



Harassment in the Workplace

1. SCOPE

- 1.1. System Wide (see section 2.1)

2. DEFINITIONS & EXPLANATIONS OF TERMS

- 2.1. Marshfield Clinic Health System, Inc. and all its entities (with the exception of Marshfield Clinic Information Services, Inc. and Marshfield Food Safety, LLC), hereinafter referred to as "Clinic" or "System."

3. POLICY BODY

To define The System's position regarding harassment in the workplace, to maintain a working environment that is free of sexual harassment in accordance with Title VII of the Civil Rights Act of 1964, and to communicate The System's process and response to any such conduct.

3.1. General

- a. It is the policy of The System that harassment of employees, applicants, patients, customers, vendors or other third parties on the basis of race, sex, sexual orientation, gender identity, color, pregnancy or childbirth, disability, or association with a person with a disability, national origin or ancestry, religion, creed, age (40 years of age or older), marital status, citizenship or authorized alien status, disabled veteran status, National Guard status, Vietnam veteran status, military participation, arrest record, conviction record, genetic information or testing, use of a lawful product (all as defined and protected by applicable laws), and any other classifications prohibited by law is unacceptable and will not be tolerated.

This policy applies to all employees and physicians. It covers harassment by employees of The System (including management, administration and physicians), patients, customers, vendors, or other third parties with whom The System has business dealings.

3.2. Sexual Harassment

- a. Sexual harassment has been defined generally as including unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, whenever:
 - submission to the conduct is either an explicit or implicit term or condition of employment;
 - an employee's reaction to the conduct, whether submission to or rejection of, is used as a basis for employment decisions affecting that employee; or

- the conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile or offensive working environment.
- b. No employee, applicant, patient, customer, vendor or other third party should be subjected to unsolicited and unwelcome sexual overtures. Nor should any employee or applicant be led to believe that an employment opportunity or benefit will in any way depend upon "cooperation" of a sexual nature.
- c. Sexual harassment is not limited to demands for sexual favors. It also may include, but is not limited to, such actions as:
 - sexually-oriented verbal "kidding," teasing," or jokes;
 - repeated offensive sexual flirtations, advances, or propositions;
 - continued or repeated verbal abuse of a sexual nature;
 - graphic or degrading comments about an individual or his or her appearance;
 - the display of sexually suggestive objects or pictures;
 - subtle pressure for sexual activity; and
 - physical contact or blocking movement.
- d. Sexual harassment does not refer to occasional compliments of a socially acceptable nature or consensual personal and social relationships without a discriminatory employment effect. It refers to behavior which is not welcome and which is personally intimidating, hostile or offensive.

3.3. Other Prohibited Forms of Harassment

- a. Other prohibited forms of harassment include jokes, verbal abuse and epithets, degrading comments, the display of objects and pictures and other offensive conduct relating to an individual's race, religion, color, national origin, ancestry, genetic information, medical condition, disability, marital status or age, and any other protected class under state, federal or local law, all as defined and protected by applicable law.

3.4. Manager's Responsibility

- a. Each manager is expected to communicate The System's basic policy on harassment in the workplace including sexual harassment to each subordinate employee. Employees should be encouraged to report violations of this policy to their manager or to the Human Resources Department. When an alleged violation of this policy comes to the manager's attention, the manager should inform the Human Resources Department immediately and assist in addressing the situation.

Each manager is required to ensure that the work environment does not support or encourage harassment in the workplace.

4. PROCEDURE BODY

4.1. Reporting

- a. An employee who feels that he or she has been the subject of harassment (or who has reason to believe that someone else has been the subject of harassment) has the obligation to notify the Human Resources Department, his or her manager or the Corporate Compliance Officer immediately. If the employee's manager is involved in the incident, the report should be made to Human Resources Department (Director of Employee Relations, Employment Manager or any Human Resources Manager) or the Corporate Compliance Officer.

4.2. Investigation

- a. The reporting employee is expected to provide information that The System requests, including a detailed account of the incidents complained of, witnesses (if any), dates, and other information considered relevant by The System. A prompt investigation of the matter will be made by the manager and/or the Human Resources Department. The manager will not investigate the alleged incident if personally involved. All employees - whether complainant, witness or accused - are required to be truthful, accurate, and cooperative during The System's investigations. No one should be presumed to be in violation because an investigation is being conducted. The System will make its findings at the conclusion of the investigation.

4.3. Penalty

- a. Anyone who is found to have engaged in prohibited harassment will be subject to discipline up to and including termination of employment, depending on the circumstances and at The System's sole discretion. See Corrective Action Policy for Staff or the Corrective Action Policy for Physicians.

4.4. Problem Resolution

- a. Employees who believe that they have been unjustly charged with harassment under this policy may defend themselves orally and/or in writing at any stage of the proceedings. They may also utilize the established procedures of the Problem Resolution Policy.

4.5. Retaliation

- a. It is the policy of The System that no one will be retaliated against for making a complaint of harassment based upon an honest perception of the events or for cooperating in good faith in the investigation of a complaint. If an employee believes he or she is being retaliated against for reporting a concern or participating in a related investigation, he or she should report it to their manager or the Human Resources department immediately.

4.6. Education

- a. The System makes education about harassment a regular part of its orientation and management training programs. In addition, special programs for first-time violators are offered as part of the counseling procedures under the Corrective Action Policy for Staff or the Corrective Action Policy for Physicians.

5. ADDITIONAL RESOURCES

5.1. References:

- [Corrective Action Policy for Staff](#)
- [Corrective Action Policy for Physicians](#)
- [Problem Resolution Policy](#)

6. DOCUMENT HISTORY

| Version No. | Revision Description |
|-------------|---|
| 1.0 | Formerly Policy #214.2 Revisions: Changed wording of "Clinic" to reflect new System structure. Section 3.1: Updated protected class information. Section 4.5: Added language to retaliation section. Revisions under previous policies: Expanded Sexual Harassment Policy to include other types of harassment toward employees. Policy contains references to employee harassment generally as well as sexual harassment specifically. In addition to employees, the Policy also applies to applicants, patients, customers, vendors and other third parties. |

7. DOCUMENT PROPERTIES

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