

*System – Human Resources*

**TITLE:**

Sexual and Other Harassment

**OUTCOME STATEMENT:**

Consistent with our core value of respect and our commitment to providing a safe, just and diverse work environment, SSM Health (SSM) strives to maintain a workplace free from unlawful harassment. Offensive physical, written or spoken conduct of a derogatory or sexual nature based on sex, race, color, religion, national origin, gender, sexual orientation, gender identity, pregnancy, age, physical or mental disability, veteran status, or any other legally-protected characteristic is strictly prohibited. Retaliation against any person involved in the reporting, investigation, or resolution of a harassment complaint will not be tolerated.

**SCOPE:**

This policy is applicable to SSM Health\*, SSM Health St. Louis and its wholly-owned operating entities, SSM Health Medical Groups, and all other wholly-owned operating entities of SSM Health with the exception of Navitus and SSM Health Saint Louis University Hospital which maintain separate policies.

SSM prohibits unlawful harassment by employees and toward employees involving co-workers, patients, visitors, customers, vendors and other third parties with whom SSM does business. This policy applies to the workplace and all work-related functions including off-premises SSM events and gatherings, as well as off-duty, unwelcome conduct toward an employee that affects the work environment.

**FILE MAINTENANCE INFORMATION:**

Original Effective Date: 11/01/2014  
 Revision Dates: 12/16/2016  
 Review Dates:  
 Author(s): Assistant General Counsel – Employment  
 Body or Person Last Approved: Senior Vice President, Human Resources  
 System Policy Board

\* As required by CMS Regulation §482.12 A-0043 Conditions of Participation: Governing Body, the following hospitals are included as SSM entities:

**Missouri:** (1) SSM Health St. Mary’s Hospital – St. Louis and SSM Health Cardinal Glennon Children’s Hospital, (2) SSM Health DePaul Hospital – St. Louis, (3) SSM Health St. Clare Hospital – Fenton, (4) SSM Health St. Joseph Hospital – Lake St. Louis, (5) SSM Health St. Joseph Hospital – St. Charles and SSM Health St. Joseph Hospital – Wentzville, (6) SSM Health St. Francis Hospital – Maryville, (7) SSM Health St. Mary’s Hospital – Jefferson City, (8) SSM Health St. Mary’s Hospital – Audrain,

**Oklahoma:** (1) St. Anthony Hospital and Bone & Joint Hospital at St. Anthony, (2) St. Anthony Shawnee Hospital,

**Wisconsin:** (1) SSM Health St. Mary’s Hospital – Madison, (2) SSM Health St. Clare Hospital – Baraboo, (3) SSM Health St. Mary’s Hospital – Janesville, (4) The Monroe Clinic (effective 3/31/2019), (5) Ripon Medical Center (effective 3/31/2019), (6) Waupun Memorial Hospital (effective 3/31/2019), (7) St. Agnes Hospital (effective 3/31/2019),

**Illinois:** (1) SSM Health St. Mary’s Hospital – Centralia and (2) SSM Health Good Samaritan Hospital – Mt. Vernon

## **DEFINITIONS:**

- I. **Prohibited Conduct:** Any unwelcome conduct – whether verbal, physical or visual – that may be inflicted as a result of the person’s sex, race, color, religion, national origin, gender, sexual orientation, gender identity, pregnancy, age, physical or mental disability, veteran status or any other protected characteristic. Such unwelcome conduct includes epithets, slurs, insults, intimidating acts or posting of written or graphic materials that show hostility toward a person based on a protected characteristic.
- II. **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) an employment decision affecting the person is made because the person submitted to or rejected the unwelcome conduct; or (2) the unwelcome conduct unreasonably interferes with an individual’s work performance or creates an intimidating, hostile, or abusive work environment.

Unwelcome sexual conduct such as the following is inappropriate and, depending on the circumstances, may meet the definition of sexual harassment or contribute to a hostile work environment: (1) sexual teasing, jokes, or pranks; (2) repeated sexual flirtations or advances; (3) verbal abuse of a sexual nature; (4) visual conduct, including leering or making sexual gestures; (5) display of sexually suggestive objects, pictures, or cartoons; (6) letters, notes or gifts that are sexually suggestive; (7) touching or grabbing of a sexual nature or repeatedly standing too close to or brushing up against a person.

- III. **Unwelcome Conduct:** conduct that is uninvited and offensive to the person is considered unwelcome conduct. Conduct that is acceptable to one person may be offensive and unwelcome to another.

## **PROCESS:**

- I. **Responsibility:**
  - A. All SSM employees are responsible for keeping our work environment free from prohibited conduct and unlawful harassment.
  - B. Leaders (which includes all supervisors and managers who have direct reports) shall understand, follow and communicate this policy; identify potential problems; implement corrective action when indicated; and promptly report to Human Resources any instance of prohibited conduct.
- II. **Reporting and Investigation:**
  - A. Any employee who becomes aware of an incident or conduct they believe is inconsistent with this policy should report it to their supervisor, a senior manager at their entity, Human Resources or in accordance with the Corporate Responsibility Process.
  - B. Managers and supervisors who receive a complaint from an employee or who otherwise become aware of an incident that is inconsistent with this policy shall notify Human Resources.
  - C. All complaints regarding violations of this policy will be investigated and appropriate corrective action will be taken. Human Resources will lead the investigation. If the person who engaged in prohibited conduct or unlawful harassment is not an SSM employee, SSM will take appropriate measures to remedy the situation.
  - D. Any person requested to participate in an investigation will be expected to cooperate by providing a detailed and accurate account of the incident or conduct.

- E. Employees who in good faith report issues, participate in an investigation or assist another employee in making a report are protected from retaliation or being treated adversely for participation in this process. Any employee who believes he or she is experiencing or witnessing retaliatory conduct should immediately follow the reporting procedures stated above.

III. Confidentiality:

- A. During the complaint process, confidentiality of the information received by supervisors and Human Resources will be maintained to the extent possible. Information will be disclosed strictly on a need to know basis and in accordance with applicable law.
- B. When there is an objectively reasonable basis for seeking confidentiality, such as where witnesses need protection or there is danger in evidence being destroyed, testimony being fabricated, or there is a need to prevent a cover up, employees who participate in an investigation will be expected to maintain confidentiality.

**DOCUMENTATION:**

Employee-provided documentation, Corrective Action

**REFERENCES:**

Corrective Action Policy  
Equal Employment Opportunity and Affirmative Action Policy  
Gender Identity in the Workplace Policy