

# Hauser Lake Fire Protection District

## Policy Statement

### Administration: Discriminatory Workplace Harassment Policy

Effective Date: 7/1/2008

Policy 005

**Purpose:** The purpose of this policy is to clearly establish Hauser Lake Fire Protection District commitment to provide a work environment free from harassment, to define discriminatory 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, each Company Officer shall review this policy with his or her personnel on an annual basis or as needed. Additionally, this policy shall be fully discussed with each employee, Officer and Commissioner to ensure that its contents are known by the employee/volunteer.

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, manager, and volunteer, to make sure that there is not inappropriate behavior occurring in the workplace. Inappropriate behavior, which impacts the workplace or has the potential to 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.

**Policy:** Harassment of an applicant, client, contractor, business invitee, customer, volunteer or employee, (a “worker”) by a supervisor, management employee, co-worker or co-volunteer on the basis of race, religion, 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 Hauser Lake Fire Protection District.

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.

#### I. Responsibilities

- A. **Management:** It is the responsibility of the Commissioners 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 Commissioners are required to set the proper example at all times.

*Responsibilities, Cont.*

- B. Supervision:** It is the responsibility of Officers to enforce the policy, to make a yearly review with each employee to ensure they know the policy and to regularly check the workplace and environments to ensure the policy is being followed. When a deviation from this policy is noted or reported, the Officers shall bring this information to the District Chief and to the Commissioners immediately. Additionally, Officers are required to set proper examples at all times.
  - C. Workers:** It is the responsibility of each and every volunteer and employee to know the policy and to follow the policy. It is imperative that every volunteer and employee treats every worker with dignity and respect so as to facilitate a sound professional work environment.
- II. Definitions:** For the purposes of clarification, harassment includes, but is not limited to the following behaviors:
- A. Verbal Harassment:** Epithets, derogatory comments, slurs, propositioning or otherwise offensive works or comments on the basis of race, religious creed, 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.
  - B. 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, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender or age. This includes pinching, patting, grabbing, inappropriate behavior or making explicit or implied threats or promises in return for submission of physical acts.
  - C. Visual Forms of Harassment:** Derogatory, prejudicial, stereotypical or otherwise offensive posters, photographs, cartoons, notes, bulletins, drawings or pictures on the basis of race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender or age. This applies to both posted material and material maintained in or on Fire District equipment or personal property in the workplace.
  - D. Sexual Harassment:** All behaviors between volunteers/employees shall be behavior conducive to a sound professional work environment at all times when on District property or on District time.

**III. Workplace Relationships:** All behavior between volunteers/employees shall be behavior conducive to a sound professional work environment at all times when on District property or on District time.

#### **IV. Complaint Procedure**

**A. Confrontation:** If any person feels they are the victim 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 the inappropriate 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.

**B. Informal Complaint:** Any volunteer/employee, client, contractor, customer 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: immediate Supervisor, any Officer within or outside of the station, the District Chief, or a Fire Commissioner.

Any Commissioner, Chief or Officer who observes inappropriate behavior or receives a harassment complaint shall notify the District Chief or the Board of Commissioners.

#### **C. Formal 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 thirty (30) days of the alleged incident, contact his/her Supervisor, the District Chief and/or the District Commissioners. 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 the best interest of fairness and justice to the parties involved.

**Review of Preliminary Complaint:** Upon notification of a harassment complaint, the District Chief and/or the Commissioners 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 District Chief and/or the Commissioners 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 District 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 District Chief within ten (10) calendar days after being notified of the right to file a formal complaint.

Upon receipt of the formal written complaint, the District Chief or Board of Commissioners will contact the alleged harasser(s) who will be informed of the basis of the complaint, will be given a copy of same, and will be provided an opportunity to respond. The response shall be in writing, addressed to the District Chief or the Board of Commissioners and received by the District Chief or Board of Commissioners 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 District Chief or Commissioner designee 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 the District Chief or Commissioner 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 District Chief and Commissioners within twenty (20) calendar days from the receipt of the response.

**VI. Disciplinary Action:** If harassment is determined to have occurred, the District Chief or the Board of Commissioners shall take prompt and effective remedial action against the harasser. The action will be commensurate with the membership/employment. Copies of the final report, including disciplinary action taken, will be distributed to both parties.

- VII. 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 District Chief or the District Commissioners will take reasonable steps to protect the victim from any retaliation as a result of communicating the complaint.
- VIII. Confidentiality:** Confidentiality will be maintained to the fullest extent possible in accordance with applicable federal, state and local law.
- IX. 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.
- X. Distribution:** This policy shall be disseminated to all volunteers/employees, Officers, Chiefs and Commissioners of Hauser Lake Fire Protection District. Any questions concerns or comments related to this policy should be directed to the Commissioners of his/her designee.