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Section HR-Diversity & Inclusion
Manuals Human Resources

HR-001-001 EEO/Anti-Discrimination/Anti-Harassment

I. Purpose

The policy establishes guidelines which are consistent with Federal, state and local laws and sets forth Broward Health's policy, that all workforce members have the right to work in an environment in which everyone is treated fairly and with respect, and free from discrimination or harassment on the basis of any characteristic protected under applicable federal, state or local law.

II. Our EEO Statement:

- A. Broward Health is an "equal opportunity employer". Broward Health prohibits discrimination and harassment of any type and affords equal employment opportunities to employees and applicants without regard to race, color, national origin, gender, gender identity or gender expression, pregnancy, sexual orientation, religion, age, disability, military status, genetic information, or any other characteristic protected under applicable federal or state law. Broward Health is committed to encouraging and sustaining a safe, working environment that is inclusive in all aspects of its personnel policies, procedures, and practices as it relates to the employment relationship. This includes but is not limited to recruitment, advertisements for employment, compensation, benefits, termination, promotions, transfers, career development programs, and other conditions of employment. Consistent with these obligations, Broward Health also provides reasonable accommodations for employees and applicants with disabilities and for sincerely held religious beliefs, observances and practices.
- B. The policies and principles also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with Broward Health.

III. Definitions

- A. **Workforce member:** Any employee, independent contractor, agent, trainee, or other person performing a service to or for Broward Health in return for payment in the form of a salary or fee. This includes members of the Board, members of standing committees, medical staff employed by or otherwise affiliated with Broward Health and others receiving training at any BH facility.
- B. **Discrimination:** Discrimination refers to making a distinction in favor of or against, a person based on the group, class, or category to which that person belongs, rather than on individual merit. Conduct based on characteristics protected under applicable federal, state, or local law, that impacts the terms and conditions of employment are prohibited.

Examples of workplace discrimination include but are not limited to: harassment (including sexual harassment), retaliation

- C. Harassment is defined as being subjected to inferior working conditions and/or unwelcomed conduct based on characteristics protected under applicable federal state law when:
1. Enduring offensive conduct becomes a condition of continued employment.
 2. Offensive conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Harassment may include offensive or derogatory remarks or conduct and may be non-sexual or sexual in nature.

Sexual Harassment: is defined as unwelcome conduct of a sexual nature including advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission or rejection to such conduct is either an explicit or implicit term of employment e.g., promotion, raises, demotion, training, overtime, assignments etc.;
- OR
2. Submission to or rejection of the conduct is used as a basis for making employment decisions; OR
3. The conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment is prohibited whether it is between members of the opposite sex or same sex. Examples of conduct that may contribute to an unlawful, hostile environment include but not limited to:

- A. offensive or sexual language, jokes, gestures, comments, slurs, epithets(nicknames) or name calling, objects or pictures.

B. Physical assault, threats, unwanted touching, intimidation, ridicule, or mockery. insults or put downs.

C. Interference with work performance.

I. Policy

A. Guidelines and Scope:

It is Broward Health's position that harassing or discriminatory behavior only serves to undermine the integrity of the employment relationship. Although we all serve in various roles at Broward Health, everyone is held to the same standards/ expectations as it relates to this policy. For that reason, all employees, medical staff, vendors, and independent contractors or workforce members as defined above, are covered by, and expected to comply with this policy. Each individual must take appropriate measures to prevent unlawful harassment and/or discrimination and are responsible for implementing equal employment practices within their departments or work areas.

B. Management and Responsibility

It will be the responsibility of each Regional CEO, in collaboration with the Regional Chief Human Resources Officer and Office of Equity and Inclusion to ensure that all workforce members under the Region's responsibility, are made fully aware of their rights and responsibilities under this policy as well as the rights of each individual to seek redress in the event of harassment or discrimination.

C. Reporting Mechanisms

Any allegation of discrimination including but not limited to harassment that is experienced, made known to or observed by any Workforce member, **must be reported immediately to that employee's Department Manager and to the Regional Chief Human Resources Officer.** Allegations of discrimination or harassment may also be reported to the Office of Equity and Inclusion at 954-473-7323 or email Advocacy@browardhealth.org. Broward Health requires mandatory reporting of allegations of discrimination including but not limited to harassment, whether it occurs to themselves or another workforce member, patient, or visitor. Notifying non-management personnel of allegations will not qualify as notification to Broward Health of potential harassment or discrimination.

D. Investigation

All reported claims of discrimination or harassment will be investigated and addressed. The Regional Chief Human Resources Officer in collaboration with the Office of Equity and Inclusion will be responsible for the prompt, thorough and impartial investigation of allegations; and will make determinations on the appropriate action needed to resolve the matter. If it appears that there is no foundation to the allegation and the allegation was made without malicious intent,

no record will be made of the allegation in either the alleged offender or complainant's personnel records. However, the Office of Equity and Inclusion as well as the Regional Chief Human Resources Officer or designee will maintain a copy of the records of the investigation. Should the investigation support cause for the complaint, immediate and appropriate disciplinary action, up to and including termination, will be taken. Risk Management/Office of General Counsel may be notified, as appropriate, and provided with a copy of the records of the investigation for further action.

E. Disciplinary Action

If a basis for the complaint is established, appropriate action will follow and will be based on the scope and severity of the occurrence. If it is demonstrated that an allegation of harassment or discrimination was not in good faith, appropriate action will be taken. These may include personnel actions including but not limited to warnings, demotion, suspension, termination, sanctions, reprimands, or the denial of staff privileges. Additionally, every effort will be made to provide appropriate relief for the employee(s) against whom the harassment was directed.

F. Confidentiality

Broward Health recognizes that confidentiality is integral to the investigation and resolution of allegations of harassment and/or discrimination. Therefore, all investigations and meetings surrounding such matters will be designed, to the maximum extent possible, to protect the identity, privacy of and minimize suspicion toward the accused as well as the complainant or other participants of the investigation. Only individuals responsible for investigating and enforcing these matters will have access to confidential communications resulting from the receipt and investigation of a complaint.

G. Medical Staff, Vendors, and Independent Contractors

Members of medical staff, vendors, and independent contractors, will be subject to the terms and conditions of this policy including but not limited to any other applicable Broward Health policies, contract agreements, regulations etc. based on their status.

Allegations of harassment or discrimination that are made against members of medical staff will be referred by the responsible Regional CEO and Regional Chief Human Resource Officer to the appropriate Chief of Staff or Medical Director. The Chief of Staff/Medical Director, Regional Chief Human Resource Officer and the Office of Equity and Inclusion will be responsible for collaboratively investigating allegations against members of medical staff, and making determinations on appropriate action needed to resolve the matter.

Allegations of discrimination, including harassment, that are made against vendors or independent contractors should be directed to the employee's Regional Human

Resource department and the Office of Equity and Inclusion for investigation and resolution. If the allegation is substantiated, appropriate corrective action including but not limited to termination of contract or the violator's access to Broward Health's premises may occur.

H. **Non-retaliation**

Broward Health prohibits harassment or retaliation against individuals for reporting in good faith a complaint of discrimination or harassment, filing subsequent charge, testifying, or participating in any way in a related investigation, proceeding, or lawsuit; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws. If the allegation of retaliation is substantiated, or if an investigation proves that an individual maliciously filed a complaint/allegation of discrimination or harassment, timely and appropriate corrective action will be taken against the violator.

INTERPRETATION AND ADMINISTRATION

Application of this policy is the responsibility of the Regional CHROs. Ongoing interpretation and administration of the policy is the responsibility of the Office of Equity & Inclusion. Final systemwide interpretation is the responsibility of the SVP, Chief Human Resources Officer.

Approval Signatures

Step Description	Approver	Date
	Marcy Mills-Matthews: CHIEF HR OFFICER-BHC	11/2023
	Christopher Pitts: CHIEF HR OFFICER-BHIP	11/2023
	Kiera Page: CHIEF HR OFFICER-BHMC	11/2023
	Faith-Simone Hunte: DIR, EMP. REL. & IMMIGRATION	10/2023