	<b>The Johns Hopkins School of Medicine</b>	<i>Policy Number</i>	<b>109</b>
	<b>GRADUATE MEDICAL EDUCATION COMMITTEE POLICY</b>	<i>Effective Date</i>	<b>1/8/04</b>
	<b>HOUSESTAFF HARASSMENT POLICY</b>	<i>Page</i>	1 of 3
		<i>Supersedes</i>	N/A

## **I. PREAMBLE**

The Johns Hopkins University School of Medicine (the “Institution”) is committed to providing its residents and fellows (“Housestaff) the opportunity to pursue excellence in their academic and professional endeavors. This can only exist when each member of our community is assured an atmosphere of mutual respect, one in which they are judged solely on criteria related to academic or job performance. The Institution is committed to providing such an environment, free from all forms of unlawful Harassment (“Harassment”) as defined below, including Harassment based on sex, age, ethnic or national origin, gender, race, color, religion, disability, sexual orientation or any other class protected by federal, state or local laws. The Institution prohibits such harassment whether it occurs on campus, in assignments off campus or at Institution-sponsored functions.

## **II. SCOPE**


This policy applies to Housestaff who participate in training programs sponsored by The Johns Hopkins University School of Medicine.

## **III. DEFINITIONS**

"Harassment" is a form of misconduct that undermines the integrity of the employment relationship. It includes communicating, sharing or displaying written or visual material or making verbal comments that are demeaning or derogatory to a person because of race, color, creed, religion, sex, sexual orientation, national origin, age, disability, marital status, citizenship or any other classification protected by federal, state or local law, including material or comments intended as humor. The use of the Institution’s facilities to disseminate, duplicate or display such materials is prohibited.

“Sexual Harassment” includes making unwelcome or unwanted sexual advances, requesting sexual favor in exchange for favorable treatment or continued employment or enrollment in an education program, engaging in verbal or physical conduct of a sexual nature which is made a term or condition of employment or of participation in an educational program, or which is used as a basis for decisions respecting an individual’s employment or for academic evaluation or advancement. “Sexual Harassment” also includes any type of sexually-oriented conduct, including conduct intended to be friendly or humorous, that is unwelcome and has the purpose or effect of unreasonably interfering with an individual’s performance at work or in an education program or creating an environment that is intimidating, hostile, offensive or coercive to a reasonable person. “Sexual Harassment” is not limited to male-female interaction but may be male-male or female-female interaction

## **IV. POLICY**

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A. Fundamental to the Institution’s purpose is the free and open exchange of ideas. It is not, therefore, the Institution’s purpose, in promulgating this policy to inhibit free speech or the free communication of ideas by members of the academic community.

B. Harassment is unlawful and will not be tolerated. Any Housestaff member found to have engaged in Harassment will be subject to severe disciplinary action, up to and including discharge from the applicable training program.

C. All individuals associated with the Institution, including employees, faculty, Housestaff, trainees and students are responsible for ensuring a Harassment-free environment. Each member of the community is responsible for fostering mutual respect, for being familiar with this policy and for refraining from conduct that violates this policy.

D. The institution prohibits acts of reprisal against anyone involved in lodging an good faith complaint of Harassment. Conversely, the institution considers intentionally filing false reports of Harassment a violation of this policy. The line between acceptable social conduct and Harassment is not always clear. For that reason, the Institution encourages individuals who feel they are being or may have been harassed to communicate politely, clearly and firmly to the offending party that the conduct is unwelcome, unwanted, offensive, intimidating or embarrassing; to explain how the offensive behavior affects the individual’s work or academic performance; and to ask that the conduct stop.


E. If the individual is uncomfortable with making a direct approach to the offending party or has done so, but the perceived harassment has not stopped, the individual may use the “Procedures for Resolution of Claims of Harassment”, which is set forth below. The Institution encourages reporting of incidents of Harassment regardless of the identity of the alleged offender. The Institution is committed to promptly responding to all complaints of Harassment made pursuant to this policy.

**V. PROCEDURES FOR RESOLUTION OF CLAIMS OF HARASSMENT**

There are several mechanisms for resolving a claim of harassment.

1. Claims of sexual harassment may be reported in compliance with The Johns Hopkins University Sexual Harassment Prevention and Resolution Program. The complete policy is available at <http://www.jhuuaa.org/shprp/index.html>.

2. Claims of any form of harassment by a member of the medical staff may be submitted as a statement of concern to the Chairman of the Medical Board of the involved hospital to activate an investigation and possible fair hearing procedure in accordance with the hospital’s bylaws.

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3. Claims of any form of harassment may be reported to the Associate Dean for Postgraduate Affairs or the Vice Dean for Education. A prompt investigation shall be carried out. The investigation will be conducted in an expeditious and discrete manner and will include an interview with the individual making the complaint and with any witnesses. The person alleged to have committed Harassment will also be interviewed. If it is determined that the claim has merit, the claim and a report of the investigation will be submitted as appropriate for Institutional action. If the alleged harasser is a member of the faculty, the Dean shall be notified; if the alleged harasser is an employee or contractee of The Johns Hopkins University, the University's Human Resources Office shall be notified. If the alleged harasser is an employee or contractee of an affiliated hospital or institution, the appropriate officer of that institution shall be notified.

**VI. CONFIDENTIALITY**

The name of the individual making the report of Harassment will be disclosed only to the extent necessary to conduct an investigation. However, absolute confidentiality cannot be guaranteed.

**VII. DISCIPLINE**

All employees, including Chiefs, Administrators, Directors and other management staff, will be subject to severe disciplinary action up to and including discharge for any Harassment or for retaliation for any individual's pursuit of a Harassment complaint in accordance with this Policy.

**VIII. CONTROL**

The Designated Institutional Official shall assure conformance with the policy and shall establish such other policies or procedures necessary to effectuate its intent. This includes, but is not limited to, dissemination of this policy during new Housestaff orientation, training for all supervisory staff on the policy and how to maintain a work environment free of Harassment and communicating this policy to all non-employed medical staff, vendors, contractors and other business visitors interacting with Institution staff.

The Vice Dean of Education and Designated Institutional Official shall notify the legal counsel of Harassment complaints for insurance reporting purposes.

<b>GMEC Approval Date</b>	<b>Chair, GMEC</b>