

## PATHWAYS CMH

<b>POLICY TITLE:</b> HARASSMENT AND RETALIATION	<b>CATEGORY:</b> RECIPIENT RIGHTS	
<b>EFFECTIVE DATE:</b> April 28, 2003	<b>BOARD APPROVAL DATE:</b> October 2, 2013	
<b>REVIEW DATE:</b> April 15, 2017	<b>REVISION(S) TO POLICY STATEMENT:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>OTHER REVISION(S):</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>RESPONSIBLE PARTY:</b> Recipient Rights Supervisor or Designee	<b>CEO APPROVAL:</b> Mary J. Swift	

### **APPLIES TO:**

Employees, volunteers, and contractual providers of Pathways CMH

### **POLICY:**

It is the policy of the Pathways Board that:

- A. Recipients, complainants, staff of the Office of Recipient Rights, and any staff acting on behalf of a recipient shall be protected from harassment or retaliation resulting from recipient rights activities;
- B. Appropriate disciplinary action shall be taken in accordance with agency policy and procedure if there is evidence of harassment or retaliation.

### **PURPOSE:**

To protect the rights of recipients and the integrity of the rights process

### **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; deterioration in performance evaluations; changes in job classification, job responsibilities, compensation, benefits, location, number of hours assigned, or specific shift assigned.

### **REFERENCES:**

- A. Act 258 of the Public Acts of 1974, as amended (Mental Health Code) Section 755
- B. Act 469 of the Public Acts of 1980 (Whistleblowers Protection Act)

### **HISTORY:**

Dates Reviewed: May 2008; July 2011; July 11, 2013; July 11, 2014; May 5, 2015; April 19, 2016; April 15, 2017

Dates Revised: July 11, 2013

Dates Approved: April 28, 2003; October 2, 2013

## PROCEDURES

- A. If a recipient is the subject of retaliation or harassment by an employee, volunteer, or agent, as a result of participation in recipient rights activities, the Office of Recipient Rights will investigate the alleged rights violation. Appropriate disciplinary action is taken in accordance with personnel policies for substantiated allegations of harassment or retaliation.
- B. An employee/volunteer or agent who believes he or she is the subject of harassment or retaliation resulting from recipient rights activities should inform the Office of Recipient Rights. The complaint is not within the jurisdiction of the Rights Office to investigate; however, the Right's Office will refer the allegation to the Pathways CEO and Human Resource Director for investigation and resolution (Pathways Personnel policy: Non-Discrimination and Anti-Harassment). For contract agencies, the Right's Office will refer the allegation to the agency's Director for investigation and resolution. Information regarding the results of the investigation and, if harassment or retaliation is substantiated, what disciplinary action was taken, will be submitted to the Office of Recipient Rights.