

This operating policy establishes the Fire District's policy regarding sexual harassment.

**A. Sexual Harassment Policy**

1. The Fire District policy is one of intolerance to sexual harassment of any kind. Harassment can take the form of repeated, unwelcome physical, visual, or verbal behavior directed against any person because of that individual's sex, race, color, religion, disability, or ethnic origin, which creates an intimidating, hostile working environment. Personnel who engage in this kind of harassment will subject themselves to discipline, including termination.
2. The Fire District regards harassment in any form as a misuse of authority delegated to employees.

**B. Definition of Sexual Harassment**

1. The Equal Employment Opportunity Commission defines sexual harassment as follows: "Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:
  - a) Submission to such conduct is made either explicitly or as a term or condition of an individual's employment, promotion, or assignment;
  - b) Submission or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals;
  - c) Such conduct has the effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment."

**C. Categories of Sexual Harassment**

1. Quid pro quo means "this for that". This type of harassment occurs when obtaining or maintaining a job is based upon acceptance of unwelcome sexual advances or other physical conduct of a sexual nature. This is the most obvious, blatant form of sexual harassment which shall not be tolerated by the Fire District.
2. Offensive work environment exists where the atmosphere is so pervasively orientated sexually that it affects an individual's ability to perform, even though the individual's job is not directly threatened.
  - a) Examples of verbal conduct that would create a hostile work environment include: sexual innuendoes, suggestive comments, insults, jokes about gender-specific traits, and whistling.
  - b) Examples of physical conduct would be: touching, pinching, and brushing against another.

c) Obscene gestures, suggestive pictures, calendars, and the like, although not verbal or physical, also contribute to an offensive work environment.

#### **D. Reporting Procedures**

1. If an individual feels that he or she is being sexually harassed, then he or she has the obligation to inform the offending party that he or she finds such actions, comments or behavior unwanted and request that such conduct stop.
2. If an individual is being sexually harassed, he or she shall report the incident to the Officer in Charge.
3. If the Officer in Charge is involved, then such individual is to report the incident to another fire department officer.
4. This report may be either verbal or written; however, it should provide sufficient information to start an investigation.

#### **E. Investigation Procedures**

1. The officer receiving the information on the alleged sexual harassment shall inform the Fire Chief that there has been a complaint filed involving sexual harassment.
2. The Fire Chief shall appoint an Investigating Officer to do a thorough interview with all persons involved.
3. The Investigation Officer will prepare a written report of the investigation to include the following, as a minimum: charges; person charged; persons interviewed; findings; and any recommendations the Investigating Officer determines to be warranted.
4. If the charges are substantiated, the matter shall be referred to the Fire Chief for disciplinary action.

#### **F. Punishment**

1. The first offense shall receive a written letter of reprimand and the employee will be placed on probationary status for six months.
2. The second offense shall result in the termination of the employee.
3. Documentation of the investigation into charges of sexual harassment and any letters of reprimand on sexual harassment will become a permanent part of the employee's personnel file if the charges are substantiated.

#### **G. Training**

1. All new employees and volunteers shall receive training on sexual harassment within the first thirty days of joining the Fire District.

2. All personnel shall receive annual refresher training on sexual harassment.
3. The training shall be documented in each member's personnel file.