



TITLE: SEXUAL HARASSMENT

PURPOSE: To prohibit sexual harassment.

POLICY STATEMENT:

The Harris County Hospital District (HCHD) is committed to providing a work and learning environment free from inappropriate conduct that is sexual in nature. Sexual harassment in any form will not be tolerated and individuals who engage in such conduct will be subject to disciplinary action. This policy is applicable regardless of the gender of the complainant or the alleged harasser.

POLICY ELABORATIONS:

I. DEFINITIONS:

- A. **IMMEDIATE SUPERVISOR:** The person to whom the employee directly reports. The immediate supervisor includes the Manager, Director, Vice President, Associate Administrator, Senior Vice President, Executive Vice President or President/Chief Executive Officer.
- B. **SEXUAL HARASSMENT:** Sexual harassment includes unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature when:
 - 1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - 2. Submission to or rejection of such conduct is used as a basis for evaluation in making personnel or academic decisions affecting that individual; or
 - 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's performance as an administrator or staff, or creating an intimidating, hostile or offensive environment.

II. EXAMPLES OF SEXUAL HARASSMENT:

Examples of behavior that could be considered sexual harassment include but are not



limited to:

- A. Any physical contact of a sexual nature including touching, patting, hugging, or brushing against a person's body;
- B. Any explicit or implicit propositions or offers to engage in sexual activity;
- C. Any comments of a sexual nature or content, including sexually explicit statements, questions, jokes or anecdotes; remarks of a sexual nature about a person's clothing or body; remarks about sexual activity; speculation about sexual experience; exposure to sexually oriented graffiti, pictures, posters, or materials;
- D. Physical interference with or restriction of an individual's movements;
- E. Making sexual advances, requesting sexual favors if submission to or rejection of such conduct is the implicit or explicit basis for imposing or granting terms and conditions of employment;
- F. Making sexual advances, requesting sexual favors, or otherwise discriminating on the basis of gender in a manner that unlawfully creates an intimidating, hostile, or offensive working environment or that otherwise unlawfully interferes with an individual's work performance;
- G. Engaging in any sexual contact against a person who has not given consent or committing any act that is sexual in nature or sexual assault, public sexual indecency, or sexual abuse against a person who has not given consent; or
- H. Acting, recommending action, or refusing to take action in a supervisory position in return for sexual favors, or as a reprisal against a person who has rejected, reported, verbally complained, filed a complaint regarding, or been the object of sexual harassment.

III. NON-RETALIATION AND FALSE ACCUSATION OF SEXUAL HARASSMENT:

HCHD employees are prohibited from retaliating against or disciplining any person for reporting an allegation of sexual harassment. Any employee who intentionally makes a false accusation of sexual harassment shall be subject to disciplinary action, which may include suspension or termination.



IV. REPORTING SEXUAL HARASSMENT:

- A. An individual, who believes that he or she has been the victim of sexual harassment as prohibited by this policy, should report the incident(s) to any member of HCHD management. The following are recommended resources for reporting violations of this policy:

Employees:

1. Human Resources -Employee Relations Manager;
 2. The administrator responsible for the department; or
 3. The immediate supervisor of the alleged harasser, if the alleged harasser is an employee.
- B. Any supervisor who gains knowledge of any possible violation of this policy, must report the incident within three (3) working days to Human Resources -Employee Relations Manager.

V. FILING A COMPLAINT OF SEXUAL HARASSMENT:

Employees may file a formal complaint of sexual harassment with Employee Relations. The initial complaint must be filed within 180 days after the alleged harassment.

VI. INVESTIGATING AND RESOLVING COMPLAINTS:

- A. All investigations of sexual harassment complaints shall be conducted discreetly by Human Resources-Employee Relations. All employees must cooperate in these investigations. An employee who refuses or fails to cooperate in an investigation is subject to disciplinary action.
- B. The investigation may include, but is not limited to, interviews with witnesses and discussions with the alleged harasser and alleged victim.



Harris County Hospital District

POLICY AND REGULATIONS MANUAL

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REFERENCES/BIBLIOGRAPHY:

Title VII of the Civil Rights Act of 1964 (Title VII)

OFFICE OF PRIMARY RESPONSIBILITY:

HCHD Vice President of Human Resources

REVIEW/REVISION HISTORY:

Effective Date	Version # (If Applicable)	Review/ Revision Date (Indicate Reviewed or Revised)	Approved by:
12/04/2008	1.0 Original	Approved 12/04/2008	HCHD Board of Managers (Board Motion Number 08.12-724
	2.0	Revised/Approved 6/14/2012	HCHD Operations Policy Committee