

HARBOR-UCLA MEDICAL CENTER

SUBJECT: SEXUAL HARASSMENT

POLICY NO. 219

PURPOSE: To establish guidelines for promoting a work environment free from sexual harassment and for the reporting and resolving of sexual harassment complaints for all employees at Harbor-UCLA Medical Center.

POLICY:

Sexual harassment is a form of unlawful discrimination which is a violation of Title VII of the Civil Rights Act of 1964 as amended and Chapter 6 of the California Fair Employment and Housing Act. It is the policy of the County of Los Angeles, the Department of Health Services (DHS) and Harbor/UCLA Medical Center that sexual harassment is unacceptable and will not be tolerated.

It is improper and a violation of this policy for a county officer or employee to ask for or receive sexual favors from another employee or prospective employee in return for or as a condition of employment, promotion, job retention, a particular job or duty assignment, or any other action relating to employment. It is also a violation of this policy if submission to, or rejection of such conduct is used as a basis for employment decisions, or if it creates an intimidating, hostile or offensive work environment. Additionally, it is also a violation of this policy for an employee, manager or supervisor to retaliate against an employee for filing a complaint and/or participating in an investigation.

Failure to comply with this policy will result in disciplinary action in accordance with the Department of Health Services' Employee Evaluation and Discipline Guidelines.

It shall be the policy of this department to:

1. Dissuade such practices through communication, training and other appropriate methods that will educate employees and all persons involved with the work force concerning sexual harassment issues;
2. Investigate all observed or reported instances of sexual harassment and take appropriate corrective action, including disciplinary action, when warranted; and
3. Provide an internal complaint process for employees who experience or witness a the violation of the sexual harassment policy which will protect employee confidentiality to the extent legally permissible, shield the individual from retaliation, and allow for appropriate corrective action.

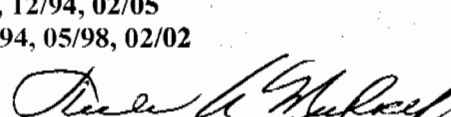
EFFECTIVE DATE: 1989


SUPERSEDES:

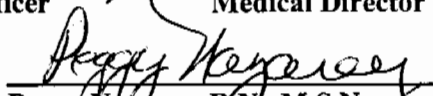
REVISED: 02/92, 12/94, 02/05

REVIEWED: 12/94, 05/98, 02/02

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DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature when one of three things occurs.

1. It is an employment condition: Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
2. It is an employment consequence: Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such an individual; or
3. It is an offensive job interference: Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

RESPONSIBILITIES

A. Departmental Employees

1. All employees are responsible for assuring that sexual harassment does not occur in the Harbor-UCLA Medical Center work environment.
2. Any employee who believes that she or he has been the object of or has been affected by sexual harassment in work situations, or who is aware of an occurrence of sexual harassment, shall report any such action or incident to his or her supervisor, department head, departmental human resources office or the County's Office of Affirmative Action Compliance at (213) 974-1251 so that the matter can be promptly investigated and appropriate corrective action taken.

B. Department Heads

For purposes of this policy, Department Head is defined as follows:

- Hospital Chief Executive Officer
- Comprehensive Health Center Chief Executive Officer
- Director of Public Health and Health Officer
- Director of DHS Human Resources

Each department head shall be responsible for promoting a work environment free from sexual harassment in his or her department. Each department head shall acknowledge his or her commitment to this policy by ensuring that:

1. The department's sexual harassment policy is disseminated to every incoming and current employee in the department through the maintenance of the annual policy acknowledgment form in each employee's personnel folder.
 2. All managers and supervisory personnel are held accountable for complying with the department's sexual harassment policy;
 3. All employees are aware of their responsibility for reporting allegations of sexual harassment; and,
 4. A process for promptly responding to and resolving sexual harassment complaints within the facility is in place and is communicated to all employees.
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C. Managers/Supervisor Personnel

Managers and supervisory personnel are responsible for the prevention and correction of sexual harassment occurrences in their areas of responsibility and for immediately reporting any such occurrence to Human Resources. Managers and supervisory personnel at all levels are responsible for:

1. Ensuring that all employees in their areas of responsibility are aware of the County's sexual harassment policy;
2. Ensuring that all employees are aware of their reporting responsibilities.
3. Implementing and/or recommending immediate and appropriate corrective action when warranted.

D. Local Human Resources Offices

Local Human Resources (HR) offices are required to report complaints within 2 business days to the Office of Affirmative Action Compliance. HR Personnel will ensure that a timely investigation is conducted and appropriate disciplinary action taken. HR shall also take appropriate steps to ensure that there is no further in appropriate conduct or harassment, and that retaliation is prevented.

Authority:

DHS – Employee Evaluation and Discipline Guidelines
Los Angeles County Code Chapter 5.09
California Fair Employment and Housing Act – Chapter 6
Civil Rights Act of 1964
DHS Sexual Harassment Policy No. 749