



**NKYHEALTH**  
NORTHERN KENTUCKY HEALTH DEPARTMENT



# Anti-Harassment

## Excerpt from Guide to Personnel Policies

### POLICY: PP-6.5.02

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### **6.5 Anti-Harassment**

NKY Health is committed to maintaining a collegial work environment in which all individuals are treated with respect and dignity. Each employee has the right to work in a professional atmosphere, which is free from inappropriate behavior and discriminatory practices including harassment.

Behavior that NKY Health considers to be inappropriate or unethical, including harassment, is prohibited at all times at NKY Health worksites and in any situation that arises directly from a workplace relationship. Harassment may encompass activity that is outside the worksite if the act(s) are directly and causally connected to workplace issues or matters. This prohibition also applies to an employee and visitor who may come into contact with an employee.

#### **6.5.1 Forms of Harassment**

Under this policy, the following are forms of harassment:

- A. Inappropriate behavior / Gossip
- B. General harassment/discrimination
- C. Sexual harassment

##### **6.5.1.1 Inappropriate Behavior / Gossip**

Inappropriate behavior is behavior deemed by management to be grossly unprofessional and/or unwelcome in the workplace and/or during NKY Health-sponsored events. Unethical behavior is behavior deemed by management to be contrary to the values of the District. The District Director of Health and/or her/his designee has the final authority to determine whether behavior is inappropriate, unethical, and/or unwelcome.

Gossip, which is the spreading of false information or information that is sensitive, personal, private, sensational, or derogatory in nature about an individual who is not present or does not consent to the dissemination of information which could have negative consequences to the individual or be disruptive to the work environment, is one of many examples of inappropriate behavior that will not be tolerated.

### **6.5.1.2 General Harassment/Discrimination**

General harassment and/or discrimination is treating an employee in a manner which has or could have a negative impact on her/him based on her/his race, color, national origin, age, religion, sex, sexual orientation, disability including medical conditions related to pregnancy/childbirth or any other protected class. Such harassment or discrimination is unlawful and includes but may not be limited to the following:

- A. Intimidation by threats of or actual physical violence
- B. The creation of a hostile or intimidating climate
- C. The use of language, conduct or symbols in such a manner as to be commonly understood to convey hatred or prejudice

Acts of harassment/discrimination may be perceived by persons of the same or a different protected class.

### **6.5.1.3 Sexual Harassment**

Sexual harassment is conduct that includes unwelcome or unwanted sexual advances, requests for sexual favors and other verbal, non-verbal or physical conduct of a sexual nature, when either or both of the following is true:

- A. An employee's submission to or rejection of this conduct is used explicitly or implicitly as a factor in decisions affecting hiring, evaluation, promotion or any other aspect of employment
- B. This conduct reasonably interferes with an employee's work performance and/or creates an intimidating, hostile or offensive work environment

Acts of sexual harassment may be perceived by persons of the same or opposite sex.

### **6.5.2 Reporting Harassment/Discrimination**

An employee who believes she/he has been harassed or treated inappropriately is encouraged to address the inappropriate behavior before it becomes severe or pervasive.

An employee who believes she/he has been the object of harassment or inappropriate behavior on the part of another employee and/or visitor in the workplace, or has witnessed such harassment should report the alleged act as soon as possible to an authority in her/his chain-of-command or to the head of Human Resources or her/his designee.

When anyone in management receives a report of an allegation, she/he must advise the head of Human Resources or her/his designee of the complaint. The employee and/or management will provide a written record of the complaint to the head of Human Resources so that an accurate record of the alleged behavior is documented and can be investigated.

### **6.5.3 Protection Against Retaliation**

NKY Health will not retaliate or permit any other person to retaliate against an employee who, in good faith, makes a report of harassment/discrimination.

Retaliation is a very serious violation of this policy and should be reported immediately to an authority in the chain-of-command or to the head of Human Resources or her/his designee. Any employee found to retaliate against an individual for reporting harassment, or against anyone participating in the investigation of a claim, will be subject to appropriate disciplinary action up to and including termination of employment ([see section 7.4](#)).

#### **6.5.4 Interim Measures**

The District Director of Health and/or her/his designee may take interim measures to protect employees during the harassment investigation. For employees involved this includes, but is not limited to, temporary transfer to different work assignments and/or locations and/or placement on Administrative Suspension ([see section 7.5](#)) pending the outcome of the investigation.

#### **6.5.5 Investigating Claims**

A thorough and expeditious investigation of all claims of harassment/discrimination will be conducted. The head of Human Resources will develop procedures for investigating claims of harassment/discrimination. When the claim is against the head of Human Resources, the District Director of Health and/or her/his designee will develop investigation procedures.

During the investigation, any accused will have the opportunity to respond to the claim.

#### **6.5.6 Confidentiality of Claims**

The privacy and anonymity of all parties involved in a harassment/discrimination investigation will be preserved within the context of pursuing a thorough investigation and advising appropriate parties as to the status of the investigation.

#### **6.5.7 Resolving Claims**

Upon completion of the investigation, management will take any corrective action(s) it deems appropriate.

If an investigation results in a finding that the reporting employee falsely and maliciously accused another of harassment/discrimination, the reporting employee may be subject to appropriate disciplinary action up to and including termination of employment ([see section 7.4](#)).