

# XYZ Anti-Sexual Harassment Policy

**TITLE:** HARASSMENT IN THE  
WORKPLACE

**POLICY #:**  
**EFFECTIVE DATE:** 8/2/91  
**PAGE:**

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**Job Title of Reviewer:** Human Resources Staff

**PURPOSE:** It is the intent of XYZ HHA to provide a working environment for all employees, volunteers, patients and visitors, which is free of harassment and discriminatory intimidation.

**POLICY STATEMENT:** Sexual harassment, like harassment on the basis of race, color, religion, age, national origin or disability is in violation of federal law and guidelines and contrary to the XYZ's policy on Equal Employment Opportunity. Harassment in the workplace is unacceptable conduct, and any violation including retaliation or reprisal against a complainant, anyone reporting a violation or anyone cooperating with an investigation is treated as serious disciplinary infractions. XYZ shall not permit, tolerate or condone harassment of employees, volunteers, patients or visitors in any manner whatsoever. Individuals engaged in such harassment are subject to progress corrective action, up to and including immediate discharge.

**EXCEPTIONS:** None

**DEFINITIONS:** Sexual harassment is defined as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature which occurs 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 the 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.

Harassment consists of unwelcome behavior, whether physical, verbal or visual. Harassment may include prohibited conduct such as: explicit sexual propositions; sexual innuendo; graphic, descriptive or suggestive comments or discussions about an individual's body or appearance; physical contact (patting, pinching, or brushing against another's body); pornographic objects or pictures; degrading verbal comments or visual acts; offensive sexual flirtations; foul or obscene language; and sexual joking or teasing.

## PROCEDURE:

1. Employees are strictly prohibited from harassing others in the workplace. Any employee who believes that he or she has been subject to harassment, retaliation or any form of discriminatory intimidation by another XYZ employee, volunteer, patient, visitor or others is expected to promptly bring this to the attention of his or her immediate supervisor or department director.
2. In the event the complaint involves the employee's immediate supervisor or department director, the complainant is expected to promptly consult with an XYZ's Human Resources Staff.
3. Management or supervisory level staff members who:  
(a) receive a complaint of harassment or discriminatory intimidation; (b) personally observe it; or (c) otherwise become aware of it, are responsible to promptly notify our Human Resources staff to determine the appropriate course of action.
4. All complaints are treated as confidential, and only those persons necessary to the investigation and resolution of the complaint are normally provided information at management discretion.
5. Human Resources staff is jointly responsible with the immediate supervisor/manager of the employee against whom the complaint is lodged to conduct a prompt and thorough investigation of the harassment or discriminatory intimidation complaint. Human Resources staff shall coordinate with the supervisor to take appropriate corrective action, if warranted.
6. An employee is subject to progressive corrective action, up to and including immediate termination if it is determined that he or she has sexually harassed another employee or otherwise treated another individual in a sexually harassing or in an inappropriate or unprofessional manner.
7. If the complainant is dissatisfied with the disposition of the claim in Step 5, a written appeal within seven (7) calendar days may be initiated in writing to the appropriate supervisor or the Human Resources staff. A written response is normally provided within seven calendar days.
8. Regardless of the outcome of any complaint of harassment, no employee shall be adversely affected solely for appropriately bringing a complaint to the attention of XYZ management staff, making a report of a violation or otherwise cooperating with an investigation

into a violation of this policy.

9. Every reasonable effort is made to promptly investigate and resolve harassment complaints lodged in good faith by employees. Employees, who make false or malicious accusations, knowing that they are not made in good faith or not justified by the facts, are subject to progressive corrective action, up to and including termination.

**RESPONSIBILITY:**

1. Every employee of the XYZ is expected to adhere to, support and appropriately report to proper management or Human Resources staff on a timely basis any conduct that is believed to be harassing in nature.
2. Administrative and management/supervisory staff members are responsible to enforce this policy, communicate the policy, the complaint resolution and appeal process to employees, volunteers, patients and visitors and to immediately report harassment to Human Resources staff.
3. Administrative and management staff members are responsible for preventing harassment in the workplace and for taking timely and appropriate corrective action to stop inappropriate, harassing behavior when it becomes aware of harassment or discriminatory intimidation in the workplace.
4. Human Resources is responsible for the dissemination of the policy, the development and the implementation of management training, employee education and communications programs and the prompt investigations of complaints.

**REFERENCE(S):** EEOC Guidelines

**AUTHOR(S):**

**APPROVALS:**

| <b>Signatures indicate approval of the new or reviewed/revised policy.</b> |  | <b>Date</b> |
|--|--|-------------|
| <b>Reviewer's Signature:</b>   |  |             |
| <b>Human Resources:</b>  |  |             |
| <b>Corporate Policy Committee:</b>   |  |             |
| <b>Chief Executive Officer:</b>  |  |             |