



POLICY AND PROCEDURE

Function:	Human Resources	Policy Number:	THS 168 Combines SFH HR-211 and TMH HR 26.0
Subject:	Anti-Harassment	Distribution:	Thomas Health System Wide
Prepared By:	System Director of HR	Effective Date:	November, 2014
		Last Review/ Revised:	September, 2015 April, 2019
Approved By:	COO	Approved By:	President/CEO

I. Purpose:

Thomas Health recognizes its responsibility to all employees to maintain a working environment free from all forms of discrimination and conduct which may be considered harassing, abusive, coercive or disruptive, including sexual harassment. Thomas Health strictly prohibits and will not tolerate harassment in the workplace. Our policy extends to supervisors, co-workers and management. Neither will Thomas Health tolerate harassment by or towards a customer, client, vendor or other business partner.

Thomas Health expects employees to interact with each other and anyone conducting business with it in a professional and respectful manner. Regardless of specific legal definitions of sexual harassment and harassment, if your conduct could be reasonably considered as offensive, then that conduct is not appropriate in a work relationship. When discussing matters personally important to you, such as religious beliefs, you are expected to be sensitive of others.

II. Scope & Responsibility:

Applies System – wide (to include all departments inpatient/outpatient/provider based outpatient at both hospitals: TMH & SFH).

III. Procedure:

Thomas Health requires reporting of all incidents of harassment, regardless of who the offender may be or of the offender’s relationship with the hospital.

Individuals who believe they have been subjected to harassment should discuss the incident with their immediate supervisor. If, for any reason, an employee cannot discuss the situation with their supervisor, they should contact the System Director of Human Resources directly. The offender will be promptly notified that her/his behavior is unwelcome and will not be tolerated. Based on the investigation, appropriate disciplinary action may follow. All complaints, discussions, and resolutions should be documented and filed with the Human Resources Department.

Retaliation against any employee exercising a legal right, such as filing a complaint in good faith or providing information during an investigation, is also expressly prohibited, will not be tolerated and will result in disciplinary action, regardless of the disposition of the underlying complaint.

Retaliation is a serious violation of this harassment policy and should be reported immediately.

Definitions:

Sexual Harassment

For the purpose of this policy, sexual harassment is defined as unwelcome or unwanted advances, requests for sexual favors and any other verbal, visual, or physical conduct of a sexual nature when:

- (1) submission to or rejection of this conduct by an individual is used as a factor in decisions affecting hiring, evaluation, retention, promotion, or other aspects of employment;
- (2) this conduct substantially interferes with an individual's employment or creates an intimidating, hostile, or offensive work environment.

Examples of sexual harassment may include, but are not limited to:

- Unwanted sexual advances
- Demands for sexual favors in exchange for favorable treatment or continued employment
- Threats and demands to submit to sexual requests in order to obtain or retain any employment benefit
- Verbal conduct such as epithets, derogatory or obscene comments, slurs or sexual invitations, sexual jokes, propositions, suggestive, insulting, obscene comments or gestures or any other verbal abuse of a sexual nature.
- Graphic, verbal commentary about an individual's body, sexual prowess or sexual deficiencies
- Flirtations, advances, leering, whistling, touching, pinching, assault, coerced sexual acts
- Visual conduct such as derogatory sexual posters, photographs, cartoons, drawings or gestures or other displays in the work place of sexually suggestive objects or pictures
- Conduct or comments consistently targeted at only one gender, even if the content is not sexual
- Retaliation for having reported or threatened to report sexual harassment

Other Types of Harassment

Harassment other than sexual harassment generally involves a demonstration of hostility or aversion towards an individual because of his or her race, color, creed, religion, gender, age, sexual orientation, national origin, disability, veteran status, marital status or other status protected by law that (1) creates a hostile or offensive work environment; (2) unreasonably interferes with the person's work performance; or (3) otherwise adversely affects the person's employment opportunities.

Review/Revisions: 12/14, 9/15, 4/19