

<b>Title: Harassment and Sexual Harassment Policy</b>	
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<b>Approved by:</b> Administrative Policy Committee, BH System Operations Team, PolicyTech Administrators 04/24/2019	
<b>Discrete Operating Unit/Facility:</b> Banner Baywood Medical Center Banner Behavioral Health Banner Boswell Medical Center Banner Casa Grande Medical Center Banner Churchill Community Hospital Banner Del E Webb Medical Center Banner Desert Medical Center Banner Estrella Medical Center Banner Fort Collins Medical Center Banner Gateway Medical Center Banner Goldfield Medical Center Banner Heart Hospital Banner Ironwood Medical Center Banner Lassen Medical Center Banner Ocotillo Medical Center Banner Payson Medical Center Banner Thunderbird Medical Center Banner—University Medical Center Phoenix Banner—University Medical Center South Banner—University Medical Center Tucson Community Hospital East Morgan County Hospital McKee Medical Center North Colorado Medical Center Ogallala Community Hospital Page Hospital Platte County Memorial Hospital Sterling Regional MedCenter Washakie Medical Center	<b>Banner Corporate</b>  <b>Ambulatory Services</b> Banner Health Clinics Banner Imaging Services Banner MD Anderson Cancer Center Banner Surgery Centers Banner Urgent Care Centers Occupational Health/Employee Services Rural Health Clinics  <b>Banner Home Care and Hospice</b>  <b>Insurance</b> Banner Health Network Banner Plan Administration University Physicians Health Plans  <b>Banner Pharmacy Services</b>  <b>Post-Acute Care Services</b>  <b>Research</b>

## I. Purpose/Population:

- A. **Purpose:** Banner Health is committed to providing a professional work environment that maintains employee equality, dignity, and respect. In keeping with this commitment, Banner Health strictly prohibits unlawful discriminatory practices, including, but not limited to, Harassment, Sexual Harassment and Retaliation. Harassment, Sexual Harassment and Retaliation, whether verbal, physical, or environmental, are unacceptable and will not be tolerated.
- B. Specifically, this policy is intended to:
  - 1. Address and prevent Harassment, Sexual Harassment and Retaliation in the workplace.
  - 2. Assist Banner Health in compliance with federal and state laws and regulations, including, but not limited to Title VII of the Civil Rights Act of 1964.
- C. **Population:** All Employees.

## II. Definitions:

- A. **Banner Health Management (“Management”):** a Banner Health employee with responsibilities for supervision of employees.
- B. **Harassment:** means (i) unwelcome Offensive Conduct based on race, creed, color, religion, sex, sexual orientation, gender identity, age, national origin, disability or veteran status, or other statutorily protected criteria; (ii) enduring the Offensive Conduct is a condition of continued employment, and (iii) the Offensive Conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
- C. **Offensive Conduct:** may include, but is not limited to, offensive jokes, slurs, offensive nicknames or comments, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, or interference with work performance.
- D. **Retaliation:** Reprisals against an individual, including adverse employment actions, such as termination or demotion or for filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination.
- E. **Sexual Harassment:** unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct (i) explicitly or implicitly affects an individual’s employment, (ii) unreasonably interferes with an individual’s work performance, or (iii) creates an intimidating, hostile, or offensive work environment.

## III. Policy:

- A. Banner Health is committed to maintaining a work environment that is free from Harassment, Sexual Harassment and Retaliation.
- B. Banner Health does not tolerate acts of Harassment, Sexual Harassment or Retaliation by anyone, including, but not limited to, Management, co-workers, or third parties.
- C. Management is responsible for creating an atmosphere free of Harassment, Sexual Harassment and Retaliation.
- D. It is the responsibility of all individuals present in the workplace, whether or not employed by Banner Health, to comply with this policy; i.e., employees, physicians, vendors and patients.
- E. Employees are strongly encouraged to report all incidents of Harassment, Sexual Harassment and Retaliation to their managers or facility Human Resource Representative.
- F. All credible complaints and reports of Harassment, Sexual Harassment and Retaliation will be investigated by the Banner Health Human Resources Department or its designee.

- G. Retaliation against an employee who reports or cooperates with an investigation of Harassment, Sexual Harassment or Retaliation will not be tolerated at Banner Health.
- H. In the event an employee commits an act of Harassment, Sexual Harassment or Retaliation, he or she may be subject to the Corrective Action Process and/or immediate termination.
- I. To the extent possible, Banner Health will maintain the confidentiality of individuals involved in reporting Harassment, Sexual Harassment or Retaliation.
- J. Banner Health may provide training and education regarding Harassment, Sexual Harassment and Retaliation to Banner Health employees, as determined necessary by the Banner Health Human Resources Department.

**IV. Procedure/Interventions:**

- A. All employees, physicians, and vendors will report incidents of Harassment, Sexual Harassment and Retaliation immediately to a Banner Health Human Resources Department.
- B. The individual receiving the report of an incident of Harassment, Sexual Harassment and Retaliation will immediately report it to Banner Health Human Resources Department.
- C. The Human Resources Department or its designee will promptly and thoroughly investigate the reported incident and, as warranted, notify the Risk and Legal departments.
- D. Incidents that involve physicians or allied health professional subject to review by the Medical Staff will be reported to the Medical Staff Services Office and the procedure under policy Complaints of Sexual Harassment or other Prohibited Conduct by Medical Staff Members will be implemented.

**V. Procedural Documentation:**

- A. N/A

**VI. Additional Information:**

- A. N/A

**VII. References:**

- A. Title VII of the Civil Rights Act of 1964
- B. Title I and V of the American Disabilities Act of 1990
- C. Age Discrimination in Employment Act of 1967
- D. Equal Pay Act of 1963

**VIII. Other Related Policies/Procedures:**

- A. Corrective Action Policy (#7647)
- B. Complaints of Sexual Harassment or Other Prohibited Conduct by Medical Staff Members Policy (#3165)

**IX. Keywords and Keyword Phrases:**

- A. Harassment
- B. Sexual Harassment
- C. Retaliation
- D. Performance Management
- E. Corrective Action
- F. HRPolicies

**X. Appendix:**

- A. N/A