

**POLICY & PROCEDURE MANUAL****SECTION: 300 - PERSONNEL****SUBJECT: SEXUAL HARASSMENT****POLICY:**

It is the policy of Jackson Health System (JHS) to promote a working environment free of sexual harassment and to address violations of this policy with swift and corrective action. This policy also governs activities that are sponsored or sanctioned by JHS, but are not conducted in the workplace, i.e. activities such as meetings, training sessions, conventions, recreational activities conducted in recreational area meeting facilities, hotels, restaurants, etc.

Sexual harassment not only undermines the integrity of the hospital and work environment, but also prevents its victims and their peers from achieving their full potential. Members of the JHS community who hold positions of authority over others must take particular care to avoid actions that are or can be considered sexually abusive or harassing. It shall be a violation of the policy on sexual harassment for any officer, employee, or agent to sexually harass, as defined below, any officer, employee, or agent. Any officer, employee, or agent found to be guilty of such misconduct shall be subject to appropriate sanctions, depending on the circumstances, which may result in disciplinary action up to and including termination.

SEXUAL HARASSMENT DEFINED:

For the purposes of this policy, sexual harassment is defined as any unsolicited, offensive behavior involving unwelcome sexual advances, request for sexual favors, or any verbal or physical conduct of a sexual nature which (1) makes submissions to or rejection of such conduct either an explicit or implicit basis for employment and/or decisions affecting the individual or (2) unreasonably interferes with the individual's employment or performance by creating an intimidating, hostile, or offensive environment. It does not refer to occasional comments of a socially acceptable nature.

Conduct which falls into the definition of sexual harassment includes, but is not limited to:

- Unwelcome physical contact of a sexual nature such as patting, pinching, or unnecessary touching.
- Overt or implied threats against an individual to induce him/her to perform sexual favors or engage in an unwelcome sexual relationship.
- Verbal innuendos or jokes of a sexual nature, including graphic or degrading verbal comments about an individual and/or his or her appearance.
- Use of sexually suggestive terms or gestures to describe a person's body, clothing, or sexual activities
- Displaying or posting offensive sexually suggestive pictures or material in the work place.

This list is not intended to be exhaustive.

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Any form of sexual harassment of one individual by another is an offense against every employee of JHS.

In order to prevent and eliminate behaviors and conduct within JHS, which may be considered sexual harassment, the following responsibilities are required:

1. Each JHS employee is responsible for cooperating with JHS' efforts to prevent sexual harassment and to maintain a working environment free from unlawful discrimination. This includes immediately reporting all incidents of sexual harassment or Employee/Labor Relations & Workforce Compliance and cooperating with investigations into charges of sexual harassment.
2. Anyone who has suffered sexual harassment or retaliation, or who has observed such conduct, is responsible for reporting such violations to Employee/Labor Relations & Workforce Compliance. A complaint need not be limited to someone who was subjected to the actual harassment.
3. Managerial and supervisory employees are responsible for immediately reporting sexual harassment, cooperating with the investigations, and taking immediate and appropriate corrective action with respect to individuals who engage in sexual harassment.
4. The Employee/Labor Relations & Workforce Compliance is responsible for the investigation of all allegations and for providing consultation, assistance, and support to victims of sexual harassment. It is also responsible for providing consultation to managers, supervisors, employees, volunteers, and applicants for employment regarding issues or concerns relating to sexual harassment. If you have questions or concerns about sexual harassment, contact the Employee/Labor Relations & Workforce Compliance Department.

PROCEDURE:

Employees who believe they have been the subject of (or witness to) sexual harassment have the right to file a complaint with the Employee/Labor Relations & Workforce Compliance Department. All complaints of sexual harassment will be investigated to determine whether the allegations are well-founded. If the investigation confirms the existence of sexual harassment, Employee/Labor Relations & Workforce Compliance will pursue prompt corrective action, including positive relief for the victim, and appropriate disciplinary action against the offender. All complaints and investigations of sexual harassment will be kept confidential as much as possible to the extent allowed by law.



HEALTH SYSTEM

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AUTHORIZATION:

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