

## **Compliance Course Catalog**

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### **Sex Discrimination & Harassment in the Workplace – Supervisor Course**

Author: Amit Singh, LLM  
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#### **Course Description**

A basic reality of human nature is the attraction that exists between the sexes. In some cases, that attraction exists between members of the same sex. This attraction can be at any time, day or night, and at any place, in a social context or in the workplace. That is part of human nature. But in the context of the workplace, it must be carefully dealt with.

Not because sexual attraction can lead to less efficiency in the workplace, although that is true, but for a more basic reason: sexually-related conduct can be against the law.

Another, less pleasant reality is that gender-based animosity and harassment still exist in the modern workplace. Examples of this include men making offensive remarks against women, and engaging in inappropriate conduct around them or persons of either sex acting against gay or lesbian members of the workforce.

The employer can often be held liable for unwelcome, sexually-related conduct, regardless of whether the employer wants the conduct to occur. This liability can result in massive financial consequences.

What does this mean?

- The supervisory personnel of the employer must understand the requirements of the law and how to identify sexual harassment, avoid sexually-based charges, and deal with any consequences of said charges.
- They must also understand that through education, sexual harassment may be eliminated.

## **Chapters**

- i. Introduction
- ii. What is Sex Discrimination?
- iii. Sex Discrimination by Harassment
- iv. Legal Definitions of Sexual Harassment
- v. When is Sexual Harassment Illegal?
- vi. Who can be involved in Sexual Harassment?
- vii. Categories of Sexual Harassment
  - a. Quid Pro Quo
  - b. Hostile Environment
- viii. Consent and Communication
- ix. Consenting Employee Relationships
- x. "Offsite" Activities
- xi. Social Networking and the Internet
- xii. Employer Requirements to Prevent Sexual Harassment
- xiii. Effective Program to Prevent Sexual Harassment
- xiv. How to Have an Effective Employer Complaint Process
- xv. How to Report Sexual Harassment
- xvi. Avenues to Address Sexual Harassment Complaints
- xvii. Determination of Employer Liability
- xviii. Exactly what is the Employer Defense?
- xix. Employee Failure to Use the System
- xx. Reducing Damages
- xxi. Retaliation
- xxii. Conclusions

## **Sex Discrimination & Harassment in the Workplace – Employee Course**

Author: Amit Singh, LLM  
Managing Attorney, Benchmark Law Group PC

### **Course Description**

A basic reality of human nature is the attraction that exists between the sexes. In some cases, that attraction exists between members of the same sex. This attraction can be at any time, day or night, and at any place, in a social context or in the workplace. That is part of human nature.

But in the context of the workplace, it must be carefully dealt with. Not because sexual attraction can lead to less efficiency in the workplace, although that is true, but for a more basic reason: sexually-related conduct can be against the law.

It is important to understand that not only the employer, but also the harassing employee may be held liable, personally.

Damages which a harassing employee should be concerned about can include, among other things:

- Sums for emotional pain and suffering, mental anguish and loss of the enjoyment of life, and
- Punitive damages that can be awarded if the action was reckless or involved a callous indifference

What does this mean?

- All employees must understand that through education, sexual harassment may be eliminated.
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## **Chapters**

- i. Introduction
- ii. What is Sex Discrimination?
- iii. Sex Discrimination by Harassment
- iv. Conduct That Could be Considered Harassment
- v. When is Sexual Harassment Illegal?
- vi. Who Can Be Involved in Sexual Harassment?
- vii. Categories of Sexual Harassment
  - a. Quid Pro Quo
  - b. Hostile Environment
- viii. Consent and Communication
- ix. Consenting Employee Relationships
- x. "Offsite" Activities
- xi. Social Networking and the Internet
- xii. Effective Program to Prevent Sexual Harassment
- xiii. How to Report Sexual Harassment
- xiv. Retaliation
- xv. Constructive Termination
- xvi. Conclusions

## **Business Ethics**

Author: James D. Hook, MPH

### **Course Description**

Businesses and corporations of many types have been found to be deficient in their ethical behavior toward stakeholders (employees, customers, competitors, and regulators) in the past few years. These lapses—or, in some cases, outright criminal acts—have provoked reactions from the public and the government. New laws and regulations have been adopted, and some companies have completely disappeared, due to their unethical or illegal behavior. This course examines the origins of ethical behavior, the justification for positive business ethics, and how individuals' actions affect the ethical behavior of businesses.

### **Course Objectives**

- Describe the rationale for business ethics.
- Describe the various factors affecting ethical behavior by companies and their stakeholders.
- Understand the principles of ethical behavior and the distinctions between ethical behavior and legal behavior.
- Describe the need for a code of business ethics in a business organization.
- Understand how the actions of individuals within the business organization affect the business's ethical behavior.

## **Chapters**

- i. Introduction
- ii. Definitions of Business Ethics
- iii. Business Ethics in Healthcare Related Organizations
- iv. Origins of Ethical Behavior and Why Some People Fail To Act Ethically
- v. The Business Case For Ethical Behavior
- vi. Ethical Behavior Vs. Legal Behavior
- vii. The Stakeholders Affected By A Business's Ethical Behavior (Or Lack Thereof)
- viii. Corporate Ethics Programs And Codes Of Ethics
- ix. Your Personal Stake In Ethical Behavior
- x. Summary
- xi. Definitions
- xii. References

## **Diversity in the Workplace**

Author: Mauricette Montredon, MBA, MA

### **Course Description**

The term "diversity" is used to refer to many demographic variables, including, but not limited to, race, religion, color, gender, national origin, disability, sexual orientation, age, education, geographic origin, and skill characteristics. It is important to manage diversity in the workplace as organizations employ people and sell goods and services to an increasingly diverse world of customers. Failure to manage diversity in the workplace leads to stereotyping. Title VII of the Civil Rights Act of 1964 was a landmark law enacted to ensure that job applicants would not be considered on the basis of their skin color, religion, gender or national origin. Rather, they would be selected on the basis of their ability to perform a job.

### **Course Objectives**

- Describe the dimensions of diversity
- Provide an overview of Title VII of the Civil Rights Act of 1964
- Understand barriers to diversity
- Describe how an organization benefits from diversity

## **Chapters**

- i. Introduction
- ii. Understanding Diversity
- iii. Changing Demographics
- iv. Following the Law – Title VII of the Civil Rights Act of 1964
- v. Common Barriers to Diversity
- vi. Managing Diversity
- vii. Your Part in A Diverse Organization
- viii. Summary
- ix. Definitions
- x. References

## **U.S. False Claims Act**

Author: Sharron Grodzynsky, RN, MHA

### **Course Description**

The U.S. False Claims Act is a federal law, under which any entity or person who submits false claims for payment from government agencies can be prosecuted. The act prohibits knowingly submitting (or causing to be submitted) false claims for payment, or submitting a false statement that is material to a false claim. This act also contains “whistle blower” or “qui tam” provisions, which allow for persons who have evidence of fraud against government programs to sue for recovery of payments made for false claims. Whistle blowers may receive between 10 and 25 percent of funds recovered. The importance of this federal law to organizations and employees of organizations that sell and distribute medical devices, technology, software, pharmaceuticals, and provide health care or medical products cannot be overstated. Each organization and its employees must recognize the boundaries and implications in order to prevent fraud and stay within the law, while allowing the organization to be productive and profitable. (1)

### **Course Objectives**

- Describe the U.S. False Claims Act and the implications for organizations and employees in medical and healthcare fields.
- Provide examples of types of conduct that fall under the description of false claims.
- State the penalties for false claims.
- Describe the "qui tam" or "whistle blower" provisions provided in the U.S. False Claims Act.
- Provide some examples of activities that represent steps an organization can take to follow the law.

### **Chapters**

- i. Introduction
- ii. Purpose of the U.S. False Claims Act
- iii. Description of the U.S. False Claims Act
- iv. Who does the law apply to?
- v. Examples of types of fraud which can be prosecuted under the False Claims Act
- vi. Penalties for violations
- vii. Whistle blower provisions and reporting
- viii. Implications for practical organizational operations
- ix. Actions to take to protect your company and yourself from false claims liability and violations
- x. Summary
- xi. Definitions
- xii. References

## **Hazard Communication Course**

Author: Mauricette Montredon, MBA, MA

### **Course Description**

In many workplaces, employees are exposed to hazardous chemicals and other hazardous materials. Prior to the enactment of the Occupational Safety and Health Act of 1970, employers had no duty to distribute information on the hazardous materials to which their workers were exposed. The Occupational Safety and Health Act, and the subsequent regulations, require employers to furnish employees with:

- Access to medical and exposure information,
- Personal protective equipment, and
- Information on hazardous materials they may be exposed to in the workplace.

Manufacturers and importers of hazardous materials must conduct hazard evaluations of the products they manufacture or import. If a product is found to be hazardous under the terms of the standard, the manufacturer or importer must so indicate on containers of the material, and the first shipment of the material to a new customer must include a material safety data sheet (MSDS). Employers must use these MSDSs to train their employees to recognize and avoid the hazards presented by the materials. (1)

### **Course Objectives**

- Understand the purpose of the Hazard Communication Standard
- Actions required by the Hazard Communication Standard
- Understand the term “MSDS”
- Describe the information found on a “MSDS”
- Identify categories of Hazards
- List potential ways to be exposed
- Know the type of materials that are exempt from the Standard
- Identify the rights of the employees

### **Chapters**

- i. Introduction
- ii. Hazard Communication Standard
- iii. Written Hazard Communication Program
- iv. Material Safety Data Sheet
- v. Labels and Other Forms of Warnings
- vi. Employee Information and Training
- vii. Hazardous Chemicals - Toxic, Reactive, Corrosive and Flammable
- viii. Contractor Protocol
- ix. Summary
- x. Definitions
- xi. References
- xii. Appendixes
  - a. Hazard Symbols and classes
  - b. MSDS Example

## Introduction to Workplace Safety

Author: Sharron Grodzynsky, RN, MHA

### **Course Description**

Every employee has the right to expect a safe working environment. Each employer should strive to provide an acceptable level of safety in the workplace by controlling and eliminating recognizable hazards. Over the past several decades, laws have been passed to help ensure that workers are protected from hazards in the workplace, most notably the Occupational Safety and Health Act of 1970.

(1) This act created the Occupational Safety and Health Administration (OSHA) to formulate standards of safety and enforce the provisions of the act. The result has been a dramatic decrease in the number of work-related accidents, injuries, deaths and health hazards. Regardless of its size or type, each business is still legally responsible for maintaining a safe working environment.

As an employee, you are also responsible for upholding the regulations in order to help make the workplace safe and to take reasonable care of your own health and safety. You also should report to your employer if you have any health or safety concerns.

### **Course Objectives**

- Describe workplace safety fundamentals.
- Identify the main statute protecting the health and safety of workers in the workplace.
- List the responsibilities of the employer.
- List the rights and responsibilities of the employee.
- Provide examples of workplace safety and health hazards.
- Describe what to do if a safety or health hazard persists.
- Provide examples of risk reduction in the workplace

### **Chapters**

- i. Introduction
- ii. History of Workplace Safety
- iii. Workplace Safety Fundamentals
- iv. OSHA
- v. Employer Leadership and Responsibilities
- vi. Employee Engagement and Responsibilities
- vii. Elements of an Effective Safety Program
  - a. Management Commitment and Employee Involvement
  - b. Workplace Analysis
  - c. Hazard and Prevention Control
  - d. Safety and Health Training
- viii. Examples of Workplace Violations and Fines
- ix. Benchmarking and Performance Management
- x. Fatality Assessment and Control Evaluation (FACE) Program
- xi. Summary
- xii. Definitions
- xiii. References

## **U.S. Federal Anti-Kickback Laws and Regulations**

Author: Sharron Grodzynsky, RN, MHA

### **Course Description**

The U.S. Federal Anti-Kickback Statute is the governing statute that prohibits any person or entity from knowingly and willfully offering, paying, or soliciting any type of remuneration for referrals for any services provided and reimbursable under a federally-funded government program, such as Medicare and Medicaid. Violations of this statute can result in substantial fines, felony conviction, imprisonment, and exclusion from federally funded programs. In 1991, “safe harbor” rules were issued that identify the activities exempt from the Anti-Kickback Statute, provided certain guidelines are followed. The Office of Inspector General (OIG) provides numerous regulations that interpret the Anti-Kickback Laws and Safe Harbor regulations. It is imperative that all employees of organizations providing services or products to federally funded programs recognize the importance of this statute. (1)

### **Course Objectives**

- Describe the importance of the U.S. Federal Anti-Kickback Laws and regulations for medical and healthcare organizations and companies.
- Be able to distinguish between an act that may be considered a kickback vs. one that falls under the Safe Harbor Rules.
- List some examples of violations of the Anti-Kickback Laws.
- Describe the penalties for violation of the Anti-Kickback Laws.
- Describe how to protect yourself and your company from potential violations of anti-kickback laws.



## **Chapters**

- i. Introduction
- ii. Purpose of the U.S. Federal Anti-Kickback Law
- iii. Description of the U.S. Federal Anti-Kickback Law
- iv. Safe Harbor Rules
- v. Examples of conduct that violates the Anti-Kickback Laws
- vi. Examples of conduct that falls under Safe Harbor Rules
- vii. Penalties for violations
- viii. Guidelines of the OIG that define the rules and regulations of anti-kickback laws and safe harbor regulations
- ix. Protecting your company and yourself from anti-kickback liability and potential violations.
- x. Summary
- xi. Definitions
- xii. References

## **OSHA Overview**

Author: Sharron Grodzynsky, RN, MHA

### **Course Description**

On December 29, 1970, Congress enacted the Occupational Safety and Health Act to regulate safety and health conditions for working men and women. This act created the Occupational Safety and Health Administration (OSHA) and provided the tools necessary to reduce workplace injury and illness. It is a nationwide, federal program designed to protect our workforce from death, injury and illness on the job. It also provides the means for states to develop their own plans to cover private sector work places. (1) Secretary of Labor James Hodgson called this act “the most significant legislative achievement for workers in a decade.” (2) OSHA's purpose and task were to develop a program to carry out the Occupational Safety and Health Act. The program includes:

- The implementation of safety and health standards.
- Research in the area of occupational safety and health.
- Training programs and education.
- Development of medical criteria that help prevent diminished health and increase functional capacity or life expectancy.
- Development of occupational safety and health standards.
- Effective enforcement with reporting requirements, inspections and penalties.
- Appropriate reporting procedures and provisions for workers' rights. (1)

Compliance with OSHA requirements is an organization’s most effective tool to meet safety and health standards in the workplace.

### **Course Objectives**

- Define the purpose of OSHA.
- Describe the primary objectives of OSHA.
- Describe the role of OSHA within an organization.
- Describe some of the safety and health standards.
- List some objectives of training programs.
- Describe the components of a site inspection.
- List penalties for violations.
- Describe workers' rights and obligations.

## **Chapters**

- i. Introduction
- ii. Introduction
- iii. History of OSHA
- iv. Purpose of OSHA
- v. Role of OSHA within an Organization
- vi. Health and Safety Standards of OSHA
- vii. Examples of OSHA Violations
- viii. The Process of an OSHA Inspection
- ix. Penalties for Violations
- x. Implications for Employers and Employees
- xi. Protecting Yourself and Your Organization from Safety and Health Risks
- xii. Summary
- xiii. Definitions
- xiv. References

## **U.K. Bribery Act**

Author: Sharron Grodzynsky, RN, MHA

### **Course Description**

The U.K. Bribery Act of 2010 (the “Bribery Act”) is an Act of the Parliament of the United Kingdom that covers criminal law relating to bribery. After years of draft bills, it was introduced to Parliament in the Queen’s Speech in 2009 and received Royal Assent in April 8, 2010, becoming effective on July 1, 2011. Described as “the toughest anti-corruption legislation in the world,” the act provides a legal framework to combat bribery in the U.K. and internationally. (1)

The Bribery Act has a near-universal jurisdiction, allowing for the prosecution of any individual or company related to the United Kingdom, regardless of where in the world the crime occurred. Penalties are stiff and can involve up to ten years of imprisonment and an unlimited fine. (2) The instigation of the act brought a lot of changes to the behavior and thinking of the business world, even outside of the United Kingdom. The business community throughout the world has started to adapt provisions of the Bribery Act in their business regulations and codes of conduct. The standards of the Bribery Act are higher than all other anti-corruption regulations worldwide. (14) The Bribery Act increases global awareness of foreign bribery, and supports the investigation of foreign bribery in global business. It has the potential to pave the way for competitive, but fair practices.

### **Course Objectives**

- Describe the role of the Bribery Act within a business organization.
- Describe the Bribery Act’s implications for organizations and employees.
- List the four offenses described in the Bribery Act.
- List the six principles for preventing bribery described in the Bribery Act 2010 Guidance.
- Provide examples of types of conduct which fall under the Bribery Act.
- State the penalties of the Bribery Act in the United Kingdom.
- Provide some examples of steps an organization can take to stay within the law.

## **Chapters**

- i. Introduction
- ii. Purpose of the Bribery Act
- iii. Description of the Bribery Act
- iv. The four offenses described in the Bribery Act
- v. The six principles for encouraging the prevention of bribery
- vi. Who the law applies to
- vii. Types of conduct which can be prosecuted under the Bribery Act
- viii. Penalties for violations
- ix. Implications for organizational operations
- x. Protecting your company and yourself from bribery
- xi. Summary
- xii. Definitions
- xiii. References