

1.19. Harassment Free Workplace - Nepotism

Purpose: The purpose of this policy is to establish a policy to provide all members and employees of the district a harassment free work environment.

Application: It is the policy of this District to provide a business-like work environment free from all forms of discrimination and workplace harassment.

No employee/member shall be subjected to unsolicited and unwelcome overtures or conduct, either verbal or physical that would be considered workplace or sexual harassment. Workplace harassment will be treated as misconduct. Appropriate sanctions will be taken against the employee/member found guilty of workplace/sexual harassment.

In order to fulfill the requirements of SLRFD Bylaws, the district is authorized to take all measures deemed necessary or effective to provide for equal opportunity in district employment/membership, so long as they are consistent with applicable federal or state law.

Scope: This SOG is to be used in the management of all SLRFD personnel.

Definitions

Employee/Member - All Civil Service and general employees or volunteer members of the Seeley Lake Rural Fire District.

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.

Workplace Harassment – Unwelcome conduct related to a protected characteristic that negatively affects a person's working conditions.

Protected characteristic –A personal attribute or characteristic that under antidiscrimination laws may not be the basis for discrimination or harassment. Federal law prohibits harassment based on sex, race, religion, national origin, age (40 years old or older), pregnancy and disability status.

EEO: The district is committed to providing equal employment opportunities by providing all individuals who have the required qualifications an equal opportunity to compete for employment or membership and advancement. The district will not refuse employment / membership or discriminate in compensation, benefits, or the other terms, conditions and privileges of employment / membership based upon: race, color, national origin, gender, religion, creed, age, marital status, political belief, physical or mental disability (including on the basis of pregnancy, childbirth or related medical condition), genetic conditions or predisposition to certain diseases per the Genetic Information Nondiscrimination Act (GINA), unless that factor has been established as a bona fide occupational qualification (BFOQ).

Non-discrimination and diversity: The district's goals for equal employment opportunity shall include eliminating artificial barriers in employment / membership and striving to achieve a work force that reflects the diversity of the district's population.

Except as may be required by a BFOQ or compliance with a lawful affirmative action plan or for government reporting or background check requirements, the district will not elicit information from applicants for employment / membership concerning: race, color, national origin, gender, religion, creed, age, marital status, political belief, physical or mental disability (including on the basis of pregnancy, childbirth or related medical condition), genetic conditions or predisposition to certain diseases.

The district will ensure that there exists no employment / membership management practice or standards that would adversely affect persons of a protected group unless there is a BFOQ.

Reasonable accommodation: Any employee/member or applicant with a disability who is otherwise qualified for employment/membership may request a reasonable accommodation. Information regarding such a request for accommodation shall be considered confidential to the extent reasonably possible and such information shall not be released to anyone without the right or need to know.

The district will consider all requests for reasonable accommodation from both applicants and employees/members with disabilities. The district reserves the right to determine if accommodations are reasonable in accordance with state and federal guidance and will provide reasonable accommodation unless an undue hardship would result.

Reasonable accommodation may include but is not limited to:

Providing or improving access; modifying work sites; modifying work schedules; reassigning non-essential functions; providing assistive devices; and retraining or reassigning employees to vacant positions.

Applicants for employment/membership must submit a request for a reasonable accommodation in writing with their application. Employees may request a reasonable accommodation by contacting the supervisor or the District. An interactive dialogue will be established between the supervisor, the District, and employee/member regarding the requested accommodation and the employee/member may be asked to submit the request in writing. Employees will be provided a written confirmation of an approved accommodation.

Nepotism: No one may be refused employment or terminated solely because another member of that individual's immediate family is an employee/member of the district. However, no employee will be permitted to hire or otherwise directly supervise an immediate family member if the district determines that it would create a conflict of interest.

Supervisor Responsibilities:

Supervisors shall:

- Maintain a business-like work environment free from all forms of employee discrimination including incidents of sexual harassment.
- Train their assigned employees/members in the definition and prevention of workplace harassment so the entire department has a common understanding.

- Initiate immediate disciplinary or remedial action, if warranted.
- Document observed or reported incidents of workplace harassment and immediately reporting via the chain of command up to and including the Fire Chief or if required, the District Board Chair.
- Taking immediate action.

Reporting Procedures

An employee/member who believes he/she has been harassed shall report the entire matter to his/her immediate supervisor in the chain of command. It is the responsibility of the immediate supervisor to notify his/her officer in the chain of command and ensure that, ultimately, the fire chief is notified. It is ultimately the responsibility of the fire chief to ensure, if warranted, proper corrective action is taken, and the District Board of Trustees is notified. An investigation shall occur for all formal complaints.

If the Fire Chief is the subject of the complaint, the employee/member’s complaint shall be reported to the employee/member’s Captain who shall notify the Fire Chief and the Chairman of the Board of Trustees directly of the complaint. The complaint shall be reviewed by the District Board, and it is the Board of Trustee’s responsibility, if deemed warranted, utilizing whatever HR resources it deems necessary, to ensure proper corrective action is taken.

Training

All new members of the fire district shall complete workplace/sexual harassment training within their first 90 days of hire. Training provided to new employees/members shall be approved or provided by the District. Refresher training shall be provided to current employees/members as needed or prescribed but not less than annually.

Approval

Signed  Date Effective 4/5/18