

## HUMAN RESOURCES POLICY

**POLICY TITLE:** **SEXUAL HARASSMENT AND OTHER ILLEGAL HARASSMENT**

**POLICY NUMBER:** **HR VI - 620\***

**PURPOSE:** **The Hospital does not tolerate unlawful harassment, which violates an individual's fundamental rights and personal dignity. All forms of illegal harassment undermine a reward system based solely on merit, competency, and job performance. The purpose of this policy is to define harassment, provide investigation procedures for harassment claims, and ensure that violations are remedied fully.**

The Hospital is committed to providing all employees with a work environment free of unlawful harassment. The Hospital prohibits any form of unlawful harassment involving any of its employees in the course of their duties in the workplace.

Accordingly, the Hospital maintains a strict policy prohibiting harassment because of race, color, national origin, religion, creed, ancestry, sex, age, disability or any other basis protected by federal, state, or local law.

### **Definitions**

"Harassment" is defined as, but is not limited to: verbal conduct such as epithets, derogatory comments, slurs or unwanted advances, invitations or comments; visually offensive displays as derogatory posters, cartoons, drawings or gestures; transmittal or storage of pornographic or sexually oriented materials using Hospital equipment or facilities; physical conduct such as sexually suggestive gestures, offensive or unwelcome gestures, assault, blocking normal movement, or interference with work directed at an employee because of his or her sex or other protected basis; denial to an employee of a job-related opportunity based on his or her refusal to consent to a sexually oriented request; threats to retaliate against an employee, if the employee refuses to submit to a sexual request; promises, either direct or indirect, of job benefits in return for sexual favors; and retaliation based on the report of harassment.

"Sexual harassment" means, but is not limited to, any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that is explicitly or implicitly tied to a term or condition of employment, which unreasonably interferes with an employee's performance on the job, or which creates an intimidating, hostile, or offensive working environment. Sexual harassment may include any conduct, whether between male/male, female/female, male/female, or female/male, of a sexual nature which is unwelcome and which makes a reasonable person feel uncomfortable or threatened.

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\* Formerly Policy No. 102-26

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“Retaliation” means any negative job action, including but not limited to, termination, suspension, demotion, denial or reduction of benefits, or any other adverse job action taken solely in response to a legitimate, good faith complaint by an employee of harassment or some other illegal or non-compliant policy, procedure, or behavior.

### **Prevention And Reporting**

Employees often can prevent or stop harassment by immediately and directly expressing their disapproval of an individual’s inappropriate conduct which they should do in all instances where they believe conduct to be inappropriate. In any and all cases, however, employees should report instances of inappropriate conduct to the Hospital.

The Hospital is committed to facilitating and maintaining a work environment which is free from unlawful harassment. Accordingly, employees are required to make complaints about such matters. Employees must advise the Hospital concerning any form of unlawful harassment to which they are subjected or of which they have knowledge so that a confidential investigation may be conducted relating to such matter.

Reports of complaints regarding offensive conduct must be made as soon as possible directly to the employee’s immediate supervisor, or any other Hospital supervisor in the employee’s chain of command. When the supervisor is or may be involved in the conduct, the employee should report directly to the Director of Human Resources. Investigations relating to harassment complaints will be conducted in a thorough and objective manner.

### **Discipline**

The Hospital is committed to taking any corrective action necessary to prevent any and all prohibited conduct from reoccurring. Disciplinary action, up to and including termination, will be taken against any employee who engages in unlawful harassment. The Hospital will notify law enforcement authorities in the event that criminal activity is alleged. Disciplinary action may also be taken against employees if their conduct is improper even though not unlawful.

EFFECTIVE DATE: February 18, 1983

APPROVED BY:   
ED PIPER PH.D.  
CEO

REVIEW DATES: 2/84, 2/85, 2/86, 2/87, 8/99, 8/01, 7/05

REVISION DATE: 3/94, 10/96, 9/98, 7/05