|  |  |  |
| --- | --- | --- |
| Sexual Harassment | **Last Revision:** | February 2018 |
| **Last Reviewed:** | February 2018 |
| **Applies to the following THA Group of Companies:** | * Island Health Care * Island Hospice * Independent Life at Home * RightHealth® * THA Services * Palliation Choices |
| **Included in the following THA Manuals:** | Administrative Policy and Procedure Manual  Ethics, Rights and Responsibilities |

### PURPOSE

THA Group does not support or condone sexual harassment of, or by any of its employees. The organization recognizes that the question of whether a particular action, behavior or incident is merely complimentary or social and without discriminatory employment effects requires a thorough and factual investigation. Given the seriousness of this type of misconduct, the organization recognizes that false accusations of sexual harassment can have serious consequences for innocent men and women. We trust that all employees will act responsibly and create a working environment free of harassment. The organization encourages employees to raise any questions regarding discrimination, harassment or affirmative action with Talent Management.

### POLICY

THA Group has a commitment to its employees to establish and maintain a work environment free from sexual harassment.

# DEFINITIONS

Sexual harassment may be evidenced by any unwelcome or uninvited sexual advances, request for sexual favor, and/or other verbal or physical contact of a sexual nature. Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex. Examples of sexual harassment include:

1. Submissions to sexual advances or requests for sexual favors are proposed either explicitly as a term or condition of an individual’s employment.
2. Submission to or rejection of such conduct by an individual is used as the basis of employment.
3. Such conduct that has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive company environment for employees, patients, physicians, and/or others.

### PROCEDURE

1. The organization takes appropriate corrective action when incidents of sexual harassment has occurred or have been alleged, up to and including separation.
2. Complaints or other relevant information is investigated in the following manner:
3. Employees who have been sexually harassed are expected to report incident(s) to Talent Management.
4. Talent Management will promptly investigate the incident, report complaints, findings, and make recommendations to the President and CEO.
5. If the investigation reveals that the complaint is valid, prompt corrective action is taken to immediately resolve the harassment and prevent its recurrence.
6. If the investigation reveals that the complaint is not valid, the complaint and findings are documented fully and placed in a confidential file for reference only in the event of a new and/or similar complaint. The accused and the complainant are notified of the findings.
7. If no direct complaint is made, but leaders at any level are aware of or witness sexual harassment activities, the leader is responsible for reporting the incident(s) to Talent Management for investigation and appropriate corrective action.
8. Because of the sensitive nature of complaints of sexual harassment, they are investigated by management with sensitivity and particular care, and remain, to the highest degree possible, strictly confidential.

In no event is information concerning a complaint of sexual harassment released by the organization to third parties or to anyone within the organization who is not involved with the investigation. This prohibition on the release of information specifically includes members of the affected employee’s family, the news media, or a prospective employer seeking a reference. The purpose of this provision is to protect the confidentiality of the complaining person, to encourage the reporting of any incidents of sexual harassment, and to protect the reputation of any person wrongfully charged with sexual harassment.

**PROCEDURE INVOLVING CLIENTS**

* 1. Employees should take action at the time of the incident to stop the unwanted behavior by saying “No” or “Stop”.
  2. Employees must document every incident by clients.
     1. If managers learn that staff members have been sexually harassed by patients and have not documented every incident, the leader must coach the employee on proper procedures and ensure the incidents are documented and reported.
     2. Documentation must be specific. For example: “The client touched my left breast.”
  3. Leadership must counsel with clients and/or primary caregivers regarding each instance and document that they have done so.
  4. Leadership must also attempt to determine whether there is a clinical condition that is the basis for the clients inappropriate conduct. The inhibitions of patients who have had strokes, for example, may be impaired. If it is possible that patients’ clinical conditions are implicated in sexual harassment, management must contact patients’ physicians to seek assistance.
  5. If patients’ plans of care are modified to appropriately address the issue but patients’ conduct continues, then services will be discontinued.