

## GRADUATE MEDICAL EDUCATION

### **POLICY: HARASSMENT** *(Resident Services)* GME Policy and Procedure Manual

<b>Department Responsible</b> Graduate Medical Education	<b>Created</b> 3/2/2016	<b>Effective Date</b> July 1, 2016	<b>Next Review/Revision Date</b> April 2021
<b>Title of Person Responsible</b> Designated Institutional Official	<b>Approved Council:</b> Graduate Medical Education Committee		<b>Date Approved by Council</b> June 1, 2016

### **Policy**

Per ACGME requirements (IV.H.3.), the Sponsoring Institution must have a policy, not necessarily GME-specific, covering sexual and other forms of harassment, that allows residents/fellows access to processes to raise and resolve complaints in a safe and non-punitive environment consistent with applicable laws and regulations.

### **Purpose**

Long Beach Memorial is committed to providing a work environment that is free of harassment and discrimination.

In keeping with this commitment, MemorialCare maintains a strict policy prohibiting unlawful harassment of any kind, including sexual harassment and harassment based on race, color, religion, age, disability, marital status, gender identity, pregnancy, ancestry, national origin, sexual orientation, genetic information or any other characteristic protected by the state or federal law. This policy applies to all employees, including supervisors and non-supervisory employees. It prohibits harassment of employees by non employees in the workplace as well as harassment by or of vendors, independent contractors, and others doing business with MemorialCare. Unlawful harassment in any form, including verbal, physical, visual, and in electronic media is prohibited.

Unlawful harassment includes, but is not limited to:

- Verbal conduct, such as derogatory or inappropriate comments and slurs based upon protected characteristics.
- Visual conduct, such as derogatory posters, cartoons, drawings, or gestures.
- Physical conduct, such as assault, blocking normal movement, or interference with work directed at an employee because of the employee's protected characteristic(s).

Sexual harassment includes, but is not limited to, making unwanted sexual advances and requests for sexual favors where submission to such conduct is made an explicit or implicit term or condition of employment; submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; such conduct has the purpose or

effect of substantially interfering with an individual's work performance or it creates an intimidating, hostile, or offensive working environment. In addition, sexually oriented, discriminatory and/or offensive material must not be transmitted or accessed via electronic media. Individuals who violate this policy are subject to loss of e-mail, computer and other privileges, criminal fines, and possible financial responsibility for MemorialCare's costs, as well as discipline, including the possibility of immediate termination.

**PROCEDURE:**

1. Any employee or other person who believes he/she has been unlawfully harassed by a co-worker, supervisor, or agent of MemorialCare, or by a person who is not an employee, such as a visitor, patient, or vendor should immediately report the facts of the incident and the names of the individuals involved to the Human Resources Department, his/her supervisor, or another supervisor.
2. It is the responsibility of each employee to immediately report any violation or suspected violation to one or more of the individuals identified above. Supervisors should report any incident of unlawful harassment to the Human Resources Department.
3. The Human Resources Department will investigate all such complaints and take appropriate action, including disciplinary action and/or the possibility of immediate termination, when appropriate.
4. No employee will be retaliated against for making a good faith complaint, for bringing inappropriate conduct or statements that violate this policy to the attention of MemorialCare or for cooperating with an investigation, proceeding or hearing. All information related to the complaint and the investigation shall be kept as confidential as possible and shared only with individuals on a "need to know" basis.
5. If the complaint involves a member of the medical staff, the Human Resources Department will refer to MemorialCare's Medical Staff Bylaws. Human Resources will follow up with the Medical Director to ascertain that appropriate action has been taken.
6. If you have any questions and/or concerns, please feel free to contact the Human Resources Department.