



Policy Number: 01.235	Policy Title: Harassment-Free Work Environment	
Policy Owner: Mona Schafer	Policy Category: Human Resources	
Effective Date: November 1, 2021	Last Review Date:	
Covered Organizations: Avel eCare, Avel eCare LLC, Avel eCare Medical Group, Affiliated Staff and Providers		
Attachment:	Procedure:	Related Policy: 01.219 Corrective Action

OVERVIEW

Avel has developed this policy to ensure that all employees may work in an environment free from unlawful harassment, discrimination, and retaliation. Avel will make every reasonable effort to ensure that employees are familiar with this policy and are aware that any complaint will be investigated timely and resolved appropriately. Any employee who has questions or concerns about this policy should contact Human Resources (HR).

It is the policy of Avel to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, gender identity, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law. Avel prohibits any such discrimination or harassment. Avel encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of Avel to investigate such reports promptly and thoroughly. Avel prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

PURPOSE

Avel is committed to providing a work environment in which all employees are treated with respect and dignity. Each employee has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Avel expects that all relationships among its employees will be business-like and free of bias, prejudice, and harassment.

SCOPE

This Policy applies to all Avel eCare LLC and Avel eCare Medical Group entities

POLICY

- A. Avel's Obligations:
1. Avel will take necessary steps to ensure the work environment is free of unlawful harassment, discrimination, and retaliation of any person. Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.
 2. Avel will take prompt and appropriate action to:
 - a. Thoroughly investigate complaints of discrimination described in this policy; and
 - b. Prevent, correct and, if necessary, discipline individuals who engage in behavior that violates this policy in accordance with existing Avel policies.

3. HR must be involved in all harassment investigations, including interviewing the complainant, interviewing the accused, interviewing any identified witnesses, and identifying if corrective action is necessary.

B. Leaders' Responsibilities to Prevent and Report Discrimination, Harassment, or Retaliation:

1. Avel leaders are required to:
 - a. Engage in appropriate measures to prevent violations of this policy; and
 - b. Upon receiving a report or having a reasonable basis to suspect that potential discrimination, harassment, or retaliation occurred, promptly notify, and provide all available information and documentation to HR.
 - c. Any harassment complaint must be forwarded to HR to determine appropriate action to be taken.
 - d. Any leader who fails to properly report potential violations of this policy to HR will be subject to corrective action in accordance with Avel's Corrective Action policy 01.219

C. Reporting Incidents of Discrimination, Harassment, or Retaliation:

1. Avel encourages employees to report, either verbally or in writing, of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Employees who believe that they have been the victim of such conduct should discuss their concerns with their leader, HR, or Administration.
2. Avel encourages employees who believe they are being subjected to such conduct to promptly advise the offender that the behavior is unwelcome and to request that it stop. Often this action alone will resolve the problem; however, Avel recognizes that an employee may prefer to pursue the matter through the complaint procedure.
3. Avel encourages the prompt reporting of complaints or concerns so that rapid and constructive action may be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

D. Investigations:

1. HR will promptly investigate any reported allegation of harassment, discrimination or retaliation. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.
2. Avel will maintain confidentiality throughout the investigatory process to the extent consistent with its investigation processes and appropriate corrective action.

E. Good Faith Allegations:

1. Because of the nature of discrimination, harassment, or retaliation complaints, allegations sometimes may not be substantiated by direct evidence other than the complaining individual's own statement. Lack of corroborating evidence should not discourage employees from seeking relief under this policy. No adverse action will be taken against an employee who makes a good faith allegation of discrimination, harassment, or retaliation under this policy, even if an investigation fails to substantiate the allegation. However, employees who make false and malicious complaints, dishonest statements or make statements with willful disregard for the truth during an investigation or enforcement procedure under this policy may be subject to disciplinary action in accordance with Avel's Corrective Action policy 01.219.

2. Retaliation against an employee for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to corrective action. Acts of retaliation should be reported immediately and will be promptly investigated by HR and addressed as Avel deems appropriate under the circumstances.

F. Confidentiality:

1. Employees who receive reports of discrimination, harassment, or retaliation shall maintain the confidentiality of the information they receive, except where disclosure is required by law or is necessary to facilitate legitimate Avel processes, including the investigation and resolution of discrimination, harassment, or retaliation allegations.

G. Consequences of Policy Violations:

1. Any employee who violates this policy may be subject to disciplinary action in accordance with Avel's Corrective Action policy 01.219.

RELATED DOCUMENTS

None

DEFINITIONS

Avel eCare – includes all Avel eCare owned, leased, sponsored, joint venture and managed entities including both patient care and operational entities.

User(s) – means all employees, contractors, consultants, volunteers, temporary staff, independent providers and support staff, auditors, researchers, and others using Avel eCare's Information Technology Resources.

Discrimination - to treat an individual differently and/or adversely on the basis of a human characteristic such as race, national origin, religion, sex, age, disability, or any other basis protected by federal, state, or local law.

Sexual harassment - Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment 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 environment.

There are two recognized types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment - Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably

interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

Retaliation - occurs when an adverse action is taken against an individual for engaging in protected activity. Protected activity consists of a) opposing conduct reasonably believed to constitute discrimination, including harassment, which violates a nondiscrimination law or which Avel policy prohibits; b) filing a complaint about such practice; or c) testifying, assisting, or participating in any manner in an investigation or other proceeding related to a discrimination complaint. Adverse actions that are reasonably likely to deter a complaining individual or others from engaging in protected activity are prohibited.

REVISION HISTORY

Revision Number	Revision Summary	Submitted By	Submission Date	Approval Date	Approved By

This policy was developed as a guide for the delivery of telehealth services and is not intended to define the standard of care. This policy should be used as a guide for the delivery of service, although originating site or Avel eCare personnel may deviate from this guide to provide appropriate individualized care and treatment for each patient.