

ELLIOT HEALTH SYSTEM

TITLE: Harassment
APPROVED BY: Sabrina Granville, VP Human Resources
EFFECTIVE DATE: 10/1/2012
APPLIES TO: All Elliot Health System Employees

POLICY STATEMENT

This policy states the Elliot Health System (EHS) position against unlawful harassment in compliance with Title VII of the Civil Rights Act of 1964 as amended and indicates a course of action to be taken by employees who feel they have been unlawfully harassed.

Elliot Health System intends to provide a working environment free from all forms of harassment or intimidation. Harassment of any person by supervisory personnel, leadership, management, co-workers, employees, non-employees, physicians, students, volunteers, patients, vendors or other persons will not be tolerated and is strictly prohibited. EHS will make every effort to prevent and eliminate sexual harassment.

PROCEDURE

Sexual harassment is defined as:

Any unwelcome verbal or written comments of a sexual nature (e.g., jokes, innuendoes, or slurs), physical conduct (e.g., touching or gesturing), sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature will be considered sexual harassment and will subject the offender to disciplinary action when:

1. Submission to such conduct is made either explicitly or implicitly a condition of an individual's employment, education or care;
2. Submission to or rejection of such conduct by an individual is used as a factor in any decision affecting the individual's employment, education, status, or care, including but not limited to any decision related to admission, advancement, performance assessment, compensation, assignments, schedules, discipline, and termination; or
3. Such conduct unreasonably interferes with an individual's employment or performance or creates an intimidating, hostile, or offensive environment.

NON-DISCRIMINATION and HARRASSMENT

EHS is committed to promoting a workplace that does not discriminate against any person because of his or her race, color, religion, national origin, gender, sexual orientation, age, disability, marital status or veteran status.

All employees are expected to treat their fellow co-workers with dignity, decency and respect. Any conduct that creates a workplace environment that is hostile, offensive, intimidating or humiliating will not be tolerated. EHS prohibits discriminatory practices, including harassment.

Harassment is physical or verbal conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, gender, sexual orientation, age, disability, marital status or veteran status, or any characteristic protected by law. Harassment includes, but is not limited to epithets, slurs or negative stereotyping, threatening, intimidating or hostile acts, and/or denigrating jokes. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group is also not permissible. Such material should not be circulated. If an employee is found to have engaged in discriminatory activities and/or practices, the employee will be subject to disciplinary action up to and including termination.

SAFETY and SECURITY

EHS is committed to the safety and security of all its employees. Violence in the workplace will not be tolerated. We ask employees to help protect one another from physical harm, theft, and vandalism. Therefore, employees should be on alert at all times. Suspicious individuals or behaviors should be immediately reported to a member of the Security Department, your manager, or a member of the Human Resource Department. EHS provides 24-hour security services to residents, staff, volunteers and visitors. Security guards are available to escort staff to their cars and can be reached by calling the telephone operator.

OTHER FORMS OF HARASSMENT

Any unwelcome verbal or written comments or physical conduct of a hostile or offensive nature, which is based on a person's race, color, religion, sexual orientation, national origin, ancestry, age, marital or parental status, or disability, will also be considered harassment and will subject the offender to disciplinary action.

Procedure for Raising Complaints:

All complaints of sexual harassment may be formally raised with Management through the Employees Appeals procedure. The following is a list of individuals to whom complaints may be addressed. This is a suggested list, and is not intended to be all inclusive:

Vice President of Human Resources
Compliance Officer

No matter how the matter is raised, EHS will act on every complaint of sexual harassment of which its management is informed. EHS will not tolerate the taking of any reprisal by a Department Manager, Supervisor, Management official, or employee against any complaining employee, or employees who cooperates with the investigation of a sexual harassment complaint. Such retaliation is unlawful and therefore prohibited and may subject an employee to disciplinary action, up to and including termination.

RESPONSIBILITY

SUPERVISORS, DEPARTMENT MANAGERS, AND OTHER MEMBERS OF MANAGEMENT

Supervisors, Department Managers, or other members of Management who is made aware of a complaint of possible sexual harassment must immediately report the complaint to the Vice President of Human Resources or Compliance Officer.

Supervisors, Department Managers, and other members of Management to whom complaints of sexual harassment are addressed are responsible for thoroughly investigating and impartially resolving those complaints in cooperation with the Vice president of Human Resources. All complaints should be reported immediately to the Vice president of Human Resources or Compliance officer.

Confirmed cases of sexual harassment will be corrected and eliminated immediately and appropriate discipline up to and including termination and corrective action directed at offending parties (See Disciplinary Process Policy).

Allegations of sexual harassment may have serious consequences for the employees involved and EHS. For this reason, information about the sexual harassment claim, its participants and its investigation and resolution, should be limited to those with a legitimate need to know.

OUTSIDE AGENCIES

In the event that internal means of resolving a complaint of sexual harassment are unsuccessful, an employee may contact the following agencies for assistance in investigating his/her complaint:

New Hampshire Commission Against Discrimination
Equal Employment Opportunity Commission

SEXUAL HARASSMENT INVESTIGATION

When we receive the complaint, we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint, the alleged harasser, and with any necessary witnesses. All employees are expected to cooperate in investigations under this policy and will be expected to preserve the confidentiality of the investigations. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of the investigation. If it is determined the inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

DISCIPLINARY ACTION

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may range from counseling, to termination of employment and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

CUSTODIAL MANAGER: Director of Talent Management
KEYWORDS: harassment
REFERENCES: n/a
ATTACHMENTS: none