



I. POLICY AND RESPONSIBILITIES

The Johns Hopkins Health System Corporation (JHHSC) and The Johns Hopkins Hospital (JHH) believe strongly in the principles of Equal Employment Opportunity that include prevention of Discrimination and Harassment.

It is the policy of Hopkins to further its goal of Equal Employment for all employees and prospective employees by assuring that:

- A) In all of its personnel actions, Hopkins, in conformity with all applicable laws, does not discriminate on the basis of race, color, religion, sex (except where sex is a bona fide occupational qualification), age, national origin, marital status, sexual orientation, physical or mental disability, gender identity, familial or parental status, genetic information and/or veteran status;
- B) Hopkins actively pursues an Affirmative Action Plan designed to ensure full opportunities for women and members of minority groups in its work environment, Vietnam-era veterans, disabled veterans, qualified individuals with disabilities, and takes affirmative action to increase the employment of minorities and females through setting goals and special emphasis recruiting for Functional Units to accomplish these objectives;

Hopkins takes allegations of harassment or discrimination seriously and will respond promptly to complaints. Where it is determined that inappropriate conduct has occurred, Hopkins will act promptly to eliminate the conduct and will impose corrective action as necessary, including disciplinary action where appropriate, which may include termination of employment or school related discipline. Each Hopkins unit is responsible for disseminating and enforcing the policy and procedures so that each member of the Hopkins community is aware of the policy and held responsible for his/her behavior.

II. DEFINITIONS

Equal Employment Opportunity

- C) Equal opportunity means the right to enjoy equal opportunity in employment, admission to and participation in the Hopkins's programs and activities, the provision of Hopkins services, and the selection of vendors who provide services or products to the Hopkins without regard to an individual's race, color, religion, sex, age, national origin, marital status, sexual orientation, physical or mental disability, gender identity, familial or parental status, genetic information and/or veteran status;

Discrimination

Broadly defined, discrimination is an intentional or unintentional act which adversely affects employment opportunities because of race, color, religion; sex, handicap, marital status, national origin, gender identity, disability, age, genetic information, family or parental status, or sexual orientation.

Harassment

"Harassment" means unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law. Harassment includes, but is not limited to:

- A. Display or circulation of written materials or pictures that are degrading to a person or group as previously described.
- B. Verbal abuse or insults about, directed at, or made in the presence of an individual or group as previously described.

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic work;
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or



C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working or academic environment.

Under these definitions, direct or implied requests by management, supervisor, faculty, or other individuals in a position of work or school authority for sexual favors in exchange for actual or promised job or school benefits such as favorable reviews, salary increases, promotions, increased benefits, continued employment, better grades, recommendations or other advantages constitutes sexual harassment.

The definition of sexual harassment is broad and it includes a wide spectrum of interpretations. In addition to the above examples, other unwelcome sexually oriented conduct, whether intended or not, that has the effect of creating a work environment that is hostile, offensive, intimidating or humiliating to either employees or students also may constitute sexual harassment. Such conduct may include but is not limited to sexual epithets, jokes, comments, inquiries or gossip regarding one's sex life or sexual activity; displaying sexually suggestive objects, offensive e-mails or instant messages, pictures or cartoons; and unwelcome leering, whistling, or brushing against the body or sexual gestures. Unwelcome conduct may be considered harassment or sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness.

III. RESPONSIBILITIES/EXPECTATIONS

A. The President

1. The President is responsible for the overall direction of the EEO/Harassment/Complaints Procedure Policy and will provide the support of that office as needed to ensure that the Equal Employment Opportunity and Affirmative Action objectives throughout the Hospital and Health System are met.
2. The President delegates primary responsibility for planning, implementation and meeting plan objectives to the Vice President of Human Resources.

B. Vice Presidents, Directors, Administrators, and Managers

1. Vice Presidents, Directors, Administrators, and Managers are responsible for implementation of the Affirmative Action Program within their respective organizational units and will ensure that all employees under their supervision are fully informed regarding the Affirmative Action Plan and are aware of its objectives. In addition, these levels of management will be held accountable through the annual evaluation of their work and that part of their performance rating will be based on their efforts and effectiveness in the area of Equal Employment Opportunity and Affirmative Action.
2. **EXPECTATIONS.** Expectations for cooperation with EEO investigations. All Hopkins employees within the Johns Hopkins Health System and Hospital are expected to fully cooperate with ongoing EEO investigations. Information gathered from all affected employees' statements are crucial for completing a fair and balanced investigation of the complaint. All members of the Hopkins community share responsibility for avoiding, discouraging and reporting any form of harassment or discrimination.

Managers are required to allow adequate time as needed by the investigator for interviews with their employees during regular work hours. Managers will coordinate with the investigator to arrange scheduling of the interview. In the event an employee does not show or refuses to show for a scheduled interview at the Office of Workforce Diversity with the Director or EEO Analyst, the manager will coordinate with the investigator and reschedule a second interview time at the employees work site. Manager will direct the employee to be in attendance at the scheduled appointment as part of that employee's regular job requirements for the day.



C. Office of Workforce Diversity

The Director or EEO Analyst has primary responsibility for ensuring that a proper investigation and resolution of discrimination or harassment complaints occurs. The Director or EEO Analyst develops and recommends revisions as required. The Director or EEO Analyst manages the Equal Employment Opportunity/Harassment and Complaint Procedure Policy and Procedures to ensure compliance with government regulations, as well as local, state, and federal laws. The Director or EEO Analyst serves as a resource to managerial personnel offering support, guidance and direction in personnel related matters.

IV. DISSEMINATING OF POLICY

A. Internal. The Hopkins Equal Employment Opportunity/Complaints Procedure policy is published and/or disseminated internally through:

1. The Human Resources Policy and Procedures Manual and employee handbooks;
2. Ongoing EEO and workplace respect training with executive, management and supervisory personnel;
3. Ongoing proactive EEO and Sexual Harassment awareness training with Hopkins departmental meetings conducted with all employees by their department heads;
4. New Employee Orientation, management training programs, and new supervisor's orientation;
5. Required EEO and Labor Law posters displayed on employee bulletin boards and in common areas.

B. External. The Hopkins firm commitment to its Equal Employment Opportunity/Complaints Procedure Policy is demonstrated through correspondence or disseminated externally by:

1. Verbally and in writing advising all recruitment sources that Hopkins is an Equal Opportunity Employer;
2. Incorporating an Equal Opportunity clause in key purchase orders, leases, etc;
3. Informing prospective employees of our policy during the application making available to them elements of the program which enable the prospective employees to know and avail themselves of its benefits;
4. Advertising, and showing both minority and non-minority men and women in consumer ads;
5. Sending written notification of our commitment to EEO to Hopkins' subcontractors, vendors, and suppliers, and requesting compliance with this program.

V. EEO COMPLAINT PROCEDURES

These procedures are available to any member of the Hopkins community who believes that he or she has been discriminated against or harassed. In addition, applicants; visitors; guest lecturers; contractors, their agents and employees may use these procedures where applicable to bring complaints against members of the Hopkins community whom they believe have engaged in discrimination or harassment in the course of the educational, work or other official activities of the Hopkins, such as patient and their families interaction with employees, sporting events or lectures. Internal complaints of discrimination will be investigated by the Director or EEO Analyst.

Initiating Internal Complaints. Any employee who feels that he or she has been subjected to discrimination and/or harassment of any kind should bring these matters to the attention of the *Office of Workforce Diversity* or, if they feel comfortable, anyone in their management reporting chain. If an employee seeks investigation through management, the complaint will promptly be investigated by the Director or EEO Analyst or a Human Resources designee. Prompt reporting of discrimination or harassment is in the best interest of the entire Hopkins community and is essential to a fair, timely and thorough investigation. Accordingly, complaints should be filed as soon as possible following the incident(s) at issue. No employee or applicant be retaliated against for filing complaints by (a) opposing unlawful practices, or participating in investigations; (b) employees who reveal discrimination when responding to questions during an internal investigation are protected from retaliation; and (c) Hopkins does not dissuade or obstruct employees and applicants from filing complaints with outside governmental agencies.



When initiating the complaint process, the complainant should provide the following information:

1. All relevant facts, including the date(s) of the occurrence(s), the identity of all parties, the location(s) and circumstances of the behavior at issue, and any information the complainant feels is relevant;
 2. The specific nature of the discrimination or harassment involved in the complaint;
 3. Other individuals who might be aware of or have knowledge of the situation;
 4. What actions, if any, the complainant has taken as a result of the incident(s); and
 5. What remedy or relief is being sought (although the imposition of any particular remedy is in the discretion of the Hopkins).
- C. A full investigation, including a review of records, documents, witnesses and all data related to the allegation, will occur. The Director or EEO Analyst will advise management and the employee of the outcome of the investigation, offer recommendations regarding resolution of the issues which arose during the investigation, and assist management with their respective HR Consultant in determining the appropriate remedial or disciplinary action, if applicable.

All investigations will occur within a reasonable time frame, the spirit and intent being a timely resolution. Complaints initiated in good faith by an employee will in no way cast a reflection on that employee's standing, loyalty or desirability, nor will such be construed as any reflection on the employee's supervisor or fellow employees. Employees who initiate a complaint in good faith will in no way be faced any retaliatory consequences. The investigation will be conducted to maintain confidentiality to the extent practicable under the circumstances.

Not all discrimination or harassment complaints require a detailed investigation process. Some complainants may wish to explore informal alternatives, which may involve, but are not limited to, one or more of the following:

1. The Director or EEO Analyst may counsel the complainant concerning options for responding to the problem on his/her own initiative, for example through oral or written communication with the respondent or the respondent's department head/supervisor in the case of an employee.
2. The Director or EEO Analyst may arrange for a meeting(s) and/or distribution of relevant policy statements and/or other forms of educational materials to the appropriate department.
3. If both complainant and respondent agree, the Director may arrange and facilitate a meeting between the parties in an attempt to reach a mutually acceptable resolution. Other options may be pursued which are consistent with applicable laws and/or Hopkins policies and procedures.

Employees found to be in violation of the Hopkins of discrimination or harassment policy will be subject to disciplinary sanctions. Disciplinary sanctions shall be based on the nature and severity of the offense as well as any record of prior disciplinary action imposed on the respondent. In general, sanctions may include, but are not limited to, one or more of the following: apologies, verbal reprimands, written warnings, letters of reprimand, attendance at appropriate workshops, and, in the case of employees, suspension, denial of merit pay for a specified period of time, involuntary demotion, removal from administrative or supervisory duties, and/or termination of employment.

REFERENCES

Title VII of the Civil Rights Act of 1964 as amended
Age Discrimination in Employment Act of 1967 (ADEA) as amended
Rehabilitation Act of 1973, Sections 501 and 505
Titles 1 and V of the Americans with Disabilities Act of 1990 (ADA), and the ADA Amendment Act 2008

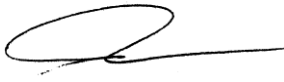
SPONSOR

Vice President, Human Resources

REVIEW CYCLE

3 years

APPROVAL

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5/1/09

Vice President, Date
Human Resources