



POLICY NUMBER		704
ORIGINAL DATE:		07/01/2003
TITLE:	STAFF RIGHTS	

POLICY It is the policy of CHI St. Vincent to provide staff members with a mechanism to request not to participate in an aspect of patient care due to cultural values, ethics or religious beliefs, while ensuring that patient care will not be negatively affected if the request is granted.

PROCEDURES

STEP 1 If an employee requests not to participate in an aspect of patient care due to cultural values, ethics or religious beliefs, the request should be presented in writing to his/her manager on the Staff Rights Request Form. The request should specify the objectionable aspect of patient care and the reason it conflicts with or is impacted by the staff member's cultural values, ethics or religious beliefs. The manager will ensure that sufficient information is received on the form and will discuss with the staff member the basis for the request. The manager will respond to the staff member within five days, utilizing the Staff Rights Request Form.

Unless the staff member is presently engaged in the objectionable aspect of patient care at the time of the request, he/she will be excused from the objectionable aspect of patient care at the time the request is made, pending a decision by the manager. If possible, the staff member will be reassigned to other duties while a decision is being made. However, if the objectionable aspect of patient care constitutes a significant part of the staff member's duties and if there is no other position immediately available, the staff member will be relieved of his/her duties without pay pending a decision. The manager will immediately ensure an available replacement for the objectionable aspect of patient care with the replacement having equivalent competence and skill.

If the request is made while the staff member is engaged in the objectionable aspect of patient care, he/she will not be relieved from any responsibility until a comparable replacement is obtained, and only if the replacement is able to immediately assume the staff member's responsibilities without causing any negative effect whatsoever on the patient in question.

STEP 2 If the staff member does not agree with the manager's decision, he/she may proceed to the second step. Within three days of receiving the manager's decision, the employee will sign the Staff Rights Request Form indicating

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Staff Rights

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his/her desire to have the decision reviewed and return the form to Human Resources. The request will then be forwarded to the appropriate Administrative Executive.

Human Resources will schedule a meeting between the staff member and the appropriate Executive within five working days of the request. While the request is pending, the staff member will continue to perform other duties if available. If reassignment is not possible, the staff member will continue on leave without pay pending a decision.

Within three working days after the meeting between the staff member and the accountable Executive, a written decision from the Executive will be delivered to the staff member.

STEP 3

If the staff member does not agree with the Executive's decision, he/she may proceed to the third step. Within three days, the staff member should indicate on the Staff Rights Request Form his/her desire to have the decision reviewed by the Ethics Committee and return this to Human Resources.

While this request is still pending, the staff member will either continue to perform the reassigned duties or if reassignment was not possible, to continue on leave without pay pending a decision on his/her request. If there was a replacement for the staff member, this replacement will continue to perform any duties which the staff member is not performing while the request is pending.

A meeting between the staff member and the Ethics Committee will be scheduled within ten working days after the staff member notifies Human Resources that he/she wishes to take this matter to the Ethics Committee. After meeting with the staff member and considering all aspects of the request, the Ethics Committee will make a recommendation to the Chief Executive Officer. The staff member will be notified of the Chief Executive Officer's decision within three working days of the Ethics Committee meeting. Human Resources will communicate the Chief Executive Officer's written decision to the staff member and all other parties concerned. The decision of the Chief Executive Officer will be final and binding.

If the final decision denies the staff member's request, he/she must return to all responsibilities of the job, including the objectionable aspect of patient care. If he/she does not do so, his/her employment will be terminated. If the final decision supports the staff member's request, he/she will be permitted to continue the duties to which he/she was reassigned, if such reassignment was possible. If such reassignment was not possible, he/she will continue to be on leave, without pay, until there is an open position for which he/she is qualified. At that time, he/she will be offered this open position. If the position is refused, his/her employment will be terminated.

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While a staff member's request is being considered, every effort will be made to ensure that patient care is not negatively impacted. In deciding whether a staff member who has made a request under this policy will be immediately relieved from his/her job duties (or a portion of them) and in deciding who the staff member's replacement will be if the staff member is excused, the treating physician(s) will be consulted, as well as other medical professionals who are involved in the treatment of a particular patient. It is the intent of this policy that no decision will be made which will negatively impact patient care.

When a staff member attends any of the meetings permitted under this policy, his/her regularly hourly rate will be paid. However, all requests to be away from job duties must be approved in advance by the manager.



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STAFF RIGHTS REQUEST FORM

Name: _____ Title: _____

Department: _____ Date: _____

STEP 1

Statement of objectionable aspect of patient care and reason it conflicts with or is impacted by cultural values, ethics or religious beliefs.

Signature of Employee: _____

Manager Findings: _____

Decision: ☐ Granted ☐ Denied

Manager Signature: _____ Date: _____

Employee:

☐ I accept the above decision

☐ I wish the above decision to be reviewed by the executive (must be made within 3 working days)

Employee Signature: _____ Date: _____

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STEP 2

Decision Appealed to the Appropriate Executive

Meeting Date: _____

Findings and Decision:

Executive Signature: _____ Date: _____

Employee:

___ I accept the above decision.

___ I wish the above decision to be reviewed by the Ethics Committee
(Must be made within 3 working days)

Employee Signature: _____ Date: _____

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STEP 3

Decision Reviewed by the Ethics Committee

Meeting Date: _____ Time: _____

Ethics Committee Members: _____

Findings & Recommendation:

Chairperson Signature: _____ Date: _____

President's Findings & Decision: _____

Date Employee Notified: _____

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CHI Policies (Non-National) > Human Resources (Non-National) >

Human Resources Policy (CHI) – Equal Employment Opportunity and Affirmative Action

Human Resources Policy (CHI) – Equal Employment Opportunity and Affirmative Action

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Purpose:

Catholic Health Initiatives and its facilities are Equal Opportunity Employers. We respect the dignity, diversity and religious expression of every employee. We also recognize the value of diversity and strive to employ a workforce that is as diverse as the communities and people we serve.

Coverage/Eligibility:

This policy applies to all employees and applicants for employment, and to all terms and conditions of employment including hiring, evaluation, promotion, training, transfer, compensation, benefits, demotion, displacement, separation, and re-employment.

- Through our Core Values and in compliance with all applicable federal, state and local laws relating to employment as a matter of policy and practice, our policy has been to hire and promote individuals solely on the basis of merit and their ability to perform, and in compliance with all applicable laws. The organization will not discriminate in any employment practice on the basis of race, color, ethnicity, religion, age, sex, national origin, sexual orientation, gender identity, veteran and military status, disability or any other legally protected status.
- Our Organization designates an EEO/Affirmative Action representative responsible for compliance with federal, state and local laws, including the

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monitoring, auditing and reporting of EEO/ Affirmative Action practices.

- Our organization is also committed to a culture of inclusion and taking affirmative action to employ and advance in employment qualified women, minorities, protected veterans and individuals with disabilities.

Employee Responsibilities:

Employees are expected to become familiar with these EEO and affirmative action guidelines, support EEO and diversity programs and report alleged policy violations to their managers or human resources.

Manager Responsibilities:

Managers are expected to fully understand these EEO and affirmative action guidelines in order to follow their provisions effectively. This includes:

- Ensuring that employees under their supervision understand and follow the policy.
- Supporting EEO/Affirmative Action and diversity programs.
- Reporting any alleged policy violations to the human resources department.

Human Resources Responsibilities:

Serve as or partner with the organization's EEO/Affirmative Action representative to ensure the organization's compliance with this policy.

Considerations/Reminders:

No employee or applicant shall be subjected to retaliation, discrimination, intimidation, threats, coercion, or harassment, because they have engaged in any of the following:

- Filing a complaint.
- Assisting or participating in an investigation, compliance review, hearing, or other activity related to the administration of any federal, state, or local law requiring equal opportunity.
- Opposing any act or practice made unlawful by any other federal, state or local law requiring equal opportunity.
- Exercising any other right protected by federal or state EEO laws.

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 Authored by Chris James

 about a year ago

 12 Views

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Yes

No