

**FINGER LAKES HEALTH  
PERSONNEL POLICY MANUAL**

**SUBJECT:**

**HARASSMENT**

**APPLIES:**

This policy applies to all employees, applicants for employment, paid or unpaid interns, contractors, and persons conducting business with Finger Lakes Health, regardless of immigration status.

**POLICY:**

All employees are entitled to a workplace free from harassment.

**PURPOSE:**

To establish standards of conduct and a working environment in which the dignity of all individuals are respected and to comply with all New York State and Federal laws.

**GUIDELINES:**

Finger Lakes Health is committed to the principle that all employees are entitled to a work environment free from harassment of any kind, including conduct that constitutes harassment based on race, color, religion, creed, age, national origin or ancestry, sexual orientation, gender identity or expressions, sex, marital status, military or veteran status, genetic predisposition or carrier status, familial status, disability, or status as a victim of domestic violence, or any other status protected by law.

Finger Lakes Health is committed to providing and maintaining a working environment free from harassment and intimidation, whether from Finger Lakes Health employees or from others with a relationship to this organization, such as members of the medical staff, volunteers, patients, business associates, vendors, or visitors. It is a violation of this policy for any individual to engage in harassment (as defined below) toward any Finger Lakes Health employee.

Harassment is unlawful when it subjects an individual to inferior terms, conditions or privileges of employment because of the individual's membership in one or more protected categories.

Harassment is prohibited, whether inside Finger Lakes Health facilities, in work assignments outside of Finger Lakes Health, or at FLH-sponsored functions or events.

Any individual who feels they are being harassed is required to report his or her concerns immediately so that the allegations may be investigated and resolved promptly. No employee will be retaliated against for reporting harassment, opposing harassment, supporting another person's report of harassment or assisting or participating in an investigation. Any employee who retaliates against anyone involved in a harassment investigation will be subject to disciplinary action, up to and including termination. Any individual who believes they have been subject to retaliation should inform a supervisor, manager, director or administrative team member or Vice President or Director of Human Resources.

The use of Finger Lakes Health facilities, property, or equipment (including e-mail and voice-mail) to send, distribute, duplicate, store, or display harassing materials is prohibited.

Employees who engage in conduct that violates this policy will be subject to corrective action up to and including termination of employment. Individuals who violate this policy who are not employees of Finger Lakes Health will be subject to limitations or termination of their affiliation, or limitation or denial of access to FLH premises.

#### DEFINITION OF HARASSMENT:

"Harassment" is defined as any unwelcome or offensive verbal, physical, or other conduct, which is based on an individual's personal characteristics such as race, color, religion, creed, age, national origin or ancestry, sexual orientation, gender identity or expressions, sex, marital status, military or veteran status, genetic predisposition or carrier status, familial status, disability, or status as a victim of domestic violence, or any other status protected by law when:

- Submission to the harassment is made a term or condition of employment;
- Submission to, participation in, or rejection of the harassment is used as a basis for employment decisions affecting any employee; or

The harassment has the purpose or effect of unreasonably interfering with an employee's work performance or use of the organization's services by creating an intimidating, hostile, offensive or coercive working environment.

"Harassment" does include conduct that was intended to be friendly or humorous when it is offensive to other individuals.

"Harassment" can be either a single incident of serious misconduct or a number of incidents, each of which alone might not be enough to constitute "harassment" but which together form a pattern of inappropriate conduct. Employees are encouraged to report any conduct that makes them uncomfortable, so that the issue may be addressed promptly.

As examples of the kinds of conduct prohibited by this policy, harassment may include, but is not limited to:

- using offensive or degrading nicknames, epithets, or terms of affection to address or describe another person;
- making racist or other offensive jokes, using offensive, degrading, or demeaning language or engaging in offensive conversation related to an individual's personal characteristics, whether in person, by memorandum, email, voice mail, text messages, or social media;
- displaying offensive or degrading literature, pictures, drawings, posters, cartoons, graffiti, objects, or computer or cell phone images;
- engaging in offensive "teasing" or "joking"; suggesting that an individual's personal characteristics (race, color, religion, creed, age, national origin or ancestry, sexual orientation, gender identity or expressions, sex, marital status, military or veteran status, genetic predisposition or carrier status, familial status, disability, or status as a victim of domestic violence, or any other status protected by law) affects that person's job, chance of promotion, performance evaluations, or working conditions;
- engaging in unwanted physical contact, physical intimidation, stalking, confinement or assault;

- making threats to another person in words, gestures, objects, or pictures;
- making unwelcome comments about a person's clothing, body, or personal life;
- taking hostile actions against an individual because of that individual's protected status, such as interfering with or sabotaging the individual's work, engaging in "pranks" or "practical jokes" against the individual, yelling, bullying, or name-calling, or other similar conduct; or
- other conduct, even if acceptable to some employees, which creates a work environment that may be considered by others to be hostile or offensive.

Employees must be mindful that individuals may respond differently to comments, conduct, or humor depending on their upbringing, religious views, cultural background, political beliefs, or personal sensitivities, and to respect those differences in others in the same way each employee would wish to be respected themselves.

### RESPONSIBILITY OF LEADERS

Every leader is responsible for ensuring a harassment-free workplace, and every leader should act as a role model of appropriate, respectful behavior.

Any leader who directly observes conduct that could be considered harassment must act to ensure that the conduct stops immediately. The leader must immediately report the conduct to the Vice President or Director of Human Resources or designee for follow-up. This obligation to stop and report offending conduct covers behavior engaged in by other leaders, by non-supervisory employees, and by individuals outside FLH toward Finger Lakes Health employees or volunteers.

In addition to being subject to discipline if they engage in harassment themselves, leaders will be subject to discipline for failing to report known or suspected harassment or otherwise knowingly allowing harassment to continue. Leaders also will be subject to discipline for engaging in any retaliation.

### COMPLAINT AND INVESTIGATION PROCEDURE:

Everyone has responsibility for preventing workplace harassment. Finger Lakes Health cannot prevent or remedy harassment unless it knows about it.

Any employee, paid or unpaid intern, or non-employee who has a complaint about workplace conduct or interaction with others - including behavior that may constitute harassment -or who has observed or learned about such harassment, from either a co-worker, supervisor, physician, patient, visitor or other individual, should bring the matter immediately to their Manager, Department Director, or directly to the Vice President or Director of Human Resources. Prompt reporting allows us to investigate while the facts are still fresh and to take prompt corrective action, when appropriate.

All complaints or reports of harassment, whether they are made in verbal or written form, will be investigated promptly, fully and fairly, and remedied, where necessary, by appropriate corrective action, up to and including discharge. Confidentiality will be maintained to the fullest extent possible under the

circumstances and with due regard to the rights of all parties (including complainants, witnesses, and alleged harassers), consistent with our obligation to conduct a thorough investigation. Any leader who receives a complaint or report of harassment, or who suspects that harassment may be occurring, must immediately refer the complaint to the Vice President of Human Resources. It will then be the responsibility of the Vice President of Human Resources or his/her designee to thoroughly investigate all allegations of harassment.

Volunteers and other non-employees alleging harassment should report their complaints directly to their supervisor or the Vice President or Director of Human Resources. If for any reason an individual is not comfortable reporting the issue to the Vice President of Human Resources, the individual may report the concern to any other Vice President or officer of the organization.

Any complaints of harassment involving members of the Medical Staff, who are not employed by Finger Lakes Health, will be referred to the Chief Medical Officer. Complaints will be investigated in accordance with the provisions of the Medical Staff policy on Disruptive Practitioner Behavior. The Chief Medical Officer and the Vice President of Human Resources will work together to provide for a timely response to all allegations made.

The organization reserves the right to require that complaints be put in writing when it is deemed necessary by the Vice President or Director of Human Resources. Individuals making a report are encouraged to use the Complaint Form attached to this policy.

No individual will be retaliated against for making a good faith complaint or report of harassment, acting as a witness for another's complaint, opposing harassment, or participating or assisting in an investigation. Any individual who believes he or she has been retaliated against, or threatened with retaliation, in violation of this policy, should immediately inform their Department Director/Manager or the Vice President or Director of Human Resources.

Finger Lakes Health strives to complete all investigations as promptly as possible, consistent with the responsibility to conduct a thorough and fair investigation. Please note that variations in the time it takes to handle or decide matters may occur for different reasons, depending on availability of witnesses, information, documentation, or other valid factors. Individuals responsible for acting on complaints under this policy shall make a good faith effort to accomplish their work as quickly as time and circumstances allow.

Upon completion of the investigation, both the individual making the complaint and the individual alleged to have violated this policy will be informed of the outcome. All parties to the investigation will be informed of the non-retaliation provision of this policy. Any corrective action deemed appropriate will be implemented promptly. The written documentation of the investigation will be kept in a secure and confidential file in Human Resources.

If the complainant is not satisfied with the result of the investigation, the complaint and determination will be referred to the President & Chief Executive Officer for review. The President & Chief Executive Officer will review the original determination and may discuss the allegations further with those persons involved.

After carefully reviewing all pertinent information relative to the allegations, the President & Chief Executive Officer will meet with the complainant and present his or her final determination.

SANCTIONS:

If an employee is found to have violated this policy, prompt and appropriate corrective action will be taken. The scope of sanctions available will range from a verbal warning to immediate termination. If a non-employee is found to have violated this policy, appropriate administrative action will be taken.

MALICIOUSLY FALSE COMPLAINTS:

Finger Lakes Health considers allegations of harassment to be a very serious matter, and FLH expects all employees to take such allegations seriously as well. Any individual who knowingly and intentionally makes a maliciously false accusation of harassment against another individual for the purpose of harming, embarrassing, or retaliating against that individual will be subject to action in accordance with the organization's Corrective Action policy.

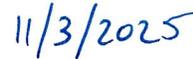
All complaints made in good faith will be protected (even if the investigation ultimately does not find that this policy has been violated) and no retaliation will be permitted.

This policy and procedure will serve to notify all employees of their responsibility to comply with the laws that prohibit harassment/intimidation of any person in the workplace. It also re-enforces our commitment to continue to promote an environment that respects the rights of all individuals.

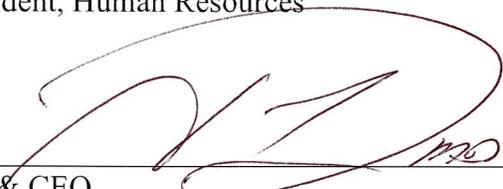
See also: Sexual Harassment Policy



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Vice President, Human Resources



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Date

  
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President & CEO



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Date

Updated:	July	2016
Revised:	November	2017
Revised:	October	2018
Updated:	March	2023
Reviewed:	October	2025