



<b>Title</b>	HR629 - Workplace Harassment including Sexual Harassment				
<b>Location</b>	BroMenn Medical Center, Carle Foundation Hospital, Eureka Hospital, Health Alliance, Methodist Hospital, Pekin Hospital, Proctor Hospital, Hoopeston Regional Health Center				
<b>Department</b>	System				
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<b>Approver(s)</b>	APM Administrators, Lauren Schmid (Exec VP & Chief Human Resources Officer)				
<b>Effective Date</b>	Not Set	<b>Next Review Date:</b>	06/01/2024	<b>Approval Date</b>	06/01/2023

**Attachments** N/A

**Purpose**

A. To provide a work environment that is free from unwelcome conduct that is based on an individual's protected status under federal, state, or local law.

**Definitions** N/A

**Statement of Policy**

**A. General Workplace Harassment**

1. The Carle Foundation (Carle) is committed to providing a work environment that is free from all forms of harassment based on an individual's race, color, creed, class, religion, sex, sexual orientation or preference, age, marital status, military status, certain unfavorable discharges from military service, citizenship, ancestry, national origin, physical or mental disability, personal appearance, matriculation, political affiliation, prior arrest or conviction record, or any other characteristic protected by law (the "Protected Characteristics"). Refer to [HR612 - Equal Employment Opportunity](#).
2. Any such harassment is strictly prohibited by Carle as well as by federal, state, and local law. Conduct prohibited by this policy is unacceptable in any Carle workplace as well as any work-related settings outside the workplace, such as business trips, business meetings, and business-related social events.
3. Any person engaging in harassment, including sexual harassment in the form of unwelcome sexual advances, requests for sexual favors, or other such verbal or physical conduct creating an intimidating, hostile, or offensive working environment may be discharged immediately.

**B. Sexual Harassment**

1. Sexual harassment means any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature or because of a person's sex or sexual orientation when (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (ii) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or (iii) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
2. Sexual or other harassment can occur in a variety of circumstances. The victim as well as the harasser may be a any gender. The harasser can be the victim's supervisor, a coworker, a physician or a non-employee such as a patient, visitor, vendor or a volunteer. However, in all cases the harasser's conduct is unwelcome. Sexual harassment in violation of this policy includes but is not limited to:
  - a. Sexually suggestive or vulgar comments or jokes, inappropriate comments about another person's sexual behavior or body, or insulting or ridiculing an employee because of their gender;
  - b. Improper or intrusive questions or comment about an employee's romantic or sexual experiences or preferences, or unwelcome or offensive sexual flirtations, propositions, advances, or requests;
  - c. Using, displaying, or communicating words, objects, pictures, calendars, cartoons, articles, letters, e-mail messages, text messages, cell phone pictures, computer programs, Internet web sites and/or other forms of

printed or electronic communication that denigrate, insult, offend, or ridicule based on a Protected Characteristic.

- d. Making or threatening undesired physical contact (such as touching, embracing, or pinching) or impeding another's movements in a deliberate manner; and
- e. Offering or providing employment benefits in return for sexual favors or an employee's agreement to provide sexual favors, or taking or threatening to take adverse action against an employee because the employee rejects requests for sexual favors.
- f. It is important to note that sexual harassment does not have to involve conduct of a sexual nature in order to constitute unlawful behavior. For example, abusive, offensive, or demeaning behavior that is directed to members of one gender only may be deemed a form of sexual harassment, even though the conduct was not motivated by sexual desire or gratification.

#### **C. Discriminatory Harassment**

1. Discriminatory harassment in violation of this policy includes, but is not limited to:
  - a. Comments or jokes that denigrate, insult, offend, or ridicule based on a Protected Characteristic;
  - b. Creating a hostile work environment or otherwise singling out an individual for abusive conduct based on that individual's Protected Characteristic; and
  - c. Using, displaying, or communicating words, objects, pictures, calendars, cartoons, articles, letters, e-mail messages, text messages, cell phone pictures, computer programs, Internet web sites and/or other forms of printed or electronic communication that denigrate, insult, offend, or ridicule based on a Protected Characteristic.
  - d. Even if such actions do not rise to the level of legally actionable conduct, they nonetheless are prohibited in our workplace.

#### **D. Responsibility of Individual Employees**

1. Each individual employee has the responsibility to refrain from sexual and other forms of harassment in the workplace, or while participating in work-related events or activities. An individual employee who harasses a fellow worker is, of course, liable for their individual conduct. The harassing employee will be subject to disciplinary action up to and including, termination of employment.
2. If you believe that you or any other employee has been the victim of harassment, discrimination, or any other violation of this policy, report the conduct to Management as set forth in Section G even if you think Management is or should be aware of the situation. Any such report should be made promptly so that, whenever possible, any problem can be remedied at the earliest opportunity.

#### **E. Responsibility of Supervisory Personnel**

1. Each supervisor is responsible for maintaining the workplace free of harassment. This is accomplished by promoting a professional environment and by promptly dealing with harassment as well as all other forms of employee misconduct.
2. Specifically, a supervisor must address an observed incident of harassment or a complaint with seriousness, promptly report it to the Executive Vice-President, Chief Human Resources Officer, or their designee, and maintain confidentiality. This also applies to cases where an employee tells the supervisor about the behavior considered harassment but does not want to make a formal complaint.
3. In addition, supervisors must ensure that no retaliation will result against an employee making a harassment complaint.

#### **F. Direct Communication of Unwelcomeness**

1. Any employee who either observes or believes themselves to be the object of harassment should deal with the incident as directly and firmly as possible. If there is harassing behavior in the workplace, the harassed employee should directly and clearly express their objection that the conduct is unwelcome and request that the offending behavior stop.
2. The initial message may be verbal. However, if subsequent messages are needed, they should be put in writing in a note or memo.

#### **G. Procedures for Filing a Complaint**

1. At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the Executive Vice-President, Chief Human Resources Officer or their designee. If the harasser is the Executive Vice-President, Chief Human Resources Officer, the problem should be reported to the President and CEO. Reports can also be made to the Illinois Secretary of State Inspector General or the Illinois Department of Human Rights.
2. All reports of such conduct will be investigated promptly handled as confidentially as possible consistent with doing an appropriate investigation, and dealt with appropriately.

3. No one making a complaint will be retaliated against even if a complaint made in good faith is not substantiated. In addition, any witness will be protected from retaliation. Other whistleblower protections may be available under the State Officials and Employee Ethics Act, the Whistleblower Act, and/or the Illinois Human Rights Act.

#### H. **Consensual Relationships**

1. Carle is committed to providing a workplace that is free of harassment, discrimination, conflicts of interest, and favoritism. Carle employees who enter into consensual relationships must ensure that they will continue to comply with Carle's Standards of Professional Conduct (HR627). Any conflicts of interest, acts of favoritism, or any other types of preferential treatment that could result from these relationships are in direct violation of Carle's policies and expressly prohibited. In the event of the termination of a relationship, the employees involved will continue to behave professionally towards each other, and without fear of workplace retaliation of any form.

#### I. **Resolution of Complaints**

1. All reports of harassment will be investigated promptly and handled as confidentially as possible consistent with conducting an investigation. Every effort will be made to conclude the investigation within 30 days of the date that the employee reports the incident. Upon conclusion of the investigation, the complaining employee will be advised of the findings of the investigation, and any action to address the complaint. No employee or other individual will be subject to retaliation of any kind based upon their good faith reporting of an incident or complaint, or for participating in any investigation of any incident of complaint.

#### J. **Resolution outside Company**

1. An employee has the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) regarding filing a formal complaint, which must be filed within 300 days of the alleged incident. A filing with the EEOC must be filed within 300 days. In addition, an appeal process is available through the Illinois Human Rights Commission, (IHRC) after IDHR has completed its investigation of the complaint. Where the employing entity has an effective sexual harassment policy in place and the complaining employee fails to take advantage of that policy and allow the employer an opportunity to address the problem, such an employee may, in certain cases, lose the right to further pursue the claim against the employer.

#### K. **Jurisdiction of Lobbyist Registrant**

1. Carle recognizes the Illinois Secretary of State Inspector General has jurisdiction to review any allegations of sexual harassment alleged against a lobbyist registrant or lobbyists hired by the registrant pursuant to 25 ILCS 170.

#### **Administrative Contacts**

##### **Illinois Department of Human Rights (IDHC)**

Chicago: 312-814-6200

Springfield: 217-785-5100

Marion: 618-993-7463

##### **Illinois Human Rights Commission (IHRC)**

Chicago: 312-814-6269

Springfield: 217-785-4350

##### **United States Equal Employment Opportunity Commission (EEOC)**

Chicago: 800-669-4000

**Procedure** N/A

**Other Related Links** N/A

**References** N/A

**Electronic Approval on File**