




Children's Hospital Colorado

<b>MANUAL/DEPARTMENT</b>	HUMAN RESOURCES
<b>ORIGINATION DATE</b>	MAY 1993
<b>LAST DATE OF REVIEW/REVISION</b>	JULY 2012
<b>APPROVED BY</b>	

**TITLE: DISCRIMINATION/HARASSMENT**

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## PURPOSE

To state the intention of Children's Hospital Colorado (Children's Colorado) to create and maintain a work environment that is free from unlawful harassment and/or discrimination of any kind.

## GUIDELINE

- I. In compliance with applicable law, Children's Colorado strives to provide a working environment free from discrimination against its employees based on age, ancestry, color, disability, gender expression, genetic information, marital status, national origin, pregnancy, race, religion, sex, sexual orientation, veteran status or any other non-job related characteristic. Harassment is a form of unlawful discrimination and will not be tolerated.
- II. Children's Colorado strictly prohibits any conduct, whether by supervisory or non-supervisory personnel, that harasses, disrupts or interferes with another's work performance or that creates an intimidating, offensive or hostile work environment. Any employee who engages in unlawful discrimination or harassment, or retaliates against an employee for making a complaint of discrimination or harassment or participating in an investigation of a claim of discrimination or harassment, is subject to discipline, up to and including termination of employment.
- III. It is the responsibility of all Children's Colorado employees, including management, to comply with this guideline. Any staff who do not comply with this guideline will be subject to disciplinary action up to, and including, termination of their working relationship with Children's Colorado.
- IV. **Disability Discrimination**  
It is unlawful to discriminate against any employee or applicant for employment based on disability. Decisions may not be made regarding job application procedures, hiring, promotion, discharge, pay, job training, and other terms, conditions, and privileges of employment based on disability, nor may employees be harassed because of disability. Workplace harassment based on disability will not be tolerated.
- V. **Sexual Harassment**  
  
Sexual harassment is against the law, and will not be tolerated. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:
  - A. Submission to the conduct is an explicit or implicit condition of employment; or
  - B. Submission to or rejection of the conduct is used as a basis for employment or promotion decisions; or
  - C. The conduct interferes with an employee's work performance or creates an intimidating, hostile or offensive working environment.

D. Whether a particular behavior is sexual harassment may depend on the circumstances, and it is not possible to provide a complete list of behavior that constitutes sexual harassment. Clear examples include unwanted touching, flirtations, advances, propositions, innuendoes, and requests for sexual favors. Foul language, sexual remarks, obscene gestures, references to co-workers by derogatory terms, remarks about a person's body or clothing, sexual jokes, and sexual pictures or graffiti (such as pictures of nude persons) may also create an intimidating, hostile or offensive work environment, and thus are inappropriate and will not be tolerated.

VI. Other Unlawful Harassment

Harassment or intimidation based on personal characteristics is also offensive and inappropriate and will not be tolerated. This includes racial, ethnic or religious jokes, comments, slurs or stereotyping; intimidating or hostile acts; and any other communication or conduct that disparages, belittles, demeans or shows hostility toward any racial, ethnic, religious or minority group.

### **PROCEDURE**

- I. Any employee who believes that he or she has been subjected to harassment or discrimination, or who observes harassment or discrimination of another employee, should promptly report this incident to his/her supervisor, another member of management, or a Human Resources representative.
- II. Employees who believe that they themselves have been subjected to harassment or discrimination should promptly tell the offending employee that his/her conduct is offensive and ask him/her to stop. No employee should attempt personally to resolve incidents involving others that the employee observes or hears about from others, but should instead report this behavior as indicated in the previous paragraph.
- III. Human Resources will investigate complaints to the extent appropriate. To the extent possible, any investigation will be handled in confidence and disclosed only to those who have a need to know. Children's Colorado cannot promise anonymity to persons who report harassment or discrimination, or who participate in any investigation.
- IV. No reprisal or retaliation of any kind will be taken against any individual for making a bona fide complaint about harassment or discrimination, or for participating in any investigation of such a complaint.
- V. Employees with questions concerning this guideline are responsible for contacting Human Resources for clarification.

### **RELATED DOCUMENTS/REFERENCES**

[Equal Opportunity Employment guideline](#)  
[Recruitment and Selection guideline](#)

Genetic Information Nondiscrimination Act (GINA) of 2008

### **REVIEWED BY**

Human Resources Guideline Committee  
Senior Management and Executive Team

