

POLICY TITLE: POLICY AGAINST SEXUAL AND OTHER HARASSMENT**Former Policy Title:****POLICY PURPOSE:**

To maintain a working environment that is free of sexual and other harassment.

POLICY STATEMENT:

Lancaster General Health (LG Health) is committed to providing a work environment that is free of harassment. Actions, words, jokes or comments based on an individual's gender or gender identity, pregnancy, race, ethnic background, age, religion, disability, or any other legally protected characteristic, or other abusive, harassing, intimidating behavior, which would be offensive to a reasonable person, will not be tolerated.

Sexual conduct, both verbal and physical, overt or subtle, can serve to create an offensive work environment and therefore is prohibited. No manager, supervisor, officer, executive, Medical and Dental Staff member, board member, employee or other individual has the authority to condition an employee's job or job benefits on the exchange of any sexual favors.

APPLICABILITY/SCOPE/EXCLUSION:

This policy applies to all employees, Medical and Dental staff members, health care providers with clinical privileges, volunteers, students, residents, governing board members, vendors, visitors, patients, contractors and anyone doing business with LG Health, including each of its affiliate organizations.

DEFINITIONS:

Sexual harassment is any behavior that includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct or communication of a sexual nature, and includes:

- Explicitly or implicitly suggesting that submission to sexual advances is a term or condition of an individual's employment;
- Using submission or rejection of sexual conduct as a basis for employment decisions; or
- Conduct or communication that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive employment environment. Examples of prohibited sexual harassment include: sexual slurs, insults or innuendoes; graphic, vulgar and offensive verbal statements; unwanted flirtations, advances and propositions; requests for sexual favors; verbal abuse of a sexual nature; the use of sexually degrading words to describe individuals; displays of sexual objects or pictures; unwanted physical touching; and intimidation or abuse. The terms "intimidation" or

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“abuse” may include, but are not limited to, the throwing of objects, screaming, threatening gestures, and degrading language.

Harassment (other than sexual harassment, defined herein) includes, but is not limited to, actions, words, jokes or comments based on an individual’s pregnancy, race, ethnic background, age, religion, disability or other legally-protected characteristic, or other abusive, harassing, or intimidating behavior if the conduct is: (1) severe or pervasive in nature; (2) would be hostile or abusive to a reasonable person; and (3) is perceived by the alleged victim to be abusive.

Bullying includes but is not limited to repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another at the place of work and/or in the course of employment.

Bullying may include, but is not limited to:

- Verbal bullying - persistent name calling that is hurtful, intimidating or insulting; abusive and offensive remarks.
- Gesture bullying - nonverbal threatening or obscene gestures.
- Exclusion - socially or physically excluding or disregarding a person in work-related activities or persistent negatively singling out of a person.

INSTRUCTION:

Sexual or other harassment is a serious offense. After appropriate investigation, any person who is found to have engaged in harassment (which may include sexual harassment or bullying behavior) will be subject to appropriate disciplinary action, may be prohibited from LG Health premises or the premises of any affiliate organization, and may be subject to immediate termination of employment.

PROCEDURE:

FOR EMPLOYEES:

LG Health believes that everyone should feel free to report harassment of any nature at any time without the fear of reprisal. Anyone who believes they are the victim of harassment, sexual or otherwise, or who has observed another person subject to such harassment, is required to report the behavior promptly to their immediate supervisor. If the supervisor is involved in the misconduct or the nature of the misconduct is such that the person is not comfortable reporting the behavior to their immediate supervisor, the person should report the situation to a member of the Human Resources Department or the Corporate Compliance Officer. An unbiased third party will conduct an investigation of the complaint. In some cases, an employee may be asked to put the complaint and associated facts in writing.

Should an employee request the opportunity to speak with someone of the gender opposite that of the immediate supervisor or Human Resource representative, another person will be appointed to conduct the investigation.

In all cases, the employee will be advised of the findings and conclusions of the investigation and any action taken.

FOR ALL NON-EMPLOYEES:

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When the person accused of harassment is not an employee, the investigation, enforcement, and discipline under this policy shall be governed by the following procedures. (When a member of an affiliate hospital or when a member of the Medical and Dental Staff is the person accused of harassment, the matter shall be governed by the hearing, appeals, or due process provisions of the applicable Medical and Dental Staff Bylaws.)

In the case of complaints involving a non-employee, a report of harassment shall be made to the immediate supervisor of the affected employee, a representative of the Human Resources Department or the Corporate Compliance Officer. Efforts shall be made to reach an informal resolution which is agreeable to the affected employee, the non-employee, and the organization. The investigation shall include an opportunity for each affected individual (employee and non-employee) to be interviewed by investigators and to submit a written statement or other appropriate information.

In all cases, the employee and non-employee will be advised of the findings and conclusions and any action taken.

CODE OF CONDUCT TELEPHONE #: 1-215-P-COMPLY or 1-215-726-6759

ROLES/RESPONSIBILITIES: N/A

APPENDICES: N/A

FORMS: N/A

REFERENCES: N/A