

<b>Policy Name:</b> Harassment-Free Workplace	
<b>Policy Owner:</b> Chief People Officer	<b>Effective Date:</b> 10/04/2021
<b>Approved By:</b> System Performance Alignment & Innovation (SPAN)	<b>Last Reviewed Date:</b> 10/04/2021
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**1.0 Scope:**

1.1 Applicable Entities:

This policy applies to:

- Texas Health Resources (Texas Health) and its member entities
- The Addiction Recovery Center by Texas Health
- Texas Health Behavioral Health Virtual Visit
- Excludes the Texas Health joint venture entities (except those listed in the Formulation and Adoption of System-Wide Policies and Procedures in Section 4.1.6 or in Section 4.1.7)

1.2 Applicable Departments:

This policy applies to all Texas Health departments.

**2.0 Purpose:**

- 2.1 Texas Health values its Care Team members and is committed to maintaining a professional work environment where everyone can do their lives best work. The intent of this policy is to express Texas Health’s commitment and expectations in maintaining a work environment that is free from Harassment and Bullying as well as the procedure for reporting these behaviors.

**3.0 Policy Statement:**

- 3.1 One of the ways that we live out Our Texas Health Promise<sup>SM</sup> principle of Safety, is by respecting one another through our words and actions. As such, Texas Health prohibits Bullying (verbal, gesture, and exclusionary) and Harassment (verbal, visual, or sexual) of any kind, including those based on race, color, gender, religion, national origin, sexual orientation, gender identity, age, veteran status, marital status, disability, genetic information, or any other characteristics protected by law.
- 3.2 At Texas Health, we are committed to creating a workplace where diversity is celebrated, and inclusion exists at all levels. As such, Texas Health does not tolerate discrimination in any form or any behaviors that are incompatible with our core Values - Respect, Integrity, Compassion and Excellence and Our Texas Health Promise<sup>SM</sup>.
- 3.3 All Care Team Members must conduct themselves in a professional manner, abiding by Texas Health’s policies and demonstrating ethical behaviors consistent with organization’s Mission, Vision, Values, Our Texas Health

Promise<sup>SM</sup>, and state and federal guidelines. Therefore, all Care Team individuals are required to maintain a work atmosphere that is free from Harassment and Bullying.

- 3.4 This policy applies to conduct regardless of whether it occurs in person or via electronic or telephonic means (e.g., text messages, e-mail, social media, or instant messaging) if the alleged conduct is causing an adverse effect on the individual's employment with Texas Health.
- 3.5 At Texas Health, we believe in open, transparent communication and value the voice of our workforce. Employees are encouraged to bring concerns forward when they arise so they can be addressed. As such, Retaliation of any kind and for any reason, including against any individual who makes a Good Faith report of Harassment or Bullying, or is involved in an investigation into alleged harassing or Bullying conduct, is prohibited.

#### **4.0 Policy Guidance:**

- 4.1 Texas Health prohibits Harassment or Bullying of and by employees, patients, students, volunteers, physicians, contractors, vendors and other non-employees or persons who interact in person or virtually with Texas Health.
- 4.2 Any Care Team member who believes that they have been the subject of, or have witnessed an incident of Harassing or Bullying conduct, should report the situation right away to Human Resources, a member of leadership, Employee Relations ((682) 236-7515), or the Texas Health Resources Corporate Compliance Helpline (1-800-381-4728). In support of our Care Team, the confidentiality of individuals bringing claims of Harassment or Bullying will be protected to the extent possible.
- 4.3 Leaders who learn of perceived or reported Retaliation, or Harassment or Bullying allegations, should notify Human Resources immediately. Human Resources is responsible for promptly investigating the Harassment, Bullying, and/or Retaliation allegations. Any person found to be engaging in any type of Harassment, Bullying, Retaliation, or any conduct that is incompatible with Texas Health's policies, Mission, Vision, Values, and Our Texas Health Promise<sup>SM</sup> will be subject to corrective action, up to and including termination.
- 4.4 Exceptions outside these guidelines must be approved in advance by the Chief People Officer or designee(s).

#### **5.0 Definitions:**

- 5.1 Bullying - A form of harassment that involves repeated behavior meant to intimidate, humiliate or degrade another individual. Texas Health considers the following behaviors as examples of bullying:

- 5.1.1 Verbal Bullying: slandering, ridiculing or defaming a person or their family; persistent name calling, which is hurtful, insulting, or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- 5.1.2 Gesture Bullying: non-verbal threatening gestures, glances which can convey threatening messages.
- 5.1.3 Exclusion Bullying: socially or physically excluding or disregarding a person in work-related activities or social interactions occurring in work areas.
- 5.2 Care Team - All Texas Health employees, physicians, Graduate Medical Education residents and fellows, (referred to as Trainees), volunteers, and individuals who have a common goal of serving and taking care of our patients and consumers.
- 5.3 Good Faith - A belief in the truth of the allegation based upon the facts. An allegation is not made in good faith if it is made with reckless disregard or willful ignorance of facts that would disprove the allegation.
- 5.4 Harassment - Is any unwelcome, offensive, verbal, or physical conduct designed to threaten, intimidate, or coerce any person working for or on behalf of Texas Health.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- 5.4.1 Verbal Harassment includes comments that are offensive or unwelcome regarding a person's race, color, gender, religion, national origin, sexual orientation, gender identity, age, veteran status, marital status, mental or physical disability, genetic information, or any other characteristics protected by law. This includes epithets, derogatory remarks, jokes or slurs, unwelcomed sexual remarks and/or invitations and negative stereotyping.
- 5.4.2 Visual Harassment includes distribution, display of any written or graphic material that ridicules, denigrates, insults, belittles, or disrespects a person based on the person's race, color, gender, religion, national origin, sexual orientation, gender identity, age, veteran status, marital status, mental or physical disability, genetic information, or any other characteristics protected by law. This includes, derogatory or otherwise offensive posters, cards, calendars, photographs, cartoons, graffiti, drawings, social media posts such as Facebook posts or tweets, electronic mail, or gestures.
- 5.4.3 Physical Harassment is conduct such as an assault, unwelcome touching, blocking normal movement or interfering with work.

5.4.4 Sexual Harassment is unwelcome sexual advances, requests for sexual favors and other verbal, written, electronic or physical conduct of a sexual nature that affects an individual's employment, unreasonably interferes with their work performance. Harassment becomes unlawful when enduring the offensive conduct becomes a condition of continued employment. This is called Quid Pro Quo. Quid pro quo is "this for that" in Latin. This typically occurs when there is an inappropriate request, and where there is often a perceived power differential between the people involved, such as a Manager and a staff member or a Physician and a Nurse. For example, a Manager asks for sexual favors in exchange for a job promotion or continued employment.

5.4.5 Harassment may be subtle or manipulative and is not always obvious. It does not refer to occasional compliments of a socially acceptable nature.

5.5 Hostile Environment - Conduct based on race, color, gender, religion, national origin, sexual orientation, gender identity, age, veteran status, marital status, mental or physical disability, genetic information, or any other characteristics protected by law that is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Substantiated behaviors that may not rise to the level of a hostile work environment but are found to be incompatible with Texas Health's policies, Mission, Vision, Values, and Our Texas Health Promise<sup>SM</sup> will be subject to corrective action up to and including termination.

5.6 Retaliation - May be subtle or direct and is any adverse action taken in response to a complainant's good faith allegation of misconduct. Retaliation does not include an investigation into the complainant's participation in the identified misconduct.

## 6.0 Responsible Parties:

### 6.1 Care Team

6.1.1 Report potential policy violations to leadership, Human Resources, Employee Relations (682) 236-7515) or the Corporate Compliance Helpline (1-800-381-4728).

### 6.2 Leadership

6.2.1 Provide a work environment that is free of Harassment, Bullying, and Retaliation. Collaborate with Human Resources to investigate claims of policy violations. Immediately report any knowledge of Harassment, Bullying, or retaliatory behaviors to Human Resources.

### 6.3 Human Resources

6.3.1 Serve as a resource to Care Team members who have concerns about policy violations. Investigate and address potential issues timely.

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**7.0 External References:**

Not Applicable

**8.0 Related Documentation and/or Attachments:**

8.1 Code of Business Ethics

8.2 [Employee Grievance - THR System Policy](#)

8.3 [Non-Retaliation - Good Faith Reports of Suspected Misconduct - THR System Policy](#)

8.4 [Personal Conduct - THR System Policy](#)

8.5 [Performance Management \(formerly Progressive Corrective Action\) - THR System Policy](#)

8.6 [Safe Workplace - THR System Policy](#)

**9.0 Required Statements:**

Not Applicable