

KB0063514

## Harassment Discrimination Retaliation Policy

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### Providence Saint John's Health Center (“ministry”)

**Department:** Human Resources

**Approved by:** Chief Human Resources Officer

**Date Last Reviewed:** 1/22/2020

**Date Last Revised:** 1/22/2020

**Date Adopted:** 9/1/2012

**Policy Name:** Harassment Discrimination Retaliation

**Scope:** All workforce members

**Purpose:** In keeping with our mission and values, this policy establishes expectations for the work environment and standards for behaviors of all workforce members.

**Terms:**

*Workforce Member* means employees, caregivers, volunteers, trainees, interns, medical staff, students, independent contractors, vendors, and all other individuals working at the ministry whether or not they are paid by or under the direct control of the ministry.

*Harassment* may involve but is not limited to inappropriate behavior including comments, slurs, jokes, gestures, innuendoes, physical contact, graphics, writings, and pranks based on a legally protected characteristic such as those listed below. Harassment may involve a co-worker, a core leader, a customer or a vendor. Inappropriate behavior that is related to one of those protected characteristics rises to the level of harassment when: (1) submission to the harassment is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of the harassment is used as the basis for employment decisions affecting the individual; or (3) the harassment has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

*Sexual Harassment* is a form of harassment that may include but is not limited to unwelcome sexual advances, requests for sexual favors and other visual, verbal or physical conduct of a sexual nature.

*Discrimination* is when a workforce member is subjected to an employment decision based on a protected characteristic, as defined by local, state, or federal law, including but not limited to race, color, religious creed (including religious dress and grooming practices), national origin (including certain language use restrictions), ancestry, disability (mental and physical including HIV and AIDS), medical condition (including cancer and genetic characteristics), genetic information, marital status, age, sex (which includes pregnancy, childbirth, breastfeeding and related medical conditions), gender, gender identity, gender expression, sexual orientation, genetic information, and military and veteran status.

*Retaliation* is when a workforce member is subjected to an employment decision as a result of engaging in a protected activity, such as a good-faith report of discrimination, harassment or illegal activity.

**Policy:** The ministry strives to provide a positive work atmosphere that reflects our core values. For that reason, the ministry strictly prohibits unlawful harassment, discrimination or retaliation, and expects everyone in our workplaces to conduct themselves in a manner consistent with this philosophy. As such, supervisors, managers, co-workers, third parties and other individuals with whom workforce members come into contact must not engage in harassing, discriminatory or retaliatory conduct. These standards of conduct apply in any situation where a workforce member is engaged in activities on behalf of the ministry, including off-site activities such as attendance at seminars, business travel and any business-related entertainment or social functions. Allegations of unacceptable behavior will be taken seriously and investigated.

### **Procedures:**

1. Workforce members should immediately report any concerns regarding sexual or other harassment, discrimination or retaliation promptly to their core leader. If the core leader is unavailable or the workforce member believes it would be inappropriate to contact that person, the workforce member should immediately contact another core leader or the human resources director or designee. Workforce members are encouraged to raise concerns, in good faith, without fear of reprisal or retaliation.
2. Core leaders must take appropriate action in response to all incidents or reported concerns. A co-worker or core leader who becomes aware of possible sexual or other harassment, discrimination or retaliation must promptly inform

their human resources director or designee so that the ministry may try to resolve the claim.

3. Reported complaints will be responded to promptly, impartially investigated by qualified personnel and documented and tracked. Investigations will be fair, timely and thorough, provide all parties appropriate due process, and reach reasonable conclusions based on the evidence collected. Confidentiality will be maintained to the extent possible. Appropriate options for corrective action and resolutions will be provided in a timely manner based on the outcome of the investigation, which will be timely closed. If at the end of the investigation misconduct is found, appropriate remedial measures shall be taken. The ministry does not permit retaliation against individuals who report a concern in good faith or who participate in an investigation.
4. Any workforce member who violates the expectations of this policy will be subject to corrective action, which may include termination of employment. Violations of the standards in this policy by any vendor, supplier, or other non-employee will be handled appropriately.

**Help:** For questions about this policy, or assistance with understanding your obligations under this policy, please contact human resources.

The statements of this policy document are not to be construed as a contract or covenant of employment. They are not promises of specific treatment in specific situations and are subject to change at the sole discretion of the ministry.

This policy does not modify the express terms of any collective bargaining agreement. In the event of a conflict between this policy and the terms of a collective bargaining agreement, the collective bargaining agreement will prevail.