

Subject <b>Sexual Harassment</b>		No. <b>286</b>	Page <b>1 of 3</b>
Prepared By <b>Corporate Human Resources</b>		Prior Issue Date <b>09/01/07</b>	Issue Date <b>08/01/12</b>

  

**GENERAL**

It is the intent of Beaumont Health System to create and maintain a safe and productive environment in which employees can effectively perform their work. As such, Beaumont Health System reaffirms its long-standing policy that sexual harassment of its employees is prohibited.

All employees, including supervisors and managers, will be subject to discipline, up to and including discharge for any act of sexual harassment, which, in the judgment of the Hospital, they have committed.

**DEFINITION**

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to the conduct is made either an explicit or implicit condition of employment;
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee;
- The harassment substantially interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Examples of sexual harassment includes, but are not limited to the following:

- Repeated or unwarranted sexual advances.
- Unconsented touching.
- Sexually derogatory statements about an employee.
- Direct or indirect requests for sexual favors.
- Unwelcome circulation of sexually explicit pictures, cartoons, or reading material.
- Sexually explicit remarks, which cause the recipient, discomfort, humiliation or otherwise interfere with the recipient's ability to perform their job responsibilities in a safe environment.

Personal or social conduct between employee's which is of a consensual nature, and which does not have a discriminatory effect upon an employee's employment, will not be considered as sexual harassment.

### **HUMAN RESOURCES, CORPORATE**

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**PROHIBITION OF SEXUAL HARASSMENT**

It shall be a violation of Beaumont Hospital's policy prohibiting sexual harassment for any employee, male or female, managerial, supervisory or hourly, to in any way harass another employee by making unwelcome sexual advances, by either directly or indirectly requesting sexual favors, or by engaging in any other conduct of a sexual nature which constitutes or affects the terms or conditions of any employee's employment with the Hospital. It is also a violation for any employee to require or request, directly or indirectly, that any employee submit to such conduct as a basis for, or as a factor in, any employment decisions affecting such employee. This policy also forbids any employee from engaging in any conduct, which has the effect of either directly, or indirectly creating or contributing to an intimidating, hostile, or offensive working environment because of such conduct.

The Hospital will neither condone nor knowingly fail to take appropriate steps to prohibit the sexual harassment of any of its employees. All employees, including supervisors and managers, will be subject to discipline up to and including discharge, for any act of sexual harassment, which in the judgment of Hospital, they are found to have committed. (Refer to Program for Performance Management No. 282).

**INVESTIGATION PROCESS**

Any employee who believes that he or she is being subjected to sexual harassment in violation of this policy should report the alleged harassment to one of the following individuals:

- Employee's immediate supervisor
- Employee's department manager/director
- Director of Human Resources or his/her designee

In so doing, the employee should clearly state that he or she believes that he or she is the victim of sexual harassment and that the employee is reporting the same pursuant to this policy.

While such complaints or requests for investigation may initially be made either orally or in writing, the Hospital reserves the right to require any employee asserting a violation of this policy to file any complaint or request for investigation in writing. Such written complaint or request for investigation shall specify the nature of the conduct which is alleged to have violated this policy, the individual or individuals who are alleged to have engaged in said conduct, the dates, times, and places of said conduct, as well as any other information which the Hospital deems necessary for its investigation.

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<p><b><u>INVESTIGATION PROCESS (Cont'd)</u></b></p> <p>Upon receiving a complaint of sexual harassment or a request for investigation of the same, the Hospital will investigate the matter. In doing so, it may require that all employees who possess knowledge of the alleged incident or of similar incidents to cooperate in its investigation by fully and accurately responding to its inquiries in this regard. The failure of any employee, including a complaining employee, to satisfactorily cooperate in such an investigation will be deemed sufficient grounds for discipline, up to and including discharge.</p> <p><b><u>NOT WITHSTANDING THE FOREGOING, NO EMPLOYEE WILL BE SUBJECT TO ANY FORM OF RETALIATION OR DISCIPLINARY ACTION FOR MAKING OR PURSUING A COMPLAINT OF SEXUAL HARASSMENT OR A REQUEST FOR INVESTIGATION OF AN ALLEGED INCIDENT OF SEXUAL HARASSMENT, WHICH COMPLAINT OR REQUEST IS MADE IN GOOD FAITH.</u></b></p> <p><b><u>APPEAL</u></b></p> <p>Should any complaining employee, after the investigation of any complaint of sexual harassment, disagree with the action of the Hospital in the matter, said complaining employee may have such action reviewed under the Hospital's grievance procedure. (Refer to Employee Grievance Policy No. 284).</p> <p><b><u>CONFIDENTIALITY</u></b></p> <p>The Hospital will keep such complaints of sexual harassment confidential to the extent that it is possible and still conduct an investigation.</p> <p><b><u>INQUIRIES</u></b></p> <p>Any questions pertaining to this policy should be directed to Human Resources.</p> <p><b><u>DETAILED PROCEDURES</u></b></p> <p>None.</p>			

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