

PREVENTING HARASSMENT AND DISCRIMINATION SELF LEARNING PACKET



UNIVERSITY HOSPITAL
Newark, New Jersey

Human Resources Learning and Organizational Development

Phone: 973-972-6757

Fax: 973-972-2475

www.uhnj.org/hrweb

COURSE OBJECTIVES

- ◆ Define workplace behavior that is respectful and free of harassment, intimidation and bias.
- ◆ Recognize and identify inappropriate behaviors that might be considered general harassment and /or sexual harassment.
- ◆ Understand University Hospital procedure for addressing inappropriate workplace behavior you may perceive as harassment and /or discrimination directed toward yourself or others.
- ◆ Complete a test at the end of the module with a grade of 80% or better to meet the mandatory training requirement.

Statement From Our Chief Human Resource Officer

University Hospital is committed to building and preserving a community in which all of its members can work together, free from all forms of exploitation, intimidation and harassment, including sexual harassment.

I would like to take this opportunity to reiterate that University Hospital does not tolerate any form of harassment. Such behavior is prohibited by law and our policy. We believe that education is the most effective way to create a harassment-free environment, so we are offering employees this interactive training program.

Thank you for taking the time to become informed about this important issue.

Gerard Garcia
Chief Human Resources Officer
University Hospital

Instructions

1. Read the information on each of the following pages. Take all the time you need to complete the packet; you do not have to rush. Then complete the *Mastery Test* at the end.
2. Speak to your supervisor to determine who will fax the test to Human Resources, Learning & OD where it will be graded. A score of 80% or better will give you a certificate of completion, which will be returned to you or your supervisor as identified on the form.
3. Keep the information booklet as a reference and guide.
4. Check to ensure that you have included all of the contact information requested.
5. Please direct any questions to our office at 973-972-6757. Our fax number is 973-972-2475.

Who and What Are Minority Groups?

Minority groups include people who are singled out and receive unequal treatment because of their race, and are objects of individual or collective discrimination.

Minority groups include:

- Blacks (African-Americans and others of African descent)
- Hispanics and Latinos
- Asians
- Native Americans / and Alaskan Natives
- Native Hawaiian / and Other Pacific Islanders



What Are Protected Areas?

Categories where discrimination is prohibited by federal and state laws and UH's anti-harassment and discrimination policies. Examples of protected areas include:

- Race, color, national origin, ancestry
- Religion / creed
- Sex (including pregnancy)
- Sexual orientation, identity or expression
- Age
- Disability
- Marital/civil union / domestic partnership / familial status
- Veteran status



University Hospital's Accommodations for Protected Areas

University Hospital employs, advances and retains qualified disabled individuals and ensures that all terms and conditions of employment are made without regard to disability status. Employment procedures and physical/mental job requirements will be reviewed annually, and reasonable accommodations for physical and mental impairments will be provided to qualified disabled persons if they are not precluded by prohibitive financial cost or create undue hardship on operations.

What is Harassment?

General Harassment

is behavior that is unwelcome, unsolicited, repeated, offensive, intimidating, humiliating and/or threatening. Bullying, yelling or creating an uncomfortable or hostile environment is an example of general harassment.

Illegal Harassment

is a form of discrimination that occurs when an employee is subjected to unwelcome offensive conduct because of his/her protected class status and, that conduct is sufficiently severe or pervasive to create an intimidating, hostile or offensive working environment.

What is Discrimination?

Discrimination is an act of unfair treatment directed against an individual or group, and occurs when an employee or student is treated differently from others because of his/her age, race, religion, sex, sexual orientation, etc.



Impact of Discrimination & Harassment

The impact on the workplace is long lasting. Commonly observed consequences of harassment and discrimination are:

- **Decreased productivity**
- **Poor job performance**
- **Undermined self – esteem**
- **Stress-related illnesses and more**



An employee or has the right to work in a place that is free from discrimination, harassment and/or ridicule.

BEHAVIORS THAT ILLUSTRATE ILLEGAL HARASSMENT

RIGHTS: An employee or student has the right to work or study in a place that is free from harassment, discrimination and ridicule.

Age

In today's workplace we have mature, baby boomer, generation x and millennial students and staff. This diversity of human capital spans a continuum from new-to-the-workforce to experienced. Everyone has something to offer. We have all heard at some point negative references to age. Age is a protected category. Excluding someone based solely on age is harassment.

Behaviors to Avoid:

- Pervasive heckling use of verbal negative references to a person's age, young or old, such as "grandpa," "old timer," "old maid," "granny," "teenybopper," "kid," "wet behind the ears," etc.
- Exclusion of an individual from workplace or activities based solely upon their age.

National Origin

University Hospital hires people from all over the world working in our facility. Creating a welcoming workplace is important. Racial or ethnic slurs, visually or verbally threatening, jeering or intimidating individuals who speak another language or have accents, denying advancement or promotions based on country of origin are all viewed as harassment.

Behaviors to Avoid:

- Creating derogatory visual displays such as graffiti and / or slogans depicting racial and/or ethnic slurs.
- Threatening, jeering, or intimidating an immigrant or someone who speaks another language or who has a foreign accent.
- Excluding a staff person from advancement, promotion, or employment opportunities based upon country of origin unless citizenship is a criterion for a specific advancement or promotional opportunity.

Religion

We live in a land that values religious freedom. Everyone has the right to embrace their religious observances as long as those observances do not violate University Hospital policy or cause undue hardship upon the department or unit. Staff are protected from harassment and intimidation on the basis of religion.

Behaviors to Avoid:

- Derogatory remarks or jokes regarding a particular religion; verbal, physical or written intimidation of an individual because of his/her religion.
- Targeting (in jest or as well-meaning) an individual or individuals because of their religion or religious beliefs.

University Hospital will accommodate the religious observance practices of qualified applicants or employees unless precluded by business necessity, financial cost or if the accommodation would result in personnel problems.

BEHAVIORS THAT ILLUSTRATE ILLEGAL HARASSMENT, *CONTINUED***Disability**

Many people with disabilities work at UH you may or may not realize it as many disabilities are not visible, so you should be aware of ensuring a welcoming environment to everyone. Individuals with disabilities were stigmatized in the past; we believe everyone has something to offer so University Hospital makes an effort to accommodate individuals with disabilities.

Behaviors to Avoid:

- Excluding an individual from opportunities or activities because of appearance related to disability.
- Attempting to involve a disabled person in antisocial, dangerous or criminal activity.
- Assuming someone is “using the system” if their disability is hidden (example: being prone to seizures).

Sex/Gender

Women may be from Venus and Men from Mars, but at University Hospital we are all equal. Telling derogatory gender-based stories or jokes that we all have giggled over at some time in our lives shouldn't be part of the workplace. Men and women performing equal jobs must be paid equally and employment, promotions or pay considerations should not be based on a person's gender.

Behaviors to Avoid:

- Telling derogatory gender-based stories or jokes.
- Making employment, promotion or pay considerations based solely on a person's gender.
- Paying unequal wages to men and women who perform jobs that require substantially equal skill, effort and responsibility, and that are performed under similar working conditions within the same establishment.
- Penalizing women for utilizing established leave policy for the purpose of childbearing.

Sexual Orientation

A person's orientation may or may not be obvious. A friend recently commented that she thought a co-worker was gay, but was surprised when she met his wife and 3 kids; it's not fair to make assumptions. Avoid verbal bashing, name calling and excluding someone because of sexual orientation or expression, whether real or assumed; it's offensive and illegal.

Behaviors to Avoid:

- Verbal bashing (demeaning comments, jokes, insulting behavior towards someone).
- Excluding a gay, lesbian, bisexual or transsexual person from academic / employment activities or opportunities based solely on his/her sexual orientation.
- Public humiliation; derogatory names that refer to a person's sexual orientation.

Based on what you have just learned, check to see if you can answer these questions:

1. What is the most common behavior that might offend anyone of any status group?
2. What is the second most common harassment behavior across all statuses that should be avoided?
3. Can you identify another behavior that has no place in the work place? (answers on next page)

University Hospital employees are strongly discouraged from engaging in consensual relationships, particularly those occurring between supervisors and staff members or faculty members and students, which can lead to circumstances that can be interpreted as sexual harassment or as causing a hostile or offensive work environment by other staff members.

What is Sexual Harassment?

Sexual harassment is a type of discrimination that occurs when an employee is subjected to unwelcome attention or behavior based on his/her sex, and the behavior creates an intimidating, hostile or offensive environment.

Methods of How Sexual Harassment Occurs

Physical: Inappropriate touching, rubbing, groping oneself or someone else; giving an unrequested shoulder or back rub.

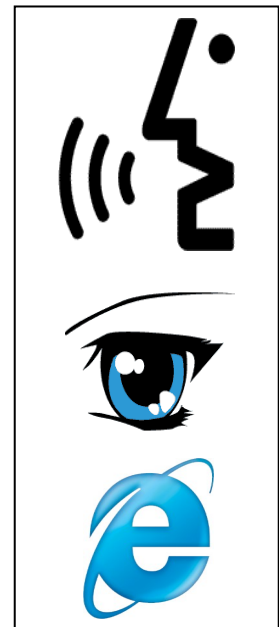
Verbal: Inappropriate remarks, conversations, jokes or innuendoes of a sexual nature.

Visual: Staring, leering or suggestive gestures.

Electronic: accessing, posting or circulating pornographic material; on-line pornography that includes a child or children may be strong grounds for immediate dismissal and felony charge(s).

Examples of Sexual Harassment and Assault

- Forcing a kiss
- Sexual assault (forced, non-consensual sexual conduct)
- Verbal bashing (demeaning comments, jokes, insulting behavior towards someone)
- Comments about a person's appearance



University Hospital will not tolerate any form of harassment, including sexual harassment, and will take affirmative action to eliminate it from the workplace.

Intent vs. Impact



Intent: "I was only joking, I didn't mean it; I didn't mean to offend you."

Impact: The target of the inappropriate comment or behavior is offended, hurt, insulted, or embarrassed.

Bottom Line: Even if no harm was *intended* (intent); it doesn't matter. What matters is the *impact* of the inappropriate comment or behavior upon the recipient.



Different people, (even men compared to women), may perceive the same information differently. This could be based on past experiences, background, family morals and culture. It's good to be not only aware of the words you say but how you say them.

Quid Pro Quo, Hostile Environment and Third Party Harassment

Quid Pro Quo Harassment is based upon abuse of power. When a person in a position of power (example, someone to whom you report), uses his/her power to force you to date or have sex with him/her, this type of situation is called quid pro quo, whether you cooperate or refuse.

Examples:

- Providing gifts to an employee as a reward for his/her sexual favors.
- Denying an employee a promotion because he/she refuses to be romantically involved with his/her supervisor.
- An employee receives a lower rating because of his/her refusal to date the supervisor.
- A supervisor threatens to make an employee's life miserable after the employee refuses to attend a conference with him/her, and carries out the threat by giving the employee more work than he/she can possibly complete.

A Hostile Environment occurs when inappropriate behavior that is sexual in nature unreasonably interferes with a person's work, and/or creates an intimidating, abusive or offensive environment. A hostile environment may or may not involve a pattern of repeated behavior.

Examples:

- Repeated requests for dates and/or sexual favors; other verbal or physical conduct of a sexual or degrading nature.
- Sexually offensive, explicit or sexist signs, cartoons, calendars, literature or photographs displayed in plain view; internet pornography.
- Staring, glaring or making obscene or suggestive gestures or remarks; sexually offensive language such as demeaning sexual inquiries and vulgarities.

Third Party Harassment occurs when someone who is not a target of harassment hears and/or witnesses sexually suggestive behavior by others that makes him/her uncomfortable.

Retaliation

- An employer may not fire, demote, harass or otherwise "retaliate" against an individual for filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination.
- The same laws that prohibit discrimination also prohibit retaliation against individuals who oppose unlawful discrimination or participate in an employment discrimination proceeding.
- These laws also protect individuals from coercion, intimidation, threat, harassment, or interference in exercising their own rights or when encouraging someone else to exercise their rights against discrimination.

Important Questions and Answers

How can I be sure I am a target of Harassment?

Are you experiencing conduct that is Unwelcome, Unsolicited, Intimidating, Repeated, Humiliating, Offensive, and/or Threatening? If so, you are a target of harassment.

What should I do if I am a target?

File a complaint with:

- A supervisor (other than the person who is discriminating/harassing)T
- Call the Compliance Helpline (1- 855-431-9966)
- File a complaint (<https://uhcompliancehelpline.alertline.com>)
- Submit a report to the Department of Human Resources / Ethics & Compliance



What should I do if I witness workplace harassment/discrimination?

Recognize what is happening and attempt to stop it.

What should I do if harassment/discrimination is reported to me?

- Take complaints seriously
- Be non-judgemental
- Listen and respond empathetically
- Document the conversation
- Ensure no retaliation
- Submit a report to the Department of Human Resources / Ethics and Compliance

What should I do to avoid being accused of harassment/discrimination?

Harassment is a form of discrimination so:

- Think before you speak or act
- Keep personal and business relationships separate
- Treat everyone with respect

Now you are ready for the **Mastery Quiz**. Take a moment to review what you have read and when you are ready, take the quiz and fill out the bottom of the form.

You will need to receive a passing score of at least 80% to meet the mandatory completion requirement. Once your passing quiz has been received, a certificate will be issued to you or your supervisor.

PREVENTING HARASSMENT & DISCRIMINATION MASTERY QUIZ

Questions 1 to 15 are True or False Questions. Please answer with (T) or (F).

1	Sexual harassment can be visual, verbal or physical.	
2	Although very well qualified, a youthful looking Rhonda was excluded from consideration for promotion. Her director informed her that the position required a "mature" person. Rhonda is a target of age discrimination.	
3	Janet has asked her supervisor for additional lighting in her work area because she has poor vision. Janet's request is reasonable and should be granted if her condition has been documented.	
4	A third party offended by inappropriate behavior directed at someone else could file a complaint called "Third Party" harassment.	
5	Accessing sexually explicit and/or pornographic material on-line or in any other format at work that includes a child or children is a felony.	
6	Bruce has a handicapped-designated parking space in front of the building where he works. His co-workers are resentful and frequently tell him "You don't look disabled." Bruce is a target of discrimination based on a hidden disability.	
7	Sheila has come to the U.S. to work and has been recently hired. She is from a country where HIV/AIDS is an epidemic. Her co-workers have the right to refuse to work with her for fear they may become infected.	
8	Accessing sexually explicit and/or pornographic material on-line or in any other format in the workplace may be serious grounds for dismissal.	
9	Identical behavior observed by two different people can be perceived differently - one sees it as "ok," the other considers it "harassment."	
10	Harassment because of sexual orientation is illegal because sexual orientation is a protected category in New Jersey.	
11	Sexual assault is a serious form of harassment and a felony.	
12	Karim has asked his supervisor for a place where he can pray in the afternoon. Karim's request should be granted.	
13	Barbara is the first woman to be hired into the department. During staff meetings, her co-workers either ignore her or interrupt her. Barbara is a target of gender discrimination.	
14	It is acceptable to tell jokes about different racial groups as long as the jokes include everyone.	
15	Illegal harassment is based upon race, national origin, religion, disability, age, gender and sexual orientation.	

16—20 are Multiple Choice Questions. Please answer the following with an A), B), or C).

16	When Terri asked her manager why the male technicians made more money than she did, the response was that the men put in more time and didn't need maternity leave. The pay differential between the men and women could be considered: A) gender discrimination B) sexual harassment C) hostile work environment	
17	Jerry is in his early sixties. His co-workers jokingly call him "old man." He resents the title and has asked them to stop but they have not. Additionally, his supervisor constantly reminds him that he should start thinking about retirement. Jerry's situation could be considered discrimination based on: A) a hostile work environment B) age C) gender	
18	When a supervisor rewards or punishes a subordinate as a condition for a promotion or raise, this type of sexual harassment is called: A) third party harassment B) hostile work environment C) quid pro quo harassment	
19	The State of New Jersey has declared gender identity or expression a protected category. This category includes people who are: A) gender challenged B) gay, lesbians and bisexuals C) persons who are transgendered, transvestites, or androgynous (do not specifically identify as male or female).	
20	University Hospital employees are strongly discouraged from engaging in consensual relationships, especially between supervisors, staff, and students, because they can lead to which of the following, if the relationship ends: A) sexual harassment B) hostile or offensive work environment to other staff members or students C) both answers are correct	

Your Name: _____ DEPT: _____ Phone _____
(Please Print Clearly)

Supervisor's Signature: _____ E-mail to send Certificate: _____

For completion credit and your certificate - Fax this page and evaluation to 973-972-2475.

Self Learning Packet (SLP) Evaluation Form

Fax to 973-972-2475

Course Title: Preventing Harassment and Discrimination Completion Date: _____

My Unit: _____

Department: _____

Job Title: _____

Please share your opinion of this Self-Learning Packet by indicating the response that best describes your impressions of this course.

	<i>Strongly Agree 5</i>	<i>Agree 4</i>	<i>Neutral 3</i>	<i>Disagree 2</i>	<i>Strongly Disagree 1</i>
1 I feel that I will be able to use what I have learned.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 The content, exercises and activities were appropriate for this topic.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 This SLP was clear and easily understandable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 The program covered the promised objectives.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5 I know where to go if I have questions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6 My supervisor was involved in this process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7 I believe other people at University Hospital would ben-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8 Overall rating of this SLP.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional Comments: