private issues or events
- e) Allowing residents to use “pet names” or “nicknames” for staff.
- f) Being in an unassigned work area and/or visiting areas other than where assigned.
- g) Participating in or staging communications or interactions with residents outside the normal communication process.
- h) Showing aggressiveness against residents in the program.
- i) Becoming overly protective or supportive of a client.

- j) Using inappropriate language, gestures, or teasing at the workplace.
  - k) Touching residents in a manner that could be viewed as potentially inappropriate such as horseplay.
  - l) Failing to report incidents of sexual misconduct or inappropriate behavior.
  - m) Mentioning granting of favors or rewards to residents to endear residents, gain or promote feelings of acceptance, or to receive gifts.
  - n) Encouraging a client's involvement in sexually explicit or suggestive acts.
  - o) Aiding or assisting residents or staff in violating the conflict of interest policy.
  - p) Destroying and /or falsifying evidence regarding investigations of sexual misconduct or inappropriate behavior.
  - q) Participating in any act of sexual behavior with residents on or off the premises of the program.
  - r) Encouraging residents to view suggestive material or be involved with suggestive acts.
  - s) Making sexual innuendos, implied or explicit.
  - t) Arranging romantic liaisons with residents.
  - u) Sharing private information such as telephone numbers, home addresses, or other personal information with residents.
  - v) Condoning sexual acts between residents.
2. Staff is required to immediately intervene, challenge, and/or report any inappropriate behavior of residents in order to promote a safe and professional workplace.
3. All instances of sexual misconduct or inappropriate behavior must be documented and a supervisory investigation must ensue.
4. Upon learning of an allegation that a resident was sexually abused, the staff person to respond to the report shall be required to:
- a) Contact a Program Director
  - b) Separate the alleged victim and abuser
  - c) Document any evidence and verbal reports given

d) Ask victim and alleged abuser to not to destroy any physical evidence including as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, eating, or drinking

5. It is difficult, if not impossible, to describe all of the situations that would constitute sexual misconduct or inappropriate behavior. Any employee who has a question concerning possible misconduct must request advice from their supervisor.

6. Staff members, contractors and volunteers participating in sexual misconduct or inappropriate behavior will be subject to disciplinary action up to and including termination.