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Sexual harassment: No place for it in a healthy workplace

2018 Code of Conduct training

1/04/18

 HealthPartners®



We're committed to
providing a safe,
healthy and productive
environment for
patients, members and
each other.

Andrea Walsh
President and CEO



Slide notes

Hi, I'm Andrea Walsh, and I'm proud of the great place to work we've created together. In every part of our organization, from our exam rooms to our call centers, at every bedside and workstation, your dedication to health, safety and productivity shows.

The Code of Conduct describes commitments we all make to keep this a great place to work. And every year we ask colleagues to take a fresh look at some of these commitments. This year, we'll be focusing on sexual harassment – and our role in preventing it from happening here, and taking appropriate action if it does.

Sexual harassment

Understand it

Spot it

Report it

Know you're protected

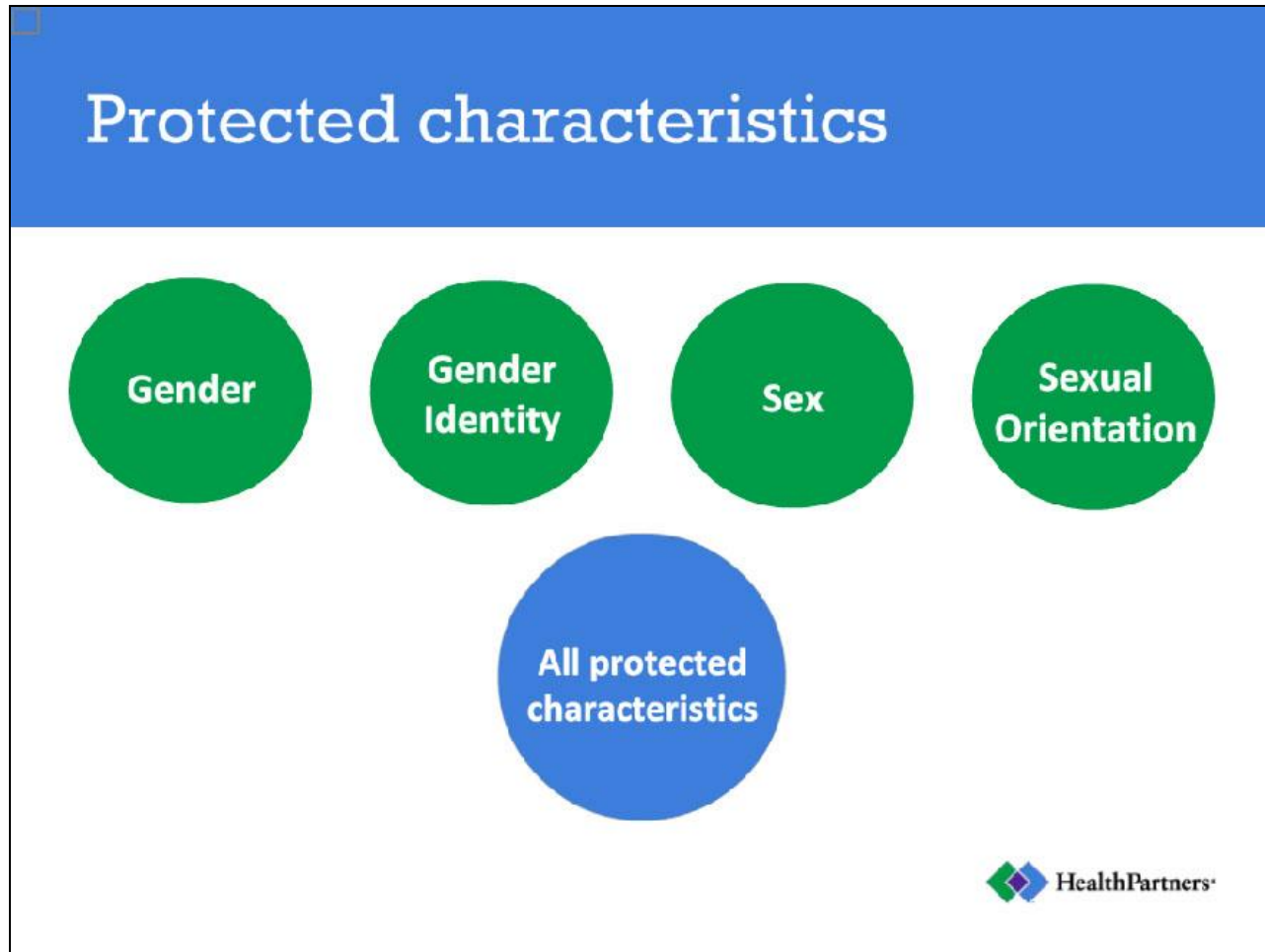
Find your policy



Slide notes

In this course, you'll learn what sexual harassment is, how to recognize it and how to report it. You'll understand that if you speak up about sexual harassment, you'll be protected from retaliation. And you'll learn where to find your Code of Conduct and Human Resources policies related to harassment.

You're a part of keeping this a respectful and healthy place for all colleagues to work. Respect is a key aspect of our Head and Heart, Together culture. So it's important for you to understand, spot and report sexual harassment. Thank you for your attention to this important topic – and for all you do to make this a great place to receive care, get service and do good work.



Slide notes

Hi, I'm Jeff. Let's talk about what defines sexual harassment, some examples of behavior not allowed in the workplace and how people are protected. You probably already know there are laws that protect people from being discriminated against at work just because of who they are. For example, people shouldn't be treated differently due to their race, religion, age or disability. Harassment is a type of discrimination; today, our focus is on sexual harassment.

Hover over the bubbles to learn more about what characteristics are protected under law. We prohibit harassment based on ANY of these characteristics in our workplace. However, the words in the green bubbles are the characteristics we will focus on today. These four terms each have different meanings, but because they are all protected under the category of "sex" under the law, we will refer to them together in this course as "sex."

Gender: The classification of people as male or female. The categories of male or female are socially and culturally defined, change over time and vary depending on the culture. Depending on the culture, a variety of attributes define a person's gender. These attributes can include a person's genitalia, how they dress, the work they do and how they present and express themselves.

Gender Identity: A person's deeply held, internal sense of their own gender. In other words, how a person understands and describes their own gender.

Sex: The term "sex" is used differently in medicine and the law. In medicine, "sex" refers to the combination of reproductive organs, chromosomes, hormones and secondary sex characteristics of a person. Common terms in medicine are male, female, intersex and transgender. Under the law, "sex" is an umbrella term that includes gender identity, gender, gender expression, pregnancy, childbirth, disabilities related to pregnancy or childbirth and sexual orientation.

Sexual Orientation: A person's sexual orientation combines three concepts. First, a person's deeply-held attractions to form sexual and/or romantic relationships with a person of the same or different gender. Second, the sexual and/or romantic behaviors a person engages in. And finally, a person's internal sense of their own sexual identity. Various sexual orientations include: Lesbian, Gay, Straight and Bisexual.

All protected characteristics: Gender Identity, Gender, Sex, Sexual Orientation, Race, Color, Religion, Creed, National Origin, Ethnicity, Ancestry, Age, Disability, Genetic information, Marital status, Familial status, Pregnancy, Veteran status, Status with regard to public assistance, Any other category protected by law

Sexual harassment includes harassment of any kind based on a person's sex, sexual orientation, gender or gender identity. It also includes any unwelcome sexual advance or conduct of a sexual nature, when any of the following is true:

- (1) submission to the advance or conduct is made explicitly or implicitly a condition of employment;
- (2) submission to or rejection of the advance or conduct is used as a basis for employment decisions; or
- (3) the advance or conduct unreasonably interferes with the employee's work performance by creating an intimidating, hostile, or offensive work environment.

What is sexual harassment?



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So what is harassment based on sex? Sexual harassment is BEHAVIOR defined as unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature. Hover your cursor over the question to read the full legal definition of sexual harassment.

Sexual Harassment: Sexual harassment includes harassment of any kind based on a person's sex, sexual orientation, gender or gender identity. It also includes any unwelcome sexual advance or conduct of a sexual nature, when any of the following is true:

- 1) submission to the advance or conduct is made explicitly or implicitly a condition of employment;
- 2) submission to or rejection of the advance or conduct is used as a basis for employment decisions; or
- 3) the advance or conduct unreasonably interferes with the employee's work performance by creating an intimidating, hostile, or offensive work environment.

sexual harassment

- hostile work environment
- quid pro quo



Slide notes

There are two kinds of sexual harassment: "hostile work environment" and "quid pro quo."
Let's examine each.

Hostile Work Environment



Sexually harassing behavior so serious or persistent that it affects a person's ability to do their job.



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The first type of sexual harassment we'll talk about is Hostile Work Environment. We all want a healthy, safe place to work. Sometimes a work environment can be unhealthy due to behaviors of a sexual nature. A hostile work environment is a form of sexual harassment if or when the behavior is so serious or persistent that it affects a person's ability to do their job. The types of behavior that could create a hostile work environment generally fall into three categories: physical, verbal and non-verbal. Let's examine each.

Sexual Harassment that can create a Hostile Work Environment

Physical

- Touching or brushing against someone's clothing, body, or hair
- Initiating unwanted sexual activity such as kissing, touching, or hugging
- Rubbing or touching anyone sexually

Verbal

- Repeating requests for a date with someone who isn't interested
- Telling unwelcome jokes or stories, - often with sexual suggestion
- Starting unwelcomed flirtations
- Making or using derogatory comments, slurs, and jokes
- Making graphic verbal comments about a person's body or using sexually degrading words to describe another person
- Using expressions that can be belittling such as "honey," "dear," "babe," "sweetheart," "lady boss," or "sexy"

Non-verbal

- Staring or looking someone up and down
- Blocking normal body movements or making threatening body movements
- Following someone inappropriately
- Giving unwelcome gifts
- Making sexual gestures
- Showing or sending sexually suggestive objects, images or content, websites, cartoons, books, or magazines
- Winking, blowing kisses, or licking lips



Slide notes

Sexually harassing behavior can be obvious. But sometimes it's more difficult to detect. Here are some behaviors not allowed in the workplace. Examples can be physical. Some are verbal. And some are non-verbal.

Now, let's take a closer look at quid pro quo harassment.

Quid Pro Quo

- 
- Means “This for That”
 - Person in authority
 - Sexual favors in exchange for something
 - Reaction affects working conditions



Slide notes

"Quid Pro Quo" is a Latin term that means "This for That." Quid pro quo harassment includes situations where a supervisor or someone else in a position of authority seeks sexual favors either in exchange for a job benefit (such as a promotion or a raise) or to avoid a job detriment (such as a demotion or a pay decrease). Quid pro quo harassment also occurs when an employee's reaction to a sexual advance negatively impacts their employment.

Next up, we'll provide some scenarios to help you spot the various forms of sexual harassment.

Scenario 1

Carl works in sales. His female colleagues often make suggestive jokes and remarks about men's sexual behavior. Carl also notices that colleagues are often looking at inappropriate sites and photos on their cell phones. He's asked them to stop, but they refuse. Could Carl's co-workers be creating a hostile work environment?

Select the correct answer, and click **Submit**.

- ☒ A) Yes
- ☐ B) No
- ☐ C) Maybe

Clear

Submit

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Review Area
Review Area

Slide notes

Hi, I'm Emily. Please read the following scenario and select the best answer.

Yes: Correct. Carl's colleagues' behavior is inappropriate in the workplace, sexual in nature, frequent, and Carl has told them it's unwelcome.

No: Incorrect. Some may think that if Carl's colleagues are looking at images on their personal phones, it isn't harassment. But whether or not they use a company-provided device doesn't matter.

Maybe: Incorrect. Some may think it's unclear because he's a man and his colleagues are women. But the gender of the colleagues involved doesn't matter.

Harassment can come from anyone



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You're probably aware that harassment can come from supervisors, leaders, and co-workers. But it's important to keep in mind that harassment can come from anyone present in the workplace, including: customers, clients, medical staff, visitors, patients, members, volunteers, vendors, contractors, and others. We prohibit harassment by anyone in the workplace.

Scenario 2

Shira is a physical therapist. She has a patient who has made inappropriate, sexual comments to her on several occasions while she's assisting him with exercises. Could Shira be experiencing sexual harassment?

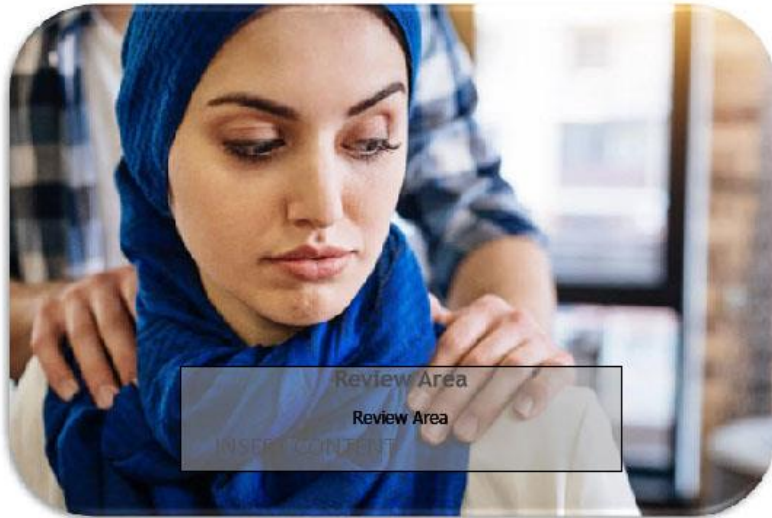
- ☒ A) Yes
- ☐ B) No
- ☐ C) Maybe

Clear

Submit

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Slide notes

Please read the following scenario and select the best answer.

Yes: Correct. Sexual harassment can come from anyone present in the workplace, including patients. We'll talk about how Shira can report this behavior a little later.

No: Incorrect. Some may think that because it occurred in the context of providing care to a patient, it's not sexual harassment. But harassment can come from anyone present in the workplace.

Maybe: Incorrect. Some may think it's unclear because the behavior is coming from a patient and not a colleague. But harassment can come from anyone present in the workplace.

Harassment can happen anywhere



Slide notes

Sexual harassment doesn't just happen in the workplace. It can happen in other places too, such as offsite meetings, business trips, holiday parties, other team outings or on social media. We prohibit harassment in all work-related settings or in any setting that ultimately has an impact on your employment.

Scenario 3

Maria works in a large department. She's Facebook friends with many of her colleagues. One weekend, after work hours, one of Maria's colleagues, Dave, posts a sexual comment on her Facebook page. Several of Maria's other colleagues reply to the comment, saying they find it funny and encouraging Dave to continue. The following Monday, many of Maria's colleagues are joking about this at work. Could this be harassment, even though the activity started on Facebook and not during work hours?

- ☒ A) Yes
- ☐ B) No
- ☐ C) Maybe



Slide notes

Let's look at another example, this time on social media.

Yes: Correct. This could be harassment, even though it started on Facebook outside of work hours, because it impacts the work environment.

No: Incorrect. Even though it started on Facebook outside of work hours, this conduct involves colleagues and is impacting the work environment.

Maybe: Incorrect. Even though it started on Facebook outside of work hours, this conduct involves colleagues and is impacting the work environment.

Intent and gender don't matter



"I didn't mean anything by it. Stop being so sensitive..."

"I'm afraid to report that another male colleague is coming onto me. I'm afraid no one will believe me."

"How can I be harassing you? I'm a woman, you're a man—you like it."

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By now we hope you realize anyone is capable of harassing someone in the workplace. Gender doesn't matter; harassment can happen between members of the same sex or opposite sex. Sexual harassment can happen even if the person engaging in the conduct isn't motivated by sexual desire or an intent to harass. Intent and gender are irrelevant to whether conduct violates our policy. And keep in mind, harassment based on a person's gender identity or sexual orientation isn't allowed either.

Our commitments

We're committed to providing
a harassment-free work environment.

If you're aware of any conduct that you believe violates
this policy, you're encouraged to report it promptly.

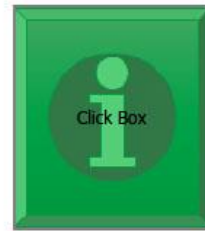
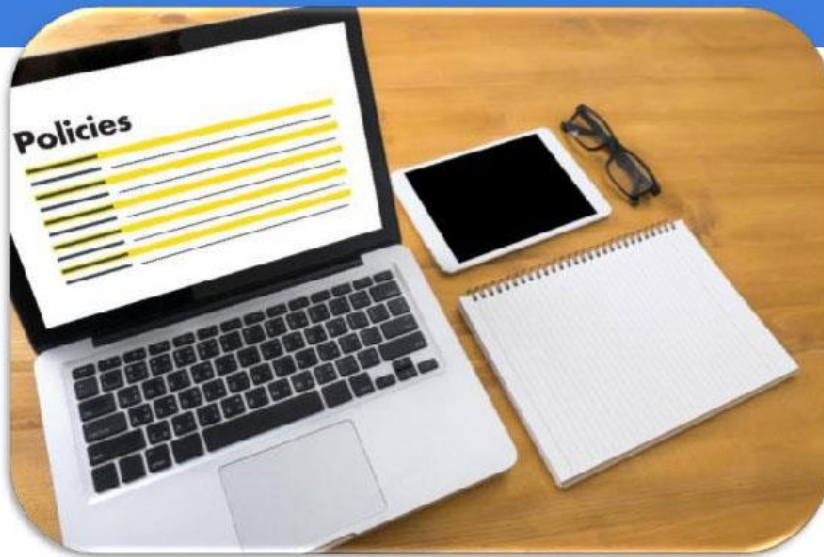


Slide notes

Now that we've discussed what sexual harassment is, let's turn to the policies that prohibit and address harassment – specifically, the Code of Conduct and your HR policies regarding harassment. Our commitments under the Code of Conduct include providing a harassment-free work environment. That means we don't tolerate any form of harassment, including verbal, physical, visual or other non-verbal types of harassment that create an offensive, hostile or intimidating environment.

Your commitments under the Code of Conduct include not engaging in harassment and reporting it immediately if you feel you've been the subject of harassment, have witnessed or been told of an incident.

Review resources on sexual harassment



Contact your Human Resources Department to receive a paper copy.



Slide notes

In addition to the Code of Conduct, we have human resources policies relating to sexual harassment. Our policies prohibit anyone in the workplace from harassing colleagues based on sex, gender, gender identity and stereotypes, sexual orientation, pregnancy or status as a transgender individual. If you're the target or aware of any conduct you believe violates the policies, you're encouraged to promptly report it. We'll explain how in a moment.

Please take time to review your policies by clicking the green info icon on your screen. Information on where to report as well as your Employee Assistance Program (EAP) is included. You may also obtain a paper copy of your policy from your Human Resources department.

Scenario 4

Andy is a transgender man. Several months ago, Andy told his leaders and colleagues to refer to him with male pronouns (“he” and “his”). Despite repeated reminders, Andy’s leaders and colleagues still jokingly refer to Andy as “her” and “she.” At a recent department bowling outing, Andy was placed on the “girls” team. Are Andy’s leaders and colleagues violating our Code of Conduct and policies related to harassment?

- ☒ A) Yes
- ☐ B) No
- ☐ C) Maybe

Clear

Submit

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Review Area
Review Area

Slide notes

OK, let’s check your understanding in this scenario.

Yes: Correct. This violates our policy and as we’ll discuss next, Andy should report his concerns to his leader, his leader’s leader, or HR.

No: Incorrect. Our policies prohibit behavior that is frequent, unwelcome, and based on gender identity and gender stereotypes.

Maybe: Incorrect. Some may not know whether this behavior violates our policies because it’s unclear if Andy’s colleagues are intentionally harassing him. But under our policies, the intent of the person is irrelevant.



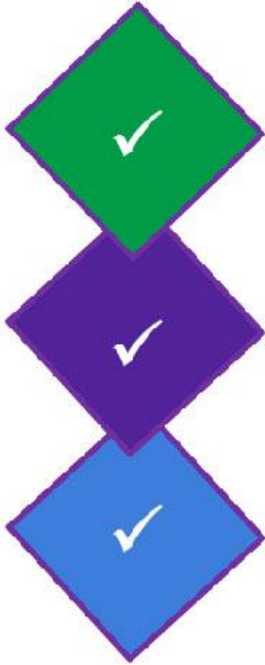
**Reporting sexual
harassment is the
right thing to do.
Here's how.**



Slide notes

Now that you've had a chance to review your HR policy related to harassment, let's talk about what to do if you believe you've experienced, witnessed or heard about an act of harassment. If you see or experience sexual harassment, you are encouraged to report it. Let's take a look at what to report, how to report, and what you can expect from the process.

What to Report



You believe you've been the direct target of harassment or are uncomfortable but uncertain if harassment occurred

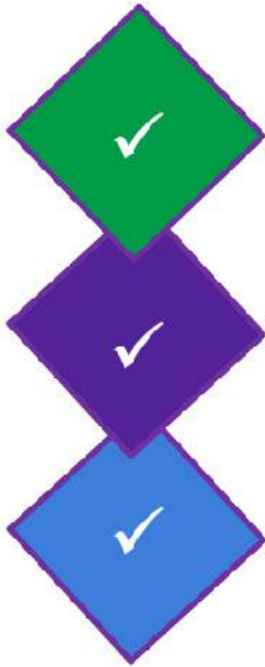
You've observed, witnessed or overheard possible harassing conduct

You've been told of an act of possible harassment by someone else

Slide notes

First let's talk about what should be reported. All colleagues are encouraged to make a report if you believe you have been the direct target of harassment. But you also are encouraged to make a report if you've observed or been told about an act of harassment by someone else, or are simply uncomfortable but uncertain if harassment occurred. In short, you are encouraged to report anything that you believe may be harassment.

How to Report



Leader

Leader's Leader

Human Resources

Slide notes

Now, let's talk about when and to whom you should report harassment. Colleagues are encouraged to immediately report any harassment concerns, so we can address the situation as soon as possible. There are various ways to report harassment.

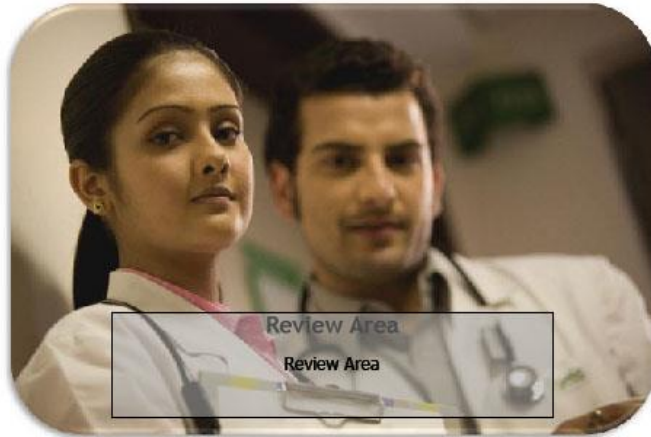
First, you can contact your leader. If your leader is the subject of the complaint or if you're uncomfortable talking with your leader about it for any reason, you can contact your leader's leader. Finally, you can always contact your Human Resources Department to report harassment. Any leader who is aware of a possible incident of sexual harassment must report it immediately to HR.

In addition to reporting, you may also personally tell the individual to stop the offending behavior if you feel comfortable doing so. Rest assured, we take all harassment reports very seriously. We'll take immediate and appropriate action to investigate all complaints and address any concerns. But, we can't do that without your help. We need and expect all colleagues to cooperate with an investigation into a harassment report, so that, together, we can maintain an appropriate work environment.

Scenario 5

Anoushka is a clinic manager. She's observed that Eric, one of her direct reports, has asked out Jessica, another of her direct reports, multiple times and that Jessica has turned him down each time. Jessica recently told Anoushka that she's troubled by Eric's persistence and is beginning to go out of her way to avoid working with him. Should Anoushka report this situation to HR?

- ☒ A) Yes
- ☐ B) No
- ☐ C) Maybe



Slide notes

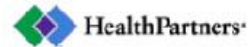
Please read this final scenario and select the best answer.

Yes: Correct. Anoushka is a manager and so she must ensure that the organization is aware of and takes appropriate steps to address possible harassment.

No: Incorrect. Some may think that Anoushka shouldn't interfere in personal matters between her direct reports. But, as a manager, Anoushka must ensure that the organization is aware of and takes appropriate steps to address possible harassment.

Maybe: Incorrect. Some may think that it's unclear whether Anoushka should get involved in personal matters between her direct reports. But as a manager, Anoushka must ensure that the organization is aware of and takes appropriate steps to address possible harassment.

Our Commitment to No Retaliation



Slide notes

We're committed to non-retaliation. That means that we strictly prohibit any form of discipline or other negative consequences to an employee for reporting harassment, making a claim of harassment, or participating in any harassment investigation. If you believe you've witnessed or been the target of retaliation, you should immediately report it to your leader, your leader's leader, or Human Resources.

Consequences

Any employee who:

- violates their Code of Conduct or their HR policies on harassment
- engages in prohibited retaliation, or
- hinders an investigation

will be subject to discipline, up to and including termination of employment.



Slide notes

In line with our commitment to provide a respectful work environment, any employee who violates their Code of Conduct or their HR policies on harassment, engages in prohibited retaliation, or hinders an investigation into a harassment complaint will be subject to discipline, up to and including termination of employment.

Takeaways

Sexual harassment is prohibited

Review the Code of Conduct and your HR [policy](#) on harassment

Report sexual harassment to your Leader, your Leader's Leader, or HR

Leaders are obligated to report to HR immediately



Slide notes

To recap what we've learned today – Sexual harassment of any kind, by anyone, is strictly prohibited. You should review and become familiar with the Code of Conduct and your HR policies on harassment. If you think you've experienced, witnessed, or learned about something that may be sexual harassment, report it to your leader, your leader's leader, or HR. And any leader who's made aware of possible sexual harassment must report it immediately to HR.

We all play a part in maintaining a work environment that supports our mission, vision and values.



Find your Code of Conduct on
Facets or **myPartner**

Review the *Introducing Your Code of Conduct* course on myLearning

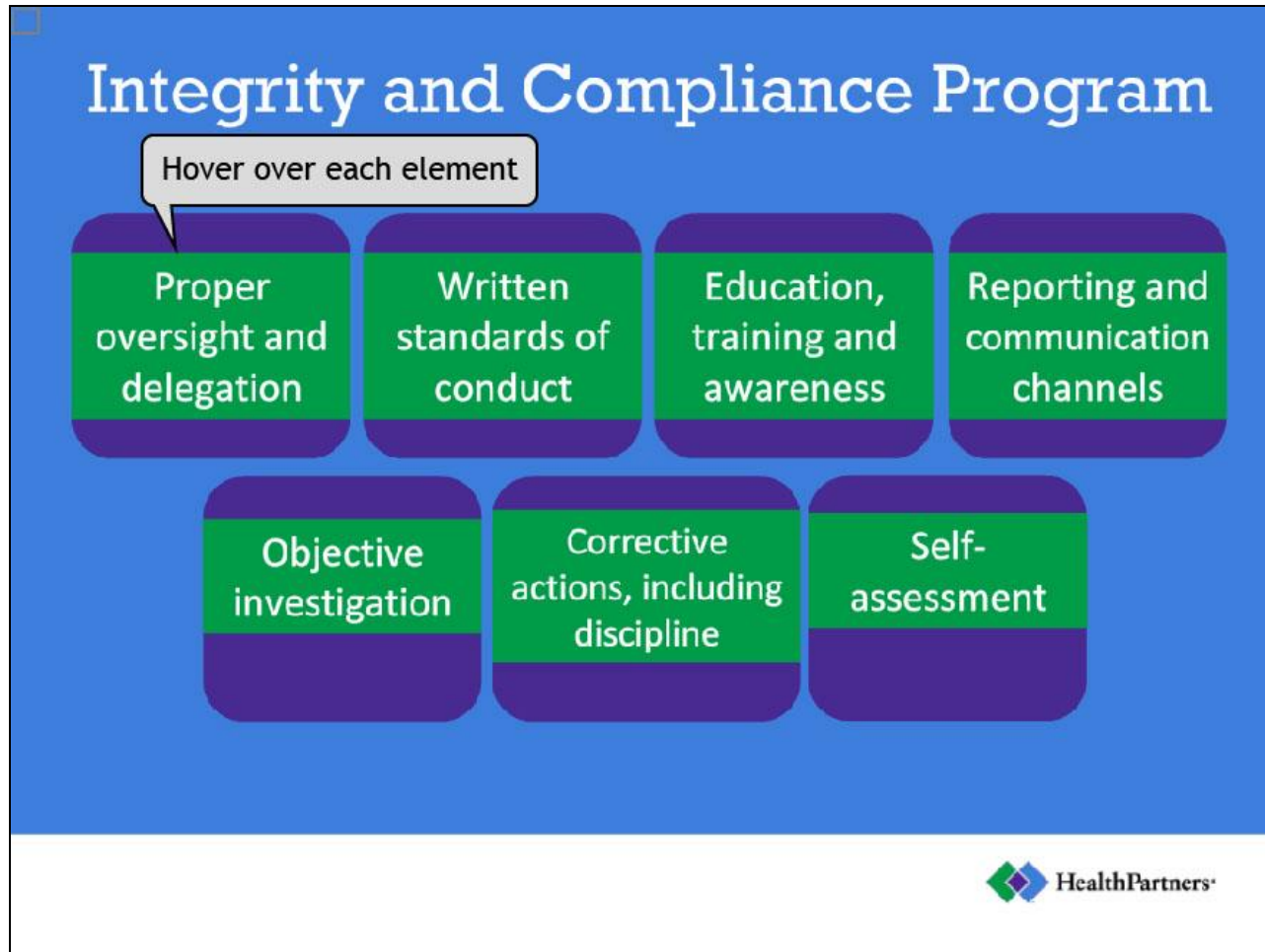
Tobi Tanzer
Chief Compliance Officer



Slide notes

Hi, I'm Tobi Tanzer and I'm HealthPartners' Chief Compliance Officer. You've heard a lot about an important issue today, including how to recognize and report sexual harassment. Your Code of Conduct and your HR Policies on harassment encourage you to speak up; it's the RIGHT thing to do. Remember, you can find your Code of Conduct through myPartner or Facets. While there, you can download your Code of Conduct and look through the resource brochure.

You can also view other Code of Conduct related trainings on myLearning.



Slide notes

One of the things that's covered in your Code of Conduct is our Integrity and Compliance program. This program helps prevent, detect and correct violations of the legal, professional and ethical standards we're committed to. Please take a moment now to review the elements of our Integrity and Compliance Program.

Proper oversight and delegation: Proper oversight and delegation makes sure that people in all areas and roles in the organization are informed about, and engaged in the Integrity and Compliance Program. We identify accountable individuals for overseeing, implementing and managing the program, and we make sure that organizational responsibilities are only delegated to qualified people.

Written standards of conduct: Written standards of conduct (such as this Code of Conduct and organizational policies and procedures) establish clear standards for how each of us is expected to act.

Education, training and awareness: Education, training and awareness help explain what is expected of each of us under this Code of Conduct, other organizational standards, the Integrity and Compliance Program, and in our daily work.

Reporting and communication channels: Reporting and communication channels allow for open communication, so that everyone can ask questions and voice their good faith concerns in a safe, nonretaliatory environment. We maintain multiple channels for reporting, including an Integrity and Compliance Hotline that offers the option of anonymous reporting.

Objective investigation: Objective investigation means that the organization reviews and takes seriously reported concerns.

Corrective actions, including discipline: Corrective actions, including discipline, are taken to fix concerns that have been identified through reporting channels, self-assessment or other means. Corrective actions are designed to address the identified concern and to prevent similar concerns in the future.

Self-assessment: Self-assessment, such as auditing and monitoring, helps verify that we're keeping the commitments we've made to comply with the law and other standards. Self-assessment includes regularly assessing the effectiveness of the Integrity and Compliance Program.

3 simple actions

- 1 Tell us about your concerns
- 2 Tell us about your secondary interests
- 3 Affirm your commitment



Slide notes

Please take three simple actions to complete this course: Tell us if you have any concerns, tell us about any secondary interests or conflicts of interest, and affirm your commitment to your Code of Conduct.



Report your concerns

Harassment	Other compliance concerns
<ul style="list-style-type: none">•Your Leader•Your Leader's Leader•Your HR team	<ul style="list-style-type: none">•Anyone on OIC team•Hotline 866-444-3493

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An important part of our Integrity and Compliance Program is making sure colleagues know how to report concerns. In our yearly Code of Conduct trainings, we always say it's important to speak up. We ask you to report concerns to the Office of Integrity and Compliance. But sexual harassment is a bit different. Because sexual harassment directly affects working conditions, we ask that you take these concerns to your leader, your leader's leader or to your Human Resources team.

All other Code of Conduct concerns should be reported to the Office of Integrity and Compliance. As always, if you want to remain anonymous about any issue you report, the Hotline is there for you.

Take action: report your concerns

Click one of the following

For sexual harassment concerns, review your [HR policy on harassment](#).

If you have a concern to report, such as a violation of the Code of Conduct or any compliance concerns (other than issues that are already being addressed):

Send an email to: integrityandcompliance@healthpartners.com

Or you can call our hotline: 866-444-3493



Slide notes

If you have a sexual harassment concern, report it right away to your leader or your leader's leader. You may also report it to HR. Find out more by clicking the link on the top of this screen. A window will open with information about how to contact your HR department and other resources.

If you have a Code of Conduct or compliance concern, here's an easy way to let us know