



Last Approved 10/14/2025
 Effective 10/14/2025
 Next Review 10/13/2028

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 Area Human Resources
 Applicability Henry Ford Health Enterprise Wide +HAP
 Document Type Enterprise, Policy

Harassment

Applicability

Henry Ford Health Enterprise Wide + HAP

Scope

This policy applies to all team members at all business units and corporate offices of Henry Ford Health.

The policy and procedures enumerated below shall apply unless such policy or procedures are otherwise specified in a contract to which Henry Ford Health System, or a covered business unit, is a signatory. In such cases, the terms of the contract shall govern for team members covered by that contract, and such terms will take precedence over this policy.

The interpretation, administration and monitoring for compliance of this policy shall be the responsibility of the Chief Human Resources Officer or his/her designee, and Henry Ford Health Human Resources.

Background

Henry Ford Health is committed to a workplace free of discrimination and harassment based on race, color, religion, age, sex, national origin, disability, veteran status, size, height, marital status, sexual orientation, gender identity, or any other protected status. Offensive or harassing behavior will not be tolerated against any team member. Henry Ford Health is fully supportive of federal, state and local laws including Titles VII and IX of the Civil Rights Act 1964; the Age Discrimination Act of 1975; and the Americans with Disabilities Act of 1990. Supervisory or managerial personnel are responsible for taking prompt investigative action in response to allegations of harassment and will take appropriate corrective action, where necessary.

Definitions

Harassment

Harassment is generally defined as unwelcome or offensive conduct or verbal taunting (including racial and ethnic epithets or slurs), in the workplace based on race, color, religion, age, sex, national origin, disability, veteran status, size, height, marital status, sexual orientation, gender identity, or any other protected status, which, in the team member's opinion, interferes with his or her ability to perform his or her job.

Sexual Harassment

Sexual Harassment in any form is prohibited under this policy. Sexual harassment is a form of discrimination and is unlawful under Titles VII and IX of the Civil Rights Act of 1964 and similar state laws. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for employment decisions or such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment."

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

- A. Is made explicitly or implicitly a term or condition of employment, or
- B. Is used as a basis for an employment decision, or
- C. Unreasonably interferes with a team member's work performance or creates an intimidating, hostile, or other wise offensive environment.

Examples of conduct that may constitute sexual harassment are:

- A. **Verbal:** Sexual innuendoes, suggestive comments, joke of a sexual nature, sexual propositions, lewd remarks, and threats. Requests for any type of sexual or intimate favor (this includes repeated, unwelcome requests for dates). Verbal abuse or unwelcomed "kidding" which is oriented towards a prohibitive form of harassment, including that which is sexually oriented is a prohibitive form of harassment.
- B. **Non-verbal:** The distribution, display, or sharing of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive, or shows hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, or text that are sexual in nature.
- C. **Physical:** Unwelcome, unwanted physical contact, including but not limited to, touching, tickling, pinching, patting, brushing up against, hugging, cornering, massaging, kissing, fondling of self or others; forced sexual intercourse or assault.

Reporting/Investigation

Any team member who believes he or she has been/is being harassed in violation of this policy or who believes him or herself to be the victim of any illegal harassment in his or her employment shall report such activity immediately. Complaints should be made to the immediate supervisor, the highest on-site manager available and/or any Human Resources Representative. Management personnel who receive complaints of harassment shall immediately discuss the allegation with the appropriate Human Resources representative. Allegations of sexual harassment brought by students working at Henry Ford Health (for instance: GME residents, student interns, etc.) may also implicate Title IX and should also be reported to Henry Ford Health's Title IX Coordinator (an HR Director, HR Vice President, or Henry Ford Health's Legal Department can assist with this process). Henry Ford Health will investigate any and all reports of harassment and will promptly take any appropriate corrective measure necessary.

Further, any team member who becomes aware of or has any information regarding the harassment of another team member shall immediately report this information to an immediate supervisor, the highest on-site manager available or any Human Resources representative. The failure to report information may result in corrective action, up to and including termination. Management or other operational leadership, who become aware of such incidents of harassment and fail to immediately report the allegation with the appropriate Human Resources Representative, may be subject to corrective action, up to and including termination. Any team member who makes a complaint, not of good faith, knowing it to be false or who makes such complaint in reckless disregard of the truth will also be subject to corrective action, up to and including termination.

All complaints will remain as confidential as possible. Complaints made in good faith will in no way be held against a team member or have an adverse impact on the individual's employment status. Team members with any concerns should contact the appropriate Human Resources Representative.

Documentation

In all situations and in all circumstances, a complete and detailed investigation will be maintained by the Human Resources department investigating the complaint, and reviewed on an ongoing and as-needed basis.

Policy

Harassment, including sexual harassment, is prohibited by federal and state laws. Henry Ford Health prohibits and maintains a zero tolerance policy when it comes to harassment of any team member on the basis of race, color, religion, age, sex, national origin, disability, veteran status, size, height, marital status, sexual orientation, gender identity, or any other protected status. Zero tolerance requires that all allegations are investigated and appropriate actions are taken, which may include coaching and/or corrective action up to and including termination of employment, based on the seriousness of the event.

Harassment is considered a form of team member misconduct. Any supervisor or manager who has knowledge of such behavior has a duty to immediately contact Human Resources and follow the procedures outlined below. Failure to take action will result in corrective action up to and including termination.

Additionally, it is the policy of Henry Ford Health that no romantic or sexual relationships may occur between team members in Management or other operational leadership roles and his/her direct subordinates or within his/her service line.

Related Documents

[Electronic Business Communications](#)

[Corrective Action Program](#)

References/External Regulations

None