



**TITLE: NON-DISCRIMINATION**

**PURPOSE:** To prohibit employment discrimination on the basis of race, color, religious creed, sex, age, national origin, disability, or other legally protected characteristic.

**POLICY STATEMENT:**

The Harris County Hospital District (HCHD) is an equal employment opportunity employer and desires to expressly prohibit employment discrimination based on an individual's sex, race, color, religious creed, age, national origin, disability, or other legally protected characteristic.

**POLICY ELABORATION:**

Employment discrimination and harassment are strictly prohibited. Further, supervisors may not retaliate on individuals who file good faith complaints of discrimination or harassment.

**I. DEFINITIONS:**

- A. **HARASSMENT:** Conduct which is severe and pervasive enough to create a hostile, abusive, or offensive working environment based on the sex, race, color, religion, national origin, age, disability, or any other legally protected characteristic of an individual and a reasonable person. This conduct includes actions, words, jokes, or comments.

**II. DISCRIMINATION PROHIBITED:**

- A. No supervisor or employee may fail or refuse to hire or may discharge any individual, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, national origin, age, disability, or other legally protected characteristic.
- B. Harassment of employees is strictly prohibited.

**III. COMPLAINT PROCESS:**

- A. HCHD has adopted an internal procedure for prompt and equitable resolution of complaints alleging any action prohibited by this policy, applicable laws, or regulations.



- B. Employees who believe that they have witnessed or been the subject of discrimination, including harassment or retaliation, must report the alleged act(s) immediately to the HCHD Senior Vice President of Corporate Compliance, i.e., Corporate Compliance Officer (CCO).
- C. A complaint or report may be submitted verbally or in writing, but must state the name and address of the person filing it, and describe what happened; and
1. The CCO shall ensure that the complaint is investigated by HCHD Human Resources (Human Resources). The investigation will be prompt and provide all interested persons or their representatives the opportunity to submit evidence relevant to the complaint. All employees must cooperate in the investigation. Failure or refusal to cooperate will result in disciplinary action.
  2. During and after an investigation is completed, the Vice President - Human Resources may take any corrective measures that may be necessary, including counseling, suspension, re-assignment, or termination of the employee(s).
  3. The CCO shall issue a written decision determining the validity of the complaint no later than thirty (30) days after its filing.
  4. The CCO shall maintain the files and records relating to all complaints filed.
  5. These rules shall be liberally construed to protect the substantial rights of interested persons in meeting due process standards and assure HCHD's compliance with the applicable regulations.
- D. In case of questions about this policy or to file a complaint alleging violations of the policy, contact:

Senior Vice President of Corporate Compliance  
Corporate Compliance Department  
Harris County Hospital District  
P.O. Box 300033  
Houston, Texas 77230-0033  
Phone: 713-566-6461; or

Vice-President Human Resources  
Harris County Hospital District  
P.O. Box 300033  
Houston, Texas 77230-0033



Phone: (713) 566-6256

- E. While the HCHD cannot control the actions of outside parties, such as HCHD vendors or patrons, employees who believe they have witnessed or been the subject of discrimination by an outside party, including harassment or retaliation, must report the alleged act(s) as required in this policy.
- F. An employee who knowingly makes a false complaint under this section is subject to disciplinary action, including termination.
- G. Individuals who want to file complaints regarding alleged discrimination against individuals who seek access to HCHD's services, programs, or facilities, see the HCHD Non-Discrimination in Services, Programs, or Facilities Policy.

#### **IV. RETALIATION PROHIBITED:**

- A. No officer or employee may retaliate against employees, individuals, or others for:
  - 1. Filing a good faith complaint with HCHD, or any local, state, or federal agency having authority to enforce compliance with this policy; or
  - 2. Testifying, assisting, or participating in an investigation, compliance review, proceeding, or hearing regarding an alleged violation of this policy.

#### **V. CONSEQUENCES FOR VIOLATIONS:**

- A. Employees who violate any portion of this policy are subject to disciplinary action, including termination.



# Harris County Hospital District

## POLICY AND PROCEDURES MANUAL

Policy No: 6.19  
Page Number: 4 of 3  
Effective Date: 10/01/05  
Board Motion No: 05.9-449

### REFERENCES/BIBLIOGRAPHY:

- Title VII of the Civil Rights Act of 1964 (Title VII).
- The Age Discrimination in Employment Act of 1967 (ADEA).
- The Americans with Disabilities Act of 1990 (ADA).
- The Equal Pay Act of 1963 (EPA).
- Section 503 of the Rehabilitation Act.
- The Pregnancy Discrimination Act (PDA).
- Texas Labor Code Ch. 20 & 21

### OFFICE OF PRIMARY RESPONSIBILITY:

HCHD Vice President of Human Resources.

### REVIEW/REVISION HISTORY:

Effective Date	Version# (If Applicable)	Review or Revision Date (Indicate Reviewed or Revised)	Reviewed or Approved by: (If Board of Managers Approved, include Board Motion#)
10/01/2005	1.0		HCHD Board of Managers (No. 05.-9-449)
	2.0	Revised 10/17/2007	HCHD Vice President of Human Resources
	3.0	Approved 11/20/2007	HCHD Policy Review Committee
	4.0	Approved 01/05/2010	HCHD Policy Review Committee
	5.0	Approved 04/10/2012	HCHD Operations Policy Committee