



Regenstrief Institute

Harassment (other than sexual harassment) Mandatory Training
December 2024 – December 2025

*Portions of this training were taken with permission from the
Society of Human Resources Management (SHRM) website*

Introduction

Regenstrief Institute embraces diversity, equity, and inclusion as fundamental elements of a healthy life and community. Together, we strive daily to build and nurture an environment of mutual acceptance and respect where each person can be their authentic self in service to our shared mission to improve healthcare and health outcomes for people everywhere through creative research and innovation.

Regenstrief Institute DEI Statement

To that end, we are dedicated to training employees on important topics, such as harassment awareness to help ensure a respectful, compliant workplace.

Introduction

In the workplace, when we hear the word “harassment,” many of us think only of sexual harassment. However, illegal harassment under Federal law can also occur based on an employee’s race or color, religion, national origin, age, disability, genetic information, or military or veteran status.

This presentation provides you with important information regarding harassment, other than sexual harassment, which is covered in another module.

Training Objectives

1. What Is Illegal Harassment?
2. Illegal Harassment Versus Inappropriate Conduct or Behavior
3. The Importance of Preventing Workplace Harassment
4. Categories of Harassment (Other Than Sexual Harassment)
5. Federal Laws That Prohibit and Provide Protection Against Harassment
6. Our Policy and Procedures
7. Your Responsibilities

What Is Illegal Harassment?

- In the federal employment and legal context, illegal harassment is defined as unwelcome verbal or physical conduct or actions - based on race, religion, sex, national origin, age, disability, genetic information, military membership, or veteran status - severe or pervasive enough to create a hostile, abusive or intimidating work environment for a reasonable person.
- This type of discrimination violates Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), the Genetic Information Nondiscrimination Act (GINA) or the Uniformed Services Employment and Reemployment Rights Act (USERRA).

What Is Illegal Harassment? (cont.)

- State laws may include additional protected classes, such as sexual orientation, marital status, gender identification, political affiliation, criminal record, prior mental health treatment, occupation, citizenship status, personal appearance, matriculation, tobacco use outside work, Appalachian origin, receipt of public assistance, or dishonorable discharge from the military.

What Is Illegal Harassment? (cont.)

Harassment is:

- Severe, pervasive and persistent conduct that unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.
 - ▶ Conduct can be in-person or electronic.
- When an employee's status or benefits are directly affected by the harassing conduct of a supervisor/manager or person of authority.
- Adverse employment actions (retaliation) against employees who report harassment or discrimination or who participate in an investigation procedure.

Illegal Harassment Versus Inappropriate Conduct or Behavior

- As used in this presentation, the term “harassment” refers to the illegal form of discrimination.
- Employees may say they are being harassed, however, when they are subjected to inappropriate conduct or behavior that is not illegal but that is unacceptable in the workplace.
- This may often be described as “workplace bullying,” though unfair treatment techniques can also be used against employees based on their legally protected status.
- While not all forms of harassment are illegal, no form of harassment is acceptable in the workplace.

Workplace Bullying

- Workplace bullying is repeated mistreatment of one or more employees using humiliation, intimidation and denigration of performance.
- Bullying behavior can exist at any level of an organization.
- Bullies can be managers, direct reports, co-workers and colleagues.
- Bullying can occur in person or in virtual settings (teams, emails, IM, etc.)

Workplace Bullying (cont.)

Examples of workplace bullying include:

- Verbal abuse and profanity
- Humiliation
- Constant criticism or teasing
- Gossip
- Stealing the credit for work performed by someone else
- Personal and/or professional denigration

Workplace Bullying (cont.)

Examples of workplace bullying include:

- Overt threats
- Assignment of unrealistic workloads
- Aggressive e-mails or notes
- Professional exclusion or isolation
- Sabotage of career and financial status

The Importance of Preventing Workplace Harassment

- Harassment harms us all. One of the most important parts of our organization's values is to ensure all employees are treated with respect and dignity.
- Engaging in, condoning, or not reporting any type of harassment is in direct conflict with our values.
- We must ensure compliance with Federal discrimination laws and state fair employment laws.

Categories of Harassment (Other Than Sexual Harassment)

- Race/color:
 - ▶ Ethnic slurs or jokes, offensive or derogatory comments, or other verbal or physical conduct based on an employee's race/color constitutes harassment if that conduct creates an intimidating, hostile or offensive work environment and prohibits an employee from performing his or her job.

Categories of Harassment (Other Than Sexual Harassment) cont.

Religion:

- Harassment based on religion occurs when an employee is antagonized or ridiculed because of his or her religious beliefs.
- Another type of religious harassment occurs when a co-worker or supervisor forces their religious beliefs on an employee and the employee perceives that behavior to be unwanted and offensive, amounting to a hostile work environment.
- Employers must reasonably accommodate an employee's sincerely held religious practices unless doing so would impose an undue hardship on their business.

Categories of Harassment (Other Than Sexual Harassment) cont.

National origin:

- ▶ Harassment includes discriminating because of birthplace, ancestry, culture or linguistic characteristics common to a specific ethnic group or by requiring employees to speak only English unless an employer shows that the requirement is necessary for conducting business.

Age:

- ▶ The ADEA protects individuals ages 40 and older. Harassment can include, for example, offensive remarks about a person's age.

Categories of Harassment (Other Than Sexual Harassment) cont.

Disability:

- ▶ The ADA prohibits workplace discrimination on the basis of disability. Under this law, when an employee is constantly subjected to pervasive and severe harassment due to his or her real or perceived disability that creates a hostile work environment, that can be considered illegal behavior.

Genetic Information:

- ▶ Under GINA, harassment can include, for example, making offensive or derogatory remarks about an applicant or employee's genetic information or about the genetic information of a relative of the applicant or employee.

Categories of Harassment (Other Than Sexual Harassment) cont.

Military or veteran status:

- ▶ USERRA protects employees and applicants against harassment based on their military status or military obligations.

Federal Laws That Prohibit and Provide Protection Against Harassment

- Title VII of the Civil Rights Act of 1964 covers all private employers, state and local governments, and educational institutions that employ 15 or more individuals. It prohibits intentional discrimination and practices because of a person's race, color, religion, sex or national origin.
- The ADA, as amended, protects individuals with disabilities and those regarded as having disabilities.
- The Equal Pay Act of 1963 protects men and women who perform substantially equal work in the same establishment from sex-based discrimination.

Federal Laws That Prohibit and Provide Protection Against Harassment (cont.)

- The Immigration Reform and Control Act establishes penalties for employers that knowingly hire undocumented individuals, and it prohibits employment discrimination on the basis of national origin or citizenship.
- USERRA prohibits employers from discriminating against employees or applicants for employment on the basis of their military status or military obligations.

Federal Laws That Prohibit and Provide Protection Against Harassment (cont.)

- The Civil Rights Act of 1991 provides for damages in cases of intentional employment discrimination to clarify provisions regarding disparate impact actions and for other purposes.
- GINA prohibits employers from discriminating against employees in hiring, firing or any other terms and conditions of employment based on a worker's genetic information.

Our Policy and Procedure on Harassment
are located on the intranet:

Library>Human Resources>HR
Policies>Non-Harrassment_Policy

Summary

- Harassment is defined as unwelcome verbal or physical conduct or actions—based on race, religion, sex, national origin, age, disability, genetic information, military membership or veteran status—severe or pervasive enough to create a hostile, abusive or intimidating work environment for a reasonable person.
- While not all harassment is illegal, it is unacceptable in our workplace.

Summary (cont.)

Your responsibilities are to:

- Welcome all people to our organization, regardless of any individual characteristic, and treat all people with dignity and respect.
- Know and comply with our policy and procedures.
- Report any inappropriate behavior you experience or witness to the HR Director. Our HR team is experienced in, and dedicated to, handling sensitive concerns as confidentially as possible.
- Assist with inquiries/investigations if requested.