

NORTHPOINTE BEHAVIORAL HEALTHCARE SYSTEMS

POLICY TITLE: Harassment or Retaliation

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MANUAL: Recipient Rights

SECTION: Rights

ORIGINAL EFFECTIVE DATE: 9/15/00

BOARD APPROVAL DATE: 11/25/13

REVIEWED/REVISED ON DATE: 3/15/18

CURRENT EFFECTIVE DATE: 4/1/18

REVISIONS TO POLICY STATEMENT: YES NO

OTHER REVISIONS: YES NO

APPLIES TO:

Applies to all Northpointe staff, service recipients, and complainants.

POLICY:

It is the policy of Northpointe that any service recipient, complainant, staff of the Office of Recipient Rights or any staff acting on behalf of a recipient shall be protected from harassment or retaliation resulting from recipient rights activities.

PURPOSE:

To develop a policy to protect persons, from harassment or retaliation, when involved in recipient rights activities.

DEFINITIONS:

Harassment – Words, gestures, or actions which threaten an individual; unreasonably interfere with an individual’s performance; or create an intimidating, hostile, or offensive work or treatment environment.

Retaliation – Unjustified negative actions taken against an individual. Examples include, but are not limited to: changes in treatment; discharge for unjust cause; deterioration in performance evaluations, compensation, benefits.

PROCEDURES:

1. An individual who is not a Northpointe employee and who believes he or she is the subject of harassment or retaliation resulting from recipient rights activities should inform the Office of Recipient Rights.
2. Any employee who believes he or she has been the subject of any harassment shall complete an Employee Harassment Complaint Form, within three (3) days of the occurrence, and submit the form to his or her immediate supervisor. The employee may keep a copy of the completed Form. A complaint may be filed by an employee who was not the target of harassment or retaliation.

NOTE: The employee may give verbal notification to his or her immediate supervisor, if appropriate; however, **in all cases**, an Employee Harassment Complaint Form must be completed within the three (3) day time frame.

3. The immediate supervisor shall make provisions to ensure the safety of the identified employee, if necessary or appropriate.
4. The immediate supervisor shall investigate the complaint and prepare a written report of the investigation. The supervisor will give the employee a written response to the complaint with three (3) working days. A copy of the report will be given to the Director of Human Resources. All complaints and actions taken to resolve such complaints will be treated confidentially and will be disclosed only when necessary to the investigation and the resolution of the matter.
5. Where the immediate supervisor was: (1) a participant in the prohibited activity; (2) condoned the activity; (3) failed to respond in writing within three days without good cause; or (4) the response is unsatisfactory, the employee may, at his or her own choosing, bypass the immediate supervisor and submit a written complaint directly to the Director of Human Resources or other such person designated by the employer to handle the complaint.

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6. In those situations where a violation has been shown to have occurred, immediate action will be taken to remedy the situation. Further steps will be taken to discourage or prevent future reoccurrences.
7. The original Complaint Form will be forwarded to the Director of Human Resources and will be filed in a separate file.
8. Appropriate disciplinary action shall be taken in accordance with agency Corrective Action policy and procedure if there is evidence of harassment or retaliation.

NON-RETALIATION POLICY:

The above policy not only strictly prohibits harassment but also prohibits any act of retaliation against an employee who, in good faith, has filed a complaint pursuant to this policy. Any supervisor, agent, or employee of the employer who is found to have taken actions determined to be retaliatory in nature against a complainant shall be subjected to immediate discipline up to and including immediate discharge. Any person who believes they were retaliated against for exercising his or her rights under this policy should immediately file a complaint.

REFERENCES AND LEGAL AUTHORITY:

Act 258 of the Public Acts of 1974, as amended (Mental Health Code) Section 755
Act 469 of the Public Acts of 1980 (Whistleblowers Protection Act)
Northpointe Personnel Policy Manual