

Discrimination and Harassment Policy #0.10

I. Purpose

The purpose of this policy is to ensure each ACGME-accredited KCU GME program provides a professional, equitable, respectful, non-punitive, and civil environment that is free from all forms of unlawful discrimination and harassment, including but not limited to, sexual harassment.

II. Definition

Discrimination is defined as conduct that is based upon an individual's protected status (as defined below) and that: adversely affects a term or condition of the individual's status as a resident/fellow; is used as the basis for or a factor in decisions affecting the individual's status; or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Harassment is defined as verbal, non-verbal, or physical conduct that degrades or shows hostility or dislike toward an individual because of his/her status (race, color, religion, sex (including pregnancy and gender identity, sexual orientation), national origin, , age, disability, family medical history (including genetic information), status as a parent, marital status, or political affiliation creating an intimidating, hostile, or offensive work environment; or otherwise adversely affecting an individual's employment opportunities.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, written, physical, and non-physical conduct of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- Submission to or rejection of such conduct is used as a basis for any employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

III. Policy

Discriminatory behavior or harassment in the form of misconduct that undermines the integrity of the employment relationship is prohibited based on any characteristic protected by law, including but not limited to sexual harassment.

Many types of behavior may be considered inappropriate, but to fit into the category of harassment, the behavior must be based on legally protected characteristics such status as defined above or other characteristics protected by law.

Programs shall consider applications for residency/fellowship based on the applicant's preparedness, ability, aptitude, academic credentials, communication skills, personal qualities such as motivation and integrity, and such other factors as may be deemed appropriate for the specific program. Programs must not consider applications based on a protected status, but instead will follow a holistic review process by considering their experiences, attributes, and metrics in order to select applicants who will best contribute to the program's unique goals, learning environment, and the practice of medicine.

Residents/Fellows and faculty are expected to conduct themselves in such a way that the work environment remains free from all forms of discrimination and harassment and must be provided education regarding unprofessional behavior.

The sponsoring institution prohibits retaliation for bringing a complaint of discrimination or harassment pursuant to this policy against any resident/fellow.

This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

Any resident/fellow who believes they or any other resident/fellow, has been or is being subjected to any form of discrimination or harassment or retaliation for such complaint should immediately report their concerns to the Program Director, human resources department, or DIO in a timely manner, without fear of reprisal.

The sponsoring institution provides a confidential reporting system for discrimination or harassment through New Innovations which goes directly to the DIO.

If deemed necessary, KCU will investigate the allegations and take appropriate corrective action consistent with applicable laws and regulations. An investigation may include interviews with relevant persons including the complainant, the accused, and other potential witnesses. The privacy and confidentiality of all parties involved will be maintained to the extent feasible.

Approval by GMEC: 06.07.2024; 06.02.2023; 05.11.2022; 06.04.2021; 06.05.2020; 05.03.201; 01.11.2019; 06.18.2018; 03.08.2018; 06.02.2017; 05.27.2016; 07.01.2015
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