

SUBJECT	NUMBER
SEXUAL AND GENERAL HARASSMENT	GME-11 Attachments <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
KEY WORDS	EFFECTIVE DATE
Conduct, General, Harassment, Report, Sexual	July 1, 1999
CATEGORY	LAST REVIEW DATE
Human Resources (HR)	January 2021
MANUAL	NEXT REVIEW DATE
Graduate Medical Education	January 2024
ISSUED BY	ORIGINATION DATE
Graduate Medical Education	July 1, 1999
APPLICABLE	RETIRED DATE
Applies to all HealthPartners Institute-sponsored post-graduate medical/dental trainees. The term "trainee" applies to residents and fellows.	Not Applicable
REVIEW RESPONSIBILITY	CONTACT
Graduate Medical Education Committee (GMEC)	Graduate Medical Education

PURPOSE

To provide a process and procedures to address complaints of Sexual Harassment and General Harassment (collectively "Harassment") promptly and effectively. To ensure that all employees, residents, fellows, co-workers, managers and non-employees, including patients or visitors, are respected and encouraged to communicate any behavior considered to be an act of Harassment.

SCOPE

This policy applies to all HealthPartners Institute-sponsored post-graduate medical/dental training programs accredited by the Accreditation Council for Graduate Medical Education (ACGME), the Council on Podiatric Medical Education (CPME) and the Commission on Dental Accreditation (CODA).

POLICY

It is prohibited for any trainee to engage in Harassment, or for any trainee to retaliate against an employee who reports Harassment.

DEFINITION

The term "Sexual Harassment" means any unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal and physical conduct of a sexual nature when one of the following occurs:

- Submission to such conduct or communication is made either explicitly or implicitly a term or condition of an individual's employment.
- Submission to or rejection of such conduct or communication by an individual is used as a basis of employment decisions affecting such individual.
- Such conduct has the purpose or effect of substantially interfering with an individual's employment or work performance, or creating an intimidating, hostile or offensive working environment of which the employer knows or should know the existence of and fails to take timely and appropriate action.

The following is a list of some examples of behavior that constitutes prohibited Sexual Harassment:

Unwelcome sexual flirtations, advances or propositions, verbal abuse of a sexual nature, unnecessary touching of an individual, graphic or verbal commentaries about an individual's body, display in the work environment of sexually suggestive objects or pictures, sexually explicit or offensive jokes, any form of electronic communication of a sexual nature that is unwelcome, physical assault, stories of a sexual nature, discussions of a sexual nature, office banter of a sexual nature, and gestures of a sexual nature.

The term "General Harassment" means any disruptive or abusive behavior, either written or verbal, which has a purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile or offensive work environment.

The following is a list of some examples of behavior that constitutes prohibited General Harassment:

- Verbal and/or physically abusive behavior, which has the effect of interfering with a person's work performance.
- Derogatory statements and negative stereotyping.
- Threatening another person either verbally or physically.
- Impertinent and inappropriate comments written in medical records or other official documents.

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Attachments

GME-11 Attachment A Procedures Internal

GME-11 Attachment B Procedures External

GME-11 Attachment A Procedures Internal

Capitalized terms not otherwise defined in this Attachment A shall have the meanings ascribed to them in the GME-11 Policy.

A. Filing a Sexual Harassment or General Harassment Complaint

Any trainee who feels that they are the target of Harassment, or any trainee who witnesses acts of Harassment, must make the incident known through the following internal procedure.

1. HealthPartners Institute encourages them to confront the person(s) engaged in Harassment, informing them that such conduct or communication is offensive, will not be tolerated, and to stop such conduct or communication.
2. If the trainee does not wish to directly confront the person(s) alleged to be engaging in Harassment or direct communication has been unsuccessful, they should contact their Program Director or Site Director. If the Program/Site Director is the subject of the complaint, the employee should contact the DIO/Executive Director of Health Professional Education or a Human Resources professional at the rotation site.
3. If the Harassment does not stop after following steps 1 and 2 above, a complaint may be filed with the DIO/Executive Director of Health Professional Education or a Human Resources professional at the rotation site. Trainees may also email integrityandcompliance@healthpartners.com or call 1-866-444-3493.

B. Investigation of a Complaint

Program Directors have the responsibility of maintaining a working environment free of Harassment. A Program/Site Director, upon hearing a complaint of Harassment or witnessing any inappropriate behavior, must report it immediately to the DIO/Executive Director of Health Professional Education. The DIO/Executive Director will coordinate the investigation through the Executive Director of Human Resources responsible for the rotation site.

The determination of Harassment will be made on a case-by-case basis. The investigation may include interviews with the employee making the allegations, the employee who is the subject of the complaint and appropriate witnesses. All complaints will be investigated promptly and be kept confidential within the bounds of the investigation and the law.

The employee making the complaint and the subject of the investigation will be advised of the final disposition of the complaint by the DIO/Executive Director of Health Professional Education.

C. Penalties for Harassment

If an alleged case of Harassment is determined to be in violation of this policy, disciplinary action, up to and including termination, will be determined by the results of the investigation. Due to the sensitive nature of this type of discrimination, any trainee who is found to have made false claims is subject to disciplinary action, up to and including termination. Retaliatory action against the complaining trainee or witness will not be tolerated. If a violation is found to exist, appropriate disciplinary action will be taken, up to and including termination.

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GME-11 Attachment B Procedures External

Capitalized terms not otherwise defined in this Attachment B shall have the meanings ascribed to them in the GME-11 Policy.

All trainees are encouraged to use the internal procedures to resolve a complaint; however, this procedure does not replace the trainee's right to file a formal charge with one of the following external agencies:

1. Minnesota Department of Human Rights
2. Equal Employment Opportunity Commission
3. File a private civil suit in State Court

A complaint of Harassment, which is filed through an external procedure, cannot subsequently be filed with HealthPartners Institute. Similarly, HealthPartners Institute will cease its handling of a complaint of Harassment upon receiving notice that the complainant has subsequently pursued relief through an external procedure.

When a complaint of Harassment is made by the trainee against an individual employed by another organization, the trainee should report this to their Program Director.

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