Title: Harassment Free Workplace

Policy Type: Corporate

Department: Human Resources

Policy Number: FH-HR.018

Origin Date: 01/01/2011

Date Revised: 6/11/13

Supercedes: CMH – Sexual Harassment 80100-015; FH – Staff Harassment and Inappropriate Behavior CP4.0045; SJH – Harassment/Hostile Work Environment; WBC – Sexual Harassment

Entities Impacted: CMH (X) FH (X) FMCWCP (X) FMLH (X) SJH (X) Others:

Purpose:

A. To define harassment, inappropriate behaviors and retaliation.

B. To provide procedures for the investigation and remedy of concerns reported in accordance with this policy.

C. To provide a positive work environment for Froedtert Health staff members, medical staff and third parties.
A. Froedtert Health and its affiliates includes all entities within the health system.

B. Harassment consists of engaging in improper verbal, non-verbal or physical conduct that threatens, humiliates, intimidates, coerces or otherwise disrupts or interferes with another staff member’s work performance or creates an offensive or hostile environment. This includes comments or behavior that insults, shows hostility toward, denigrates, ridicules, stalks, or taunts an individual or group of individuals.

C. Hostile work environment: where speech or conduct is “severe or pervasive” enough to create an intimidating or abusive work environment. This may include, but is not limited to behavior which causes a staff member to feel uncomfortable in the workplace and interferes with an individual’s ability to do his or her job by others who are displaying behavior such as teasing, taunting, bullying, jokes, inappropriate gestures, comments on personal appearance, and nicknames that demean or intimidate others on the basis of their race, sex, marital status, pregnancy, ethnic origin, religion, age, disability, sexual orientation, gender identity, military service, genetic information or other legally protected status.

D. Sexual harassment is unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, sexually-motivated physical contact, and other verbal, non-verbal, visual, or physical conduct of a sexual nature when:
   1) Submission to such conduct is explicitly or implicitly made a term or condition of employment;
   2) Submission or refusal to submit to such conduct is used as the basis for tangible employment action; or
   3) Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or work environment.

   4) Examples of sexual harassment include, but are not limited to, the following:
      a) Verbal or physical abuse of a sexual nature.
      b) Sexist remarks regarding a woman’s/man’s clothing or body.
      c) Unwelcome sexual advances.
      d) Sexually suggestive or off-color comments or jokes.
      e) Offensive inquiries into personal affairs of a staff member.
      f) Unprofessional or inappropriate touching or blocking.
      g) Repeated and unwelcome invitations for social interactions outside of the workplace.
      h) Possessing, displaying or distributing sexually explicit or otherwise off-color materials including books, magazines, articles, pictures, greeting cards, photographs, drawings, calendars, cartoons, social networking sites and email
messages in Froedtert Health’s workplace or to staff members.

i) Requests or demands for sexual favors in return for hire/promotion/work arrangements.

j) Leering or inappropriate gestures.

k) Engaging in any type of sexually-oriented conduct that would interfere with another’s work performance.

l) Behavior that has the effect of creating a work environment that is intimidating, hostile, or offensive (e.g., unwelcome or unwanted sexually-oriented conversations, suggestions, requests, demands or physical contact made in person or via electronic communication systems such as email, social networking or voicemail).

m) Physical assault or rape.

5) This list is not intended to be exhaustive. For example, any particular conduct described above may also be inappropriate outside the workplace if the conduct may adversely affect the work environment. Similarly, a consensual relationship does not justify inappropriate displays of affection or other sexual statements or activities during working hours or at work-related functions.

E. Third Party Harassment is when an individual with a business relationship with an employer harasses or is harassed by a staff member of the employer. This "business relationship" can be that of a patient, mentor, vendor, customer, independent contractor, or supplier.

F. Retaliation occurs when an individual does something offensive, harmful or negative to get revenge for some harm or perceived slight; to fight back or respond in kind to an injury or affront. Retaliation includes any adverse action taken against an individual or staff member as a direct consequence for filing a complaint or supporting another individual's complaint, or appearing as a witness to acts of discrimination, harassment, inappropriate behavior or retaliation.
A. It is the policy of Froedtert Health to provide a positive work environment free of discrimination, harassment, inappropriate behavior or retaliation. Offensive, inappropriate or harassing behavior is prohibited and will not be tolerated.

B. Froedtert Health will investigate all concerns reported in accordance with this policy in a timely manner.

C. This policy covers staff members including leaders, medical staff, vendors, applicants, customers, patients, volunteers or others who enter our workplace.

D. All staff are responsible for enforcing the policy on harassment.

E. All staff including leaders are required to report all claims of harassment, inappropriate behavior or retaliation to Human Resources. As with all Froedtert Health policies, all management personnel will assume responsibility for enforcing compliance.

F. No applicant or staff member should be led to believe that an employment opportunity or benefit will in any way depend on “cooperation” of a sexual nature.

G. All staff involved in an investigation are to be truthful, accurate, and cooperative and respect Froedtert Health’s policies concerning the rules of confidentiality and privacy during and after the investigation.

H. No one should be presumed to be in violation of this policy merely because an investigation is being conducted.

I. Retaliation or threat of retaliation, is a violation of this policy.
A prompt and thorough investigation will be conducted that will include informing the accused individual of the concern and providing the individual with an opportunity to respond.

B. If the concern is acknowledged, the individual may be given an opportunity to voluntarily cease the offensive conduct.

C. He or she will be warned not to retaliate against the individual who raised the concern.

D. Any staff member, medical staff, volunteer or third party with a business relationship with the System, who feels that he or she has been the subject of harassment, intimidation, or retaliation, or who witnesses what they believe to be harassment, intimidation, or retaliation, should notify any or all of the following:
   a. a Supervisor, Manager, Director, or any other member of management;
   b. the Compliance Hotline (414) 259-0220; or
   c. a Human Resources Representative.

E. A concern may be provided verbally or in writing.

F. Concerns will remain confidential to the extent possible.

G. Interim measures may be taken pending the outcome of a full investigation. Appropriate steps will be taken to assure that there will be no negative affect on the staff member bringing forth the concern.

H. Anyone who is found to have engaged in prohibited harassment, intimidation or retaliation will be subject to appropriate corrective action, up to and including termination, in accordance with the FH-HR.001 Rules of Conduct policy. The organization will make its decision at the conclusion of the investigation.

Related Policies:

FH-HR.001 Rules of Conduct/Corrective Action

Distribution:

Froedtert Health Corporate Policy & Procedure Manual – Human Resources Section
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