

## **Falmouth Fire-EMS Operating Guideline**

### **Harassment and Sexual Harassment**

**Objective:** To establish a guideline which incorporates the Falmouth Fire-EMS's Policy against sexual, racial and other workplace harassment into all department operations.

**General Information:** This guideline describes the Falmouth Fire-EMS Department's commitment to providing its members with a work environment free from all forms of harassment, discrimination and/or retaliation and the confidential and reliable mechanisms for reporting complaints of harassment, discrimination and/or retaliation.

#### **Definitions:**

Employee - All members of Falmouth Fire-EMS.

Sexual Harassment - Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting an individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Sexual harassment may occur between the members of the opposite sex or the same sex.

Workplace Harassment: Unlawful conduct directed at a group or individual that has the intent or effect of producing humiliation, embarrassment and/or revulsion at the target. Conduct which is unwelcome, pervasive and severe that may be demeaning, demoralizing, threatening or confrontational.

Discrimination: Adverse treatment of a department member(s) whether intentional or unintentional, based, for example, on race, color, national origin, religion, sex, disability, age, veteran status, or any other protected category.

Hostile Work Environment: Working conditions that are offensive because of illegal workplace discrimination, typically characterized by humiliation, mockery, and cruelty directed against members of disadvantaged or protected groups and including sexually offensive conduct in the workplace.

Protected characteristic – A personal attribute or characteristic that under anti-discrimination laws may not be the basis for discrimination or harassment. Federal law prohibits harassment based on sex, race, religion, national origin, age, pregnancy and disability status.

### **Responsibility of Command and Supervisory Personnel:**

- Maintaining a business-like work environment free from all forms of employee discrimination including incidents of sexual harassment.
- Training their assigned employees in the definition and prevention of workplace harassment so the entire department has a common understanding.
- Initiating immediate disciplinary or remedial action, if warranted.
- Documenting observed or reported incidents of workplace harassment and immediately reporting to the Fire Chief.
- Taking immediate action.

### **Reporting Procedures:**

An employee who believes he/she has been harassed shall report the entire matter to his/her immediate supervisor, Captain, Deputy Chief, Assistant Chief, or Fire Chief. If the report is made to the immediate supervisor, Captain, Deputy Chief, or Assistant Chief, the immediate supervisor (or Captain, Deputy Chief, or Assistant Chief) shall **immediately** report the entire matter to the Fire Chief. In all cases, the Fire Chief shall learn of the matter the same day of the initial report, or, if off duty or unavailable, on his/her first succeeding duty day. The Fire Chief, after being notified, shall notify the Town of Falmouth Human Resources Director / Assistant Town Manager. Employees may also report the incident directly to the Human Resources Director / Assistant Town Manager or Town Manager.

### **Investigating Procedures:**

All complaints will be investigated promptly. Confidentiality will be protected to the extent reasonably possible. Any employee or supervisor who is found to have engaged in harassment of another employee will be subject to appropriate disciplinary action up to, and including, termination from employment.

### **Personnel Training:**

#### **New Employees:**

All new members of the Falmouth Fire-EMS Department shall complete Workplace Harassment training within their first month of hire as part of their orientation as prescribed by the Fire Chief / Assistant Town Manager.

#### **Refresher for Current Employees:**

As part of their annual required training, all members of Falmouth Fire-EMS will complete a training program including training in harassment awareness each year. Documentation will be placed in the member's training file.

These guidelines may be changed or altered by the Fire Chief at any time.