

**St. Tammany Fire Protection District 2**  
**Employee Manual**  
**Section 700: THE WORKPLACE**

Date Issued: 12/22/2017	Effective Date: 1/1/2020	Review Date: 12/17/2018 11/27/2019	Number: 700.5
Issued By: Fire Chief Randy Hess	References:	Revision Date:	Pages(s): Page 1 of 5
<b>700.5: ANTI-HARASSMENT POLICY (INCLUDES SEXUAL HARASSMENT)</b>			

- 1) St. Tammany Fire Protection District 2 strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The environment of St. Tammany Fire Protection District 2 should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Employees should be able to work and learn in a safe yet stimulating atmosphere. The accomplishment of this goal is essential to the mission of St. Tammany Fire Protection District 2. For that reason, St. Tammany Fire Protection District 2 will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of our Employees, St. Tammany Fire Protection District 2 will seek to prevent, correct and discipline behavior that violates this policy.
- 2) All Employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any Employee who violates this policy.
- 3) St. Tammany Fire Protection District 2, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

**a) Discrimination**

- i It is a violation of St. Tammany Fire Protection District 2's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, gender, sexual orientation, gender identity, genetic information or marital status.
- ii Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act 1964, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.
- iii Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination.

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**b. Harassment**

- i. St. Tammany Fire Protection District 2 prohibits harassment, including sexual harassment, of any kind, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce an Employee or any person working for or on behalf of St. Tammany Fire Protection District 2. Verbal taunting (including racial and ethnic slurs) that, in the Employee's opinion, impairs his or her ability to perform his or her job is included in the definition of harassment.
  - (a) The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:
  - (b) Verbal harassment includes comments that are offensive or unwelcome regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs and negative stereotyping.
  - (c) Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an Employee or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital or other protected status.

**c) Sexual harassment**

- i. Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under the St. Tammany Fire Protection District 2's anti-harassment policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . . when . . . submission to or rejection of such conduct is used as the basis for employment decisions . . . or such conduct has the purpose or effect of . . . creating an intimidating, hostile or offensive working environment.
- ii. There are two types of sexual harassment:

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- (a) “Quid pro quo” harassment, where submission to harassment is used as the basis for employment decisions. Employee benefits such as raises, promotions and better working hours are directly linked to compliance with sexual advances. Therefore, only someone in a supervisory capacity (with the authority to grant such benefits) can engage in quid pro quo harassment.
- (b) “Hostile work environment,” where the harassment creates an offensive and unpleasant working environment. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other Employees or the citizens that we serve. Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials or even unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.
- (c) Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:
  - i. Is made explicitly or implicitly a term or condition of employment.
  - ii. Is used as a basis for an employment decision.
  - iii. Unreasonably interferes with an Employee’s work performance or creates an intimidating, hostile or otherwise offensive environment.

**d) Retaliation**

- i. No hardship, loss, benefit or penalty may be imposed on an Employee in response to:
  - (a) Filing or responding to a bona fide complaint of discrimination or harassment.
  - (b) Appearing as a witness in the investigation of a complaint.
  - (c) Serving as an investigator of a complaint.
- (d) Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process is a violation of this policy. Any Employee who is found to have violated this aspect of the policy will be subject disciplinary action.

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**e) Reporting an Incident**

- i. If an employee has reason to believe they have been subjected to a discriminating work environment because of sexual advances or any type of harassment the employee shall promptly report the incident to their immediate supervisor, any Chief Officer, or the Fire Chief directly. Supervisors and Chief Officers receiving such a complaint shall report it to the Fire Chief immediately regardless of their evaluation of merit to the claim.
- ii. Any employee experiencing, witnessing or having knowledge directly or indirectly, of sexually inappropriate behavior by anyone or towards anyone working for the district, or visitors on fire district premises should report the incident immediately.
- iii. In the event that a complaint involves the employee's immediate supervisor and they are uncomfortable reporting the incident to them they may report the incident to another supervisor including the Fire Chief.

**f) Investigation and Complaint Resolution**

- i. The district will objectively and thoroughly investigate reports; implement preventative measures, to protect against reoccurrence; impose corrective action to address violations; and protect complainants and individuals involved in the investigative process from any form of harassment, reprisal, or retaliation.
- ii. The investigation will follow all Civil Service guidelines in which both the alleged victim of the sexual harassment and the alleged sexual harasser shall be required to participate.
- iii. The Fire District will protect both parties throughout the investigation process, however employees that intentionally file a false claim of sexual harassment shall be disciplined up to and including termination.
- iv. In addition to corrective action, other appropriate measures, including follow-up inquiries and retraining, will be utilized to ensure that the inappropriate behavior does not occur.

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- v. Regardless of the outcome, the complainant has the option of pursuing a claim under state and federal law. Initiation of the claim is not dependent upon the outcome nor completion of the district's administrative investigation

**g) Training**

- i. The Fire District's policy against harassment shall be discussed with all newly hired employees.
- ii. All employees including Board members will receive annual training on how to identify and prevent harassment in the workplace.
- iii. Additionally, supervisors and personnel designated by the agency to accept or investigate these types of complaints will receive additional training.

**h) Mandatory Reports**

- i. The Fire Chief shall compile an annual report containing information from the previous calendar year regarding his agency's compliance including the number and percentage of employees in his agency who have completed the training, number of sexual harassment complaints received by his agency, the number of complaints which resulted in a finding that sexual harassment occurred and resulted in disciplinary action or other corrective action.