***[HOSPITAL NAME]***

**ADMINISTRATIVE POLICY**

CATEGORY: Personnel **CODE: C-13**

SUBJECT: Sexual Harassment **EFFECTIVE:**

**COORDINATOR: Director of Human Resources**

**General Rule:** *[Hospital Name]* is committed to providing a work environment that is free of illegal discrimination and harassment in any form. In keeping with this commitment, *[Hospital Name]* maintains a strict policy prohibiting all forms of illegal harassment including sexual harassment and harassment based on race, color, national origin, medical condition, physical handicap or age.

Retaliation of any kind against individuals who file complaints or who assist in a Hospital investigation will not be tolerated. All reports should be considered serious and be properly investigated. Retaliation could include:

1. Treating the person who reported the issue as a liar or disbelieving them
2. Discipline or termination of the person reporting an incident
3. Treating the person who reported the issue as though it was their fault
4. Talking to other people about the incident or spreading rumors about the person who reported the incident

Unlawful discrimination is generally defined as actions taken regarding the terms and conditions of one’s employment experience based upon age, race, gender, disability, or national origin. If an individual believes he/she has been discriminated against on any of the above, the Director of Human Resources should be contacted immediately. There will be no retaliation for making a complaint in good faith.

Sexual harassment and illegal discrimination are reprehensible and will not be tolerated by *[Hospital Name]*. It subverts the mission of the Hospital and threatens the careers and well-being of employees and patients. Any employee found to have acted in violation of this policy shall be subject to appropriate disciplinary action including warnings, reprimands, suspensions and/or dismissal.

**Prohibited Acts:**

For the purposes of this policy, sexual harassment includes, but not limited to, making unwanted sexual advances and requests for sexual favors where:

1. submission to such conduct is made an explicit or implicit or condition of employment;
2. submission to or rejection of such conduct by an individual is made as the basis for employment decisions affecting such individuals;
3. such conduct has the purpose or effect of substantially interfering with an individual’s employment performance or creating an intimidating, hostile or offensive working environment

**Examples of Sexual Harassment:**

Sexual harassment may encompass perceived sexual attention that is unwanted or inappropriate. Examples of the verbal or physical conduct prohibited by this policy include, but are not limited to:

1. Physical assault
2. Inappropriate or unwanted touching
3. Direct or implied threats that submission to sexual advances will be a condition of employment, raises, promotions, etc.
4. Direct or subtle propositions of a sexual nature
5. Dating, requesting dates, or entering into a romantic relationship when one employee is in a position of power over the other or is able to exert influence over the other employee’s conditions of employment.
6. A pattern of conduct that would discomfort and/or humiliate another individual – including, but not limited to: unnecessary touching, remarks of a sexual nature about a person’s clothing or body, remarks about sexual activity or speculations about previous sexual experiences, visual conduct including leering, sexual gestures or the display of sexually suggestive objects, pictures, language, cartoons or jokes.
7. Use of electronic means, including the Internet or cell phones to transmit, communicate or receive sexually suggestive, pornographic or sexual explicit pictures, messages, or materials.

The Director of Human Resources, in consultation with the appropriate Hospital administrator, has full responsibility to receive, investigate, and resolve complaints involving violations of this policy and to recommend to management the imposition of appropriate sanctions against violators.

To the extent possible, confidentiality will be respected and only those with a need to know of the investigation of a complaint and any subsequent action taken in response to the complaint will be notified.

Education related to this policy is recommended organizational wide that includes the definitions of sexual harassment and the reporting process.

APPROVED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***[HOSPITAL NAME]***

**ADMINISTRATIVE PROCEDURE**

CATEGORY: Personnel **CODE: C-13.1**

SUBJECT: Sexual Harassment Reporting Procedure **EFFECTIVE:**

**COORDINATOR: Director of Human Resources**

This procedure is to be followed in relation to policy C-13.

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| **Initiator of Action** | **Action** |
| Employee | 1. Inform the perpetrator that the conduct is considered offensive and should stop. 2. Promptly report to their supervisor the facts of the incident or incidents, and the names of the individuals involved and contact and/or submit a complaint to the Director of Human Resources without fear of retaliation. 3. If the perpetrator is the employee’s supervisor they should report the actions to the next superior person as well as the Director of Human Resources. |
| Supervisor | 1. If an employee reports sexual harassment, document the report based on the employee’s statements. 2. Report the issue to the Director of Human Resources. 3. If the employee is in another department, a meeting between the HR Director, yourself, and the accused employee would be recommended. |
| Director of Human Resources. | 1. Conduct a prompt and thorough investigation of the complaint without any retaliation or punishment to the person who reported the incident (see the policy on an explanation of retaliation). 2. Take corrective action which may include, but not limited to, counseling, reassignment of the perpetrator and/or discipline up to and including the termination of employment of the perpetrator, and reporting to law enforcement. 3. Maintain complete documentation for both parties involved and add the information to the employee files.   Conduct regular (annual) training related to this policy. |