


Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 1 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23

GENERAL POLICY:

Montefiore Medical Center is committed to providing its Associates, patients and visitors with an environment free from discrimination, unlawful harassment (including sexual harassment) and other harassing behavior. Maintaining such an environment is a responsibility shared by all Associates.

This policy applies to conduct both in the workplace and at work-related activities outside of the workplace (for example, an off-site business meeting or a business-related social event occurring after regular working hours). Calls, texts, emails, and social media usage by Associates can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

This policy also applies when Associates are working remotely from home. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

POLICY APPLICABLE TO:


All Associates (including, but not limited to, employed physicians, attending physicians, house staff, students) and vendors, independent contractors, agency workers, interns (paid and unpaid) and volunteers. This policy also applies to applicants for employment, contractors, subcontractors, consultant, and persons conducting business, regardless of immigration status, with Montefiore. In this document, the term “Associate” refers to this collective group.

PURPOSE and GOALS:

The purpose of this policy is to:

- Foster a work environment characterized by respect, tolerance, and understanding.
- Recognize the strength, talent, and insight Montefiore draws from Associates with diverse views and experiences.
- Guarantee equal employment opportunity that is free from discrimination or harassment on the basis of race; color; religion; creed; national origin; alienage or citizenship status; citizenship or immigration status; age; sex; gender; actual or presumed disability; history of disability; sexual orientation; gender identity or expression; sexual and other reproductive health decisions; genetic predisposition or carrier status; pregnancy; military status or service; familial status; marital or partnership status; arrest or conviction record; caregiver status; credit history; unemployment status; salary history; height or weight; status as victim of domestic violence, sexual violence, or stalking; or any other characteristic protected by law;
- Provide Associates an understanding of their right to a discrimination and harassment free workplace.
- Inform Associates to recognize discrimination, including discrimination due to an Associate’s intersecting identities, and provide the tools to take action when it occurs.

Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 2 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23

- Describe the procedure for reporting, investigating, and resolving complaints of discrimination, harassment (including sexual harassment), and retaliation.
- All Associates, Managers, and Supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of Montefiore's commitment to a discrimination-free work environment.

NON-DISCRIMINATION:

Montefiore draws strength, talent, and insight from the diverse views and experiences of its Associates. This diversity is a strategic asset to Montefiore because it helps Montefiore recruit and retain the best possible Associates who, in turn, provide patients with the best possible care.

To sustain this diversity, Montefiore will recruit, hire, train, transfer, promote, layoff and discharge Associates in all job classifications without regard to their race, color, religion, creed, national origin, alienage or citizenship status, citizenship or immigration status, age, sex/gender, actual or presumed disability, history of disability, sexual orientation, gender identity or expression, sexual and other reproductive health decisions, genetic predisposition or carrier status, pregnancy, military status or service, familial status, marital or partnership status, arrest or conviction record, caregiver status, credit history, unemployment status, salary history, height or weight, status as victim of domestic violence, sexual violence, or stalking, or any other characteristic protected by law.


Likewise, Montefiore will make human resources and staffing decisions such as setting compensation, establishing work schedules, completing performance appraisals, delivering benefits, assigning tasks, reviewing requests for time off from work, allocating resources, and administering leave of absence and other policies without regard to race, color, religion, creed, national origin, alienage or citizenship status, citizenship or immigration status, age, sex/gender, actual or presumed disability, history of disability, sexual orientation, gender identity or expression, sexual and other reproductive health decisions, genetic predisposition or carrier status, pregnancy, military status or service, familial status, marital or partnership status, arrest or conviction record, caregiver status, credit history, unemployment status, salary history, height or weight, status as victim of domestic violence, sexual violence, or stalking, or any other characteristics protected by law.

In accordance with Human Resources Policy VI-8 concerning the employment of qualified Associates with a disability, Montefiore will provide reasonable accommodations to Associates with disabilities so that they can perform the essential functions of their positions.

Examples of prohibited behavior include:

- Allowing racial, ethnic, sexual, or religious stereotypes or assumptions to influence hiring or promotional decisions, or an appraisal of an individual's performance;
- Refusing to hire, transfer, or promote a qualified individual because of their age;
- Refusing to hire, transfer, or promote a qualified individual because of their religious beliefs or practices;

Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 3 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23

- Refusing to hire, transfer, or promote a qualified individual because they are responsible for caring for a child, parent, or a person with a disability;
- Refusing to hire, transfer, or promote a qualified individual because they speak English with an accent, or because English is not their primary language;
- Refusing to hire, transfer, or promote a qualified individual because they are regarded as disabled or has a history of disability;
- Refusing to hire, transfer or promote a qualified individual because of perceived sexual orientation, or stated gender identity or expression;
- Refusing to hire, transfer or promote a qualified individual because of sexual and other reproductive health decisions;
- Refusing to hire, transfer, or promote a qualified individual who is legally authorized to work in the United States because of the nature of their work authorization;
- Refusing to discuss with a disabled individual reasonable accommodations that would enable them to perform the essential functions of their position;
- Refusing to grant an individual a leave of absence to fulfill their military service obligations;
- Prohibiting Associates from conversing in a language other than English during their break periods or when not performing their duties;
- Refusing to hire, transfer, or promote a qualified individual because they may be pregnant, or may become pregnant in the future; or
- Using racial, ethnic, sexual, or religious slurs.

TRAINING:

Montefiore provides annual sexual harassment training for all Associates, including supervisory and managerial employees, as required by New York State and New York City law. Participation in such training is required. Montefiore will take appropriate administrative remedies to ensure compliance.


HARASSMENT:

Any harassing conduct, even a single incident, can be addressed under this policy.

A. Unlawful Harassment:

- Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility to or aversion toward an individual because of their race, color, sex/gender, religion, creed, national origin, alienage or citizenship status, citizenship or immigration status, age, actual or presumed disability, history of disability, sexual orientation, gender identity or expression, sexual and other reproductive health decisions, genetic predisposition or carrier status,

Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 4 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23


pregnancy, military status or service, familial status, marital or partnership status, arrest or conviction record, caregiver status, credit history, unemployment status, salary history, height or weight, status as victim of domestic violence, sexual violence, or stalking, or any other characteristics protected by law that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; (iii) subjects an individual to inferior terms, conditions, or privileges of employment; or (iv) otherwise adversely affects an individual's employment opportunities. Harassing conduct may include (but is not limited to):

- Epithets, slurs or negative stereotyping;
- Threatening or intimidating acts;
- Denigrating jokes; or
- Displaying or circulating objects or written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail, the internet, or the mail).

B. Sexual Harassment:

- Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.
- Montefiore is committed to maintaining a workplace free from sexual harassment.
- All Associates are required to work in a manner that prevents sexual harassment in the workplace. All Associates have a legal right to a workplace free from sexual harassment and Associates are urged to report sexual harassment by filing a complaint internally with Montefiore.
- Sexual harassment is unacceptable. Any Associate who engages in sexual harassment, discrimination, or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
- Discrimination of any kind, including sexual harassment, is a violation of Montefiore's policies, is unlawful, and may subject Montefiore to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Associates at any level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
- Montefiore will conduct a prompt and thorough investigation whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment

Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 5 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23

occurring. Montefiore will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All Associates, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment or discrimination.


- All Associates are encouraged to report any harassment or behaviors that violate this policy. Montefiore has created a complaint form for Associates to report sexual harassment and file complaints. That form is available on the Montefiore Intranet in the Human Resources policies page at: Human Resources > Policies and Procedures > HR Policies and Procedures.
- Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to a supervisor, manager, Corporate Compliance, Compliance Hotline, a Human Resources Business Partner, or Employee and Labor Relations.

Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating Associates differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an Associate is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of Montefiore's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 6 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an Associate might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:


- Behaviors that contribute to a hostile work environment include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an Associate finds offensive or objectionable, causes an Associate discomfort or humiliation, or interferes with the Associate's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called quid pro quo harassment.

Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. This list is just a sample of behaviors and should not be considered exhaustive. Any Associate who believes they have experienced or witnessed sexual harassment, even if it does not appear on this list, is encouraged to report it:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another Associate's body, or poking another Associate's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
 - This can include sexual advances/pressure placed on an Associate by patients or clients.
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.

Montefiore Einstein


HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 7 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23

- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when Associates are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an Associate's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking Associates to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an Associate because of that Associate's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging an Associate's workstation, tools or equipment, or otherwise interfering with the Associate's ability to perform the job;
 - Sabotaging an Associate's work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an Associate's preferred pronouns; or
 - Creating different expectations for Associate based on their perceived identities:
 - Dress codes that place more emphasis on women's attire;
 - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment:

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. Harassers can be anyone in the workplace. A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 8 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23

Associates' personal history might impact how they interact with certain behavior. It is important for all Associates to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

RETALIATION IS PROHIBITED:

Retaliation is unlawful and is any action that punishes an individual upon learning of a claim of discrimination or harassment (including sexual harassment), that seeks to discourage an Associate from making a formal complaint or supporting a claim of discrimination or harassment (including sexual harassment), or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:


- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Labeling an Associate as “difficult” and excluding them from projects to avoid “drama”;
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual’s desk to a less desirable office location.

Consistent with federal, state and local law, this Policy prohibits retaliation including intimidation against any individual who has: (a) made a complaint of discrimination or harassment (including sexual harassment) or retaliation, either internally or with any government agency; (b) testified or assisted in a proceeding involving discrimination or harassment (including sexual harassment) or retaliation under the Human Rights Law or any other anti-discrimination law; (c) opposed discrimination or harassment (including sexual harassment) or retaliation by making a verbal or informal complaint to management, or by simply informing a Supervisor or Manager of suspected harassment; (d) reported that another Associate has been harassed including sexual harassment), discriminated against, or retaliated against; or (e) encouraged a fellow Associate to report discrimination, harassment (including sexual harassment) or retaliation.

Even if the alleged harassment, discrimination, or retaliation does not turn out to rise to the level of a violation of law, the Associate is protected from retaliation if the Associate had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect Associates making intentionally false charges of harassment, discrimination, or retaliation.

Montefiore will not tolerate retaliation against anyone who, in good faith, reports or provides information about discrimination or harassment (including sexual harassment) or retaliation.

Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 9 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23

Montefiore will severely discipline any person (including Supervisors and Managers) who engages in retaliation. Such discipline may include (but is not limited to) a suspension without pay or termination.

PROCEDURE

REPORTING AN INCIDENT OF DISCRIMINATION, HARASSMENT (Including SEXUAL HARASSMENT), OR RETALIATION:

Early reporting and intervention are the most effective methods of remedying actual and perceived discrimination, harassment (including sexual harassment), and retaliation. Montefiore cannot prevent or remedy actual and perceived discrimination, harassment (including sexual harassment), and retaliation unless it knows about it. Therefore, Montefiore strongly urges individuals to report promptly their complaints or concerns so that it can take prompt and effective action.

All Associates and non-employees who witness, become aware of, or has been subjected to behavior that may constitute discrimination, harassment (including sexual harassment), or retaliation should report such behavior to a supervisor, manager, Corporate Compliance, Compliance Hotline, a Human Resources Business Partner, or Employee and Labor Relations. Such behavior can be reported in writing or verbally.

A form for submission of a written complaint is accessible on Montefiore's Intranet and available at: Human Resources > Policies and Procedures > HR Policies and Procedures. All Associates are encouraged to use this complaint form when reporting harassment (including sexual harassment). Associates who are reporting harassment on behalf of other Associates should use the complaint form and note that it is on another Associate's behalf.


Individuals who believe they have experienced discrimination, harassment (including sexual harassment) or retaliation can make or report a complaint verbally or in writing to any of the following:

- The individual's immediate Supervisor;
- The administrative or clinical leader of the individual's department;
- A Human Resources Business Partner;
- Employee and Labor Relations Division (which includes: Director of Employee and Labor Relations; Labor Employment Counselor; Employee and Labor Relations Manager);
- Corporate Compliance; or
- Compliance Hotline (1-800-662-8595).

An individual should not feel obligated to make a complaint to their immediate Supervisor first. The individual can complain immediately to any of the persons/office listed above.

This policy does not preclude an individual who believes they experienced discrimination, harassment, or retaliation from promptly advising the offender that their conduct is unwelcome and from requesting that the offender discontinue the objectionable conduct.

Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 10 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23

This policy relies, in part, on the good faith of Montefiore's Associates. If an Associate deliberately abuses this policy and files a false or malicious complaint, Montefiore may discipline the Associate. Such discipline may include (but is not limited to) a suspension without pay or discharge.

SUPERVISORS AND MANAGERS MUST REPORT DISCRIMINATION, HARASSMENT OR RETALIATION:

Supervisors and Managers have a special responsibility to make sure Associates feel safe at work and that workplaces are free from harassment and discrimination.

Supervisors and Managers are required, under this Policy and the law, to promptly report to either a Human Resources Business Partner or the Employee and Labor Relations Division of the Human Resources Department, any complaint or information they receive concerning discrimination, harassment or retaliation.

Furthermore, all Supervisors and Managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to either a Business Partner or the Employee and Labor Relations Division of the Human Resources Department. Supervisors and Managers should not be passive and wait for an associate to make a complaint. If they observe such behavior, they must act and report the situation to either a Business Partner or the Employee and Labor Relations Division of the Human Resources Department.


Supervisors and Managers can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors and managers can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

BYSTANDER INTERVENTION:

Associates who witness harassment as a bystander are encouraged to report it. Supervisors and Managers that are a bystander to harassment are required to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help. Though not exhaustive, and dependent on the circumstances, the following can serve as a brief guide of how to react when witnessing harassment in the workplace.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 11 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23

INVESTIGATION OF COMPLAINTS:

Montefiore will promptly investigate all complaints or information about discrimination, harassment (including sexual harassment), or retaliation, whether that information was reported in verbal or written form.

Depending on the circumstances and the nature of the allegations, a Supervisor in the department where the complaining Associate works, a representative from the Human Resources Department, or an outside party retained by Montefiore may conduct the investigation.

The investigation will be prompt, thorough, fair, impartial and accurate, and will be commenced immediately and completed as soon as possible.

Montefiore will keep confidential the identities of the individuals involved in the investigation (including the person who made the complaint, the person accused of violating this Policy, and the persons interviewed during the investigation) only to the extent feasible to conduct an adequate investigation and take corrective action.

The scope of the investigation depends on the nature of the complaint. Both the person(s) raising the complaint and the person(s) about whom the complaint was made will be permitted to provide information that may be relevant to the investigation. Montefiore also will gather information and speak with witnesses, as applicable. Once the investigation is completed and a determination is made, the complaining party will be advised that the investigation has been completed and may be informed of the resolution. The individual about whom the complaint was made will be informed of the outcome and if it is determined that this policy has been violated, will be subject to disciplinary action.


Any Associate may be required to cooperate as needed in an investigation. Montefiore will not tolerate retaliation against Associates who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

CORRECTIVE ACTION:

Montefiore will address a violation of this policy promptly and effectively. Depending on the circumstances, corrective action by Montefiore may include one or more of the following measures:

- Counseling;
- Training;
- Disciplinary warning or suspension without pay;
- Denial of a promotion or pay increase;
- Reduction in wages;
- Demotion;
- Reassignment;
- Discharge;

Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 12 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23

- Reporting to professional and/or investigate authorities (such as the Office of Professional Discipline and the Office of Professional Medical Conduct);
- Termination of the relationship with the vendor or independent contractor.

In cases where Montefiore concludes that this policy was not violated but that an Associate engaged in unprofessional or inappropriate conduct, Montefiore may, in its discretion, discipline the Associate (including a suspension without pay or discharge) or reassign them to another Supervisor, department or location.

Legal Protections And External Remedies:

Sexual harassment, discrimination, and retaliation are not only prohibited by Montefiore but are also prohibited by state, federal, and, where applicable, local law (including New York City Law).

Aside from the internal process at Montefiore, Associates may also choose to pursue legal remedies with the following governmental entities, and Associates subjected to unlawful discrimination, harassment or retaliation may be entitled to certain remedies, including monetary damages, civil penalties, and injunctive relief (such as an order that certain action be taken or that certain behavior stop). While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.


The New York State Division of Human Rights may be contacted by visiting www.dhr.ny.gov, by telephone at 718-741-8400, or by mail to One Fordham Plaza, Fourth Floor, Bronx, New York 10458. Associates may also call 1-800-427-2773 regarding any complaint of workplace sexual harassment or to submit a complaint regarding such harassment (that number will be staffed by the New York State Division of Human Rights). Information about filing a complaint with DHR can be found at dhr.ny.gov/complaint

The Equal Employment Opportunity Commission has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov

Local Protections

Many localities enforce laws protecting individuals from sexual harassment, discrimination, and retaliation. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, Associates who work in New York City may file complaints of sexual harassment, discrimination, or retaliation with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml

Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination and Anti-Harassment (Including Sexual Harassment)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-6
	PAGES: 13 of 13
	DATE ISSUED: 10/06/84
	DATE REVIEWED/REVISED: 11/24/23

Information regarding federal, state and city courts is also available online.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime, and the individual should consider contacting the local police department.

All Medical Center Human Resources policies and practices are guidelines and may be changed, modified or discontinued at any time by the Medical Center's Senior Vice President of Human Resources, or designee, with or without notice. Exceptions do not invalidate the basic policy.