



# City of Winter Park Fire-Rescue Standard Operating Guideline

# 100.07

**Title: Harassment and Discrimination**

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**Purpose:** To establish a guideline which incorporates the City's Policy against sexual, racial and other workplace harassment into all Fire Department operations.

**Scope:** This guideline is designed to parallel the current City of Winter Park's policy Against Sexual, Racial and Other Workplace Harassment which is found in the current edition of the City's Personnel Policy Manual.

**General:** This guideline describes the City of Winter Park Fire 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.

## 100.07.01. Definitions:

**Employee** - All Civil Service and general employee(s) of the City of Winter Park.

**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 Health Information (PHI):** data, including demographic information collected from a member and created or received by the Winter Park Fire Department that:
  1. Relates to the past, present or future physical or mental health or condition of a department member.
  2. Identifies or can be used to identify the department member.

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 (40 years old or older), pregnancy and disability status.

#### **100.07.02 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 via the chain of command up to and including the Fire Chief.
- Taking immediate action.

**100.07.02. Reporting Procedures:**

An employee who believes he/she has been harassed shall report the entire matter to his/her immediate supervisor or his/her Division Commander. If the report is made to the immediate supervisor, the immediate supervisor shall **immediately** report the entire matter to the Division Commander. The Division Commander shall then **immediately** report the entire matter to the Harassment Grievance Counselor or 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 City Manager.

**100.07.03. Investigating Procedures:**

Management will conduct a formal investigation into all allegations of sexual harassment.

**100.07.04. Personnel Training:**

**New Employees:**

All new members of the Winter Park Fire Department shall complete Workplace Harassment training within their first month of hire as prescribed in the *1<sup>st</sup> Month Requirements*. Harassment training shall be of the curriculum and/or through a training program as prescribed by the City Human Resources Director.

**Refresher for Current Employees:**

Based on the current curriculum and/or training program currently prescribed by the City, current members of the agency shall regularly complete any refresher programs dealing with Workplace Harassment as assigned.



James E. White  
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