

DAYVILLE FIRE COMPANY
STANDARD OPERATING GUIDELINES

Section: General

Date Issued: 5-21-93

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SOG: A-3

SUBJECT: Sexual Harassment

PURPOSE: To set department policy on Sexual Harassment

DEFINITION:

"Sexual Harassment" means any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's membership, (2) submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual, (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual Harassment is prohibited by the State of Connecticut's Discrimination Employment Practices Law, section 46a-60 (a)(8) of the Connecticut General Statutes and is a violation of Title VII of the 1964 Civil Rights Act as amended, (42 United States code section 2000e, et. seq.).

The remedies available under Law may include, but are not limited to:

- (A) Cease and desist orders
- (B) Back Pay
- (C) Compensatory damages
- (D) Person who commits sexual harassment may be subject to civil and/or criminal penalties.

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Sexual Harassment can take many forms and may include but not be limited to the following behaviors:

(1) VERBAL

- (a) Sexual propositions or demands
- (b) Sexual innuendoes and insults
- (c) Humor and jokes about sex
- (d) Threats
- (e) Stereotypic comments based on gender or sexual identity
- (f) Sexual remarks

(2) NON-VERBAL

- (a) Whistling
- (b) Leering
- (c) Ogling
- (d) Suggestive or insulting sounds
- (e) Flirting
- (f) Obscene gestures
- (g) Display of obscene materials or other artifacts
- (h) Pictures
- (i) Calendars
- (j) Eye Winking

(3) PHYSICAL

- (a) Touching
- (b) Pinching
- (c) Patting
- (d) Physically threatening behavior
- (e) Coerced sex and sexual conduct
- (f) Grabbing
- (g) Brushing

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PROCEDURE:

All sexual harassment complaints must be reported to a Chief Officer. The Dayville Fire Company has installed the following procedure for handling complaints of Sexual Harassment.

1. Victims are to report the incident to a Chief Officer, who shall receive their complaints in written or verbal form and may assist the complainant in preparing a statement of the allegations. Once the complaint has been completed and signed, the Chief Officer shall notify the Grievance Committee and the President of the Company of the complaint.
2. Within ten (10) days of receiving a complaint of sexual harassment, the alleged harasser shall be called in front of the Grievance Committee and presented with a copy of the complaint. The individual shall be given an opportunity to respond to the charges of the complaint, as written.
3. The Grievance Committee shall investigate all the charges, as alleged. The investigation shall include, but not be limited to the following:
 - (a) Reviewing the records of the accused to learn if similar accusations have been made.
 - (b) The alleged harasser's officers shall be interviewed to further check the accuser's behavior and whether others had complained about the accused, and if so what action were taken, if any.
 - (c) Contact and interview all witnesses (if any) of the alleged offense; and interview other victims of the accused harasser, if any.
4. Pursuant to the results of the investigation, the Grievance Committee shall set a disciplinary action appropriate for the nature of the offense. Determining the appropriate disciplinary action for the offense will be based on, but not limited to the following:
 - (a) Nature of the offense;
 - (b) Whether the offender has been accused or found to have engaged in other sexual harassment issues; and,
 - (c) Severity of the offense.

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Disciplinary action shall generally be as follows, but shall not be limited to the following:

- (a) A counseling letter shall be sent to the accused stressing department policy against sexual harassment with an annotation that the evidence supports the allegation, but that such evidence was not very strong shall be placed in the accuser's file, and/or
- (b) A warning or disciplinary letter shall be included in the file of the accused, with provision for further action if subsequent offenses occur (up to and including suspension or dismissal), and/or
- (c) The accused shall be directed to seek counseling, either choices by the department or one by the accused. (Failure on the part of the accused to seek counseling will result in an automatic suspension), and/or
- (d) Written reprimand to the violator and a one month suspension and mandatory professional counseling as stated in, and/or
- (e) Depending on the nature of the offense, immediate dismissal.

Failure on the part of the offender to cooperate with the mandates of the above, in (c) or (d) may also result in immediate dismissal.

5. Persons who maliciously file false accusations will receive disciplinary action as outline under level 2 or level 3 above. (It is to be noted that there may be a difference between false accusations and unfounded complaints).

6. The Grievance Committee, upon completing its investigation, shall notified the complainant and the accused of the determination. The Grievance Committee will also send a written statement of the situation and determination to the Board of Directors of the Dayville Fire Company.

7. The complainant and/or the accused has a right to appeal the decision to the Board of Directors.

8. It shall be the responsibility of the Chief's to carry out (or cause to be carried out) the directive(s). Failure or refusal to do so by the responsible party shall be considered to be an act of insubordination. Such act will automatically result in the appropriate reprimand.

Confidentiality of these complaints is essential to the successful implementation of the procedure. Records are to be kept in a limited access file.

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PROTECTION OF RIGHTS

Any person who willfully interferes with or otherwise impairs the processing of any complaints taken under this process, or in any way restricts or impairs the rights of the complainant or any witness involved in a complaint, will be dealt with through the appropriate disciplinary action; including but not necessarily restricted to the following: written reprimand, suspension or dismissal. Nothing in this procedure shall be construed as having the effect of barring any person from due process of law. They may file through any of the several processes available to them.

This S.O.G. was last reviewed and/or updated on June 17, 2008.