

**CATHOLIC MEDICAL CENTER
HUMAN RESOURCES POLICIES & PROCEDURES**

HARASSMENT POLICY

This policy states Catholic Medical Center's position against unlawful harassment in compliance with Title VII of the Civil Rights Act of 1964 as amended and indicates a course of action to be taken by employees who feel they have been unlawfully harassed.

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Introduction

Catholic Medical Center is committed to promoting a workplace that is free of harassment on the basis of an individual's race, color, gender, pregnancy, sexual orientation, national origin, religion, marital status, veteran status, physical or mental disability, age or any other protected class. We will not tolerate sexual or other unlawful harassment in the workplace or in other settings in which employees may find themselves in connection with their employment. We also will not tolerate any retaliation against anyone complaining of harassment or anyone who has cooperated in an investigation of harassment in accordance with this policy.

Catholic Medical Center takes allegations of violations of this policy seriously and will respond promptly to complaints of harassment. Where we determine inappropriate conduct has occurred, CMC will act promptly to eliminate the conduct and take any necessary corrective action, including disciplinary action when appropriate.

While this policy sets forth our goals of promoting a workplace that is free of unlawful harassment, it is not designed or intended to limit CMC's authority to discipline or take other remedial action for any workplace conduct deemed unacceptable, regardless of whether the conduct satisfies the legal definition of harassment.

Examples of Prohibited Harassment

Catholic Medical Center will not tolerate unlawful harassment of any employee, vendor, patient or visitor by anyone employed by CMC at any level. Catholic Medical Center specifically prohibits harassment for any discriminatory reason, such as race, color, sex, pregnancy, sexual orientation, national origin, religion, marital status, veteran status, physical or mental disability, or age. Derogatory racial, ethnic, religious, age, sexual orientation, sexual or other inappropriate remarks, slurs, or jokes will not be tolerated.

Each employee must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as harassment. Forms of prohibited harassment include, but are not limited to:

1. Verbal: sexual innuendoes, epithets (descriptive term) based on legally protected categories, derogatory slurs, off-color jokes, unwelcome sexual advances, threats, suggestive or insulting sounds, sexual jokes,

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references to sexual conduct, gossip or discussion about one's sex life, comments about an individual's body, comments about an individual's sexual activity;

2. Visual/Non-verbal: derogatory or sexually suggestive posters, cartoons or drawings; suggestive objects or pictures; email messages with sexual references or other references to protected categories; viewing inappropriate Internet sites; graphic commentaries; leering; or obscene gestures;
3. Physical: unwanted physical contact including touching, brushing up against someone; interference with an individual's normal work movement; assault;
4. Retaliation: making or threatening reprisals as a result of a negative response to harassment.

Definition of Sexual Harassment

Catholic Medical Center believes all of our employees have the right to a work environment free from all forms of unlawful discrimination and harassment. CMC will not tolerate the harassment of any employee, patient, visitor, vendor or other third party on any legally protected basis, including sex. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual;
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work, or creates an intimidating, hostile, or offensive work environment.

Under this definition, direct or implied requests by someone in a supervisory position for sexual favors in exchange for actual or promised job benefits such as favorable performance reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and, in addition to the above examples, other unwelcome sexually oriented conduct, whether it is intended or not, that has the effect of creating a workplace that is hostile, offensive, intimidating, or humiliating to male or female employees may also constitute sexual harassment. Sexual harassment also includes non-sexual comments and conduct that are directed at an individual because of his or her gender, or otherwise motivated by gender discrimination.

Scope of Prohibitions

Harassment includes a wide range of behaviors, from the actual coercion of sexual relations to unwelcome offensive comments, jokes, innuendoes and other inappropriate statements and unwelcome emphasizing of an individual's legally protected characteristics. It is not possible to list all of the additional circumstances and behaviors that may constitute harassment. However, the descriptions provided in this policy serve as some examples of conduct that, if unwelcome, may constitute harassment depending on the circumstances, including the severity of the conduct and its pervasiveness.

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This policy prohibits all of the activities discussed above, by all employees of CMC, regardless of an employee's position within the organization. Harassment by customers or other non-employees who are on CMC premises or who come in contact with CMC employees is also prohibited.

Consequences for Violating this Policy

Harassment may be indirect and even unintentional. Violations of this policy, whether intended or not, will not be permitted. If it is determined one of our employees has engaged in inappropriate conduct, we will take such action as is appropriate under the circumstances. Such action may range from counseling to immediate termination of employment, and may include other forms of disciplinary action as we deem appropriate under the circumstances.

What You Should Do if You are Harassed

Experience has demonstrated a clear statement to the person engaging in the offensive behavior is often all that is necessary to stop the conduct. Employees who believe they are being harassed are encouraged to let the person engaging in the conduct know how they feel, but are not required to do so.

Should you feel you are being harassed, you must report the matter in accordance with the Reporting Procedure described below.

Retaliation is Prohibited

Retaliation against an individual who has complained about harassment under this policy, or participated in an investigation of harassment, will not be tolerated, and will be treated as another form of harassment in accordance with this policy. All incidents of retaliation must be immediately reported in accordance with the Reporting Procedure described below.

Reporting Procedure for Discrimination and Harassment

If you feel you have experienced unlawful discrimination or harassment, you must follow this reporting procedure so we can promptly and thoroughly investigate the matter, and take appropriate action. Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating the problem. No employee in this organization is exempt from our policies prohibiting harassment and discrimination.

- Any employee who believes he or she has been discriminated against or harassed should notify Human Resources immediately.
- Human Resources will investigate reported incidents promptly and in a fair and discreet manner.
- All complaints will be considered confidential and disclosure will be limited to those with a need to know in order to fully investigate the complaint and/or take corrective action.
- The investigation will include a private interview with the person filing the complaint and, where appropriate, witnesses. Human Resources will also conduct a private interview with the person alleged to have committed the harassment. In circumstances where it is appropriate to do so, we will inform the person who

filed the complaint and the person alleged to have committed the conduct of the results of the investigation.

If the investigation determines inappropriate conduct has occurred Human Resources will act promptly to eliminate the offending conduct and, where appropriate, impose disciplinary action up to and including immediate termination of employment.

We encourage reporting of complaints so we may appropriately address and correct any problems. An employee who participates in good faith in any investigation under this policy has the CMC's assurance that it will not tolerate any retaliation against him or her as a result of bringing the complaint or otherwise participating in the process. All employees are expected to be truthful, forthcoming, and cooperative in connection with a complaint investigation.

Questions regarding this policy should be directed to Human Resources