

CRAIG HOSPITAL POLICY/PROCEDURE	
Approved: NPC 04/06; P&P 05/06; P&P 03/10; DD, P&P 08/11; P&P 03/12	Effective Date: 10/02
Attachments: None	Revised Date: 01/05, 04/06, 03/10 07/11, 03/12
Forms: None	Reviewed Date: 05/09

SUBJECT: ANTI-DISCRIMINATION/HARASSMENT POLICY

RATIONALE: Craig Hospital is committed to providing all employees and patients a safe and healthy environment, free from discrimination and harassment.

SCOPE: All Staff

DEFINITIONS:

DISCRIMINATION - the unlawful and intentional act of unfair treatment of a person based on race, color, religion, sex, sexual orientation, gender expression, ancestry, national origin, age, genetics (results of genetic testing), disability or veteran/military status.

HARASSMENT - Harassment occurs when an employee is subjected to unwelcome verbal or physical conduct because of race, color, religion, sex, sexual orientation, gender expression, ancestry, national origin, age, genetics (results of genetic testing), disability or veteran/military status.

SEXUAL HARASSMENT – the “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or (3) 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.”

EQUIPMENT: NONE

POLICY:

- I. Craig Hospital is committed to maintaining an environment which respects the dignity of all individuals. Accordingly, Craig Hospital will not tolerate harassment or discrimination based on race, color, religion, sex, sexual orientation, gender expression, ancestry, national origin, age, genetics (results of genetic testing), disability or veteran/military status by or of its patients, patient's family members or staff. To the extent possible, Craig Hospital will protect the Craig employees from harassment and/or discrimination by vendors, consultants, and other third parties who interact with Craig Hospital.

- II. No employee of Craig Hospital shall engage in discrimination or harassment in any program, activity or place in which the hospital exercises control. It is expected that every employee will take responsibility for reporting any incident that is made known, will cooperate in preventing such behavior and will assist with investigation procedures when requested.

III. Sexual Harassment

- A. Examples of behavior which may constitute sexual harassment include, but are not limited to, the following:
 - 1. Unwelcome verbal or physical advances of a sexual nature
 - 2. Requests or subtle pressure, overt or implied, for sexual favors
 - 3. Remarks, jokes, comments or observations of a sexual nature which demean or offend individuals, provided, that such expressions were not discussed for a valid treatment purposes of a patient.
 - 4. Gestures or other nonverbal behavior of a sexual nature.
 - 5. Display or distribution of offensive materials of a sexual nature provided that the information discussed/used was for valid patient treatment or staff educational purposes.

- B. Sexual harassment is prohibited whether it's between members of the opposite sex or members of the same sex.

- C. A person in a supervisory position shall not initiate, pursue or be involved in any romantic or sexual relationship with any employee who reports directly or indirectly to them. Such a relationship is a violation of this policy. Consent by the employee to such a relationship will not be a defense against disciplinary action nor a potential future sexual harassment charge by an employee.

- IV. All complaints made in good faith will be taken seriously and no one reporting harassment or discrimination will suffer retaliation. Complaints of harassment and/or discrimination will be treated in confidence to the fullest extent possible, taking into consideration the need to conduct a thorough investigation and to take corrective action. If it is determined through an investigation that harassment or discrimination has occurred, effective corrective action will be taken to stop the conduct and to attempt to ensure that it does not reoccur. Depending on the circumstances and the severity of the conduct, disciplinary action could result up to and including termination for the employee(s) involved in initiating the harassment and/or discrimination.
- V. Every employee has a role in the implementation of this policy. All supervisory employees are responsible for reporting all complaints of harassment or discrimination to the Human Resources Department in a timely manner. It is a violation of this policy to retaliate in any way against someone who has, in good faith, filed a complaint about discrimination or harassment, participated in any manner in proceedings under this policy, or opposed the alleged discrimination or harassment. Retaliation subjects the retaliator to disciplinary action up to and including termination.
- VI. Knowingly making false allegations of harassment or discrimination or providing evidence with the knowledge that it is false is also a violation of Craig Hospital's policy and will subject a person to disciplinary action up to and including termination.
- VII. Not all situations in which an individual is offended or uncomfortable will be considered a violation of this policy. Personality clashes, clashes of beliefs or lifestyles alone will not be violations of this policy nor will conduct that reflects socially acceptable behavior.

PROCEDURE:

I. COMPLAINT PROCEDURES

- A. Any employee who believes he or she has been the subject of harassment and/or discrimination or who has witnessed harassment and/or discrimination should report the alleged act immediately. If possible, the complaint should be in writing, signed by the complainant and should include the following information:
 - 1. Details concerning the incident(s) or conduct causing the complaint; and
 - 2. Dates and locations of incident(s) and
 - 3. Any witnesses to the alleged incident(s) or conduct and
 - 4. If any previous actions of harassment or discrimination have been reported, if so, to whom and when; and

5. Action requested to resolve the complaint and prevent future violation of the policy.
- B. Complaints may be submitted to any of the following Craig Hospital employees:
1. The employee's immediate supervisor or next supervisory level if complaint is due to actions of the employee's immediate supervisor
 2. Department Director
 3. Human Resources
 4. Vice President
 5. President
- C. The Human Resource Director will initiate an investigation of the allegation within three (3) working days of the formal complaint filing date.
- D. Following completion of the investigation by the Human Resource Director, a report will be provided to the Director and/or Vice President of the department detailing the findings along with any recommendation for appropriate action. The Director/Vice President will review the report and depending upon the nature and severity of the charges(s), the Director/Vice President may approve the recommended action or recommend an alternate resolution.
- E. The accused offender(s) will be notified of the final decision. The complainant will be notified when the investigation has been completed that a determination has been made as appropriate. The complainant will not be notified of the disciplinary actions, if any, taken against the offender(s), instead he/she will be notified of actions taken to prevent further incident.
- F. All parties involved in the investigation process are expected to maintain confidentiality of the incident during the investigation as well as once the investigation has been completed. Failure to maintain confidentiality of the incident or the investigation may result in disciplinary action up to and including termination.

II. APPEALS

- A. Either party may appeal the final decision made. All appeals must be made through the President of Craig Hospital. All decision made by the President will be final.