

Fire Protection District #4
Policies & Procedures

Type:	<u>Policy</u>	Date Created:	7/20/2017
Number:	101.04(a)	Date Revised:	01/12/2022
Title:	Discriminatory Workplace Harassment Policy	Page 1 of 11	

PURPOSE

The purpose of this policy is to clearly establish Fire Protection District #4 Fire Department's commitment to provide a work environment free from harassment, and to set forth the procedure for investigating and resolving internal complaints of harassment. Because of the tremendous importance of a workplace free from any form of harassment, this policy **shall** be reviewed by each supervisor with his or her personnel on a quarterly basis. Additionally, during each employee's annual performance evaluation, this policy shall be fully discussed with each employee, supervisor, and volunteer fire personnel to ensure that its contents are known by the employee.

All jobs with emergency service organizations – whether volunteer or paid – are extremely important to the public safety of our community. It is critical that all emergency service personnel treat all other emergency service personnel with dignity and respect. Because of the unique circumstances present in many emergency service jobs, it is the responsibility of each and every emergency service organization worker, supervisor, volunteer, and career to make sure that there is not inappropriate behavior occurring in the workplace. Inappropriate behavior, which impacts the workplace, or has the potential or impact the workplace, will not be tolerated.

This policy applies to all terms and conditions of volunteer membership and employment, including, but not limited to, hiring, placement, promotion, disciplinary action, layoff, reinstatement, transfer, leave of absence, compensation, and training.

Fire Protection District #4
Policies & Procedures

Type:	<u>Policy</u>	Date Created:	7/20/2017
Number:	101.04(a)	Date Revised:	01/12/2022
Title:	Discriminatory Workplace Harassment Policy		Page 2 of 11

POLICY

Harassment of an applicant, client, contractor, business invitee, customer, volunteer, or employee, (a “worker”) by a supervisor, management employee, coworker, or co-volunteer on the basis of race, religion, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age is explicitly in violation of state and/or federal law and will **not** be tolerated by the FPD4 Fire Department.

Volunteers or employees found to be participating in any form of job-based harassment or **retaliating** against any worker shall be subject to disciplinary action up to, and including, **termination from employment or membership.**

RESPONSIBILITIES

Management: It is the responsibility of the Board of Directors of FPD4 to develop this policy, keep it up to date, and to ensure that any violation of this policy brought to their attention is dealt with fairly, quickly, and impartially. All managers are also required to set the proper example at all times.

Supervision: It is the responsibility of supervisors of FPD4 to enforce the policy, to make a quarterly review with each employee to ensure they know the policy and to regularly check the workplace and environs to ensure the policy is being followed. When a deviation from this policy is noted or reported, supervisors shall bring this information to management immediately. Additionally, supervisors are required to set the proper example at all times.

Workers: It is the responsibility of each and every volunteer and employee of FPD4 to know the policy and to follow the policy. It is imperative that

Fire Protection District #4
Policies & Procedures

Type:	<u>Policy</u>	Date Created:	7/20/2017
Number:	101.04(a)	Date Revised:	01/12/2022
Title:	Discriminatory Workplace Harassment Policy		Page 3 of 11

every volunteer and employee treats every worker with dignity and respect so as to facilitate a sound professional work environment.

DEFINITIONS

For purposed of clarification, harassment includes, but is not limited to, the following behaviors:

1. **Verbal Harassment** – Epithets, derogatory comments, slurs, propositioning, or otherwise offensive words or comments on the basis of race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age, whether made in general, directed to an individual, or to a group of people, regardless of whether the behavior was intended to harass. This includes, but is not limited to, inappropriate sexually oriented comments on appearance, including dress or physical features, sexual rumors, code words, and race-oriented stories.
2. **Physical Harassment** – Assault, impeding or blocking movement, leering, or the physical interference with normal work, privacy, or movement, when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age. This includes pinching, patting, grabbing, inappropriate behavior in or near bathrooms, sleeping facilities, and eating areas, or making explicit or implied threats or promises in return for submission of physical acts.
3. **Visual Forms of Harassment** – Derogatory, prejudicial, stereotypical, or otherwise offensive posters, photographs, cartoons, notes, bulletins, drawings, or pictures on the basis of

Fire Protection District #4
Policies & Procedures

Type:	<u>Policy</u>	Date Created: 7/20/2017
Number:	101.04(a)	Date Revised: 01/12/2022
Title:	Discriminatory Workplace Harassment Policy	Page 4 of 11

race, religious creed, color, national origin, ancestry, disability, medical conditions, marital status, pregnancy, sexual orientation, gender, or age. This applies to either posted material or material maintained in or on FPD4 Fire Department equipment or personal property in the workplace.

4. **Sexual Harassment** – Any act which is sexual in nature and is made explicitly or implicitly a term or condition of volunteer membership or employment, is used as the basis of a membership/employment decision, unreasonably interferes with an individual’s work performance, or creates an intimidating, hostile, or offensive work environment.

WORKPLACE RELATIONSHIPS

The First Amendment allows anyone to associate with anyone else they desire. It is natural for people who meet in the workplace to sometimes become romantically involved, and it is not the department’s intent to interfere with any dating relationship. Any involvement between volunteers/employees must be voluntary and desired by both parties. However, many problems have developed in fire department and other emergency service organizations because of dating relationships, and they can interfere with our goal of having a sound professional work environment. It is not inappropriate for a person to ask a coworker out. However, if you do not want to go out with a coworker, it is imperative that your response to the request is firm and definite. After this firm, definite response has been made, it is inappropriate for the requesting party to make any further attempt to initiate a dating relationship to interfere with normal work operations in any manner. Personnel who desire to become involved with someone in the workplace must be aware of the following guidelines:

Fire Protection District #4
Policies & Procedures

Type:	<u>Policy</u>	Date Created:	7/20/2017
Number:	101.04(a)	Date Revised:	01/12/2022
Title:	Discriminatory Workplace Harassment Policy		Page 5 of 11

1. There shall be no dating activities on department time or department property.
2. There shall be no use of department property to arrange dating activities
3. All behavior between volunteers/employees shall be behavior conducive to a sound professional work environment at all times when on department property or on department time. Hand holding, kissing, hugging, sexual comments, and other behavior generally associated with a dating relationship are inappropriate while on department time or department property.
4. Any relationship involving personnel at different levels on the chain of command (or where one party has functional supervision over another) shall be reported by the person of higher rank to his/her supervisor immediately. Failure to report this relationship is a violation of this policy. The manager receiving this information shall immediately contact the personnel department and inform them of the relationship. Personnel shall contact the chief officer and make recommendations to ensure that this relationship will not detract from a sound professional work environment. Such recommendations may include the transfer of the higher ranking person to another unit.

COMPLAINT PROCEDURE

Confrontation

If any person feels they are the victims of any form of harassment, they should inform the person(s) participating in this behavior that he/she finds it offensive. This one-on-one confrontation has been demonstrated to be an effective way to end harassing behaviors. If they inappropriate

Fire Protection District #4
Policies & Procedures

Type:	<u>Policy</u>	Date Created: 7/20/2017
Number:	101.04(a)	Date Revised: 01/12/2022
Title:	Discriminatory Workplace Harassment Policy	Page 6 of 11

behaviors do not stop, the offended volunteer/employee can initiate either an informal or formal complaint as described below. Because confrontation is difficult for some people, and because of the complex nature of harassment, volunteers/employees are not required to confront an offending party prior to initiating this complaint procedure.

Informal Complaint

Any volunteer/employee, client, contractor, or membership/job applicant who believes he or she is a victim of discriminatory workplace harassment should make a complaint orally or in writing with any of the following:

1. Immediate Supervisor
2. FPD4 Fire Chief
3. FPD4 Board of Directors

Any supervisor who observes or receives a complaint of inappropriate behavior or receives a harassment complaint **shall** notify the Fire Chief in writing.

Formal Complaints

Preliminary Complaints

Filing of a Preliminary Complaint

Any volunteer/employee, client, customer, contractor, or applicant who alleges to be a victim of discriminatory workplace harassment should, within 30 calendar days of the alleged incident:

Fire Protection District #4
Policies & Procedures

Type:	<u>Policy</u>	Date Created:	7/20/2017
Number:	101.04(a)	Date Revised:	01/12/2022
Title:	Discriminatory Workplace Harassment Policy		Page 7 of 11

1. Contact his/her supervisor OR
2. Contact the Fire Chief

This preliminary complaint can be verbal or written.

Time Extension

The party in charge of investigating the complaint may extend the time requirements set forth in this procedure when he/she determines it is in the best interest of fairness and justice to the parties involved.

Review of Preliminary Complaint

Upon notification of harassment complaint, the Fire Chief shall conduct an initial investigation to make a preliminary determination as to whether there is any merit to the complaint. If no merit is found, the Fire Chief may still meet with the parties involved to attempt to conciliate the complaint or conflict between the parties.

Formal Complaint

If, after an initial investigation is conducted, there is no resolution and/or no conciliation of the preliminary complaint, the Fire Chief will promptly issue written notice of the right to file a formal written complaint to the complainant via hand delivery or certified mail, return receipt. The complaint shall be signed and shall describe in detail the facts asserted to constitute harassment. The complaint shall be filed with the Fire Chief within ten (10) calendar days after being notified of the right to file a formal complaint.

Fire Protection District #4
Policies & Procedures

Type:	<u>Policy</u>	Date Created:	7/20/2017
Number:	101.04(a)	Date Revised:	01/12/2022
Title:	Discriminatory Workplace Harassment Policy		Page 8 of 11

Upon receipt of the formal written complaint, the Fire Chief will contact the alleged harasser(s) who will be informed of the basis of the complaint, given a copy of same, and provided an opportunity to respond. The response shall be in writing, addressed to the Fire Chief, and received by the Fire Chief within ten (10) calendar days after being notified of the complaint. Concurrently, a formal investigation of the complaint may be commenced.

Review of Response and Findings

Upon receipt of the response, the Fire Chief may further investigate the formal complaint. Such investigation may include an interview with the complainant, the accused harasser(s), and any other persons determined by personnel division designee to possibly have relevant knowledge concerning the complaint. This may include victims of similar conduct.

Factual information gathered through the investigation will be reviewed to determine whether the alleged conduct constitutes harassment, giving consideration to all factual information, the totality of the circumstances including the nature of the verbal, physical, visual, or sexual conduct and the context in which the alleged incident(s) occurred.

The results of the investigation and the determination as to whether harassment occurred shall be final and binding and will be reported to appropriate persons, including the complainant, the alleged harasser(s), the supervisor, and the division head within twenty (20) calendar days from the receipt of the response.

Disciplinary Action

If harassment is determined to have occurred, the Fire Chief shall take prompt and effective remedial action against the harasser. The action

Fire Protection District #4
Policies & Procedures

Type:	<u>Policy</u>	Date Created:	7/20/2017
Number:	101.04(a)	Date Revised:	01/12/2022
Title:	Discriminatory Workplace Harassment Policy		Page 9 of 11

will be commensurate with the severity of the offense, up to, and including, termination from membership/employment. Copies of the final report, including disciplinary action taken, will be distributed to both parties.

Retaliation

Retaliation in any manner against a person for filing a harassment charge or initiating a harassment complaint, testifying in an investigation, providing information or assisting in an investigation, is expressly prohibited and subject to disciplinary action up to, and including, termination from membership/employment. The Fire Chief will take reasonable steps to protect the victim from any retaliation as a result of communicating the compliant.

Confidentiality

Confidentiality will be maintained to the fullest extent possible in accordance with applicable federal, state, and local law.

False Complaints

Any complaint made by a volunteer/employee of FPD4 Fire Department regarding job-based harassment, which is conclusively proved to be false, shall result in discipline. This discipline may include dismissal from membership/employment. This section is not intended to discourage volunteers/employees from making complaints regarding job-based harassment. However, false complaints adversely impact the workplace and the career of the accused, even when disproved, and will not be tolerated.

Fire Protection District #4
Policies & Procedures

Type:	<u>Policy</u>	Date Created:	7/20/2017
Number:	101.04(a)	Date Revised:	01/12/2022
Title:	Discriminatory Workplace Harassment Policy	Page	10 of 11

Limitations

The use of this procedure is limited to complaints related to discriminatory workplace harassment on the basis of race, religion, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age.

Distribution

This policy shall be disseminated to all volunteers/employees, supervisors of the FPD4 Fire Department. Any questions, concerns, or comments related to this policy should be directed to the Fire Chief.

Fire Protection District #4
Policies & Procedures

Type:	<u>Policy</u>	Date Created:	7/20/2017
Number:	101.04(a)	Date Revised:	01/12/2022
Title:	Discriminatory Workplace Harassment Policy	Page	11 of 11

I _____ have read, received, and understand the Sexual & Other Harassment #101.04 of Fire Protection District #4. I will complete the mandatory training requirement and submit a copy of my certification to the administration office.

I will also complete the mandatory training requirement and submit a copy of my certification to the administration office. And understand that the sexual harassment training course provided by LPFPD4 is not to be posted on any source open to the public and may not be used without the permission of Louisiana State Civil Service.

Signature: _____
ID#: _____
Date of Signature: _____

I _____ have read, received, and understand the Discriminatory Workplace Harassment Policy #101.04(a) of Fire Protection District 4.

Signature: _____
ID#: _____
Date of Signature: _____