



NON-DISCRIMINATION AND NON-HARASSMENT

Human Resources Policy and Procedure

Approved: July 2014

Next Review: Under Revision

Department: All departments

Population Covered:

- All SMC employees including, administrators, directors, supervisors, and managers.
- Any employee working for SMC under contract either directly or through the service of an outside firm.
- Physicians who are employees of SMC.
- Physicians who practice at SMC.
- Volunteers at SMC.

Related Policies/Procedures:

[Code of Conduct](#)

[Falsification or Misrepresentation of Information and Alteration or Destruction of Documents](#)

Purpose

Swedish Medical Center (SMC) works hard to provide a work environment free from all forms of discrimination, including harassment. All employees are expected to be sensitive to and respect of their co-workers and others with whom they come into contact while representing SMC. Each employee has the right to work in an environment free from all forms of unlawful discrimination. All employees and applicants for employment at SMC will be treated without regard to race, color, creed, religion, sex, age, national origin, citizenship, language, veteran or marital status, sexual orientation, gender expression/identity, or the presence of any disability, or perceived disability, and all other bases prohibited by local, state, or federal law. SMC expects each employee to provide equal treatment to each other and all patients, physicians, contractors, vendors, applicants, and visitors.

Policy

Discrimination against another person for any reason, including race, color, creed, religion, sex, age, national origin, citizenship, language, veteran or marital status, sexual orientation, gender expression/identity, or the presence of any disability, or perceived disability, and all other bases prohibited by local, state, or federal law will not be tolerated. Harassment based on the classes listed above is also considered a form of discrimination and will not be tolerated.

Examples of discrimination and prohibited conduct include, but are not limited to:

- Epithets, slurs, negative stereotyping or threatening, intimidating or hostile acts that relate to race, color, creed, religion, sex, age, national origin, citizenship, language, veteran or marital status, sexual orientation, gender expression/identity, or the presence of any disability, or perceived disability, and all other bases prohibited by local, state, or federal law.
- Written, electronic, or graphic material displayed or circulated in our workplace that denigrates or shows hostility or aversion toward an individual or group because of race, color, creed, religion, sex, age, national origin, citizenship, language, veteran or marital status, sexual orientation,

- gender expression/identity, or the presence of any disability, or perceived disability, and all other bases prohibited by local, state, or federal law.
- Differential treatment because of a person’s race, color, creed, religion, sex, age, national origin, citizenship, language, veteran or marital status, sexual orientation, gender expression/identity, or the presence of any disability, or perceived disability, and all other bases prohibited by local, state, or federal law.
- Remarks, gestures, display or circulation of written materials, pictures or other items which could be considered derogatory or have the purpose or effect of interfering with a person’s work performance or creating an intimidating, hostile or offensive working environment based on the person’s race, color, creed, religion, sex, age, national origin, citizenship, language, veteran or marital status, sexual orientation, gender expression/identity, or the presence of any disability, or perceived disability, and all other bases prohibited by local, state, or federal law.

With respect to sexual harassment, examples of prohibited conduct include, but are not limited to:

- Vulgar, graphic, sexual or suggestive comments, jokes, stories and innuendo, including but not limited to voicemails and telephone calls; E-mails or text messages.
- Leering, inappropriate touching and obscene or suggestive gestures.
- Displaying sexually suggestive photographs or cartoons.
- Unwelcome and repeated flirtations, requests for dates etc.
- Demanding sexual favors in exchange for a promotion, raise, or other condition of employment.

The provision of detailed information in this policy on one of the most commonly alleged types of harassment – sexual harassment – should not be interpreted to suggest a lessened commitment to the prevention of other types of unlawful harassment. No type of unlawful harassment is acceptable at SMC.

Prohibition of Retaliation

SMC also strictly prohibits retaliation in response to an individual’s decision to make an allegation of discrimination or harassment, or their participation in an investigation.

Retaliation includes both direct and indirect actions that negatively alter a person’s working environment. Examples of conduct which may constitute retaliation include, but are not limited to, treating the employee who has made a complaint of discrimination or harassment in a “non-professional” manner or otherwise taking action against that employee either directly or indirectly.

PROCEDURE

EMPLOYEE RESPONSIBILITIES

Addressing Discrimination, Including Harassment

Employees must bring any claim of discrimination or harassment to the attention of their management or Human Resources to ensure that necessary and appropriate steps are taken. If an employee observes that another employee may have been subjected to discrimination or harassment, then observing employees are expected to report the matter immediately to their management or Human Resources.

If an employee believes he or she is being subjected to harassment or discrimination, informal resolution is encouraged to try to resolve the matter before a formal complaint is filed. In many instances, the problem may be caused by a lack of awareness and will be solved if the employee respectfully raises it with the offending person. If the offensive conduct is repeated after such an effort at informal resolution the employee should immediately report the conduct to the employee’s management or Human Resources.

An employee has no obligation to attempt informal resolution. If an employee decides not to attempt an informal resolution of the matter, or the employee cannot discuss the situation with the offending person because it is uncomfortable, the employee should report the issue to their management or to Human Resources.

All reported incidents and complaints will be promptly investigated. Different circumstances will produce different responses and levels of investigation.

All employees are expected to cooperate with candor and honesty in all business situations, including investigations. (See Code of Conduct and Falsification or Misrepresentation of Information and Alteration or Destruction of Documents Policy). Employees found to have made deliberate false claims or misrepresented the facts during an investigation will be subject to corrective action up to and including immediate termination.

If an employee believes he or she has been retaliated in violation of this policy, or if he or she has observed that another employee has been subjected to retaliation, the employee is expected and required to report the matter immediately to a supervisor or Human Resources.

SUPERVISOR/MANAGER/DIRECTOR RESPONSIBILITIES

A supervisor or manager will maintain a discrimination-free work environment.

A supervisor or manager will cooperate with candor and honesty in all business situations, including investigations. (See [Code of Conduct](#) and [Falsification or Misrepresentation of Information and Alteration or Destruction of Documents](#)). Management found to have made deliberate false claims or misrepresented the facts during an investigation will be subject to corrective action up to and including immediate termination.

A supervisor or manager who observes or receives an employee report of harassment or discrimination must contact Human Resources immediately.

A supervisor or manager must consult Human Resources prior to any corrective action taken with any employee relating to alleged harassment.

A supervisor or manager will provide feedback as appropriate to employee regarding the outcome of the investigation.

HUMAN RESOURCES RESPONSIBILITIES

All reported incidents will be reviewed under the following guidelines:

- Complaints will be kept confidential to the fullest extent possible, and will be disclosed only to management or to others as necessary to investigate and respond to the complaint.
- Anyone who is found to have violated this policy is subject to corrective action up to and including termination. Corrective action will depend on the gravity of the offense.
- No corrective action or retaliation will result for anyone who, in good faith, makes a complaint, reports a perceived discrimination or harassment, or participates in an investigation.

Human Resources will conduct all discrimination investigations and will serve as a facilitator and consultant on factual, procedural, or legal issues.

Human Resources will provide feedback as appropriate to employees regarding the outcome of the investigation, as needed.

Human Resources will assess any complaints about conduct that does not meet the definition of harassment, determine the need for an investigation, and ultimately decide what, if any, action should be taken.

Human Resources will assist and counsel the manager involved to facilitate resolution of the situation, whenever possible and particularly when the alleged harassment does not rest on a protected class.

Definitions

None.

Forms

None.

Supplemental Information

None.

Regulatory Requirement

Title VII
Washington Law Against Discrimination [WLAD]

References

None.

Additional Computer Search Words/Terms

sexual harassment, misconduct, unlawful behavior, discriminatory actions, hostile environment, offensive actions, intimidation, anti-discrimination

STAKEHOLDERS

Author/Contact

Director, Human Resources

Expert Consultants

Director, Human Resources

Sponsor

Director, Human Resources