

**SANTA CRUZ COUNTY
Behavioral Health Services**

POLICIES AND PROCEDURE MANUAL

Subject: Behavioral Health Anti-Harassment and Discrimination Policy	Policy Number: 6303
Date Effective: 11/1/2023	Pages: 5
Replaces: N/A	Responsible for Updating: Quality Improvement
Approval: <small>DocuSigned by:</small>  <small>89988A56B9B64AF</small> Behavioral Health Director	10/17/2023 _____ Date

BACKGROUND:

Santa Cruz County Behavioral Health Services is committed to providing a work environment that is respectful, professional, safe, accepting of cultural differences, and free from inappropriate and abusive workplace behavior. All individuals are expected to respect this commitment and help create an environment where everyone feels safe and valued.

SCOPE:

This policy applies to all individuals within Behavioral Health Services, including but not limited to employees, volunteers, contractors, clients, and visitors.

PURPOSE:

This policy aims to establish clear guidelines on what constitutes hate speech and discriminatory language and behavior and the actions to be taken against such behaviors in the context of the Santa Cruz County Behavioral Health. It is a priority of the department to provide an environment free of discrimination where all individuals are treated with dignity and respect.

POLICY:

The environment within Behavioral Health will be free from language and behavior that is discriminatory or prejudiced. All BH staff will adhere to this policy. Our approach centers on the understanding that hate speech is not just a violation of policy, but an act that can deeply affect a person's health and well-being. We are dedicated to offering compassionate, effective support to all complainants of hate speech, so they can feel safe and respected within our services.

DEFINITIONS:

Harassment: Unwelcome conduct that is based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, age, disability, or

genetic information (including family medical history).

Hate Speech: Hate speech includes any form of communication (verbal, written, or physical) that intentionally or unintentionally offends, threatens, or insults groups or individuals, based on any basis including but not limited to race, color, religion, national origin, sexual orientation, gender identity, disability, neurodiversity, or other traits.

Inappropriate and/or Abusive Workplace Behavior: Unwelcome or unwanted conduct or behavior that objectively causes a negative impact or disruption to the workplace or the business of the county, or results in the erosion of employee morale and that is not associated with an employee's protected class status under federal, state or county laws or regulations.

Microaggressions: Verbal, behavioral, or environmental slights, whether intentional or unintentional, that communicate hostile, derogatory, or negative attitudes toward stigmatized or culturally marginalized groups.

Prohibited Behavior: Any expression or behavior that promotes violence or harm to individuals or groups based on the above-mentioned traits is strictly prohibited. This includes but is not limited to:

1. Derogatory jokes or slurs
2. Distribution of hate materials in the workplace
3. Use of symbols associated with hate groups
4. Cyberbullying or online hate speech

Examples of inappropriate workplace behavior: Comments or behaviors to or from an individual or group that disparage, demean, threaten, intimidate, humiliate, abuse authority, sabotage work, or show disrespect for another employee, supervisor/manager, subordinate, customer, contractor, or visitor in the workplace unless otherwise protected by law. Additionally, continued microaggressions, after staff have been notified that the microaggressions are harmful and need to stop, is considered inappropriate workplace behavior. The reasonable person standard shall be applied when determining whether this policy has been violated.

PROCEDURES (Staff use of Hate Speech or Prohibited Behavior):

Reporting Procedure: If an individual witnesses or becomes a complainant of hate speech and/or discriminatory language or behavior within the department, they are encouraged to report it immediately to their Supervisor, Manager, Director, and/or the Departmental [EEO Liaison and HSA Personnel Officer](#), whomever they feel most comfortable. All reports will be treated with confidentiality and impartiality. The Supervisor, Manager or Director may consult with Personnel as appropriate.

1. **Disciplinary Action:** Violations of this policy may result in disciplinary actions, ranging from verbal or written warnings to termination of employment or contractual relationships, depending on the severity and frequency of the offense. Serious incidents may also be reported to legal authorities.

2. **Prevention:** To ensure awareness and adherence to this policy, acknowledgment of this policy will be required.
3. **Trauma-Informed Response to Complainants:** Recognizing the potentially devastating impact of hate speech and discriminatory behavior, we are committed to responding in a manner that is sensitive to the trauma experienced by complainants. This includes:
 - a. Immediate response: Any report of hate speech or discriminatory behavior will be addressed immediately, providing assurance to the complainant that their concerns are taken seriously.
 - b. Support and resources: We will provide the complainant with access to professional counselors to help them cope with the experience. This may include mental health services and support groups.
 - c. Confidentiality: We will respect the privacy of the complainant and maintain confidentiality, ensuring that their identity is only disclosed on a need-to-know basis.
 - d. Empowerment: We will keep the complainant informed to the extent possible at each step of the investigation process.
 - e. Training: We will educate our staff on trauma-informed care principles to mitigate the possibility that their responses may inadvertently retraumatize the complainant.

PROCEDURES (Staff Inappropriate Workplace Behavior, Including Microaggressions)

1. Managers or supervisors should address inappropriate behavior that they observe, experience, or become aware of, and should do so as close to the time of the occurrence as possible and appropriate.
2. If an employee observes or experiences inappropriate workplace behavior and the employee feels comfortable in doing so, they should directly address the behavior by:
 - a. Redirecting inappropriate conversations or behavior to workplace business; and/or
 - b. In a private setting, telling an offending employee their behavior is derogatory and asking them to stop.
3. If an employee observes or experiences inappropriate workplace behavior and does not feel comfortable addressing the issue directly with the person who is exhibiting the behavior, they should report the situation to their direct supervisor as soon as practicable. If the employee's immediate supervisor is the one engaging in the inappropriate behavior, the employee may report the behavior to the supervisor's manager, director, or Personnel.
4. The report may be made orally or in writing and should include the specific incident(s) that gave rise to the complaint, the impact of the incident(s), and provide enough information to investigate the alleged violation(s) properly.

PROCEDURES (Client use of Hate Speech or Prohibited Behavior):

Clients are not exempt from this policy. All clients are expected to abide by the guidelines of this policy. We understand that clients may act in ways that violate this policy and this can be uncomfortable for bystanders and complainants (front office staff, other clients, provider).

1. Recommended Action:

Bystander / staff acknowledge that the behavior exhibited may be part of the individual's behavioral health challenges. The client's behavior may be due to psychiatric disturbance, challenges with treatment adherence, learned behavior, etc. Violation by clients may result in actions such as:

- a. Inform the Officer of the day (OD), and OD coordinates with the treatment team to address the speech / behavior with the client.
- b. Remind the client that we aim to build positive relationships with others, including respectful communication and accountability for maintaining a professional relationship in the context of getting their needs met. This may include redirecting the client to their treatment goals, encouraging different behavior choices, and informing the client that subsequent behavior will lead to a verbal warning.
 - i. Issuance of a verbal warning, which should be documented in the medical record by the OD and/or treatment team.
 - ii. Issuance of a written warning from the treatment team in coordination with team supervisor, which may follow the template (sample provided at end of policy) and should be documented in the medical record by the treatment team.
 - iii. Temporary modification of services, based on the severity of the violation. This modification of services must be documented in the medical record, including the reason for the modification. A NOABD should be issued if indicated.
 - iv. Completion of sentinel event form if indicated.
 - v. Reporting to legal authorities if indicated.

2. Training and Prevention: Clients may come from diverse backgrounds, including those with a limited understanding of hate speech and discriminatory behavior implications. Therefore, in circumstances where a lack of awareness is evident, we will provide informational resources and or counseling to help them understand the gravity and consequences of the speech / behavior.

3. Trauma Informed Response to Complainants: Recognizing the potentially devastating impact of hate speech and discriminatory behavior, we are committed to responding in a manner that is sensitive to the trauma experienced by complainants. This includes:

- a. Immediate response: Any report of hate speech will be addressed immediately, providing assurance to the complainant that their concerns are taken seriously.
- b. Support and resources: We will provide the complainant with access to professional counselors to help them cope with the experience. This may include mental health services and support groups.
- c. Confidentiality: We will respect the privacy of complainants and maintain confidentiality, ensuring that their identity is only disclosed on a need-to-know basis.
- d. Empowerment: We will keep the complainant informed to the extent possible at each step of the investigation process.
- e. Training: We will educate our staff on trauma-informed care principles to reduce the possibility of retraumatize the complainant.

PRIOR VERSIONS: N/A
REFERENCES: N/A
FORMS/ATTACHMENTS: MS Form

Template For Written Warning to The Client:

Client Name
Address/Contact info

You ... (describe inappropriate/offensive behavior here such as comments or behaviors to or that disparage, disrupt, demean, threaten, intimidate, humiliate, abuse authority, sabotage work, or show disrespect for an employee, customer, contractor or visitor), on x... (enter dates the inappropriate behavior occurred). You were provided a verbal warning on X (enter the date of verbal warning here) that your behavior was not acceptable and will not be tolerated. Today, ... (enter the date of written warning), you are being given a written warning because you again...(describe inappropriate/offensive behavior here). It is important for you to know that if the behavior continues, there may be changes to your treatment. Your providers will continue to support you in working on your treatment goals.