

EEO and Discriminatory Harassment

THIS POLICY

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REPLACES POLICY

Policy Number: 803

Effective Date: 10/01/1993

STATEMENT:

Wesley Woods Senior Living, Inc. will make all employment decisions (including decisions about recruitment, hiring, promotion, transfer, demotion, evaluation, discipline, compensation, benefits, training, and termination) without regard to race, color, national origin, citizenship, sex, sexual orientation, pregnancy, religion, age (age 40 and over), disability, service in the uniformed services, or any other classification protected by federal, state or local law. Wesley Woods will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship.

Wesley Woods does not and will not permit unlawful discriminatory practices, sexual harassment, or harassment based on race, color, religion, national origin, citizenship, age (age 40 and over), gender, pregnancy, sexual orientation, service in the uniformed services, disability or any other classification protected by applicable law. Employees and their work environment should be free from all forms of unlawful harassment, discrimination, and intimidation. **Wesley Woods will provide persons with disabilities an equal opportunity to participate in and benefit from programs and services as afforded to other individuals.**

Wesley Woods Senior Living, Inc., will not tolerate illegal discrimination or harassment in any form, whether it is committed by supervisors, employees, or non-employees. All supervisors will be responsible for preventing and eliminating discrimination and harassment, including sexual harassment. Wesley Woods will promptly investigate any allegation of discrimination and harassment and, if it is determined that discrimination or harassment has occurred, Wesley Woods will take appropriate disciplinary action, up to and including discharge of the offending person.

Sexual harassment is broadly defined as unwelcome sexual advances, requests for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature. Sexual harassment does not refer to occasional compliments or conduct of a socially acceptable nature. It does refer to any remarks or actions of a sexual nature that are not welcome and are likely to be viewed as personally offensive. This can include but is not limited to any of the following activities that are unwelcome by the recipient: sexual flirtations; physical or verbal advances; propositions; verbal abuse of a sexual nature; vulgar talk or jokes; degrading graphic or verbal comments of a sexual nature about an individual or his or her appearance; the display of sexually suggestive objects; and physical contact of a sexual or particularly personal nature. Cartoons, pictures, or other graphic materials that create a hostile or offensive working environment may also be considered as harassment. In addition, no one should imply or threaten that an employee's or applicant's cooperation with unwelcome sexual advances or requests for sexual favors (or refusal thereof) will have any effect on the individual's employment, assignment, compensation, advancement, career development, or any other condition of employment.

Prohibited harassment of a nonsexual nature is broadly defined as verbal, physical, or graphic conduct that denigrates or shows hostility or aversion toward an individual or group on the basis of race, color, religion, ethnic or national origin, citizenship, gender, pregnancy, age (age 40 and over), disability, sexual orientation, service in the uniformed services, or other status protected by applicable law and that

- Has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or
- Has the purpose or effect of unreasonably interfering with an individual's work performance.

Discriminatory harassment may, for example, include conduct (oral, written, graphic or physical) used to threaten or intimidate any person or group of persons because of race, color, religion, ethnic or national origin, citizenship, gender, pregnancy, age (age 40 and over), disability, sexual orientation, service in the uniformed services, or any other factor that is a prohibited consideration under applicable law. Prohibited harassing conduct may include epithets, slurs, negative stereotyping, and threatening, intimidating, or hostile acts that relate to race, color, religion, ethnic or national origin, citizenship, gender, pregnancy, age (age 40 and over), disability, sexual orientation, service in the uniformed services, or other factor protected by applicable law; and written or graphic material (for example, e-mail messages, pictures, or cartoons) posted or circulated in the community that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, ethnic or national origin, citizenship, gender, pregnancy, age (age 40 and over), disability, sexual orientation, service in the uniformed services, or other factor protected by applicable law. The severity and pervasiveness of the conduct may be factors in determining whether the conduct constitutes a violation of this Policy.

COMPLAINT PROCESS:

Any employee who believes that he or she is being or has been harassed or discriminated against in violation of this policy should promptly go to his/her immediate supervisor and, orally or in writing, state the specific details of the sexually harassing, discriminatory, or other type of harassing behavior. Harassment of employees by customers, patients, residents, volunteers or vendors may also be a violation of this policy and should be reported. If it is difficult or uncomfortable for the employee to discuss such a matter with his/her supervisor (or if the harassment involves the supervisor), the employee should report the incident to the next highest level of management or to the Human Resources Department.

Harassment by employees of customers, patients, residents, volunteers or vendors is prohibited and may also be a violation of this policy. Any employee who becomes aware of harassment of a customer, patient, resident or vendor by an employee should contact the Director of Human Resources. Appropriate action will be taken against anyone suspected of harassment.

It is Wesley Wood's policy to listen to all complaints, investigate with due regard for confidentiality, and quickly apply appropriate sanctions that will end any offensive behavior. Employees are required to cooperate fully with any investigation of harassment or discrimination. Sanctions for engaging in discrimination, sexual harassment, or other forms of impermissible harassment will depend upon the facts and circumstances of the incident.

Wesley Woods Senior Living will not retaliate against any employee because of reports of alleged harassment or discrimination or because of cooperation with any investigation. Any employee who believes retaliation has resulted from either the reporting of a complaint of harassment or discrimination or from participation in an investigation of such allegations should immediately report this to his or her supervisor or the Human Resources Department.

Anyone who knowingly makes a false accusation of discrimination, harassment, or retaliation will be subject to appropriate sanctions. However, failure to prove a claim of discrimination, harassment, or retaliation does not constitute proof of a false accusation.

*Approved By: Kenneth Weber, President/CEO, Wesley Woods Inc.
Margaret Bloomquist, Associate Administrator, Wesley Woods Human Resources
Last Date Reviewed: 9/01/07 Revised: 03/01/2007 Adair Maller, Director Human Resources*