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| ***REPLACE WITH YOUR MASTHEAD*** |
| **VFIS logo black JPG** | **SOG Title:** |
| **SOG Number:** |
| **Original Date:** | **Revision Date:** |
| **ABC Fire Department General Operating Guideline** |

**Sexual Harassment and Discrimination**

***This is a sample of a standard operating guideline (SOG) on this topic. You should review the content, modify as appropriate for your organization, have it reviewed by your leadership team and if appropriate your legal counsel. Once adopted, make sure the SOG is communicated to members, implemented and performance monitored for effective implementation.***

**Purpose:**

It is important that the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ maintain a work environment that respects the dignity of all of its members, is conducive to good job performance and is free from all types of discrimination and workplace harassment, including sexual harassment and harassment because of race, color, religion, national origin, age, ancestry, disability, sexual orientation, citizenship status, marital status, or other characteristic protected by law. Alleged incidents of workplace harassment will be promptly and thoroughly investigated and management will take appropriate action that is reasonably calculated to end any harassment. Any member who engages in workplace harassment will be subject to appropriate disciplinary action, up to and including termination.

**Scope:**

This policy applies to the entire organization

**Procedure:**

Workplace harassment is defined broadly to include any verbal or physical conduct that:

* Is not welcomed by or is offensive to the recipient; and
* Has the purpose or effect of creating an unreasonably intimidating, hostile, or offensive work environment
* Has the purpose or the effect of unreasonably interfering with the recipient’s work performance

Workplace harassment includes, but is not limited to, any form of harassment or intimidation based upon a personal or group characteristic. Examples of prohibited workplace harassment may include, but are not limited to, the following:

* Name calling, slurs or derogatory remarks Intimidating or hostile acts focused on a personal or group characteristic
* Verbal abuse or ridicule based on some personal or group characteristic
* Physical assault or intimidation
* Jokes or pranks based upon a personal or group characteristic
* Placing on walls, bulletin boards, Intranet/Internet or elsewhere or circulating, in the workplace, via e-mail or other communications vehicles, material that denigrates or shows hostility or aversion towards a person or a group because of a personal or group characteristic

Sexual harassment is a form of workplace harassment prohibited by this policy. In general, sexual harassment is harassment because of one’s gender. Prohibited sexual harassment can include the gender motivated conduct of one individual towards another of either the opposite or the same sex. In general, sexual harassment is defined as: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature or taken because of the recipient’s sex, when:

* Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an unreasonably intimidating, hostile or offensive work environment;
* Submission to such conduct is made either explicitly or implicitly a term and condition of the individual’s employment; or
* Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.

Retaliation is a serious violation of this policy and will not be tolerated. Individuals who report harassment or who are involved in a harassment investigation, and who believe they have been subject to reprisal or retaliation should report it immediately to their supervisor, Operations Officer, President, or Administrative Director.

It is the responsibility of every officer and supervisor to promptly address any and all violations of this policy that they observe or otherwise know about, regardless of the existence of an official complaint. It is the responsibility of every officer and supervisor who receives a complaint about an alleged violation of this policy to ensure that: a) a prompt and thorough investigation is conducted, b) to take prompt remedial action, if warranted, that is reasonably calculated to end the harassment, and, c) to ensure that the member who files a complaint is protected from acts of retaliation from either co-workers, management, or others in their work environment.

When a report of harassment or retaliation is received, management will promptly investigate. Officers receiving a report of harassment must promptly report the claim to Operations Officer, President or Administrative Director. The investigation will proceed as promptly, discreetly and confidentially as possible. The identity of the alleged victim and the alleged harasser will be limited to those with a need to know in order to conduct the investigation. Confidentiality will be maintained throughout the investigation to the extent practical and consistent with the need to undertake a complete investigation. All witnesses or others interviewed during the course of an investigation will be instructed that the matter is confidential and that they are not to speak of it with other persons. Breach of confidentiality is a serious violation of this policy and is subject to remedial action.

All members are expected to cooperate fully in harassment or retaliation investigations. Refusal to cooperate or the providing of false, misleading or incomplete information during an investigation may result in disciplinary action up to and including termination.

Remedial action may include, but is not limited to, oral or written counseling and/or warning; referral to formal counseling; disciplinary suspension or probation; or termination.

False reports of harassment, particularly sexual harassment, can have serious impact on innocent people. It is expected that all members will act responsibly and will not knowingly make false harassment charges. If the investigation concludes that the charges of harassment were deliberately false and/or made in bad faith, then the person making the false accusation will be subject to disciplinary action up to and including termination.

Violation of any portion of this policy may constitute grounds for immediate termination from the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

***This is a sample guideline furnished to you by VFIS. Your organization should review this guideline and make the necessary modifications to meet your organization’s needs. The intent of this guideline is to assist you in reducing exposure to the risk of injury, harm or damage to personnel, property and the general public. For additional information on this topic, contact your VFIS Risk Control representative.***

**References:**

VFIS Communique