

## **HARASSMENT-FREE WORKPLACE POLICY**

American College of Obstetricians and Gynecologists promotes an environment of respect, fairness, integrity, and inclusiveness. The College is committed to maintaining a professional atmosphere that promotes equal employment opportunities for all employees and prohibits unlawful discriminatory practices, including harassment. The College will not tolerate harassment in any form. The College requires all employees to conduct themselves in a professional manner when dealing with other staff as well as third-parties such as employees of outside agencies or organizations, members, including Fellows, job applicants, vendors, suppliers, subcontractors, consultants or visitors. Likewise, the College takes seriously its responsibility to protect its employees from harassment by third parties.

### **Individuals Covered Under the Policy**

This policy covers all employees, regardless of position. The College will not tolerate any form of harassment, whether engaged in by fellow employees, supervisors, executives, members such as Fellows or by other non-employees who conduct business with the College. This policy applies whether the prohibited conduct occurs in the workplace or in any work-related setting, such as during business trips, meetings, or work-related social events.

All employees who violate this harassment-free workplace policy will be subjected to discipline, up to and including termination.

### **Definition of Harassment**

Harassment consists of unwelcome conduct, whether verbal, physical, or visual that is based upon a person's protected status, including race, color, religion, sex/gender (including pregnancy, childbirth, related medical conditions, breastfeeding, and reproductive health decisions), national origin, age, disability, genetic information, sexual orientation, gender identity or expression, including transgender identity, marital status, personal appearance, family responsibilities, political affiliation, or any other characteristic protected by applicable law and which has the effect of unreasonably interfering with an employee's work performance, creating an intimidating, hostile or offensive work environment or otherwise adversely affects an individual's employment opportunities, is prohibited. In addition, no employee shall be required to submit to such harassing conduct as a term or condition of employment, and the submission to or rejection of any such conduct shall not be used as the basis for employment decisions affecting any employee.

Such harassment may include, for example:

- epithets, slurs, negative stereotyping, or intimidating acts such as touching, leering, crowding, and similar acts that are based on a person's protected status;
- written or graphic material circulated within or posted within the workplace that shows hostility toward a person or persons because of their protected status; and
- jokes or comments about another person's protected status, kidding, teasing, or practical jokes directed at a person based on his or her protected status.

## **Definition of Sexual Harassment**

Sexual harassment is defined as (1) making unwelcome sexual advances; (2) requesting sexual favors; (3) engaging in verbal or physical conduct of a sexual nature; or (4) engaging in unwelcome verbal or physical conduct which is gender based but may not necessarily be sexually provocative; any of which is used as the basis for employment decisions or which create an intimidating, hostile, or offensive working environment.

Examples of behavior that might constitute sexual harassment include, but are not limited to:

- unwanted sexual advances or propositions;
- demands for sexual favors in exchange for favorable treatment or continued employment;
- sexual jokes or flirtations;
- verbal abuse of a sexual nature;
- verbal commentary about an individual's body, sexual prowess or sexual deficiencies;
- leering, whistling, touching, pinching, assault, or coerced sexual acts;
- suggestive, insulting, obscene or demeaning comments or gestures; and
- displays in the work place of sexually suggestive objects or pictures.

Verbal or physical conduct of a sexual nature which may be viewed by some employees as good natured fun may be viewed by other employees as extremely distasteful and offensive and will not be tolerated.

Sexual harassment is unacceptable in the workplace itself and in other work-related settings such as outside meetings, business trips, and business-related social events.

## **Procedures and Responsibilities for Reporting and Investigating Harassing Conduct**

Employees who feel that they are being subjected to harassment should immediately notify Human Resources, their supervisor, or in the alternative, their division executive leader so that prompt and effective action may be taken. All supervisors are responsible for maintaining a work environment free of harassment and must immediately report any conduct which may be in violation of this policy to Human Resources. The College also strongly urges employees to report any conduct they observe and believe to be harassment to Human Resources, their supervisor, or division executive leader.

All complaints will be promptly and thoroughly investigated. Complaints will be kept confidential to the extent possible and any information contained in any complaint or resulting investigation will only be made available on a need to know basis consistent with the College's legal responsibilities. The College expects all employees to cooperate fully with any College investigation, whether conducted by College staff, outside consultants, or both. At the conclusion of the investigation, the employee making the complaint and the employee, against whom the complaint was made, and their supervisors and division executive leader will receive written responses.

Individuals found to have engaged in conduct that violates this Policy will be appropriately disciplined, up to and including discharge.

The College will not in any way retaliate against an employee who makes a report of harassment or any individual who truthfully participates in the investigation of a claim of harassment, nor will it permit any employee, regardless of position, to do so. Retaliation is a serious violation of the College's harassment and retaliation policies and should be reported immediately. (The College's Retaliation Policy can be found in the ACOG Policies page of the College's Intranet)

### **Conclusion**

The College developed this policy to ensure that all of its employees can work in an environment free from harassment. All employees, particularly supervisors, are responsible for respecting the rights of their co-workers, maintaining a work environment free of harassment, and immediately reporting conduct which may be in violation of this Harassment-Free Workplace policy. Any complaint received will be thoroughly investigated and appropriately resolved. All employees, including supervisors, who violate this policy, will be subject to discipline, up to and including termination.