

LESSONS LEARNED FROM KIWA'S PAST

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A report prepared by
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INTRODUCTION

Some years ago, KIWA experienced several serious internal incidents of gender oppression and sexual harassment which deeply affected the organization and our progressive community of comrades and allies, especially within the progressive Korean American community. At the same time the organization achieved significant and even groundbreaking victories with our political work organizing workers during these years, significant internal challenges also existed.

While since then the organization has undergone significant systemic changes, we realize that this process has not been shared with the larger movement community. KIWA has a responsibility to the movement community, many of whom had been the strongest of KIWA supporters, to communicate how we have addressed and continue to address the issue of gender justice. We feel it is important to share our honest experience with those in the broader movement as well, since there can be lessons learned from our struggles. Within the organization, we also realize that a deeper understanding of KIWA's history around gender issues is critical to us as an organization that is committed to political growth and effective organizing.

This document then is meant for our allies and comrades in the movement as well as for ourselves. It is intended to document the organization's response at the time as clearly as possible, to share the systemic changes we have continued to implement since then, our plans for future action, and our analysis today of the lessons we have learned from the experience. This document is *not* meant to prove that KIWA is a patriarchy-free organization, but rather to show our process as a group that is committed to learning from mistakes and continuing in political struggle. This document is also not meant to re-hash the details and disputes about exactly what happened or did not happen. Accounts vary from person to person, depending on their particular experience and perspective. We feel that focusing on such matters would be unproductive.

The decision to write this publication resulted from a series of meetings with many of those personally involved in the incidents, as well as close allies who were involved with KIWA at the time. After our first few meetings we formed a staff committee, the Gender Justice Committee, to take leadership of the process. The Gender Justice Committee is composed of two women and two men, including KIWA's executive director. As Executive Director Danny Park is the only current staff member who was at KIWA during the time of the incidents (though at the time he was not executive director), our meetings with these individuals provided critical insights into what happened and their analysis of the situation. The analysis put forth in this document is our own, though we have learned much from our conversations with others. We invited those directly involved to read early drafts of this publication and make comments. They were also invited to submit independent statements, which appear in the Addendum.

We circulate this document to the progressive community with the hope that it will be received in the spirit in which it was conceived and written – a genuine-hearted attempt to learn from our organizational past and share these lessons with a movement that as a whole

also faces challenges around similar issues. We fear that some will interpret our efforts as a re-trial of the perpetrators, an attack on individuals at KIWA in the past, a dishonor to the amazing political victories and hard work of the past, or an unnecessary dredging-up of painful memories. Conversely, others may think it does not go far enough. While we recognize the limitations of a document such as this, we are hopeful that this can be one step in a larger process to place our experiences in the context of the social justice movement to which we are all dedicated.

GOALS FOR THIS DOCUMENT

1. To share lessons learned from KIWA's past struggles and continuing engagement with gender justice;
2. To share the systemic changes that KIWA has implemented since the incidents, as a responsibility to our allies and as a contribution to the broader movement;
3. To share the ongoing ways that KIWA will continue to address and struggle with gender justice.

LESSONS LEARNED: THE PAST

Through our meetings with individuals at KIWA and allies of KIWA from 1994-1999, as well as through our own personal experiences at the organization, we have learned valuable lessons on how patriarchy was manifested in the organizational culture and in dealing with actual incidents of sexual harassment and gender oppression.

RELATED CONDITIONS AT KIWA

In addition to the actual incidents, several ex-KIWA women staff also spoke of related organizational issues that contributed to their frustrations and ultimate burn out. They described an extremely informal decision-making process that was often based on late night phone calls and conversations in informal spaces. Ex-women staff also described a culture at KIWA of what they called a “macho” sense of what movement commitment meant, where those who did not contribute extremely long hours and in some ways sacrifice their personal well-being were made to feel that their political commitment was not sufficient. Those conditions, in the context of an extremely young organization that lacked formal policies, training or orientation for staff and interns, and that could not provide staff with adequate pay and benefits, created an overall culture of unsustainability that was raised as an issue by women staff at the time.

THE AFTERMATH

We do not attempt to fully describe the consequences in the aftermath for the individuals involved and the women who were harassed. Some important points to note from our interviews, however, was the extent of scrutiny and stigmatization as “troublemakers” that at least one woman faced from the organizing community after she left KIWA, as recently as 2000. Some women also said they felt blamed for raising the issue, and experienced criticism that belittled the issue of gender oppression as a distraction to the “real work,” that said they did not care about the organization, and that accused them of “white bourgeois feminism.” Women interviewed also mentioned an extraordinarily painful loss of community that they suffered in the aftermath.

For KIWA as an organization, there have also been consequences that are important lessons learned.

- To the present day there are members of the progressive community, mainly the Korean American community, who have severed ties with KIWA.
- At least one foundation denied funding to KIWA in the mid-90’s, which was understood as a result of what happened.
- In 2002 KIWA was invited to a workshop but asked not to send male staff.

- In 2002 a volunteer at KIWA was cautioned against working with KIWA by a community leader because of the gender issues.
- In 2005 an invitation to speak at an organization's event was rescinded due to KIWA's organizational history.

Additional lessons learned are:

- ❖ Organizational turmoil and staff burn-out can be serious consequences when issues such as these are not dealt with swiftly and appropriately. The failure to fully address such incidents can push women of color away from the movement and impede the organization's external political work.
- ❖ Our understanding of patriarchy needs to go beyond a theoretical level and address how gender oppression plays out in an organization's daily life. Internalized sexism is also an issue that needs to be struggled with.
- ❖ Without a formal organizational structure and policies to deliberately support an anti-oppressive culture, existing social oppressions have a space to manifest themselves. Organizational structures need to be formalized so that there can be accountability and more participatory decision-making. At KIWA, there was a lack of formal structure. This structure was harder to hold accountable because it was not explicit. What resulted was an informal hierarchy and a male, top-down, informal decision-making processes. Information and knowledge was also centralized in top male decision-makers.
- ❖ Division of labor at KIWA was gendered. The men often made the strategic decisions, and sometimes had the more public roles, while women often did more of the administrative, "invisible" work, such as cleaning up the office and answering the phones. Also, at the time the men staff were full time while the women staff were part time, leading to the men having more power and decision-making roles in the organization.
- ❖ There need to be clear, appropriate boundaries between work and personal lives. While we do not want to simplistically condemn "activist culture" in favor of "professionalism," KIWA's culture at the time was a certain culture where staff and volunteers (all of whom were in their early 20's – 30's) often stayed over-night at the office, socialized together, and certain individuals had romantic relationships. KIWA did not have formal organizational policies or personnel policies, including those regarding the establishment of personal-organizational boundaries.
- ❖ An organization needs to be aware of creating an inclusive space. Aspects of KIWA's past culture were more male-friendly. For example, there was a culture of frequent socializing and drinking alcohol after work, where important campaign and work decisions were often made. There was also a culture of sacrifice – e.g., never taking vacation time – that was not supportive of staff in general and especially of those with family responsibilities.

- ❖ An organization needs to understand and address how issues such as staff development and staff sustainability can be gendered (and racialized, etc.). As KIWA developed over time, it was also important to develop systems for staff development and sustainability that took into consideration gendered dynamics (i.e., male staff had more experience than women staff).

LESSONS LEARNED: WHEN INCIDENTS OCCUR

(Also see attached KIWA Sexual Harassment Policy)

We would like to present our lessons learned in addressing sexual harassment when it happens, with the understanding that it is the larger context of male cronyism, patriarchy and male domination that gives rise to what is called sexual harassment. At KIWA, the organization addressed the specific incidents that occurred but at the time did not address systemic issues raised about the organization's patriarchy and culture. Focusing on specific incidents is also reactive, not pro-active.

- ❖ Sexual harassment and gender oppression affect everyone in the organization, not just women. Men and others who are not directly involved need to take responsibility and act as allies to the women. At the same time, women also should not out of hand exclude the men in the organization and discount them as potential allies. An atmosphere of men against women creates feelings of betrayal and mistrust.
- ❖ There needs to be a supportive space created within the organization for survivor/victims and those who speak out with them. The organization must not punish those who speak out, whether formally or informally through labeling them as troublemakers, or blaming and resenting them for "creating" organizational turmoil.
- ❖ The organization needs to prioritize the needs and wishes of the survivors/victims, and make strong efforts to involve them in the process and follow up. Perpetrators of sexual harassment **MUST** be promptly held accountable. At the same time that the perpetrators should be given the opportunity to change, they should not be turned into victims themselves.
- ❖ The organization should be aware of the tactics commonly used to avoid responsibility by perpetrators and others. Some tactics are: blaming incidents on alcohol, belittling the issue of gender oppression as a distraction to the "real work;" or "white bourgeois feminism," or protecting perpetrators because they are seen as "important to our work."
- ❖ The organization needs to address incidents swiftly and be alert to a perpetrator's pattern of harassment and escalation. Incidents that may seem relatively minor by themselves take on a larger significance when they are seen in the context of a larger behavioral pattern.
- ❖ Perpetrators should not be present at meetings where decisions are made regarding their actions. Situations where the perpetrator is involved but not the survivor/victim create an imbalance in the information presented and, ultimately, the organization's judgment.

- ❖ Sexual harassment and gender oppression policies and trainings are important, but cannot be successful without organizational will and commitment.
- ❖ The first instinct an organization can have in these situations is to do damage control. However, this is not an approach that will promote healing and closure. There needs to be a pro-active and transparent communication process about what happened and what is being done about it with the community/ies to which the organization is accountable.
- ❖ It is the responsibility of the organization to ensure that all staff know and understand the organization's history. The organization's historical memory needs to be formally maintained for the lessons that can be learned, as well as in respect for the gravity of the issue.

SYSTEMIC CHANGES AT KIWA 2000-PRESENT

Since the time of the incidents described from 1994-1999, KIWA has taken steps to continue to address the issue of gender in the organization.

- ❖ The new executive director, Danny Park, met with survivors/victims to thank them for their leadership in raising gender issues at KIWA and to personally apologize for not taking on a more pro-active role to support them at the time.
- ❖ The organization strove for gender balance in staff composition and hiring. Since 2000 the number of women and men on staff has been balanced, and women have held key leadership positions. The organization is also more multi-ethnic, multi-lingual and multi-generational, which has resulted in a cultural shift as well, from a predominately young Korean culture to a staff with Latinos and Asian Americans from other ethnicities.
- ❖ A Women's Group was created in 2000 to serve as a safe, supportive space for KIWA women staff and to educate women staff about the organization's history around gender oppression. The Women's Group had the support and encouragement of the executive director. Over time, the discussions evolved to encompass broader organizational issues around the lack of a formal and transparent decision-making processes.
- ❖ Within the past several years the Women's Group has transformed into a committee called the Gender Justice Committee, which was created to involve men in the organization as well as women, to continue to meet with allies for feedback, and to formally deal with unresolved issues from the past and build on the organization's political growth around gender issues.
- ❖ Staff created a formal management and supervision structure in order to make the decision-making process more transparent and participatory, as well as to provide a formal system for staff development and support. KIWA started formal strategic planning and created a formal decision-making structures and processes. Previously, weekly staff meetings and retreats were the only formal decision-making spaces; daily decisions were usually made informally. Strategic planning resulted in the creation of a Campaign Strategy Team that made decisions regarding the organization's major campaign. Other organizational projects are also led by staff teams.
- ❖ KIWA has worked to create a more sustainable and supportive culture in revising personnel policies. Staff salaries and benefits are currently on par with comparable non-profit social justice organizations. Staff are also encouraged to use their vacation, sick and personal days. A staff retirement plan has also been made available.

- ❖ KIWA is conducting internal workshops to discuss patriarchy, our organization's historic struggles around gender equality, and future action plans.

PRESENT-DAY LESSONS LEARNED, CHALLENGES & FUTURE PLANS

We continue to work towards an organizational culture that is united in its awareness of gendered situations and inequalities and committed to gender justice for members and staff. Throughout this process, we also continue to learn valuable lessons and to face new challenges.

Lessons learned:

- ❖ Political organizational and individual growth is an ongoing process that is a healthy, stable part of our work and our commitment as progressives.
- ❖ Taking the first step in communicating with and working to rebuild relationships with survivor/victims is the responsibility of the organization.
- ❖ Struggle and unity around patriarchy is most successful after the group has discussed and achieved unity around its analyses of race and class; gender oppression is inextricably connected to race and class oppression.
- ❖ The KIWA Women's Group was important and necessary, but the organization needs to be about both women and men's ownership over combating gender oppression. Gender issues need to be addressed formally by the whole organization.

Continuing challenges & future actions:

- ❖ While we have made significant structural improvements in the organization, we have more work to do in directly discussing and equalizing our understanding on an organization-wide level of patriarchy and how gender issues play out in our work. We also have work to do in engaging around LGBTQ issues with staff and members.
- ❖ We continue to struggle to challenge our learned gender roles and gendered division of labor in doing our daily work.
- ❖ We continue to work on creating a consistent and realistic internal political education system for staff that is both theoretical and grounded in our personal realities. We are challenged by capacity issues and the resource demands of our external political work.
- ❖ We need to expand our internal staff work around patriarchy to membership about how sex and gender are linked to work. We need to move forward in creating welcoming spaces for women and queer members, and continue to look for models of effective engagement around these issues in immigrant working class communities.
- ❖ We need to develop a uniform policy to educate incoming staff, interns, volunteers and members. Staff turn-over within the organization also makes maintaining our institutional memory a challenge.

- ❖ We continue to discuss, and struggle with, the issue of the organization's formal relationship towards the perpetrators of the 1994-1999 incidents in the present-day.
- ❖ Gender oppression is certainly not the only internal issue we face as an organization and as a movement. We continue to engage with strengthening organizational unity and participatory decision-making processes in KIWA with not just gender, but also with regards to race, class, language, culture and generational diversity.
- ❖ The KIWA Gender Justice Committee continues to lead the process for staff to discuss and develop action plans for the organization's continued development.

ADDENDUM:

KIWA Sexual Harassment Policy An Addendum to KIWA Personnel Policy

It is against the policies of KIWA, and illegal under the state and federal law, for any male or female employee, board member, intern, volunteer, or client (all hereinafter referred to as “employee”) to sexually harass another employee. KIWA is committed to providing a workplace free from this unlawful conduct. It is a violation of this policy for any employee to engage in sexual harassment.

WHAT IS “SEXUAL HARASSMENT”

Sexual harassment is sex discrimination. It involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature when:

1. submission to that conduct is made either explicitly or implicitly a term of condition of employment;
2. submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
3. the conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment include but are not limited to the following when such acts or behavior come within one of the above definitions;

- continuing to ask an employee to socialize during work or off-work hours when that employee has indicated she/he is not interested;
- calling an employee during off-work hours regarding work or non-work related issues when that employee has indicated she/he is not interested;
- referring to or calling an employee a sexualized name if it is known or should be known that that employee does not welcome such behavior;
- touching or grabbing any part of an employee’s body after that employee has indicated, or it is known, that such physical contact was unwelcome;
- regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of an employee if it is known or should be known that the person does not welcome such behavior;
- either explicitly or implicitly conditioning any term of employment (e.g. continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors;
- touching or grabbing a sexual part of an employee’s body;
- displaying or transmitting sexually suggestive pictures, objects, cartoons, or posters if it is known or should be known that the behavior is unwelcome;

- continuing to write sexually suggestive notes or letters if it is known or should be known that the employee does not welcome such behavior;
- retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g. ostracizing the employee, pressuring the employee to drop or not support the complaint, etc.);
- derogatory or provoking remarks about or relating to an employee's sex or sexual orientation;
- harassing acts or behavior directed against a person on the basis of his or her sex or sexual orientation;
- conduct during off-work hours which falls within the above definition and affects the work environment.

WHAT YOU SHOULD DO IF YOU BELIEVE YOU HAVE BEEN HARASSED

<WHEN AN EMPLOYEE HARASSES ANOTHER EMPLOYEE>

(a) Reporting

Any employee, who believes that she/he has been the target of sexual harassment or who believes she/he has been subjected to retaliation for having brought or supported a complaint of harassment, is encouraged to directly inform the offending person(s) that such conduct is offensive and must stop.

If the employee does not wish to communicate directly with the alleged harasser(s) or if direct communication has been ineffective, then the complainant may report the situation to the Executive Director ("ED") or the Independent Monitor ("IM"). If the complaint is made to the IM, the IM will then report the situation to both the ED, who will work to address the issue with KIWA's Management Team ("MT"), which includes the ED, and to the KIWA Executive Board President, who will ensure that the ED is taking action on the matter. The MT will then take action to address and resolve the situation. However, in the event that the incident involves the ED, the Executive Board President will create a Special Committee to investigate the matter and make a recommendation for appropriate action to the Executive Board. The parties involved in the incident at hand cannot serve on any relevant bodies or participate in any planning or decision-making meetings regarding the case.

The IM

The IM has been designated to receive, investigate, and present findings and recommendations to the Director and to the complainant and the accused. In order to assure a fair and impartial investigation, the IM is a qualified individual who has no fiduciary ties to KIWA, and acts independently of both the KIWA staff and Board. All staff members are expected to cooperate fully with the IM.

The current IM is **Lisa Ikemoto**, Professor of Law at UC Davis School of Law. Her office telephone number is 530.754.6463. Her email address is . If the complainant is a monolingual Spanish speaker, complainant should contact Robin Toma, Director of the LA County Human Relations Commission and member of KIWA's Legal Advisory Board, at **(213) 974-7601**. If the complainant is a monolingual Korean speaker,

complainant should contact Michelle Yu, also an attorney and former member of KIWA's legal advisory board, at (213) 576-7725.

The Special Committee

The Special Committee shall consist of at least 4 staff and board members, but cannot exceed half of the number of people on staff at the time of the formation of the Special Committee. The parties involved in the incident cannot serve on the Special Committee. The Special Committee must maintain a gender balance. The Special Committee must be formed and meet within a reasonable time, not to exceed 2 weeks from the time the complaint is reported by the IM to the MT and the Board President.

Once formed, the Special Committee shall have meetings as appropriate to make a recommendation for appropriate action to the Executive Board.

(b) Investigation

It is helpful to an investigation if the employee alleging harassment keeps a diary of events and the name of people who witnessed or were told of the harassment, when possible. The employee shall be involved from the beginning of the process, including the investigation, until a resolution is reached.

If the ED receives the allegation, the MT shall conduct the investigation. If the alleged offender or victim is a member of the MT, the ED shall replace that member of the MT for the purposes of carrying out the investigation and resolution.

If the IM receives the allegation, the IM will report to the ED the findings and, if necessary, recommendations for sanctions.

If the alleged offender is the ED, the IM will take her/his findings and recommendations to the Executive Board President, who will appoint members of the Special Committee for the purposes of carrying out the investigation and resolution(s). Once the Special Committee receives the findings/recommendations from the IM, the Special Committee shall use its discretion to accept or modify the IM's recommended actions in its own recommendation to the Executive Board. The Executive Board makes the final determination on the appropriate course of action.

[Once the IM is made aware of the allegations of sexual harassment, whether or not by the complainant, the IM will undertake an investigation to determine the factual basis supporting the complaint by interviewing the alleged victim, the alleged perpetrator, and any relevant witnesses. The IM will then issue findings of facts and make a recommendation of action to the ED.]

If the IM's recommendation is not accepted by the ED, then the findings and recommendation are automatically referred to the Executive Board. The Board shall review the IM's findings and recommendations and the ED's reasons for disagreement. The Board may choose to interview the IM and/or the ED and to further investigate by re-interviewing the witnesses or the written statements, if there are any. The Board will then make its own recommendation or plan of action. Such a recommendation or plan of action shall be KIWA's final organizational decision.]

(c) Remedies

After a thorough investigation, the ED or the Executive Board (upon recommendation from the Special Committee), depending on which body is leading the process, shall determine the remedies and enforce those remedies.

<WHEN NON-KIWA EMPLOYEE HARASSES A KIWA EMPLOYEE>

(a) Reporting

Reporting shall be the same as that described above under the heading “<**WHEN AN EMPLOYEE HARASSES ANOTHER EMPLOYEE**>”.

(b) Investigation

After a report is received by the IM or the ED, the MT shall conduct the investigation.

More specifically, after the report is made, the MT shall request a meeting with the non-employee offender in order to conduct a fact-finding investigation. If the alleged offender refuses, the MT shall make a finding with the available information to its best abilities, acknowledging that it has limited information.

If the alleged offender agrees to meet with the MT, the MT shall meet with the alleged offender with the objective of finding out the facts.

(c) Remedies

If the MT finds that the accusations are valid and sexual harassment has been committed, the MT shall propose appropriate actions.

If the offender does not agree with the recommendations, the MT shall (a) formally cut off all relations with the offender; (2) give notice to the offender that the MT will contact the offender’s employer or affiliated organization; and (3) inform the offender’s employer or affiliated organization and request a meeting.

If the offender’s employer or affiliated organization agrees to cooperate, then the MT will ask that the offender’s employer or affiliated organization require the offender to follow the recommendations given by the MT.

If the offender’s employer or affiliated organization does not agree to cooperate, the MT will terminate any relationship with the organization.

<WHEN A KIWA EMPLOYEE HARASSES A NON-EMPLOYEE>

(a) Reporting

The following procedures will be implemented if a complaint is made to KIWA by an alleged victim or by another organization that an employee of KIWA harassed a non-employee. The procedures can also be implemented if a KIWA employee reports an incident according to the steps outlined below, under “**WHAT YOU SHOULD DO IF YOU BELIEVE SOMEONE ELSE IS BEING HARASSED**”.

The MT or the Special Committee will cooperate fully with procedure recommended by the alleged victim or the complaining organization.

If no recommendations are made by the alleged victim or complaining organization, the MT or the Special Committee will request a meeting with the alleged victim or the complaining organization in order to create an appropriate procedure.

(b) Investigation

Unless it is against the recommended procedure provided by the alleged victim or complaining organization, after the Executive Board or the ED receives an allegation, the Special Committee or the MT shall conduct the investigation by meeting with the alleged victim, the alleged offender, and any witnesses to gather more facts. If the offender is a member of the MT,

the ED shall replace that member of the MT for the purposes of carrying out the investigation and resolution.

(c) Remedies

If the ED or the Executive Board (with recommendation from the Special Committee) finds that the accusations are not justified, it will notify the alleged victim or the complaining organization of its findings.

If the ED or the Executive Board finds that the accusations are valid and sexual harassment has been committed, it will meet with the complaining victim or complaining organization to create disciplinary measures for the offender appropriate to the circumstances, ranging from verbal warning up to and including dismissal.

<OTHER RESOURCES>

If the complainant is dissatisfied with KIWA's action, or is otherwise interested in doing so, she/he may file a complaint by writing or calling any of the following state or federal agency:

1. U.S. Equal Employment Opportunity Commission, call (213) 894-1000 for more information; or
2. California Department of Fair Employment and Housing, call (800) 884-1684 for more information.

Each of the above agencies can conduct impartial investigations, facilitate conciliation, and, if it finds that there is probable cause or reasonable ground to believe sexual harassment occurred, it may take the case to court. Although employees are encouraged to file their complaint of sexual harassment through KIWA's complaint procedure, an employee is not required to do so before filing a charge with these agencies.

In addition, a complainant also has the right to hire a private attorney and to pursue a private legal action in state court within three (3) or six (6) years, depending on the type of claims raised.

WHAT YOU SHOULD DO IF YOU BELIEVE SOMEONE ELSE IS BEING HARASSED

Every staff member is responsible for promptly responding to or reporting any complaint or suspected acts of sexual harassment. Failure by a staff member to appropriately report or address sexual harassment complaints or suspected acts shall be considered to be in violation of this policy.

Staff members should report any complaint or suspected acts of sexual harassment to the ED, MT or IM.

WHAT KIWA WILL DO IF IT LEARNS OF POSSIBLE SEXUAL HARASSMENT

In the event KIWA receives a complaint of sexual harassment or otherwise has reason to believe that sexual harassment is occurring, it will take all necessary steps to ensure that the matter is promptly investigated and addressed. KIWA is committed, and required by law, to take action if it learns of possible sexual harassment, even if the aggrieved employee does not wish to formally file a complaint.

If the allegation of sexual harassment is found to be credible, KIWA will take appropriate corrective action. KIWA will inform the complainant and the accused of the results of the investigation and what actions will be taken to ensure that the harassment will cease and that no retaliation will occur. Any employee who has been found by KIWA to have harassed another employee will be subject to sanctions appropriate to the circumstances, ranging from verbal warning up to and including dismissal.

If the allegation is found to be not credible, the complainant and the accused shall be given the negative findings. The complainant and the accused will also be told that the complainant has the right to contact any of the state or federal agencies identified in this policy or an attorney.

Care will be taken to protect the identity of the complainant and of the accused party or parties, except as may be reasonably necessary to successfully complete the investigation.

It shall be a violation of this policy for any employee who learns of the investigation or complaint to take any retaliatory action which affects the working environment or any person involved in the investigation.