

TRAINING MODULE: NON-DISCRIMINATION / ANTI-HARASSMENT

PURPOSE:

Bates County Memorial Hospital (BCMh) is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. The hospital expects all relationships among employees will be professional, free of bias, prejudice and harassment.

EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION

It is the policy of the Hospital to provide equal employment opportunity to all applicants and employees without regard to race, color, religion, sex, national origin, age, disability, protected veteran status, or any other protected characteristic. The Hospital does not discriminate on the basis of race, color, religion, sex, national origin, age, disability, protected veteran status, or any other characteristic protected by federal, state or local law.

NON-HARASSMENT

The Hospital prohibits intentional and unintentional harassment or other offensive conduct of any individual by another person on the basis of any protected characteristic including, but not limited to, race, color, religion, sex, national origin, age, disability, protected veteran status. The purpose of this policy is not to regulate our employees' personal morality, but to ensure that in the workplace, no one harasses another individual.

This applies to management and non-management employees alike, and even to non-employees, such as customers and vendors, who harass our employees.

Examples of "harassment" include offensive language, jokes, or other physical, verbal, written, or pictorial conduct relating to race, color, religion, sex, national origin, age, disability, protected veteran status, or any other protected characteristic that would make a reasonable person experiencing such behavior feel uncomfortable or would interfere with the person's work performance.

The examples provided are just that – examples. It is impossible to list every type of behavior that can be considered harassment in violation of this policy. In general, any conduct based on these traits that could interfere with an individual's work performance or could create an offensive environment will be considered harassment in violation of this policy.

This is the case even if the offending person did not mean to be offensive. It is essential that staff be sensitive to the feelings of others.

SEXUAL HARASSMENT

It is the Hospital's policy to prohibit harassment of any employee by any Supervisor, employee, customer or vendor on the basis of sex or gender. The purpose is not to regulate personal morality within the Hospital. It is to ensure that at the Hospital individuals are free from sexual harassment. While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include unwelcome sexual advances, requests for sexual favors, obscene gestures, displaying sexually graphic magazines, calendars or posters, sending sexually explicit e-mails and other verbal or physical conduct of a sexual nature, such as uninvited touching or sexually related comments. Depending upon the circumstances, improper conduct also can include sexual joking, vulgar or offensive

conversation or jokes, commenting about an employee's physical appearance, conversation about your own or someone else's sex life, teasing or other conduct directed toward a person (whether by email, in person, texting or some other means) because of his or her gender which is sufficiently severe or pervasive to create an unprofessional and hostile working environment.

HARASSMENT BASED ON RACE, NATIONAL ORIGIN, AGE, DISABILITY, RELIGION AND OTHER PROTECTED CHARACTERISTICS

Harassment based on these traits deserves special mention and is also strictly prohibited. Examples of the types of behavior that will be considered harassment based on these characteristics include the following: jokes or negative comments about these characteristics; displays of reading materials or pictures containing negative material about these characteristics, including electronic materials; vandalism or "pranks" based on these characteristics; name-calling based on these characteristics; and punishing an employee for complaining of these types of harassment. Special note about religion. It is not a violation of this Policy for employees to discuss religion, or to read or view religious materials, at work during non-working time. However, employees who do so should be sensitive to and respectful of the different beliefs (or lack of belief) of others. Religious practices that interfere with job performance, excessive "preaching" that is unwelcome to others, or adverse treatment of others because of their beliefs, different beliefs, or lack of belief, may be considered "harassment" within the meaning of this Policy.

"HARASSING" USE OF HOSPITAL COMPUTER SYSTEM

Use of the Hospital computer system for any harassing purpose (as defined above) will not be tolerated. Examples of "dual violations" include the following:

- Using e-mail or instant messaging to transmit messages, jokes, or other material that is defined as "harassing" in this Policy (*this includes forwarding or even saving such material that has been sent to you by others*)
- Viewing pornographic or other offensive sites (such as racist websites) on Hospital computers, including Hospital-issued laptop computers
- Electronic "pranks" – for example, "mail-bombing" or "spamming" – based on the sex, race, national origin, age, disability, or religion of the victim, or in retaliation for a harassment complaint.

This policy obviously applies to activities conducted on workplace computers, but it also applies to transmissions from "outside" computers into the Hospital computer system, and to transmissions between different "outside" computers if the intended recipient finds the material unwelcome and is an employee, customer, or vendor of the Hospital, or is in some other business relationship with the Hospital.

REPORTING HARASSMENT AND DISCRIMINATION

The Hospital cannot resolve matters that it does not know about. Everyone has a duty to immediately report harassment and discrimination so that the Hospital can try to resolve the situation. You should report harassment and discrimination when

- You **believe that you have been or are being** harassed or discriminated against
- You **believe that someone else has been or is being** harassed or discriminated against

This is true whether the alleged harasser or discriminator is an employee, a supervisor, or even a non-employee, such as a customer or vendor with whom the Hospital does business.

If you feel that you have been subjected to conduct that violates this policy, you should immediately report the matter to your department manager/director or HR. These individuals have been trained to respond appropriately.

Once your report has been received, the Hospital will:

- Conduct a prompt and thorough investigation
- Discuss the results with the complaining employee and, where appropriate, the action to be taken
- Keep the investigation and results as confidential as possible
- If the complaint is verified, take appropriate corrective action, up through and including termination

NO EMPLOYEE/CONTRACTED STAFF WILL BE PUNISHED FOR BRINGING A GOOD-FAITH REPORT OF HARASSMENT OR DISCRIMINATION TO THE HOSPITAL'S ATTENTION OR FOR COOPERATING IN AN INVESTIGATION.

Finally, if you feel that the Hospital has not met its obligations under this policy or if you are not satisfied with the way in which your report of harassment or discrimination was handled, you should contact the Hospital CEO.