



Hospital: System-Wide

Division: Human Resources

Policy & Procedure	
Policy #:	<u>7500-04-01</u>
Origination Date:	<u>June 1, 2002</u>
Latest Review/Revision:	<u>September 11, 2019</u>
Administrative Approval:	<u>Melanie Stith</u>
Administrative Title:	<u>Vice President, Human Resources</u>
Originator (Title):	<u>Director, Human Resources</u>

Subject: Harassment, Discrimination and Retaliation

APPLICABILITY: This policy applies to Roper Hospital, Bon Secours St. Francis Xavier Hospital, Roper St. Francis Mount Pleasant Hospital, Roper St. Francis Hospital-Berkeley, and any departments owned or operated by these Hospitals, as well as Roper St. Francis Physician Partners Network, and Roper St. Francis Medshare.

POLICY: Roper St. Francis Healthcare ("RSFH") is committed to providing a professional working environment for all teammates that is free of harassment, discrimination and/or retaliation. All teammates should treat each other with courtesy, consideration and professionalism. In keeping with this commitment, RSFH strictly prohibits harassment of any teammate by any other teammate, leader or third-party for any reason. In addition, harassment based on any discriminatory reason, such as race, color, religion, sex, age, national origin, handicap or disability, veteran status, genetic information, sexual orientation or gender identity is prohibited by state and federal laws, which may subject RSFH and/or the individual harasser to liability for any unlawful conduct. RSFH prohibits not only unlawful harassment, discrimination and retaliation, but also unprofessional conduct and discourteous actions to include bullying, creating a hostile work environment, lateral violence, horseplay and foul language. Accordingly, derogatory comments, conduct or actions based on race, color, religion, age, gender, national origin, handicap or disability, veteran status, genetic information, sexual orientation, gender identity, or any other characteristic protected by law or policy, as well as unprofessional conduct where there is no characteristic protected by law, will not be tolerated.

PURPOSE: Any harassment, discrimination or retaliation, whether verbal, physical or environmental, is unacceptable and will not be tolerated. Additionally, there will be no retaliation or adverse action taken against any teammate for submitting a legitimate concern, reporting harassment, discrimination, retaliation or participating in an investigation. Any violation of this policy will subject the violator to corrective action up to and including termination of employment or services.

PROCEDURES:

Harassment Defined

- 1.1 Sexual harassment includes any unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature when:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of a teammate's employment;
 - Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the teammate;
 - The conduct has the purpose or effect of unreasonably interfering with a teammate's work performance or creating an environment that is intimidating, hostile or offensive to the

THIS POLICY DOES NOT CREATE A CONTRACT OF EMPLOYMENT. EMPLOYMENT IS AT-WILL.

teammate.

1.2 The types of behaviors that constitute sexual harassment may include, but are not limited to:

- Unwelcome sexual flirtations, advances or propositions;
- Derogatory, vulgar or graphic written or oral statements regarding one's sexuality, gender, gender identity, sexual experience or sexual orientation;
- Unnecessary touching, patting, pinching, rubbing or attention to an individual's body or appearance;
- Physical assault;
- Unwanted sexual compliments, innuendoes, suggestions or jokes; and/or,
- The display of sexually suggestive images, documents, photographs, voicemails, verbal communication, text messages or objects in any form to include electronic.

1.3 Other prohibited harassment includes any conduct that is directed at an individual because of his or her race, color, religion, age, gender, national origin, handicap or disability, veteran status, genetic information, gender identity, sexual orientation or any other characteristic protected by law or policy, to include:

- Racial or other epithets, derogatory slurs, off-color jokes, threats or insulting sounds based on a protected characteristic;
- The display or exchange in the workplace of derogatory posters, cartoons, pictures, images, documents, text messages or drawings in any form to include electronic; and/or,
- Demeaning, insulting, or intimidating written, recorded or electronically transmitted messages.

Discrimination Defined

1.4 Discrimination occurs when an individual or groups of individuals are judged or treated differently based on race, color, religion, age, gender, national origin, handicap or disability, veteran status, genetic information, gender identity, sexual orientation, or any other characteristic protected by law or policy, rather than on the basis of their individual merits or abilities.

Retaliation Defined

1.5 Retaliation includes, but is not limited to, any adverse action taken against a teammate for reporting a concern, supporting another teammate's report of concerns, utilization of the grievance process or teammates exercising their rights under any laws or policies to include workers' compensation, employment laws, military service, FMLA or other types of leaves of absence. Retaliation may include:

- Intimidation or threats to include written, verbal or physical abuse to person or property;
- Harassment outside the workplace to include on social media;
- Exclusion from decisions and work activities;
- Being given the cold shoulder or ignored;
- Being passed over for promotion;
- Unwarranted schedule change or unfavorable assignments; and/or,
- Being treated differently than other teammates are treated.

Other Related Conduct Defined

1.6 Other conduct prohibited by this policy includes bullying, lateral violence and any act that creates a hostile work environment.

- Bullying is the act of repeatedly mistreating another teammate to include threats, humiliation, intimidation, manipulation, degradation or other associated behaviors which serve to create the perception of an unhealthy and/or unprofessional power imbalance in the workplace.
- Lateral violence is deliberate, harmful, covert or overt behaviors directed toward fellow teammates who may be considered less powerful. For example, an experienced teammate's negative treatment of a less-experienced teammate.
- A hostile work environment exists when a teammate's behavior creates an environment that is difficult or uncomfortable for another teammate to work in due to harassment, discrimination, retaliation or other associated behaviors.

Reporting Harassment/Discrimination/Retaliation/Other Related Conduct

1.7 Any teammate who believes that a leader's, other teammate's, or third-party's actions or communications constitute unwelcome harassment or discrimination has a responsibility to report the situation as soon as possible. The report should be submitted in writing to a Human Resources representative. Human Resources can be reached by calling 843-720-8400 and emails can be submitted to HREmployeeRelations@rsfh.com. Teammates should not allow an inappropriate situation to continue by not reporting it, regardless of who is creating that situation. No teammate of Roper St. Francis Healthcare is exempt from this policy and retaliation will not be tolerated.

1.8 Teammates may also utilize the Corporate Compliance Helpline to submit concerns anonymously. The Helpline number is 800-597-3386. Please note that anonymous concerns are harder to investigate and teammates are encouraged to contact Human Resources directly as a preferred method of addressing concerns.

Investigation

1.9 Reports will be promptly investigated and will be conducted in as confidential a manner as is practicable with a thorough investigation. Teammates are required to cooperate in any investigation. A timely resolution will be reached and appropriate follow up to the involved parties will occur.

1.10 Retaliation or reprisals against any teammate for reporting a concern or participating in an investigation as a witness is strictly prohibited and may result in corrective action up to and including termination of employment.

Violation of Policy

1.11 Any teammate or leader who is found to have harassed, discriminated or retaliated against another teammate will be subject to appropriate corrective action up to and including termination of employment. Teammates making false, misleading and/or malicious statements about other teammates or leaders will also be subject to corrective action up to and including termination.

1.12 A non-teammate who subjects a teammate to harassment, discrimination or retaliation in the workplace will be informed of RSFH's commitment and other action will be taken, as necessary, to prevent any further inappropriate behavior.

Social Relationships and Interaction

1.13 RSFH recognizes that the question of whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a factual determination based on all of the evidence received. Given the nature of this type of harassment/discrimination/retaliation, RSFH encourages those involved in social relationships and interactions to be cognizant of the potential impact in the workplace and to act in a responsible, professional manner. RSFH also recognizes that false accusations of harassment, discrimination and retaliation can have a serious effect on innocent parties, and trusts that all teammates will work to establish and maintain a professional working environment free from harassment, discrimination, retaliation and/or other associated behaviors.

1.14 While RSFH does not intend to regulate the normal social interaction of relationships freely entered into by individuals, we have a reasonable expectation that they will not impact the job performance or work environment of any teammate.

Use of RSFH E-Mail, Intranet, Internet, Cellular and Mobile Communication Devices

1.15 All Roper St. Francis Healthcare teammates are responsible for using all electronic mediums in an efficient, effective, ethical, considerate and lawful manner. Inappropriate use of RSFH electronic mediums may be a violation of this policy and subject to corrective action up to and including termination of employment. Viewing pornographic content, whether on work time or personal time with RSFH electronic mediums, is strictly prohibited. Additional information is available in the Information Services Technological Resources Acceptable Use Policy.