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Policy & Procedure

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Owner: Human Resources	Authorized by: VP, Human Resources
Harassment Free Workplace	

APPLICATION

All employees, students, volunteers, and contract/agency personnel of Samaritan Health Services (SHS) and affiliated organizations.

POLICY

SHS believes that all employees have a right to work in an environment where the dignity of each individual is respected. For this reason, SHS expects all employees to accomplish their work in a respectful and professional manner with concern for the welfare of others. It is the policy of SHS that all employees are able to work in a setting free from all forms of unlawful discrimination, including harassment, on the basis of race, color, religion, gender (sex), national origin, age, sexual orientation, gender identity, disability, retaliation. This policy applies to all employees and others conducting business with SHS (e.g. vendors, suppliers, volunteers, etc.).

PROCEDURE

DEFINITIONS:

1. Harassment: Harassment is the verbal or physical conduct that demeans or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, sexual orientation, gender identity, disability, or any other class or characteristic protected by applicable law, or that of his/her relatives, friends, or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual’s work performance; or (3) otherwise adversely affects an individual’s employment opportunities. Harassing conduct includes, but is not limited to, the following: (1) epithets, slurs, negative stereotyping, demeaning comments or labels, or threatening, intimidating or hostile acts that relate to race, color, religion, gender, national origin, age, sexual orientation, gender identity, disability, or any other class or characteristic protected by applicable law; and (2) written or graphic material that demeans or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, sexual orientation, gender identity, disability, or any other class or characteristic protected by applicable law and that is placed on walls, bulletin boards, computers, or elsewhere on the employer’s premises, or circulated in the workplace. This prohibition against harassment also applies to off-duty, off premises conduct if the conduct has an adverse effect on the employee’s work environment.

2. Sexual Harassment: Sexual harassment is a form of gender (sex) discrimination. The Equal Employment Opportunity commission has defined sexual harassment as follows: “Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- A. Submission to such 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 the basis for employment decisions affecting such individual, or
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Prohibited sexual harassment may include, but is not limited to, sexual jokes, calendars, posters, cartoons, magazines, derogatory or physically descriptive comments about or towards another employee; sexually suggestive comments; inappropriate use of company communications including email, text, social media posts and telephone, unwelcome touching or physical contact; continual unwanted advances; punishment or favoritism on the basis of an employee's sex; sexual slurs; negative sexual stereotyping.

3. Retaliation: Any adverse action(s) taken against someone for reporting discrimination/harassment or participating in an investigation into discrimination/harassment. Retaliation will not be tolerated in our workplace. This prohibition against retaliation also applies to off-duty; off-premises conduct if that conduct has an adverse effect on the employee's work environment.

IMPLEMENTATION:

SHS encourages, but does not require, employees to resolve interpersonal concerns directly and appropriately whenever possible. If the issue(s) persist, or if you don't feel comfortable addressing the person(s) directly, please follow the reporting process below. If you believe you have been the subject of harassment or discrimination, report the harassment immediately. The report should be either (1) to your supervisor, or (2) to the Human Resources Department, or (3) to the Compliance Department. You may report harassment directly to the Human Resources Department or Compliance Department without first contacting your supervisor. Samaritan Health Services will take no action against an employee who reports harassment to the company or who participates in an investigation. Such retaliation will not be tolerated in our workplace.

Managers and supervisors who have observed behavior or overheard comments that raise concerns regarding compliance with this policy should promptly contact Human Resources.

Student and Observers: If you believe that you have been harassed, report the harassment immediately. The report should be either (1) to your preceptor, clinical instructor, Office of Medical Education, or Professional Development, or (2) to the Human Resources Department if an employee is involved, or (3) to the Compliance Department.

Reports of harassment or retaliation will be investigated fairly, thoroughly, and promptly. All employees are required to fully cooperate with investigations. SHS will attempt to maintain confidentiality, consistent with the need to conduct an adequate investigation and to take prompt corrective action in response to any harassment or retaliation. Any supervisor or other employee found in violation of this policy will be subject to corrective action up to and including termination. While every effort will be made to investigate and resolve sexual harassment complaints lodged by employees, management prohibits claims that an employee knows are false, or made with the intent to take revenge against or

otherwise harm another employee. Employees who make such accusations, knowing they are false, are subject to corrective action up to and including termination.

REFERENCES

- None.

REVIEW/REVISION HISTORY

Date of Revision	Revision #	Revision / Review	Revision Description	Collaborated With (i.e. Standardization Committee, VP's, Quality, Risk)
Date Released	0-6 History	New		<i>Historical Review Dates: est. 08/01/1994, 03/01/1997, 10/01/1998, 01/01/2000, 06/01/2004, 12/01/2008, 10/12/2009, 01/01/2013</i>
05/14/2012	7	Revision	Updated to new format; minor language added re: sexual orientation	
01/14/2013	8	Revision	Minor language changes	
09/10/2015	9	Revision	Minor language revisions	
07/25/2016	10	Revision	Minor language changes re: students	HR Directors/ VP Human Resources
01/23/2017	11	Revision	Minor language changes	Human Resources
9/10/2018	12	Revision	Annual review; minor language/formatting, and added additional prohibited types of sexual harassment	Human Resources
		Select		