

SAMPLE SEXUAL HARASSMENT POLICIES

Sample A

The XYZ medical group is committed to providing and maintaining a workplace free of any type of harassment, including harassment on the basis of an individual's race, color, ethnicity, national origin, age, religion, gender, sexual orientation or other legally protected characteristics. In keeping with this commitment, we will not tolerate harassment of XYZ medical group employees by anyone, including any physician, manager, co-worker, vendor or patient.

The XYZ medical group will not create or tolerate a hostile work environment or harassment in any form - verbal, physical or visual. Management will not use its authority to harass employees, take or fail to take personnel action as a reprisal against an employee for resisting or reporting any act of harassment, or tolerate any harassment, verbal or physical, of an employee toward another employee. Anyone who engages in such conduct will be subject to discipline up to and including immediate discharge. All managers are responsible for regularly reminding employees of this policy, and all are responsible for ensuring that this workplace is free of harassment.

The XYZ medical group feels that the prevention of sexual harassment deserves special attention. Unwelcome sexual advances, requests for sexual favors and other physical, verbal or visual conduct based on sex constitute sexual harassment when submission to the conduct is a condition of employment, submission to or rejection of the conduct is used as a basis for employment decisions, or the conduct unreasonably interferes with an individual's work performance or creates a hostile, intimidating or offensive work environment.

Under this policy, sexual harassment includes the following:

- Unwelcome sexual advances or invitations to engage in sexual activity;
- Unwelcome invitations or pressure to engage in sexual activity as a condition of employment or promotion
- Verbal or physical conduct of a sexually harassing nature, including nonconsensual touching or an act of physical aggression that creates a hostile work environment;
- Nonverbal conduct, such as a display of sexually suggestive objects or pictures or obscene gestures (including computer accessing or downloading of sexually suggestive files).

All XYZ employees are responsible for helping to prevent harassment of any kind. Management will investigate complaints or allegations of harassment or improper verbal or physical conduct to determine if the conduct is interfering with the employee's work performance or is creating an intimidating, hostile or offensive work environment. Employees may raise concerns and make reports of harassment without fear of reprisal.

Any employee who feels that he or she has witnessed any type of harassment or has been subjected to any type of harassment must use the following complaint procedure:

1. Any harassment complaint by you should normally be reported to your manager. If your manager is unavailable or you believe that it would be inappropriate to contact that person, the complaint should be reported to the XYZ medical group administrator.
2. When you report a complaint, you will be asked to provide a signed and dated sworn statement that details as specifically as possible the alleged harassment. If possible, the written statement should include the dates of the alleged harassment, the number of times it occurred, an explanation of what happened, whether the alleged harasser was told that the conduct was unwelcome, and what harm resulted from the alleged harassment.
3. The XYZ medical group administrator will normally investigate harassment complaints. Every effort will be made to begin investigating complaints within 24 hours. The investigation will include, but is not limited to, interviewing the complaining party, the alleged harasser and any other personnel as required to obtain sufficient, factual information upon which a determination can be made. All employees must cooperate with the investigation. Failure to do so may result in immediate discharge.

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FPM Toolbox To find more practice resources, visit <https://www.aafp.org/fpm/toolbox>.

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4. The XYZ medical group will protect all victims and witnesses as much as possible. All complaints and investigations will be treated in as confidential a manner as possible. Written statements will be sworn to, and interviews may be recorded.
5. If the investigation concludes that harassment has occurred, the administrator will report his or her findings along with a recommendation to the managing physician, and the XYZ medical group will take prompt remedial measures to immediately end the offending misconduct. An employee who engages in harassment will be subject to discipline up to and including immediate discharge.
6. The complaining party will be advised of the final disposition of the complaint. If you should have any questions about the XYZ medical group policy regarding harassment or the procedure for reporting complaints, please contact your manager or the XYZ medical group administrator.

Sample B

Equal employment opportunity policy and procedure

It is the policy of this organization to maintain and promote equal employment opportunity.

There shall be no unlawful discrimination against employees or applicants for employment because of race, religion, sex, color, creed, national origin, sexual preference, ancestry, age, physical or mental disability, veteran status or any political or union affiliation. Equal employment opportunity, as required by law, shall apply to all personnel actions including, but not limited to, recruitment, hiring, upgrading, promotion, demotion, layoff or termination.

Age, as used above, refers to the age group 40 years of age or older.

Sex includes unlawful discrimination on the basis of sex, pregnancy and sexual harassment. Sexual harassment is defined as the following: unwelcome sexual advances of whatever nature, or; requests for sexual favors, or; other verbal or physical conduct of a sexual nature when submission to such conduct is either an explicit or implicit condition of an individual's employment, or; submission to or rejection of such conduct by an individual used as a basis for employment decisions affecting such an individual, e.g., salary increases, or; such conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Disabilities include physical and mental disabilities that substantially limit one or more major life activities. Disabled individuals must be otherwise qualified for the job and able to perform essential job functions with or without reasonable accommodations.

If you are subject to unlawful discrimination or personally observe unlawful discrimination against another employee, report this to management or a physician. Discriminatory conduct against an employee by a patient also violates this policy and should be reported to management.

An employee engaging in any unlawful discrimination against another employee as set forth above shall be subject to action pursuant to the grievance policy and disciplinary action up to and including termination.

Grievance policy and procedure

A grievance shall be considered to be any problem that may result from an action in any level of the organization by a physician or fellow employee that is construed by an employee as not reasonable. It is strongly encouraged that all grievances be resolved through informal discussion.

When resolution cannot be achieved through informal discussion, the following steps will be taken:

Step 1. The employee will submit a written grievance of the incident. The grievance shall identify pertinent information (date, time, place, parties involved, etc.) about the occurrence. The grievance shall be submitted to the immediate supervisor for resolution.

Step 2. The immediate supervisor shall review available information and talk with the involved parties. The immediate supervisor shall consider this information and arrive at a determination one week after receiving the grievance.

Step 3. If the employee disagrees with the decision of the immediate supervisor, the employee shall have five working days to submit the grievance to the office manager. The office manager shall consider all information available and arrive at a determination one week after receiving the grievance.

Step 4. If the employee disagrees with the decision of the office manager, the employee may submit the grievance to a physician, designated by the president of the corporation, for disposition two weeks after receiving the grievance. This physician, who must be a shareholder in the corporation, shall hear the grievance in person. The employee and management may be in attendance for all parts of the hearing. A final and binding decision on all parties will be rendered by the designated physician within 10 days of the hearing.