



Policy

TITLE: Antidiscrimination, Non-Retaliation and Harassment Free Environment

EFFECTIVE DATE: January 1, 2010; Revised March 2022

APPROVER(S): Dean of Medical Education, OCS Head of School

NUMBER: OCS 503.1

I. Purpose

This policy is intended to communicate that inappropriate behavior that demonstrates harassment, discrimination or retaliation by Ochsner Clinical School or Ochsner Health (Ochsner) workforce members against others in any form is unacceptable and will not be tolerated.

II. Scope

This policy applies to (i) Ochsner Health, (ii) Ochsner Clinic Foundation, and/or (iii) all facilities and entities wholly owned, managed, and/or leased by Ochsner Clinic Foundation ("Ochsner").

III. Definitions

- A. Harassment is offensive conduct which may include but is not limited to:
1. Offensive physical actions, written or spoken, and graphic communication (e.g. obscene hand or finger gestures or sexually explicit drawings).
 2. Any type of physical contact when the action is unwelcomed by the recipient (e.g. brushing up against someone in an offensive manner).
 3. Expectations, requests, demands or pressure for sexual favors, when submission to or rejection of such conduct is made a term or condition of employment, or is used as the basis for employment decisions affecting the individual.
 4. Conduct which has the purpose or effect of unreasonably interfering with an individual's school or work performance or creating an intimidating, hostile, or offensive working environment.
- B. OCS Employee references OCS Administration, Faculty, Physicians, Supervisors, Students, and others engaged in undergraduate medical education activities at the Ochsner Clinical School.

IV. Policy Statements

- A. Ochsner is an Equal Opportunity Employer. Discrimination on the basis of an employee's race, color, religion, national origin, sex, sexual orientation, gender identity/expression, transgender status, genetic information, age, disability, military status, veteran status, or any other unlawful factor is strictly prohibited. Our policy extends to every aspect of educational activity, employment and employee relations, including, but not limited to, advertising, recruitment, hiring, compensation, benefits, selection for training, work assignments, job classifications, working conditions, overtime, promotions, demotions,

transfers, disciplinary actions, reductions in force, terminations, and all other terms, conditions, and privileges of employment.

1. It is Ochsner's intent to provide annual non-harassment training.
- B. Ochsner and its employees will not intimidate, threaten, coerce, discriminate against, or take any retaliatory action against any patient, legally authorized representative, employee, association, organization or group that in good faith:
1. discloses or threatens to disclose information about a situation s/he feels is inappropriate, or potentially illegal;
 2. provides information to or testifies against the alleged offending individual or Ochsner;
 3. objects to or refuses to participate in an activity s/he feels is in violation of federal or state law, Ochsner policy, or accreditation requirements;
 4. is involved in any compliance review or peer review process;
 5. files a valid or legitimate report or complaint, or an incident report; or
 6. reports any patient safety or quality complaints to any external regulatory agencies, including Louisiana Department of Hospitals or the Joint Commission.
- C. All Ochsner employees shall be allowed to freely discuss and raise questions to Department Leaders or to other appropriate personnel about situations they feel are unethical, immoral, or in violation of federal/state law, Ochsner policy, and/or regulatory or accreditation requirements.
- D. Harassment of any employee, applicant, patient, visitor, physician, or other provider on the basis of race, religion, color, national origin, ancestry, medical condition, genetic information, disability, veteran status, marital status, parental status, age, sexual orientation, gender identity/expression, transgender status and gender, including sexual harassment (all as defined and protected by applicable law), is unacceptable, will not be tolerated and may lead to corrective action up to and including termination.

V. Policy Implementation

- A. Prohibited sexual harassment includes, but is not limited to the following, sexually suggestive remarks or propositions; verbal or non-verbal abuse of a sexual nature; graphic verbal commentaries about a person's body; sexual and degrading words used to describe a person; and the display of sexually suggestive objects, cartoons or pictures.
1. It is a violation of our policy for any employee (including, but not limited to, a manager, supervisor or student)
 - a. to engage in such actions;
 - b. to use his or her authority in making sexual advances toward employees over whom such person is authorized to make or recommend employment decisions or grading;
 - c. to take, recommend or fail to take action because of sexual favors; or
 - d. to take, recommend, or fail to take action as a reprisal against any employee for rejecting sexual advances, for reporting sexual harassment or refusing to accept a sexually hostile, intimidating or offensive work environment that unreasonably interferes with such employee's work performance.
 2. It also is a violation of our policy for any Department Leader to allow an employee to be sexually harassed by another Department Leader, a co-worker, peer, vendor or patient.
 3. No Department Leader or employee shall threaten or insinuate, either explicitly or implicitly, that another employee's refusal to submit to sexual advances, or refusal to accept a sexually hostile, intimidating or offensive work environment that unreasonably

interferes with such employee's work performance, will adversely affect such person's job, evaluation, wages, advancement, assigned duties, hours of work, or any other term or condition of employment or career development.

- B. Anyone who believes s/he is being discriminated, retaliated, or harassed against should report this behavior to his or her immediate supervisor, Clerkship Director, Society Head, and/or the Office of Student Affairs.
 - 1. If you do not feel comfortable talking to your immediate supervisor, Clerkship Director, Society Head, and/or the Office of Student Affairs and would like to remain anonymous, the matter may be reported anonymously by calling the Ochsner Compliance Hotline, which is available 7 days a week, 24 hours a day for your convenience at 888-273-8442 or reporting through Ochsner's [online web reporting](#) on Ochweb. The Ochsner Compliance Line is answered by an independent company, which will forward the concern to OCS Administration and protect the student's anonymity.
 - 2. Leaders who have knowledge of harassing or discriminatory behavior are responsible for reporting this information to the Society Head and/or the Office of Student Affairs.
 - 3. All complaints will remain as confidential as possible and will be investigated, examined impartially, and resolved promptly.
 - 4. No form of retaliation or corrective action will occur for pursuing a complaint of harassment.
- C. Based on the allegation, the Deputy Head for Student Affairs and the Head of School shall review any allegation of retaliation and will ensure that a proper investigation is conducted as appropriate.

VI. Enforcement

- A. Failure to comply with this policy may result in progressive discipline up to and including termination of employment for employees, termination of contract or service for third party personnel, students or volunteers.

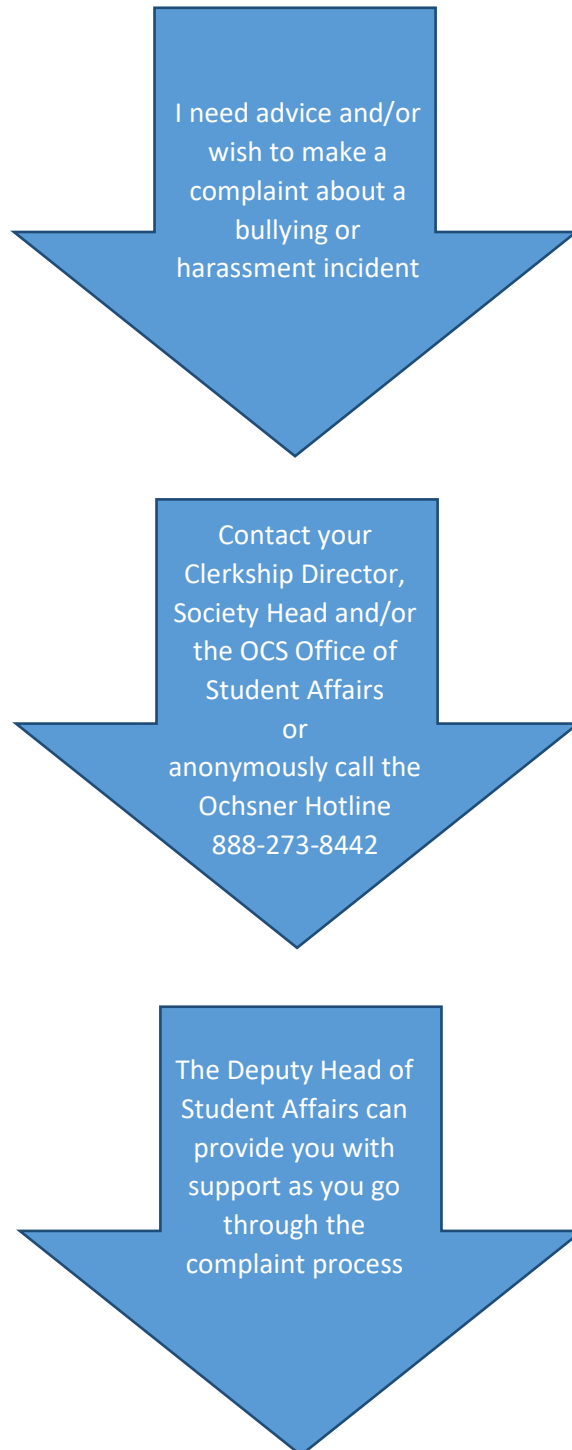
VII. Attachments

MD Ochsner Student Bullying and Harassment Reporting Process Chart

VIII. References

OHS.HR.503 Antidiscrimination, Non-Retaliation, & Harassment Free Environment

OCS Complaint Process



OCS/OHS Education

Orientation

Policy Reviewed at 3rd and 4th year orientations



Policy published via the Student Policy Manual located on the Ochsner Student Center web page



Annually, OHS physicians and clinical employees must complete the Ochsner Commitments Employee Handbook, Rapid Regulatory Compliance Clinical Part I and Rapid Regulatory Compliance Clinical Part II.



OHS non-clinical employees must complete the Ochsner Commitments Employee Handbook, Rapid Regulatory Compliance Non-Clinical Part I and Rapid Regulatory Compliance Non-Clinical Part II.

The applicable OCS Policies regarding this are Policy #OCS 503.1, *Antidiscrimination, Non-Retaliation, and Harassment Free Environment*, which is accessible via the OCS [Student Policy Manual](#), located on the [Ochsner Student Support and Resources](#) web page: <https://medical-school.uq.edu.au/ochsner-students/student-support-and-resources>.