

**BIRMINGHAM VAHCS
POLICY FOR THE PREVENTION OF SEXUAL HARASSMENT**

It is the policy of this Medical Center including its Community Based Outpatient Clinics that all employees enjoy a working environment free from all forms of discrimination, including sexual harassment and discrimination based upon one's sexual orientation. No employee, either male or female, should be subject to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Sexual harassment lowers morale and is counterproductive to the work environment; it also is illegal. Therefore, this Medical Center will treat sexual harassment like any other form of employee misconduct - it will not be tolerated.

Specifically, it is illegal and against the policies of the VA for any employee, male or female, to sexually harass another employee by (1) making acceptance of unwelcome sexual advances or request for sexual favors or other verbal or physical conduct of a sexual nature, a condition of an employee's continued employment, or (2) making submission to or rejections of such conduct the basis for employment decisions affecting the employee, or (3) creating an intimidating, hostile, or offensive working environment through conduct, pictures, posters, calendars or comments of a sexual nature.

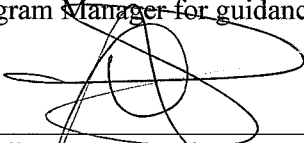
Management will enforce disciplinary action against any person who creates a hostile work environment as described above or who threatens or insinuates, either explicitly or implicitly that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any condition of employment or career development. This discipline can include termination for a first offense. The VA recognizes that the question of whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a factual determination based on all facts in each case. Therefore, this Medical Center will act positively to investigate alleged sexual harassment claims and to effectively remedy them when an allegation is determined to be valid. Given the nature of this type of discrimination, the VA also recognizes that false accusations of sexual harassment can have serious effects on innocent men and women.

Reprisal against one who engages in protected activity will not be tolerated, and this facility supports the rights of all employees to exercise their rights under the civil rights statutes.

Persons believing they have been subjected to sexual harassment are encouraged to promptly discuss their concerns with their immediate supervisor or first level supervisor not involved in the sexual harassment, service line director, AND the EEO Program Manager, or an Office of Resolution Management (ORM) EEO counselor. Managers and supervisors will email the EEO program manager within 1-hour of notification of allegations of sexual harassment. All information disclosed during the discussion will be held in the strictest confidence and will only be disclosed on a "need to know" basis in order to act upon, investigate and resolve the matter.

In accordance with VA EEO complaint processing timeframe policy, staff believing they have been sexually harassed must contact an ORM counselor within 45-days of the alleged discrimination at (888) 566-3982 in order to commence the EEO Complaint process in a timely manner.

Veterans, caregivers, contractors, vendors, and all others doing business with the BVAHCS who believe that they have been subjected to unlawful discrimination and/or harassment are encouraged to contact the BVAHCS EEO Program Manager for guidance.



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Executive Director

November 1, 2022