

# Policy Manual

Policy: **Harassment Policy**

Effective Date: April 22, 2013

Revised:

**Definition:** Harassment includes, but is not limited to: offensive language, jokes, or other verbal, graphic, or physical conduct relating to an employee's race, sex, religion, national origin, age, disability, or other class protected by law which interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment. Sexual harassment may include, but is not limited to: objectionable conduct, comments, or displays made on either a one-time or continual basis that demeans, belittles, or causes humiliation to a person and that is known, or reasonably should be known to be unwelcome.

St. Landry Fire District #3 is committed to maintaining a work environment that is free from harassment and discrimination where employees are able to devote their full attention and efforts to their job. The expectation is that all employees from the rank of Fire Chief through Firefighter will create and maintain a work environment that is respectful of all persons.

It is the policy and practice of St. Landry Fire District #3 to recognize and respect each person as an individual. Harassment and discrimination, whether intentional or unintentional, has no place in the work environment. Accordingly, St. Landry Fire District #3 does not authorize and will not tolerate any form of harassment or discrimination of or by any employee based on race, sex, religion, national origin, age, disability, or any other class protected by law.

All employees are prohibited from retaliating or threatening to retaliate in any way against anyone who has voiced a complaint or participated in an investigation relating to harassment or discrimination.

An effective anti-harassment policy requires the support and cooperation of all St. Landry District #3 employees. Employees who engage in harassment or retaliation, fail to cooperate, knowingly give false or misleading statements during an administrative investigation may be subject to disciplinary action up to and including termination. Employees who refuse to implement remedial measures, obstruct the remedial efforts of other employees and/or retaliate against harassment complaints or witnesses shall be subject to disciplinary action up to and including termination. Harassment constitutes a disciplinary infraction that shall be dealt with through the appropriate disciplinary action up to an including termination.

## **Roles and Responsibilities**

Maintaining a harassment free workplace is every employee's responsibility. Chief Officers are responsible for ensuring a harassment free workplace and adherence to this policy. This

includes reporting all instances or complaints of harassment to the Fire Chief, taking appropriate preventive or corrective action and stopping any harassment of which they are aware.

Each employee has a responsibility to create and support a workplace that is free of harassment by complying with this policy and by ensuring their behavior meets acceptable standards. Employees must refrain from discriminatory or harassing behavior and employees are encouraged to report any observed harassment.

### **Sexual Harassment**

Sexual harassment may include, but is not limited to:

- 1) Physical assaults or unwelcome physical conduct that is sexual in nature.
- 2) Unwelcome sexual advances or comments or requests for sex or sexual activities concerning one's employment or advancement, regardless of whether they are accompanied by promises or threats.
- 3) Sexual displays or publications such as calendars, cartoons or graffiti.
- 4) Displays of sexual or pornographic images on cell phones, computers, I-phones, or I-pads.
- 5) Other verbal or written communication or physical conduct of a sexual nature which interferes with an individual's work performance or creates an intimidating hostile or offensive work environment.

Examples of sexual harassment: Sexual propositions, sexual innuendo, sexually suggestive comments, sexually oriented "kidding, teasing, or practicable jokes"; jokes about gender specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material and physical contact such as patting, pinching, or brushing against another's body; reading or otherwise publicizing in the work environment materials that are sexually suggestive or revealing.

St. Landry District #3 regards all such conduct as a violation of this policy and may result in disciplinary action up to and including termination.

### **How to Report Instances of Harassment**

All employees have the right to file a complaint concerning harassment. Employees who feel they have been harassed should immediately make their objection known to the alleged harasser.

If the above step is not appropriate, or fails to resolve the situation, the employee may submit a complaint following the grievance procedure: See Grievance Filing Procedure.

Employees witnessing harassment are encouraged to bring the incident to the attention of the Fire Chief through the chain of command.

When submitting a complaint about harassment, the employee should specifically identify the incidents in question, the date(s) if possible, name(s) of person(s) accused of harassment, any witnesses and a description of exactly what happened.

All employees from the Fire Chief through Firefighter are expected to treat all complaints seriously, confidential, given immediate attention and should make an investigation a top priority.

### **How Complaints Will Be Investigated**

Every effort will be made to preserve confidentiality while still thoroughly investigating the matter. The Investigating Officer conducting the investigation may recommend remedial measures based upon the results of the investigation. Management will consider such recommendations.

The Investigative Officer shall have the duty of bringing all harassment and retaliation complaints to the confidential attention of the Fire Chief as soon as practicably possible.

A non-employee's commission of acts of harassment toward an employee will result in appropriate remedial action by St. Landry District #3 depending upon the nature and severity of the misconduct. Remedial steps may include letters of objection, refusal to allow the alleged harasser on St. Landry District #3 premises or other appropriate action.

### **Notification and Disposition**

As soon as practicable after a decision has been made, St. Landry District #3 shall separately notify the complainant and the alleged harasser of the outcome of the investigation. Only the complainant, alleged harasser and additional persons who need to know will be told of the final disposition of the complaint.

If either the complainant or the alleged harasser is dissatisfied with the processing of the complaint, the decision reached or the remedial action to be taken if any, then that person may submit a written statement of their position to the Fire Chief.

The Fire Chief will review the investigative file, conduct additional investigation if necessary and will determine whether the action taken if any was appropriate. The person requesting the appeal will be notified of the results of this review as soon as practicable, but no later than ten (10) working days from receipt of the complaint or written statement.