

SPRINGFIELD FIRE DEPARTMENT

Series 200

Title:	Sexual Harassment	202
Category:	Administration	7/2017

I. Scope

This order shall apply to all personnel of this fire department.

II. Purpose

The purpose of this guideline is to prevent sexual harassment and other unwanted conduct in the working environment.

III. Application

Noncompliance with this guideline constitutes a violation of employment duty only and shall form the basis for the employer's disciplinary action within this department. It shall not be construed as creating a higher legal standard of care for the imposition of civil liability against an employee or the department.

IV. General Guideline

It shall be the guideline of the this department that as employees you have the right to expect a working environment free of unwelcome sexual advances, requests for sexual favors, communication of a sexual nature, and other unwanted verbal or physical conduct.

A. The following are examples of sexual harassment and other unwanted conduct:

1. Sexual conduct or communication is made that expresses or implies that compliance is a condition of employment.
2. Submission to or rejection of such conduct is used as a basis of or factor in decisions affecting the employment of any personnel.
3. Such conduct or communication has the purpose or effect of interfering with an employee's duty assignment or work performance or creating an intimidating, hostile, or offensive environment.

V. Guideline

A. An employee who believes they has been subjected to sexual harassment or unwanted conduct shall report the incident, in writing, as soon as reasonably possible, but no later

then (10) days after the alleged occurrence, to either their immediate supervisor, or to the department head or other supervisory official.

- B. A written complaint of sexual harassment or unwanted conduct shall be promptly investigated by the department head or their designate. Provided, however this person, shall not be subject of or included within the immediate or any pending sexual harassment or unwanted conduct complaint. Every effort will be made to handle all matters with concern for the principles of due process and fairness. In order to protect both the person making the complaint and the person(s) against whom the complaint is made, every reasonable effort will be made to handle all complaints in a confidential and discreet manner.
- C. A meeting shall be held between the person(s) making the complaint and the fire chief or their designate, as soon as possible and no later than ten (10) days following the report of the alleged occurrence(s). Following this meeting, the employee(s) against whom the complaint has been made shall be given a full opportunity to respond to the allegations. The investigation conducted shall also include interviews, where appropriate, with other witnesses to the alleged occurrence(s) of sexual harassment or unwanted conduct. Following completion of the investigation, if it is determined that sexual harassment or unwanted conduct did, take place, immediate action, including discipline if appropriate, will be taken to remedy the situation and prevent its recurrence.
- D. All supervisory personnel shall be expressly responsible for immediately reporting any occurrences they witness or become aware of in any area of the department.
- E. Retaliatory action or conduct of any kind taken by any employee of the department against an employee as the result of that employee having sought redress under this guideline and procedures is strictly prohibited and may be regarded as a separate and violation of the department policies and guidelines.
- F. Any questions, concerns or other inquiries regarding the conduct that is prohibited by this guideline or the guidelines contained herein shall be directed immediately to the department head or their designate.

VII. Non-Compliance

Failure to comply with the provisions of this order shall result in disciplinary action. not be tolerated by any member.

REPORT OF VIOLATION OF EMPLOYER'S GUIDELINE AGAINST SEXUAL HARASSMENT AND OTHER UNWANTED CONDUCT

INSTRUCTIONS:

If you wish to file a report claiming sexual harassment and unwanted conduct against someone within the municipality, complete this form and give it to the fire chief. If the complaint involves the fire chief, then return this report to a municipal official. You are encouraged to complete this report and return it to the fire chief as soon as reasonably possible, after the act or complaint has occurred.

Employee's Name: _____

Job Title: _____

Supervisor: _____

Department: _____

Person(s) who allegedly harassed you and the date that the alleged harassment took place.

NAME	DATE
_____	_____
_____	_____
_____	_____

Employee complaint: (Reasons for claim, state the facts, giving full particulars of the incident(s) as to the time, date, place and names, if any, and how you have been harassed. You may attach additional sheets or write on the back of this form.)

Date: _____

Signature of Reporting Employee

Date Received: _____

Signature