POLICY: Harassment of an individual’s sex, race, creed, color, religion, national origin, disability, marital status, military service, veteran status, age, citizenship, disability, sexual orientation, gender identity, genetics, union membership or other protected group status will not be tolerated. While all forms of harassment are prohibited, it is the hospital’s policy to emphasize that sexual harassment is specifically prohibited.

This policy is distributed to all current employees and all new personnel upon hire and management staff will be given biannual instruction and training in this matter.

PURPOSE: To clearly define how individuals report sexual harassment, to define sexual harassment, and to assure an investigative process is initiated and concluded in a timely manner.

DEFINITION: “Sexual harassment” has a specific legal definition; it includes unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature, when any one of the following three factors is met:

a) submission to that conduct is made either explicitly or implicitly a term or condition of an individual’s employment.

b) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the individual; or

c) the conduct has the purpose or effect of unreasonably interfering with an individual’s work performance creating an intimidating, hostile, or offensive work environment.

NOTE* Under the last category, sexual harassment may be present even if there is no change in the individual's terms and conditions of employment and even in the absence of any direct request for sex. Such conduct may include, but is not limited to:
- Unwelcome sexual flirtations, advances, teasing, propositions, innuendoes, suggestive comments or insulting noises.
- Physical or verbal abuse of a sexual nature;
- Graphic verbal comments about an individual’s body;
- Sexually degrading words used to describe an individual; and
- The display in the workplace of sexually suggestive objects or pictures; jokes, slurs or derogatory comments regarding an individual’s age, nationality, race, religion, sex, or sexual orientation.

PROCEDURE:

1. Any employee who believes he/she is a victim of sexual harassment should report the incident to the Director of Human Resources immediately. In the absence of the Director of Human Resources the matter should be reported directly to the Department Director or a member of the Executive Management Team beginning with the Vice President of Human Resources. If an employee reports the matter to a supervisor/director, the supervisor/director is obligated to immediately report it to the Director of Human Resources.

   NOTE* Any employee who believes he/she is a victim of sexual harassment by a member of the medical staff should report that fact to the Vice President of Human Resources.

   NOTE** Any member of the medical staff who believes he/she is a victim of sexual harassment by either a member of the medical staff or an employee should report that fact to the Vice President of Medical Affairs (Medical Director).

2. Any employee who believes that they are victims of harassment should, if comfortable, tell the individual subjecting them that their conduct is offensive and should then report the incident to the appropriate Manager/Director for investigation.

3. All complaints will be investigated thoroughly and promptly. To the extent practicable, the hospital will keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has occurred, the hospital will take corrective action including termination, as appropriate. In addition, individuals who are found to have engaged in such harassment may also be subject to personal liability in legal action against them.

4. Once the Director of Human Resources has been notified of the complaint, the investigation process will be decided upon, initiated within 24 hours of the complaint, and whenever possible, concluded within five business days or less. A confidential report of the investigation will be shared with the alleged offender, the alleged victim, and filed in Human Resources.

5. The hospital forbids retaliation against anyone for reporting sexual harassment, assisting in making a sexual harassment complaint, or cooperating in a sexual harassment investigation.

CONFERENCES: Harassment


CROSS REFERENCES: