

**INOVA FAIRFAX MEDICAL CAMPUS
GRADUATE MEDICAL EDUCATION POLICY**

Institutional Policy on Harassment

I. STATEMENT:

Inova Health System will not tolerate harassment of any kind, including sexual harassment. In addition, immediate and appropriate corrective action will be taken upon the reporting of any alleged incident. Individuals in the Hospital System work environment are responsible for respecting the rights of their co-workers. Department Chairs, Program Directors, and Chief Residents are responsible for creating an atmosphere free of sexual harassment for their interns and residents.

II. PURPOSE:

The purpose of this policy is to reiterate Inova's commitment not to tolerate workplace harassment, to provide house staff with procedures for filing a harassment complaint, and inform of disciplinary action that will be taken against a house officer should an investigation confirm violation of this policy.

III. SCOPE:

This policy will apply to all house staff participating in post-graduate training programs, whether accredited or unaccredited, at Inova Fairfax Medical Campus.

IV. DEFINITION:

"House Staff/House Officer" - refers to interns, residents and fellows enrolled in post-graduate training programs.

The following definitions, for purposes of this Policy, are applicable to the Inova Health System, and may be broader than the legal definitions of unlawful harassment. Harassment does not have to constitute unlawful behavior to be subject to discipline under this policy.

- A. Harassment:** Inova defines harassment as any unwelcome conduct, behavior, speech or action, whether verbal, physical or visual, that is based upon an employee's protected stats such as age, sex, color, race, ancestry, religion, national origin, physical handicap, medical condition, citizenship status, or other protected status, which has the potential to interfere with an individual's work performance, or to create an intimidating, hostile or offensive working environment.
- B. Sexual Harassment:** Sexual harassment is defined as any type of sexually oriented or related conduct, behavior, speech or action, whether intentional or not, that is unwelcome and has potential to create a work environment that is hostile, offensive and coercive.
- C. Examples of Conduct:** There is no way to delineate all behaviors that may constitute harassment. Inova will assess any complaint of harassment on the basis of all facts and circumstances of that complaint, including severity and pervasiveness of the conduct. Some examples of conduct that, depending on the circumstances, may constitute sexual harassment include but are not limited to the following:
1. Unwelcome and unwanted sexual jokes, teasing, language epithets, advances, propositions or gossip regarding one's sex life;
 2. Written or oral abuse of a sexual nature; sexually degrading or vulgar words to describe an individual;
 3. The display of sexually suggestive objects, pictures, posters or cartoons;

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4. Unwelcome or unwanted comments about an individual's body, sexual prowess or sexual deficiencies;
5. Asking questions about sexual conduct;
6. Unwelcome sexual advances, whether they involve physical touching or not;
7. Unwelcome touching, staring, leering, whistling, brushing against the body, or suggestive, insulting or obscene comments or gestures;
8. Requests for sexual favors in exchange for actual or promised job benefits, such as favorable reviews, assignments, promotions or continued employment; and/or
9. Assault or coerced sexual acts or contact.

Other Types of Harassment

Prohibited harassment on the basis of color, race, national origin, ancestry, religion, physical or mental disability or other protected basis, includes behavior similar to sexual harassment such as:

- Verbal conduct including threats, epithets, derogatory comments or slurs;
- Visual conduct including derogatory posters, photography, cartoons, drawings or gestures;
- Nonverbal harassment, to include the distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion, or disrespect toward an individual or group because of an employee's protected status;
- Physical conduct including assault or unwanted touching.

This policy also protects house officers from harassment by vendors, clients or patients. If harassment occurs on the job by someone not employed by Inova, the procedures of this Policy should be followed.

V. REPORTING PROCEDURES:

- A. Filing a Complaint:** A house officer who believes they have been the subject of harassment or sexual harassment, or subjected to a hostile, offensive or coercive work environment, or who are not sure whether certain behavior is harassment or sexual harassment, or whether it is actionable under this policy, are strongly encouraged to immediately notify:

- The Program Director or Department Chair
- The Director of Graduate Medical Education/DIO
- The Human Resources Executive for IFMC
- The Inova Compliance Hotline (888-800-4030)

Any house officer who has a question about how to file a complaint may seek guidance from:

- His/her Program Director, Department Chair or Office of Graduate Medical Education; or
- The Human Resources Executive for the operating unit or designee; or
- The Inova Compliance Officer (703-289-2041)

If a house officer believes he or she has been a victim of any form of sexual or other forms of harassment or inappropriate conduct or behavior which is being caused by his or her manager or supervisor, the house officer should contact the Office of Graduate Medical Education and/or the Human Resources Department.

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B. Witnessing Harassment

Any house officer who witnesses any verbal exchange, behavior, conduct or action that he or she reasonably believes constitutes harassment or sexual harassment should report such incident to his or her immediate supervisor, manager administrator, or the Human Resources Executive for the operating unit.

C. Confidentiality

To the extent reasonably possible, Inova will endeavor to protect the confidentiality of any complaint of harassment or sexual harassment, the information obtained during the investigation of that complaint, and the resolution of the complaint.

Complete confidentiality cannot be guaranteed because an effective investigation usually requires revealing certain information to the alleged harasser and potential witnesses. To the extent possible, we will not disclose any information unnecessarily to persons not involved directly in conducting the investigation and determining what action, if any, will be taken to resolve the complaint.

D. Investigation

All complaints will be investigated thoroughly and promptly in a fair and expeditious manner. The Human Resources Executive for the operating unit and/or designee will handle all investigations, including privately interviewing the complainant and/or alleged victim (if different) and obtaining the names of the witnesses and interviewing them respectively.

E. No Retaliation

All house staff should take special note that retaliation against any individual who has complained about harassment or sexual harassment and retaliation against individuals for cooperating with an investigation or harassment or sexual harassment complaint is prohibited and will not be tolerated by Inova. A house officer who believes he/she has been retaliated against for complaining about harassment or cooperating with an investigation must report the conduct to Human Resources immediately. Any report of retaliatory conduct will be thoroughly and promptly investigated. If a report is substantiated, appropriate disciplinary action, up to and including termination, will be taken.

F. Corrective Action

If an investigation confirms harassment has occurred, Inova will take immediate and appropriate corrective action commensurate with the severity of the offense. When a house officer is responsible for the harassment, corrective action may include discipline up to and including termination, depending upon the circumstances of the situation. When harassment is by a non-employee (e.g. volunteer, vendor or student), the appropriate corrective action shall be determined on a case-by-case basis.