

Joint Anti-Harassment, Bullying, and Discrimination Statement by the NVFC, IABPFF, IAFC, IAFC/VCOS, iWomen, NAFTD, and NAHFF

The purpose of this joint statement is to communicate to all fire and emergency service personnel that the National Volunteer Fire Council (NVFC), the International Association of Black Professional Firefighters (IABPFF), the International Association of Fire Chiefs (IAFC) and the IAFC Volunteer and Combination Officers Section (IAFC-VCOS), the National Association of Fire Training Directors (NAFTD), the National Association of Hispanic Firefighters (NAHFF), and Women in Fire will not tolerate harassment, bullying behavior, or discrimination of any kind. All members of fire, EMS, and rescue services should be treated and treat others with dignity and respect, free from harassment, bullying, and discrimination of any kind. This statement covers harassment, bullying, and discrimination that occurs in the workplace, such as on business trips, at events or work-related social functions, as well as outside of the workplace.

Call to Action

The NVFC, IABPFF, IAFC, IAFC-VCOS, NAFTD, NAHFF and Women in Fire encourage ALL fire and emergency organizations to have anti-harassment, bullying, and discrimination policies in place that are actively communicated to personnel and actively and consistently enforced. Personnel must be able to report instances of harassment or bullying without fear of retaliation or reprisal. In addition, fire and emergency service organizations are encouraged to have a Code of Conduct or Code of Ethics in place that clearly define expected behaviors.

Resources

National Firefighter Code of Ethics
NVFC Member Code of Conduct
St. Landry #3 Harassment Policy
IAFC Code of Conduct
2018 IAFC Respect Our House Poster
IAFC Code of Ethics
IAFC Position on Human Dignity



Addendum

Definitions of Harassment, Bullying, and Discrimination

What is Harassment?

Harassment is any verbal or physical conduct by an individual or group designed to threaten, intimidate, or coerce an employee, co-worker, or any person. Verbal taunting (including racial and ethnic slurs) that, in the employee's opinion, impairs his or her ability to perform his or her job is included in the definition of harassment. The organizations listed herein consider the following types of behavior examples of harassment:

- Verbal harassment includes comments, epithets, slurs, and negative stereotyping that are offensive or unwelcome regarding a person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age, disability, or other protected status.
- Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age, disability, or other protected status.

Sexual Harassment

According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . . when . . . submission to or rejection of such conduct is used as the basis for employment decisions . . . or such conduct has the purpose or effect of . . . creating an intimidating, hostile, or offensive working environment."

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment.
- Is used as a basis for an employment decision.
- Unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or otherwise offensive environment.

Sexual harassment may take different forms:

- **Verbal sexual harassment:** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or

“kidding” that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.

- **Nonverbal sexual harassment:** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and Internet postings; or other form of communication that is sexual in nature and offensive.
- **Physical sexual harassment:** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, noncoercive interactions between employees, that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

What is Bullying?

Bullying may be intentional or unintentional. However, it must be noted that when an allegation of bullying is made, the intention of the alleged bully is irrelevant. As in sexual harassment, it is the effect of the behavior on the individual that is important. The organizations listed herein consider the following types of behavior examples of bullying:

- **Verbal bullying:** includes slandering, ridiculing, or maligning a person or his or her family; persistent name calling that is hurtful, insulting, or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- **Physical bullying:** includes pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person’s work area or property.
- **Gesture bullying:** includes nonverbal threatening gestures; glances that can convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person.
- Using group peer pressure to coerce or manipulate someone.
- Shouting or raising voice at an individual in public or in private.
- Using verbal or obscene gestures.

- Not allowing the person to speak or express himself or herself (i.e., ignoring or interrupting).
- Personal insults and use of offensive nicknames.
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Public reprimands.
- Repeatedly accusing someone of errors that cannot be documented.
- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Encouraging others to disregard a supervisor's instructions.
- Manipulating the ability of someone to do his or her work (e.g., overloading, underloading, withholding information, assigning meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions).
- Inflicting menial tasks not in keeping with the normal responsibilities of the job.
- Taking credit for another person's ideas.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings.
- Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property).
- Retaliation against a whistleblower

What is Discrimination?

Discrimination is any negative action or attitude towards an individual due a person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age, disability, or other protected status.

Discrimination may take different forms:

- **Disparate treatment discrimination:** occurs when an employer intentionally takes an employee's protected status into consideration when taking an adverse employment action, such as a termination or layoff decision. An example of intentional discrimination is an employer that learns of an employee's pregnancy and, based at least in part on

that knowledge, selects the pregnant employee for layoff rather than a less-qualified employee who is not pregnant.

- **Disparate impact discrimination:** also known as adverse impact discrimination, occurs when an employer adopts a policy or practice that seems neutral and nondiscriminatory on its surface but has a disproportionately negative effect on members of a protected class. In a court proceeding, once disparate impact is established, the employer must demonstrate that the challenged requirement is job related for the position in question and consistent with business necessity. If the employee can point to a less discriminatory way to satisfy the business needs, the employer may be obligated to adopt that alternative. Practices that have been found to have a disparate impact on protected groups include:
 - **Minimum height requirements.** These have been found to disproportionately affect women, Hispanics, and Asians.
 - **Physical agility tests.** These can have a disparate impact on women.
 - **Clean-shaven requirements.** These have been found to adversely affect African-American men who are disproportionately affected by a skin condition that is aggravated by shaving.
- **Harassment:** is a form of disparate treatment (i.e., intentional) discrimination. It includes both sexual harassment as well as hostile work harassment when conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- **Retaliation:** includes discriminating against an employee because that employee opposed any discriminatory practice; made a charge of discrimination; or testified, assisted, or participated in any manner in an investigation, proceeding, or hearing. Retaliation can also include bullying.