

HARASSMENT & SEXUAL HARASSMENT PREVENTION TRAINING

(With content from NYS Sexual Harassment Training Program)



HARASSMENT/SEXUAL HARASSMENT

Harassment consists of words, signs, jokes, pranks, intimidation, physical actions or violence directed at an individual due to any protected characteristic including: Age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

Sexual harassment is bias based on sex, sex stereotyping, gender identity, transgender status, or pregnancy; unwanted verbal or physical advance; a sexually explicit or derogatory statement; or a sexually discriminatory remark offensive or objectionable to the recipient.

Quid pro quo sexual harassment occurs when a person in authority trades, or attempts to trade, job benefits for sexual favors.

HARASSMENT/SEXUAL HARASSMENT (CONTINUED)

Harassment/sexual harassment can occur between male and female, same sex, or transgender individuals.

Harassment/sexual harassment can occur on any hospital property including the hospital, off-site surgery centers, clinics and offices.

A **hostile environment** is created by harassment, sexual harassment or discriminatory displays, publications or actions demonstrated by anyone in the workplace including a co-worker, supervisor, manager, 3rd party (medical staff member, employee, resident, vendor, customer, etc.)

RETALIATION

Retaliation is any action which alters the individual's terms and conditions of employment including sudden change in work schedule/location or demotion because the individual engaged in a protected activities.

Any individual engaged in “**protected activity**” is protected by law from retaliation.

Protected activity includes making a complaint about harassment or suspected harassment, providing information during an investigation, or testifying in connection with a complaint.

A negative employment, work activity or disciplinary action is **not** retaliatory merely because it occurs after the individual engages in protected activity.

REPORTING REQUIREMENTS

Supervisory personnel expected to model appropriate behavior and must **report** to the hospital any harassment they witness, are aware of, even if no one is objecting to the behavior.

Supervisory personnel are subject to discipline for engaging in retaliation and/or failing to report suspected sexual harassment of which they should be aware.

ZERO TOLERANCE

Harassing and sexually harassing behaviors and actions are not tolerated at Crouse Health.

All instances of **harassing and sexually harassing behavior** will be investigated.

Violators are subject to federal, state and local laws as well as Crouse Health policies and procedures.

Disciplinary action may be taken, including but not limited to termination of hospital employment and/or suspension or termination of medical staff appointment.

HOSPITAL INCIDENT REPORTING

If you are subject to or witness harassment or sexual harassment, provide written or oral communication to your immediate supervisor or submit a report via the occurrence reporting system located at: <https://qstatim/QStatim/Common/Default.asp>

All **incidents** will be investigated in a timely manner and kept confidential according to applicable laws and hospital policies.

The hospital will conduct an immediate **review** of the allegations and take interim action as appropriate. Interviews will be conducted, and relevant evidence will be requested, preserved and obtained.

Individuals involved in the complaint will be **notified** when final determination and confirmation of appropriate action has been completed.

ADDITIONAL PROTECTIONS AND REMEDIES

A **complaint** alleging violation of the Human Rights Law may be filed with the NYS Division of Human Rights (DHR) or NYS Supreme Court or United States Equal Employment Opportunity Commission (EEOC).

- Complaints filed with DHR must be submitted within one year of the alleged incident(s).
For more information, go to: www.DHR.ny.gov
- Complaints filed with the EEOC must be submitted within 300 days from the incidents(s).
For more information, go to: www.EEOC.gov.
- Attorney representation is not required to file a complaint.

LOCAL RESOURCES

Many **localities** enforce laws protecting individuals from sexual harassment and discrimination. Contact the local county, city or town for more information.

Harassment may constitute a **crime** if it involves instances of physical touching, coerced physical confinement or coerced sex acts. Contact the local police department if a crime occurs.

For more information, contact: www.ny.gov/combating-sexual-harassment-workplace