

 OhioHealth		POLICY & PROCEDURE	
TITLE: Harassment/Bullying		NUMBER: OH.POL.HR-703.007	
ISSUE DATE: July 1997		EFFECTIVE DATE: June 16, 2019	
DEVELOPED / REVISED BY: Human Resources			
REVIEWED BY: Human Resources Policy Committee Human Resources Executive Team Office of the General Counsel		DATE REVIEWED: May 3, 2019 October 6, 2015 June 14, 2019	
APPROVED BY: Sr. Vice President of Human Resources			

SCOPE

This policy is in effect for all OhioHealth entities.

PURPOSE

To help ensure a positive, respectful workplace that supports OhioHealth's mission, vision and values.

POLICY

OhioHealth is committed to the principle of equal opportunity employment and protecting the rights of all associates. OhioHealth is committed to a work environment free from harassment, sexual harassment and/or bullying. OhioHealth disapproves and expressly prohibits any form of unlawful harassment.

Any known incidents of harassment, sexual harassment, and/or bullying will be investigated. There will be no retaliation against any associate for reporting any form of harassment or assisting in an investigation. The provisions of this policy apply to all OhioHealth associates, physicians on the Medical Staff(s), volunteers, students, non-associate professionals and consultants, contingent workers and their associates, and associates of contract services. Any person who engages in any form of harassment, or willingly creates a situation or environment that could lead to harassment will be in violation of this policy and subject to appropriate corrective action, up to and including termination of employment.

DEFINITIONS

A. Sexual Harassment: Any **unwelcome** sexual advance by any person, any request for sexual behaviors, or any other verbal, non-verbal or physical conduct or communication of a sexual nature as defined or prohibited by state and federal law. This includes any behavior that:

1. Explicitly or implicitly threatens to affect a condition or terms of an individual's employment or career development, or
2. Creates an offensive, intimidating or hostile work environment. Examples include, but are in no way limited to, verbal comments, touching, terms of endearment, jokes, sexual questions, display or electronic transmission of sexual materials, and sexual propositions.

B. Other Harassment: Physical, verbal, or any other behavior or communication, including pictures or drawings, that is:

1. Directed toward an individual, group of individuals, or organization, **and**
2. Refers in a derogatory and/or insulting manner to race, color, religion, sex, national origin, sexual

orientation, gender identity or expression, age, disability, marital status, military or veteran status or any other classification protected by applicable, state, federal or local laws. What some may regard as an innocent statement or joke may be perceived as offensive to others.

C. Workplace bullying: is any form of verbal abuse, job sabotage, intimidation, and/or humiliation. It occurs when an associate experiences a repeated/persistent pattern of mistreatment from others in the workplace that causes harm.

1. **Verbal bullying:** Slandering, ridiculing or maligning a person or his or her family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks
2. **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property
3. **Gesture bullying:** Nonverbal threatening gestures; glances that can convey threatening messages.
4. **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

Note: Providing guidance, conducting performance counseling, invoking unsatisfactory performance procedures or misconduct procedures does not in itself constitute bullying. Managers are expected to offer constructive advice and comments as part of their role in a way that does not demean or humiliate.

PROCEDURE

- I. **Reporting Harassment/Bullying:** Any associate who believes that he/she has experienced harassment, sexual harassment, and/or bullying in the workplace or has witnessed harassment, sexual harassment, and/or bullying has an obligation to communicate the problem immediately. The following steps should be taken:
 - A. Associate promptly makes a report of the incident, preferably in writing, to a member of management or to their respective Human Resources Business Partner.
 - B. The report should describe the alleged incident of harassment and identify the alleged harasser (if known) and any witnesses.
 - C. All reports of harassment, sexual harassment, and/or bullying must be referred to the Human Resources Advice and Counsel Center (ACC) for prompt review and investigation.
 - D. The report will be kept confidential to the extent possible, consistent with the action necessary to conduct a thorough investigation and any remedial action that is required.

II. Remedial Action:

- A. If the investigation substantiates the complaint, the offending associate may be subject to corrective action, up to and including termination of employment.
- B. If the offender is a non-employed physician, volunteer, vendor/contingent worker or other non-associate of OhioHealth, Human Resources will refer the matter to the department, organization or agency responsible for management of the individual for appropriate follow-up action.
- C. If the harassing behavior involves a patient or visitor, the manager and/or Service Excellence will initiate appropriate follow-up action.
- D. OhioHealth will not allow any retaliatory action against an individual who reports an incident of alleged harassment or who assists in an investigation, regardless of whether the allegation is substantiated.
- E. Human Resources will provide any necessary educational awareness training/education as needed or required.

III. Non-Retaliation: Any reported incidents of harassment will be investigated. There will be no retaliation against any associate for reporting any form of harassment or assisting in an investigation. If an associate believes he/she has been retaliated against for reporting any form of harassment or assisting in an investigation, the associate must report the act immediately to his/her department manager, the department's HR Business Partner, HR Resource Center, or to OhioHealth's Ethics and Compliance Line, as appropriate. Any individual who engages in or condones any form of retaliation will be subject to discipline up to and including termination.

REFERENCES

OH.POL.HR-701.015 Equal Employment Opportunity Policy
OH.POL.HR-702.001 Corrective Action Policy

RECISSIONS:

Berger: BH.POL.HR-700.015 Sexual and Other Unlawful Harassment
Mansfield & Shelby: G-4 Harassment - effective 02/01/2016
Marion: HR-703.500, Harassment and Bullying, 10/01/2011

NOTES

O'Bleness Hospital added into scope effective 6/27/2017