

Thurston County Fire Protection District 8

HR/LF POLICY



POLICY TITLE:	Anti-Harassment and Anti-Discrimination Policy
POLICY NUMBER:	3-20-PO-00
REVISION:	DRAFT
DATE ISSUED/REVISED:	
BOARD APPROVAL SIGNATURE:	

It is the District's intent to provide a work environment free from all forms of unlawful harassment and discrimination. It is expected that every member treat their co-workers, citizens, and anyone else with whom they come into contact while representing the District with respect and dignity. All forms of harassment and discrimination (either on or off-duty), by or against any member, citizen, vendor, independent contractor or other individual, whether due to gender, sexual orientation (including gender identity and gender expression), genetic information, pregnancy, marital status, family status, military or veteran status, race, color, national origin, citizenship status, religion, age, physical or mental disability, or any other classification protected by federal, state, or local law (also collectively referred to in this policy as a "protected class") are strictly prohibited. The District also prohibits unlawful discrimination and harassment against members and applicants based upon their association with a person who is member of a protected class.

I. Responsibilities: Implementation of this Policy shall be the responsibility of:

- **Management members:** to develop this Policy, keep it up to date and to ensure that any violation of this Policy brought to their attention is dealt with fairly, promptly and impartially.
- **Supervisory members:** to ensure each subordinate member understands the Policy and that it is being followed. When a deviation of this Policy is noted or reported, supervisors shall bring this information to their manager immediately.
- **All members:** to understand and follow the Policy.

II. Prohibited Conduct: *Non-exclusive* examples of the conduct prohibited under this Policy are set forth below:

- Epithets, slurs, negative stereotyping or threatening, intimidating or hostile acts that relate to a person's membership in a protected class.
- Written or graphic material brought to, displayed at, or circulated in the District's workplace which denigrates or shows hostility or aversion toward an individual or group because of their membership in a protected class.
- Intimidating, hostile, derogatory, contemptuous, or otherwise offensive conduct or remarks that are directed at a person because of that person's membership in a protected class.
- Using the District's resources (such as voicemail, e-mail, or Internet access) to obtain, deliver, forward, circulate, or store inappropriate or offensive materials and/or materials which are derogatory toward any protected class.

With respect to sexual harassment, examples of the conduct the District prohibits include:

- Vulgar or sexual comments, jokes, stories, and innuendo.
- Graphic or suggestive comments about someone's body or manner of dress.
- Gossip or questions about someone's sexual conduct or orientation.
- Vulgarity, leering, inappropriate touching, and obscene or suggestive gestures.

- Displaying, accessing, or circulating in the workplace (including via e-mail or Internet) sexually suggestive photographs, cartoons, graffiti, jokes, and the like.
- Unwelcome and repeated flirtations, request for dates, and the like.
- Subtle pressure for sexual activity, including unwelcome but apparently sanction-free sexual advances by a supervisor to a subordinate.
- Solicitation or coercion of sexual activity, dates, or the like by the implied or expressed promise of award or preferential treatment.
- Solicitation or coercion of sexual activity, dates, or the like by the implied or expressed threat of punishment.
- Sexual assault.
- Intimidating, hostile, derogatory, contemptuous, or otherwise offensive conduct or remarks that are directed at a person because of that person's sex, regardless of whether the remarks themselves are sexual in nature.
- Retaliation against an employee for refusing sexual or social overtures, for complaining in good faith about sexual harassment, or for cooperating in good faith with the investigation of a complaint.

The District is also committed to maintaining a safe and healthy work environment, and will take appropriate health and safety precautions, when necessary, which are consistent with current medical knowledge. Accordingly, members may not refuse to work with or otherwise harass, or isolate a coworker because of a known or suspected disability or disease, or because of a coworker's association with a person with a disability or disease.

Because of the potential for miscommunication, misunderstandings, and conflicts of interest, the District does not permit supervisors to date those they directly or indirectly supervise. This applies to all members who have the authority or practical power to supervise, appoint, remove, or discipline another member or who are responsible for auditing the work of another employee.

III. Reporting Harassment or Discrimination:

Sometimes, harassment and discrimination can be difficult to define. For this reason, the District strongly urges all members to use the reporting procedure set forth below in this Section III without worrying about whether the conduct involved would be considered harassment or discrimination in a legal sense. If a member considers the conduct to be inappropriate, it must be immediately reported. This is intended to assist the District in addressing not only illegal harassment and discrimination, but also any conduct that is offensive and inappropriate.

A member who believes they have been subjected to harassment or discrimination should (if they are comfortable doing so) immediately inform the perpetrator (preferably at the time of the conduct) that their behavior is unwelcome/offensive and request that the perpetrator stop. This applies to harassment or discrimination caused by anyone with whom the member comes into contact as part of their relationship with the District (i.e., co-workers, supervisors, citizens, vendors, or others). **In addition, the member must also promptly report the incident their direct supervisor.** If the member's supervisor is the person engaging in the behavior at issue, then the member must promptly report the incident to the next level up the chain of command above their supervisor. If the Fire Chief is the person engaging in the behavior at issue, then the member must promptly report the incident to the Chairperson of the of Board of Fire Commissioners.

Members must also report any harassment or discrimination directed at other District members of which they become aware.

Any Supervisor who receives a complaint of discrimination or harassment (or whom otherwise becomes aware of conduct which may constitute discrimination or harassment which may violate this

Policy) must immediately notify the Fire Chief (or the Board Chair - if the Fire Chief is the subject of the concern).

IV. Investigations: All reported complaints (as well other potential violations of this policy regarding which the District becomes aware) will be promptly investigated to the extent determined necessary under the following guidelines:

1. Upon notification of a complaint under this Policy or a potential violation of this Policy, the Fire Chief (or the Board Chair - if the Fire Chief is the subject of the concern) shall conduct an initial review of the matter to determine if there could be a Policy violation if the alleged conduct were proven true. If no potential policy violation is found, the Fire Chief (or the Board Chair, if applicable) may meet with the parties involved to attempt to conciliate the complaint or conflict between the parties. If, however, after the Fire Chief (or Board Chair) conducts their initial review it is determined there could be a violation of this Policy, the District shall commence an investigation of the matter.
2. The Fire Chief (or Board Chair) will advise the subject member(s), in writing, that they are the subject of an investigation and provide a summary of the alleged misconduct. If the subject member is also a member of the District Collective Bargaining Unit, the District shall copy the Union Local representative on the foregoing notice.
3. The District shall, to the extent possible, keep the complaint confidential. This means the District will only disclose the complaint as it deems necessary to conduct the investigation and respond to the complaint, to management, and as may be required by law.
4. Depending upon the circumstances of the matter, the District may choose to conduct the investigation itself with internal staff or it may choose to hire an outside independent investigator to conduct the investigation.
5. If, after investigation, the District concludes a member has violated this Policy, that member will be subject to disciplinary action, up to including termination of employment. Disciplinary action will depend upon the circumstances, including the gravity of the misconduct. The District will impose discipline consistent with its provisions of its *District Policy 3-07 "Disciplinary Process"* (as well as any applicable Collective Bargaining Agreement terms for Collective Bargaining Unit members). The District shall take whatever action it deems necessary to prevent the misconduct from being repeated.
6. The District will inform the individual who initiated the complaint of the findings of the investigation and, to the extent possible, the remedial steps taken as the conclusion of the matter (if applicable).

V. Retaliation: Retaliation in any manner against a person for filing a good faith complaint of workplace harassment or discrimination, cooperating, testifying, assisting or otherwise participating in good faith in an investigation or related events is expressly prohibited. Any member who engages in such retaliatory conduct will be subject to disciplinary action, up to and including termination.