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JEWISH ORTHODOX FEMINIST ALLIANCE

JOFA Responds to Recent Events – April 13, 2022

JOFA believes strongly that every person has the right to work and live in an environment that is free from toxicity and sexual harassment. Period. No person or entity should ever use their power to make another person uncomfortable or to silence them. This is especially true in a feminist organization where we must hold ourselves to the highest standard in ensuring a safe and respectful space for everyone.

Four years ago, when a JOFA professional approached JOFA lay leaders with reports of sexual harassment by another JOFA lay leader, we did not act as quickly as we should have. In transitioning from a small informal organization to the organization that we are today, we have hit some bumps along the way. This one was unacceptable. That said, within a few months, we retained an independent law firm to conduct a thorough investigation of her claims. The findings showed behavior that was inappropriate but did not rise to the level of harassment.

The lay leader involved resigned from the JOFA Board and ended active involvement in the organization. The Board formally apologized to the professional and emphasized our appreciation for her work. When she chose to resign from JOFA and move to Israel, we entered into a mutual separation agreement with a severance package and a mutual non-disparagement clause. This agreement was negotiated by our attorney and hers, and the mutual non-disparagement language was included at her request.

It was during this time that we began to hear reports of this lay leader engaging inappropriately with another former professional during her time with JOFA. This employee had been terminated a number of years earlier due to a variety of concerns on the part of the board. Any claims of sexual harassment were made well after she left JOFA and were never made directly to the JOFA leadership. As part of the professional's separation agreement, we had signed a standard non-disparagement and confidentiality clause. It had never been intended to cover up harassment or toxicity, as at the time, we had been unaware of any incidents. Regardless, we acknowledge that any confidentiality provision can inadvertently silence concerns beyond their intended scope.

Since then, we have taken specific additional steps to create transparency and put a process in place to ensure that nothing like this happens again. We adopted a harassment policy with clear reporting requirements and guidelines; we implemented mandatory sexual harassment training for all Board members, and we joined the SRE (Safety, Respect, Equity) Network to ensure our adherence to current best practices going forward. We took a hard look at ourselves, our goals and missions and we made substantive changes to ensure that we are the JOFA that we must be.

The past week has caused us, once again, to ask ourselves hard questions. While it is true that we used non-disparagement clauses within separation agreements, we have never enforced them. We now understand that is not enough. We recognize that part of healing is stating unequivocally that people have the right to speak their truths. And so, we have now confirmed to all former employees who had NDAs that they have been officially released from those provisions. They should speak their truths, and we fully intend to listen to those truths and to challenge ourselves to incorporate them in our understanding and practices going forward. And in the future, we will not ask employees to sign NDAs.

JOFA does a lot of good work. We have changed the Orthodox community in valuable and positive ways. We can also admit when we have fallen short and commit to do better in the future.

Pam Scheininger
JOFA President