

**DENVER HEALTH - HUMAN RESOURCES
EMPLOYEE PRINCIPLES & PRACTICES**

CHAPTER: Employee Relations SUBJECT: Prohibition Of Harassment, Discrimination & Retaliation	<u>A. Gonzalez</u> APPROVAL	#4-106 DHA/CSA
	4/30/14 REVIEW DATE	1/23/14 SUPERSEDES
		4/30/18 NEXT REVIEW

Principle:

Denver Health is committed to providing equal opportunities in all business practices and to all persons regardless of age, race, color, national origin, genetic information, religion, sex, pregnancy, disability, sexual orientation, gender identity, gender expression, marital status or veteran status (collectively “protected status”). Denver Health strives to maintain a work environment that is free from unlawful harassment and discrimination and will not tolerate any such conduct by employees or directed at employees within the scope of their employment.

This policy applies to all employees including managers, supervisors, physicians, coworkers, contract, regular, intermittent, part-time, grant, seasonal, CSA, and non-employees such as patients, visitors, customers, clients, vendors, consultants, volunteers, etc.

References:

HR Employee Principles & Practices #4-109, Internal Discrimination Investigation Process
 HR Employee Principles & Practices #4-127, Non-Retaliation

Practice:

1. Denver Health prohibits unlawful harassment and discrimination based on any protected status in regard to any employment decision including, recruiting, hiring, termination, discipline, testing, training, promotion, job assignment, compensation, fringe benefits, retirement plans and all other terms and conditions of employment. As such, all personnel practices shall be conducted without regard to a person's protected status except when such requirement constitutes a bona fide occupational qualification that is essential to a particular position.

2. Denver prohibits all forms of sexual harassment. Unwelcome sexual advances, requests for sexual favors and other physical, verbal, or non-verbal conduct of a sexual nature constitute sexual harassment when:
 - 2.1 submission to the conduct is an implicit or explicit term or condition of employment;
 - 2.2 submission to or rejection of the conduct is used as the basis for an employment decision;
 - 2.3 the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

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3. All employees are expected to conduct themselves in a professional and businesslike manner at all times. Inappropriate sexual conduct is expressly prohibited by this policy. Such conduct includes, but is not limited to, sexually implicit or explicit communications whether in:
 - 3.1 Written form, such as cartoons, posters, calendars, notes, letters, e-mail.
 - 3.2 Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
 - 3.3 Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.
4. Annual discrimination and harassment training is mandatory for all employees. During this training, Denver Health Principles and Practices regarding discrimination and harassment will be distributed and reviewed.
5. If Denver Health determines that an employee violates this policy, appropriate disciplinary action will be taken against the offending employee up to and including dismissal. Each employee of Denver Health is responsible for ensuring that unlawful harassment, discrimination or retaliation, in any form, does not occur.
6. Allegations of unlawful harassment, discrimination and retaliation will be investigated by Human Resources through the Internal Discrimination Investigation Process (IDIP). (See Principle & Practice #4-109.)
7. Supervisors must provide employees with a reasonable amount of work time to file and participate in the internal investigation process.

Reporting Harassment, Discrimination and Retaliation

8. Any employee who believes he or she has been subjected to, witnessed or has any knowledge of unlawful harassment, discrimination or retaliation in the workplace must timely report the misconduct to their supervisor or the Director of Employee Relations to enable Denver Health to promptly investigate and correct any behavior which may be in violation of this policy.
9. If an employee's concern involves their immediate supervisor or an upper level manager, the employee should report the issue to the Director of Employee Relations. Concerns about the Director of Employee Relations should be submitted to the Chief Human Resources Officer (CHRO). Concerns involving a member of the Executive Staff, the Chief Executive Officer (CEO), or Medical Director, should be submitted to the General Counsel. Concerns about the General Counsel should be filed with the CEO and Medical Director. Copies of any concerns that involve Management Personnel must be sent to the Director of Employee Relations (except for any issue about the CHRO, in which case the copy should be sent to the General Counsel).

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10. Failure to report harassment, discrimination or retaliation could result in discipline up to and including dismissal.
11. Once a report of harassment, discrimination and/or retaliation is received, Denver Health will conduct a prompt, thorough and unbiased investigation. All complaints will be kept as confidential as practicable. Denver Health may engage the services of an outside investigator and may use surveillance, electronic equipment or other such lawful means to conduct an internal investigation.

Non-Retaliation Statement

12. Denver Health prohibits retaliation against an employee for reporting, participating in or assisting with the investigation of a complaint under this policy.

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DENVER HEALTH COMPLAINT FORM

Employee Name: _____

Department: _____

Telephone: _____

Date: _____

Witnesses: _____

Describe the Nature of the Complaint:

Employee Signature

Date