



RUSSELLVILLE FIRE DEPARTMENT
POLICY MANUAL

Policy Number:
Section:
Original Date:
Revised Date:

PURPOSE

This policy describes and defines prohibited discrimination, reaffirms the City of Russellville' policy prohibiting discrimination, and outlines the Department's responsibilities for compliance with the Policy. This Policy further sets forth the procedures available to Department employees who believe they have been harassed, discriminated against or denied equal employment opportunity in any aspect of City/ Department employment because of race, color, religion, gender, age, disability, sexual orientation or national origin. In the event there is deemed to be any conflict between this Policy and the City of Russellville Personnel Policy and Procedure Handbook, such Regulations or Rules shall control.

POLICY

Management is responsible to follow, maintain, enforce, and ensure that any known violation of this policy is dealt with fairly, quickly, and impartially. When a violation of this policy occurs or is suspected, managers shall promptly notify their direct supervisor, the HR Director, or the Fire Chief, verbally and in writing.

Supervisors are responsible to follow and enforce the policy. Supervisors are to conduct an annual review of the policy with each employee they supervise to ensure they understand the policy and to regularly inspect the workplace to ensure that the policy is being followed. When a violation of this policy occurs or is suspected, supervisors shall promptly notify their direct supervisor, the HR Director, or the Fire Chief, verbally and in writing.

Employees have the responsibility to understand and follow the policy. Every employee, including management and supervisors, shall treat every other employee with dignity and respect in regards to this policy. When a violation of this policy occurs or is suspected, employees shall promptly notify their direct supervisor, the HR Director, or the Fire Chief, verbally and in writing of the alleged incident.

This policy shall be reviewed by each supervisor or manager with personnel they supervise on an annual basis during the annual personnel evaluation process to ensure that its contents are understood.

This policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, reinstatement, transfer, leave of absence, compensation, and training.

Harassment and/or hostile behavior, based on a protected status, directed at an employee, applicant, client, contractor, business invitee, or customer, by any employee or official of the agency is in violation of State and/or Federal law and will not be tolerated by the agency. Discrimination or harassment will not be tolerated in any aspect of Department employment.

Retaliation against any employee because of that employee's filing of a discrimination, harassment or hostile environment complaint is prohibited.

Any department employee found guilty of retaliation due to the filing of a formal complaint shall be disciplined according to the applicable policy, administrative procedures, or such other laws or rules applicable to such violations.

Approved

Fire Chief

1 of 6



RUSSELLVILLE FIRE DEPARTMENT
POLICY MANUAL

Policy Number:
Section:
Original Date:
Revised Date:

Department employees are urged to raise discrimination or harassment issues promptly so that such alleged issues can be addressed and corrected as appropriate to the extent necessary to resolve such issues.

The Department shall not deny any City service to any person on the basis of such person's sexual orientation as defined above.

The Department and the City of Russellville will not tolerate sexual harassment in the workplace. No employee of the City should be subjected to unwelcome verbal or physical conduct that is sexual in nature, shows hostility to the employee, or subjected to a hostile work environment because of the employee's gender.

Supervisors, managers, and executives are required to take proactive steps to prevent discrimination, sexual harassment or a hostile work environment and to take prompt corrective action whenever such prohibited conduct occurs.

A. When/Where to Make a Report

1. Any employee who believes s/he has been harassed or discriminated against because of race, color, religion, gender, age, disability, sexual orientation, national origin, or any other protected basis must report it immediately. Any employee or supervisor who knows or believes that employment discrimination harassment is occurring, or has occurred, must file a report immediately with a supervisor, Department management, or to the City of Russellville Human Resources Director.

If a supervisor/manager is advised of potential discrimination or harassment, that supervisor must:

- a. stop the action;
- b. investigate the incident;
- c. notify their supervisor/manager and/or battalion chief immediately;
- d. follow up with a written report of alleged actions, steps taken, etc.;

Supervisors/managers must then report any allegations to the Fire Chief.

2. If there is uncertainty as to whether a situation or event constitutes discrimination, such employee is encouraged to discuss the matter with the supervisor before filing a formal complaint.
3. An employee may choose to raise the complaint with a state or federal agency without first pursuing it through City of Russellville or Department channels. Complaints may also be filed with the Civil Rights Division of the Arkansas State Attorney General's Office or the U.S. Equal Employment Opportunity Commission.

B. How to Make a Report

All employees have a right to redress for prohibited discrimination. In order to secure this right, a written report should be filed as soon as possible to the following staff at the Department or City of Russellville:

- a. Supervisor or another person in the chain of command;
- b. City of Russellville Human Resources Director (HRD).

Approved

Fire Chief

2 of 6



Complaints must be filed within 1 year of the alleged act(s) of discrimination.

I. Investigation of Complaints

The following procedures will be followed when a report of discrimination or harassment is made:

Department Investigation

The Russellville Fire Department and the City of Russellville HR Director will investigate all complaints received. Discipline, if appropriate, will be imposed in accordance with the Russellville Fire Department policy.

Human Resources Department Investigation

When a possible discrimination concern is brought to the Human Resources Department, the Human Resources Director (HRD) will evaluate the situation and decide on a proper course of action in accordance with EEOC Guidelines. The following actions can be taken:

- a. The HRD can facilitate, if it deems it appropriate, an informal resolution between the parties.
- b. If a formal complaint is filed, the HRD will notify the Department Head and Mayor and immediately initiate an investigation to obtain all relevant facts concerning the complaint.
- c. The HRD may:
 1. Schedule interviews with all relevant individuals. Such interviews may be tape-recorded or a written statement of the testimony may be provided for the signature of the witnesses.
 2. Review personnel records or other documents; and
 3. Make site visits to discover relevant facts.
- d. The HRD will work with the department(s) involved to obtain and evaluate all relevant evidence.
- e. The HRD will analyze all relevant information and evidence and will reach a conclusion as to whether or not a violation of this Policy has occurred.
- f. Notice of the conclusion of the investigation will be given to the Complainant, Department Head, and Mayor.

Note: all persons involved in an investigation of discrimination shall attempt to keep the matter confidential.

Approved

Fire Chief



RUSSELLVILLE FIRE DEPARTMENT
POLICY MANUAL

Policy Number:
Section:
Original Date:
Revised Date:

II. Resolution of Complaints

Complaints of discrimination, harassment or hostile behavior will be handled with sensitivity, discretion, and confidentiality. Allegations of harassment or hostile behavior, based on a protected status, are confidentially shared with individuals on a “need to know” basis so that the agency can conduct an investigation, and take appropriate action to prevent any further violations of this policy.

Any employee who engages in discrimination or harassment is acting contrary to this Policy and to City of Russellville policy and will be subject to discipline, up to and including termination of employment.

III. Diffusion/Problem Solving:

Employees are not required to directly confront any person(s) who are the source of the problem or closely associated with the person who is the source of the problem. Instead, employees may utilize any of the other various avenues of internal complaint. Employees are required to make a reasonable effort to bring forward any allegations of unlawful harassment and/or hostility so the Russellville Fire Department may stop such wrongdoing and prevent future occurrences.

IV. Retaliation

1. No supervisor, manager, executive, or coworker may retaliate against an employee who makes a report of discrimination or who otherwise cooperates with any investigation regarding alleged discrimination.
2. Retaliation is unlawful and will not be tolerated. Retaliation must be reported and addressed in the same manner as complaints of discrimination.
3. Retaliation is a serious offense that may result in discipline up to and including termination of employment.
4. A person found to have committed retaliation in response to a charge of discrimination will be subject to discipline. Exoneration of the underlying charge of discrimination will have no effect on the investigation of or possible discipline imposed for retaliation.

V. Procedure if Discrimination Occurs

1. Tell the offending person to stop.
 - A. A person who receives such a request must immediately comply with the request and must not retaliate against the employee to whom prohibited conduct was directed.

Approved

Fire Chief

4 of 6



RUSSELLVILLE FIRE DEPARTMENT
POLICY MANUAL

Policy Number:
Section:
Original Date:
Revised Date:

2. Duty To Report

- A. The City requires all employees to report conduct that is prohibited by this policy, whether or not they are personally involved. Failure to report harassment can be a serious offense and may be grounds for disciplinary action.
- B. The failure of a supervisor, manager, or executive to monitor, intervene, or report discrimination as set forth herein can be a serious offense and will result in discipline.

VI. Procedure if Sexual Harassment Occurs

1. Tell the offending person to stop.

- A. A person who receives such a request must immediately comply with the request and must not retaliate against the employee to whom prohibited conduct was directed.

2. Duty To Report

- A. The City requires all employees to report conduct that is prohibited by this policy, whether or not they are personally involved. Failure to report harassment can be a serious offense and may be grounds for disciplinary action.
- B. The failure of a supervisor, manager, or executive to monitor, intervene, or report sexual harassment as set forth herein can be a serious offense and will result in discipline.

VII. Procedure if Hostile Behavior Occurs

1. Tell the offending person to stop.

- A. A person who receives such a request must immediately comply with the request and must not retaliate against the employee to whom prohibited conduct was directed.

2. Duty To Report

- A. The City requires all employees to report conduct that is prohibited by this policy, whether or not they are personally involved. Failure to report harassment can be a serious offense and may be grounds for disciplinary action.
- B. The failure of a supervisor, manager, or executive to monitor, intervene, or report sexual harassment as set forth herein can be a serious offense and will result in discipline.

Approved

Fire Chief

5 of 6



RUSSELLVILLE FIRE DEPARTMENT
POLICY MANUAL

Policy Number:
Section:
Original Date:
Revised Date:

Definitions

Discrimination - Any act taken because of race, color, religion, gender, age, disability, sexual orientation or national origin by a City employee or group of employees that adversely affects another employee or applicant in any aspect of City employment. It also includes such acts directed at an employee because of their record of a disability, because they are regarded as having a disability or have a relationship with a person who has a disability. Discrimination can occur in any process or function in achieving or maintaining City employment such as in work assignments, working conditions, job classification, disciplinary actions, promotions, salaries, performance ratings and merit pay increases.

Sexual Harassment - Behavior directed at an individual due to gender that is not welcome, offensive, demoralizing, and/or interferes with work effectiveness. Sexual harassment includes, but is not limited to, any deliberate or repeated unsolicited verbal comments, gestures or physical contact of a sexual nature by any employee which are unwelcome to the recipient or which causes the recipient discomfort or humiliation. Any incident or explicit coercive sexual behavior to control, influence, or affect the career, salary, or employment of another employee or prospective employee.

Hostile Environment - Unwelcome sexual advances, verbal or physical conduct of a sexual nature or any other nature, created by persons in the workplace that has the purpose or effect of unreasonably interfering with an individual's work performance or job conditions or creating an intimidating, hostile, or offensive work environment.

Approved

Fire Chief

6 of 6