1. **Policy Statement**
   1. Non-Discrimination
      1. The Department prohibits discrimination because of race, creed, color, national origin, sex, veteran status, sexual orientation, disability or any other status protected by law.
      2. The policy of non-discrimination extends to all services provided to either employees or customers of the Department.
      3. Except for *bona fide* occupational disqualification, vendors, contractors and others doing business with the Department shall not discriminate against any employee or applicant for employment or any other person in performance of work for the Department due to their of race, creed, color, national origin, marital status, sex, age, disability or other circumstance protected by federal, state or local law or ordinance
   2. Equal Opportunity Employer
      1. It is the policy of the Department to maintain a work environment free from discrimination based on race, creed, color, national origin, sex, honorably discharged veteran or military status, sexual orientation, or the presence of any sensory, mental, or physical disability or the use of a trained guide dog or service animal by a person with a disability with regard to any term or condition of employment.
      2. The Department’s goal is to achieve and maintain equal employment opportunities.
      3. It is the responsibility of all to conform to the letter and the spirit of all applicable civil rights laws.
      4. The Department is an Equal Opportunity Employer and strives for compliance with Title VII of the Civil Rights Act of 1964, as amended; Age Discrimination in Employment Act of 1967 and the Rehabilitation Act of 1973; and employs without regard to sex, race, color, national origin, religion, age, handicap or status as a disabled or Vietnam era veteran.
   3. Anti-Harassment
      1. It is the policy of the Department to provide its employees with a workplace that is free of harassment of any kind to include harassment based on race, creed, color, national origin, sex, veteran status, sexual orientation, disability or any other status protected by law.
      2. Regardless of whether the conduct results from maliciousness, thoughtlessness, or misguided good will, harassment in the workplace is unacceptable and will not be tolerated.
   4. Sexual Harassment
      1. No employee, either male or female shall:
         1. Make unwelcome sexual advances, or other verbal or physical conduct of a sexual nature a condition of employment; or use a worker's submission to or rejection of such conduct as the basis for or a factor in any employment decision affecting the individual; or create an intimidating, hostile, or offensive work environment by engaging in such conduct.
         2. Be subjected to unsolicited or unwelcome sexual overtures or conduct, verbal, physical, or non-verbal.
      2. No person shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development.
      3. Conduct or actions that arise out of a personal or social relationship and that are not intended to have a discriminatory effect on employment may not be viewed as harassment.
      4. Anyone functioning in an official capacity on behalf of the Department are to be advised of this policy to assure them that they are not to endure insulting, degrading, or exploitive sexual treatment.
2. **Applicability and Scope**
   1. This policy applies to potential acts of discrimination or harassment of any kind by anyone acting in an official capacity on behalf of the Department.
   2. This policy also serves as the Department’s equal opportunity employer statement.
3. **Responsibility**
   1. Anyone functioning in an official capacity on behalf of the Department is responsible for complying with this policy.
   2. The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall be responsible for:
      1. Ensuring that reports of discrimination or harassment are subject to fact-finding and/or investigation as soon as practical.
      2. Coordinating fact-finding and/or investigative processes with other leadership team members and/or external resources as appropriate.
   3. Any supervisor who becomes aware of a behavior that may constitute discrimination or harassment is responsible for reporting the matter to the \_\_\_\_\_\_\_\_\_\_\_\_\_ as soon as practical.
4. **Procedures**
   1. Anyone operating in an official capacity on behalf of the Department will:
      1. Be provided with training on this policy annually.
      2. Sign an Anti-Harassment Policy Acknowledgment form as commitment to anti-harassment and non-discrimination.
   2. Any violation of this policy should be reported directly to the employee’s supervisor, the Human Resources representative, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or Fire Chief.
5. **Reference**
6. **Appendix**
   1. Anti-Harassment Policy Acknowledgement Form

6.1. Anti-Harassment Policy Acknowledgment Form

**Discrimination or Harassment will not be tolerated.**

The Fire Department is committed to providing a workplace that is free of verbal, physical and visual forms of discrimination or unlawful harassment so that everyone can work in a productive, respectful and professional environment.

**What is Discrimination?**

Discrimination is adverse employment or mistreatment of a person in the official performance of one’s duties based on race, creed, color, national origin, sex, age, marital status, honorably discharged veteran or military status, sexual orientation, the presence of any sensory, mental, or physical disability, or other protected status.   **Discrimination is strictly prohibited**. The Fire Department does not tolerate discrimination, based upon any protected status, by anyone in the workplace- supervisors, co-workers, or non-employees. Employees who violate this policy are subject to corrective action, up to and including possible termination.

**What is unlawful harassment?**

Unlawful harassment is acting in a discriminatory fashion based on a person’s race, creed, color, national origin, sex, age, marital status, honorably discharged veteran or military status, sexual orientation, the presence of any sensory, mental, or physical disability or other protected status.  Unlawful harassment may include, but is not limited to:

* Cartoons or other visual displays of objects, pictures or posters that depict such protected groups in a derogatory way;
* Verbal conduct, including making or using derogatory comments, epithets, slurs and jokes towards such groups.

 Sexual harassment is one form of unlawful harassment, and is generally defined as unwelcome sexual advances, requests for sexual favors, or other  visual, verbal or physical conduct of a sexual nature when:

* Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
* Submission to or rejection of such conduct affects employment opportunities; or
* The conduct interferes with an employee’s work or creates an intimidating, hostile or offensive work environment.

Sexual harassment includes harassment based on another person’s gender or harassment based upon pregnancy, childbirth, or related medical conditions. It also includes harassment of another employee of the same gender as the harasser.

 Examples of harassment include, but are not limited to, the following types of behavior:

* Unwelcome sexual advances, like requests for dates or propositions for sexual favors;
* Excessive, one-sided, romantic attention in the form of requests for dates, love letters, telephone calls, emails or gifts;
* Offering or conditioning an employment benefit, like a raise, a promotion or a special job assignment, in exchange for sexual favors;
* Making or threatening reprisals, or changing performance expectations after an employee has turned down a sexual advance;
* Visual or physical conduct, like leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, calendars, or posters in the workplace;
* Verbal conduct, like making or using derogatory comments, epithets, slurs, teasing and jokes of a sexual nature;
* Graphic, verbal or written comments (including emails or other electronic documents) about an individual’s sex life or body;
* Sexually degrading words used to describe an individual;
* Suggestive or obscene letters, emails, notes or invitations; and
* Unwelcome physical contact, including pats, hugs, brushes, touches, shoulder rubs, assaults, or impeding or blocking movements.

 This policy is also violated if an employee is fired, denied a job, or denied some other employment benefit because the employee refused to grant sexual favors, complained about harassment, or assisted in an investigation of harassment.

 The Fire Department is committed to taking reasonable steps to prevent harassment from occurring and will take immediate and appropriate action when we know that unlawful harassment has occurred. To do this, however, we need the cooperation of all employees at all levels.

**What to do if harassment occurs.**

Each employee is responsible for supporting and adhering to this policy. Employees should never tolerate inappropriate behavior. They should make their feelings known to the offending employees. In many cases if an employee makes his/her feelings known to the offending persons, tells them the conduct is not appropriate, and asks them to stop, this may take care of the situation. **However, if any employee is not comfortable doing this, then they must promptly report any offending behavior, whether such behavior is directed towards them personally or to other employees at the Fire Department. Reports of offending behavior must be made to any supervisor.**Employees are strongly encouraged to report concerns about discrimination or harassment before behaviors become severe or pervasive.  Supervisors who know or receive reports or complaints of offending behavior must promptly notify the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ so the appropriate actions may be taken.

The Fire Department will promptly and thoroughly investigate all claims of harassment. Complaints of discrimination or harassment will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Generally this means that allegations of discrimination or harassment are shared with those who have a need to know so that The Fire Department can conduct an effective investigation.

The complaining employee is usually requested to provide as many details as possible, such as the date(s), location(s), name(s) of witnesses, or information about the alleged harasser(s). Persons with relevant information will be interviewed. During the investigation, steps may be taken, when appropriate, to minimize contact between the complaining employee and the alleged harasser(s), like schedule changes, temporary leave, usually for the alleged harasser. After the investigation is completed, the Fire Department will share its findings with the complaining employee, the alleged harasser, and if appropriate other employees directly concerned with the incident.

If The Fire Department concludes that unlawful harassment occurred, prompt and effective remedial action will be taken. This may include corrective action of the harasser and other actions to remedy the effects of the harassment and prevent further harassment. No action will be taken against any employee who in good faith files a complaint of harassment or assists in the investigation of such a complaint. Employees who believe they have been retaliated against for having reported harassment or participated in an investigation must promptly notify the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ so their concerns can be investigated. Appropriate corrective measures will be taken if the allegations of retaliation are substantiated.

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| I have read and understand this policy. | | |  |  |
|  |  |  |  | |  |
| Name (Printed) |  | Signature | Date | |  |