

3.C.4.

Sexual Harassment/Harassment Due to Bias or Discrimination

POLICY on Sexual Harassment– See attached Institutional Policy which includes a policy on consensual relationships between attending/supervisor & trainees.

NOTE: All residents/fellows are responsible for following the policy/procedure at each site at which they train. All sites have policies that comply with State and Federal Laws. Reporting procedures may vary but all reports must also be made to one of the listed offices at the University of Connecticut School of Medicine.

You are responsible for ensuring a safe working environment for your residents/fellows.

What to do when you become aware of discrimination/harassment/sexual harassment - including a hostile work environment:

1. This must be reported to one of the following: The Program Director, the Office of Graduate Medical Education, the GME Hotline, or the Office of Diversity and Equity (ODE) for investigation. The ODE will be notified by whomever receives the report first. If the harassment has taken place at one of the affiliated hospitals, the ODE will work with the appropriate office at that site to determine the nature of the problem and make recommendations about actions that might be needed.
2. If a faculty or Site Director, etc. becomes aware of a problem, this must be reported to the Program Director, who will then contact the Office of Diversity and Equity.
3. The Program Director must inform all residents involved about the claims and the process of investigation. The name of the complainant cannot be revealed at this stage.
4. If one of the parties is a private attending, hospital attending employee, or resident from an affiliated institution, the Program Director must make sure that that person's supervisor is informed so that the appropriate office at that site will be aware that our Office of Diversity and Equity will be contacting them.

What will happen: When the investigation is complete, the Office of Diversity and Equity will report their findings to the Office of Graduate Medical Education. The ODE and/or the GME representative is responsible for informing the other parties.

Direct Program Responsibility: The ACGME accreditation standards state that all trainees must be evaluated on their professional behavior. Sexual Harassment, etc. claims against a resident must be investigated by the Program Director and the program's Evaluation and Promotions Committee, in conjunction with the ODE. If a resident is found to have harassed someone under the legal definition, the program may exercise disciplinary action including but not limited to probation or termination. Any action that changes the normal progress in the program can be appealed.

Phone Numbers:

Office of Graduate Medical Education
679-2147 (Report to Anne Schick)

Associate Dean for Graduate Medical Education
679-4458 - Kiki Nissen, MD, FACP

GME Hotline : 679-4353

Office of Diversity and Equity: 679-3563

**INSTITUTIONAL POLICY
NUMBER 2002-48
January 29, 2008**

POLICY: PROHIBITION OF SEXUAL HARASSMENT

The University of Connecticut Health Center is committed to maintaining a workplace, learning environment and clinical treatment center free of sexual harassment. The University of Connecticut Health Center prohibits sexual harassment of any person or persons who conduct business with and/or perform other services on behalf of the Health Center including but not limited to: employees, faculty, residents students, volunteers, outside vendors and contractors. This policy explains this prohibition. The University of Connecticut Health Center also complies with all applicable statutes relating to discrimination due to sexual harassment. The implementation of this policy requires the full compliance and cooperation of all employees, faculty, residents, students, volunteers, outside vendors and contractors in adherence to its principles.

Sexual harassment may involve the behavior of a person of either sex relative to a person of the opposite or same sex, and occurs when such behavior constitutes unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal or physical behavior of a sexual nature where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education, employment or eligibility for clinical treatment or other Health Center services;
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions, or any other decisions affecting the individual's ability to work, study, receive clinical treatment and/or perform other services on behalf of the Health Center;
- Such conduct has the purpose or effect of substantially interfering with an individual's ability to work, study, receive clinical treatment and/or perform other services on behalf of the Health Center, academic or work performance, or creates an intimidating, hostile, offensive learning, working or clinical treatment environment.

Sexual harassment can encompass a wide range of inappropriate behavior, including, but not limited to: sexual remarks or innuendo, suggestive comments, sexually oriented remarks or jokes, physical contact or explicit sexual propositions.

CONSENSUAL RELATIONSHIPS AMONG FACULTY, ADMINISTRATIVE AND/OR STAFF SUPERVISORS AND STUDENTS/TRAINEES:

For purposes of this policy consensual relationships are defined as dating and/or sexual relationships willingly undertaken by the parties.

For the purposes of this policy the designation of 'faculty' includes but is not limited to those persons employed by the University of Connecticut Health Center. Faculty serving the Health Center but not employed by the Health Center are also included in this policy.

A consensual relationship among faculty, administrative and/or staff supervisors and students/trainees can rise to the level of prohibited sexual harassment as well as raise concerns when inherent inequalities exist in the status and power of one individual over the other. This is especially so in relationships between faculty, administrative and/or staff supervisors and students or trainees. Such consensual relationships may adversely affect the student/trainee experience. No faculty, administrative and/or staff supervisors should enter into a consensual relationship with a student/trainee actually under that individual's authority. Situations of authority include, but are not limited to teaching, formal mentoring, supervision of research and employment of a student as a research or teaching assistant; and exercising substantial responsibility for grades, honors, or degrees; and considering disciplinary action involving the student.

No faculty or administrative and/or staff supervisory member should accept authority over a student pursuant to this section with whom he or she has or has had a consensual relationship without written

agreement to address the conflict with the appropriate dean, or dean designee. Specifically, the faculty or administrative and/or staff supervisory member should not, absent such a written agreement, allow the student to enroll for credit in a course which the faculty member is teaching or supervising; direct the student's independent study, thesis, or dissertation; employ the student as a teaching or research assistant; participate in decisions pertaining to a student's grades, honors, degrees' or consider disciplinary action involving the student.

Students and faculty alike should be aware that entering into a consensual relationship will limit the faculty, administrative and/or staff supervisor's ability to teach and mentor, direct work, employ and promote the career of a student involved with him or her in a consensual relationship, and that the relationship should be disclosed in any letter of recommendation the faculty/administrative and/or staff supervisory member may write on the student's behalf. Furthermore, should the faculty member be the only supervisor available in a particular area of study or research, the student may be compelled to avoid or change the special area of study or research.

If nevertheless a consensual relationship exists or develops between a faculty member and a student involving any situation of authority, that situation of authority must be terminated. Termination includes, but is not limited to, the student withdrawing from a course taught by the faculty member; transfer of the student to another course or section, or assumption of the position of authority by a qualified alternative faculty member or teaching assistant; the student selecting or being assigned to another academic advisor and/or thesis or dissertation advisor; and changing the supervisor of the student's teaching or research assistantship. In order for these changes to be made and ratified appropriately, the faculty must disclose the consensual relationship to his or her supervisor, normally the chair, division head or dean or dean's designee and reach an agreement for remediation. In case of failure to reach agreement, the supervisor shall terminate the situation of authority.

RESOURCES

The Office of Diversity and Equity is responsible for the implementation of this policy and acts as the primary resource for consultation. All Health Center members are encouraged to contact the Office of Diversity and Equity to seek guidance about the application and implementation of this policy.

SCOPE

Sexual harassment is unacceptable conduct and will not be tolerated or condoned. All employees, faculty residents, volunteers and students, as well as outside vendors and contractors shall be held responsible and accountable for maintaining an environment free from sexual harassment. Violations of this policy may result in disciplinary or other action which may include, but is not limited to, written warning, demotion, transfer, suspension, expulsion, dismissal, contract termination or other sanctions as are appropriate.

PROCEDURE

Employees, faculty, students, residents, volunteers, outside vendors, contractors may seek information and/or file complaints directly through the Office of Diversity & Equity at (860) 679-3563 or contact their immediate supervisor. Employees may also notify the Human Resources Department or the Office of the Executive Vice President for Health Affairs about incidents of sexual harassment. The confidentiality of the reporting party (parties) will be observed provided it does not interfere with the institution's ability to investigate or take corrective action. Complaints of sexual harassment will be investigated promptly. The determination of the merit of a particular action will be made from the facts, on a case-by-case basis, looking at the totality of circumstances. Retaliation against any persons participating in the investigation is prohibited, and may result in disciplinary action which may include, but is not limited to, written warning, demotion, transfer, suspension, expulsion or dismissal.

Managers and supervisors must consult with the Office of Diversity & Equity on all complaints alleging sexual harassment and/or when aware of behavior prohibited by this policy. The Office of Diversity and Equity will work with the Human Resources Department if disciplinary action is necessary.

This policy must be posted in all common and visible locations and is available on the agency's policy web page. Each employee is expected to review this policy and be familiar with it.

Carolyn N. Lyle 02/01/08
Executive Director, Office of Diversity & Equity Date
Affairs Date

Peter Deckers, M.D. 02/05/08
Executive Vice President for Health

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