

## HARASSMENT AND DISCRIMINATION POLICY

**Section:** 6.3

**Section Title:** Benefits

**Approval Authority:** GMEC

**Approved:** June 14, 2019

**Policy Name:** Harassment and Discrimination

**Responsible Executive:** DIO

**Responsible Office:** Office of Clinical and Health Affairs, Rutgers Health

**Revised:** March 20, 2026

**Contact:** Institutional Coordinator

### 1. Reason for Policy

Rutgers Health Graduate Medical Education (GME) is committed to maintaining a clinical and educational environment that is respectful, inclusive, and free from discrimination, harassment, and retaliation. This policy establishes expectations, definitions, and reporting mechanisms consistent with applicable laws, institutional expectations, and ACGME Institutional Requirements.

### 2. Applicable ACGME Institutional Requirements

3.2.f.4, 4.9.c Harassment, 4.9.e Discrimination

### 3. Resources

- i. Accreditation Council for Graduate Medical Education Institutional Requirements
- ii. Accreditation Council for Graduate Medical Education Common Program Requirements
- iii. Committee of Interns and Residents (CIR) Collective Bargaining Agreement
- iv. Rutgers University Policy [60.1.12](#)
- v. RWJBarnabas Health [Compliance Code of Conduct](#)
- vi. New Jersey Board of Medical Examiners

### 4. Scope

This policy applies to all residents and fellows participating in Rutgers Health-sponsored programs, regardless of employer or training site.

### 5. Definitions

- i. **Discrimination:** Conduct, whether intentional or unintentional, that adversely affects an individual's employment, training, or educational opportunities based on legally protected characteristics.
- ii. **Harassment:** Conduct based on protected characteristics that is sufficiently severe, pervasive, or persistent to create an intimidating, offensive, or hostile work or learning environment, or that unreasonably interferes with an individual's training or professional activities.
  - a. Harassment may occur even when an individual is not the direct target. A single incident may constitute harassment depending on the circumstances.
- iii. **Sexual Harassment:** Unwelcome verbal, written, visual, or physical conduct of a sexual nature

when such conduct:

- a. Affects employment or training decisions;
- b. Interferes with work or educational performance; or
- c. Creates a hostile environment.

Sexual harassment may occur regardless of gender identity or sexual orientation.

## 6. Policy Statement

- i. Rutgers Health is committed to maintaining a safe, respectful, and professional learning environment. Residents and fellows may raise concerns without fear of intimidation, retaliation, or adverse impact on their training.
- ii. Consistent with this commitment, Rutgers Health prohibits discrimination, harassment, and retaliation within all clinical, educational, and professional settings involving residents and fellows.
  - a. Discrimination and harassment compromise professionalism, disrupt the learning environment, and may adversely affect patient care, resident/fellow well-being, and institutional integrity.
  - b. This policy supplements, but does not replace, applicable Rutgers University, hospital, or employer policies. Allegations may be reviewed under multiple policies where appropriate.
- iii. Allegations involving conduct governed by Title IX will be referred through established processes to the appropriate institutional office.

## 7. Professional Boundaries and Conflicts of Interest

- iv. Romantic, intimate, or sexual relationships within supervisory, evaluative, or authority-based roles may create conflicts of interest and risks of perceived coercion, favoritism, or exploitation.
- v. Individuals must disclose relationships that present actual or perceived conflicts and must recuse themselves from evaluative, supervisory, or decision-making roles involving the other party.
- vi. Romantic or sexual relationships between residents/fellows and patients under their care are strictly prohibited.

## 8. Reporting Concerns

- i. Residents/fellows and faculty are expected to report conduct that may violate this Policy so that concerns can be reviewed and addressed appropriately. Reports may be made through any available pathway and are not required to be directed solely through program leadership. Concerns may be reported regardless of whether the individual raising the concern is directly affected by the conduct. Residents/fellows and faculty may report concerns through multiple pathways, including:
  - a. Program leadership
  - b. Supervisors or faculty
  - c. Human Resources
  - d. Corporate Compliance
  - e. Ombuds services
  - f. Institutional reporting systems
- ii. Available reporting mechanisms include:
  - a. Rutgers Health GME Anonymous Reporting Link
  - b. Rutgers Health GME Site Specific Ombuds
  - c. The Rutgers Helpline at 833-RU-ETHICS (833.783.8442) (Rutgers Compliance Helpline)
  - d. Hospital event reporting systems

All policies are subject to amendment. Please refer to the Rutgers Health Graduate Medical Education department for the official, most recent version.

- e. Human Resources or Office of Employment Equity RWJBH Health System Corporate Compliance Hotline: 1-800-780-1140
- f. RWJBH Health System Corporate Compliance Reporting Link
- iii. Any individual who believes that he or she has been the victim of a crime (including but not limited to forced physical contact and/or sexual violence) also has a right, and is encouraged, to report the incident to the appropriate law enforcement agency.

#### **9. Institutional Response**

- i. Rutgers Health will review and address reports in a timely, fair, and appropriate manner consistent with applicable University, employer, and hospital policies, and with principles of due process. Rutgers Health may implement interim and supportive measures independent of a formal investigation when appropriate.
- ii. Institutional responses may include:
  - a. Supportive measures
  - b. Education or training
  - c. Remediation or corrective action
  - d. Disciplinary action where warranted
- iii. Reports will be evaluated promptly and addressed through appropriate institutional processes based on the nature, severity, and circumstances of the concern.
- iv. Rutgers Health reserves the right to initiate review or investigation when necessary to protect the learning environment, patient care, or institutional interests.

#### **10. Retaliation and False Statements**

- i. Retaliation against any individual who raises a concern in good faith or participates in a review process is strictly prohibited and constitutes a separate violation of institutional policy.
- ii. Knowingly making false statements or providing false information in connection with a report or investigation may result in corrective or disciplinary action.
- iii. The filing of a complaint that does not result in a finding of a policy violation does not, by itself, constitute a false statement.

#### **11. Confidentiality**

- i. Rutgers Health will maintain confidentiality to the extent reasonably possible, consistent with institutional obligations, fair process, and applicable law.

#### **12. Oversight**

- i. The Sponsoring Institution, through the GMEC and the DIO, maintains oversight of matters affecting the clinical learning environment, including concerns related to discrimination, harassment, and professionalism.