

SHELBYVILLE FIRE & RESCUE STANDARD OPERATING PROCEDURES

	SECTION: Membership	S.O.P: 102.07
	SUBJECT: City of Shelbyville Sexual Harassment Policy	PAGE: 1 of 2
	Approved By:	Effective Date: December 1, 2012
		Revision Date:

Purpose:

The purpose of this directive is to establish Agency policy concerning allegations of sexual harassment; to prohibit sexual harassment; to establish proper reporting procedures for reporting instances of sexual harassment; and to define instances, happenings and occurrences of sexual harassment.

Policy:

Sexual harassment will not be permitted by the Agency. If an employee feels that unwelcome sexual advances or language is interfering with the employee's productivity or comfort at the work place or feels that any terms or conditions of employment depend on sexual favors, the employee shall immediately report the incident to the appointing authority. It should be understood that a claim of sexual harassment may bypass the normal grievance procedure and that the claim can be expressed privately to the appointing authority. If the claimant feels that reporting to the appointing authority may adversely affect the employee's employment, the claim may be expressed, in writing, through the personnel director, to the city/county attorney

Definitions:

1. **SEXUAL HARASSMENT** - Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when: 1) submission to such conduct is made either 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 such 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. Examples of sexual harassment include, ***but are not limited to, the following:***
 - a. Sexual comments of a provocative or suggestive nature;
 - b. Sexual jokes or innuendos intended for and directed to another employee;
 - c. Suggestive or demeaning looks or leering;
 - d. Creating and intimidating, hostile or offensive working environment;
 - e. Making acceptance of unwelcomed sexual conduct or advances or requests for sexual favors of any nature a condition of employment, employment decisions or continued employment; and
 - f. Conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's work performance.

In compliance with Title VII of the Civil Acts of 1964, as amended, and pursuant to the guidelines on sex discrimination issued by the Equal Opportunity Commission, the City does not tolerate **Sexual Harassment**.

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Employees or officers who believe they have been subjected to sexual harassment by another employee or officer should inform their department manager or personnel administrator, who shall ensure that an investigation is conducted immediately and confidentially.

All information reported will be held in strictest confidence and will only be disclosed on a need to know basis in order to investigate and resolve the matter.

An investigation will be undertaken immediately to ascertain the pertinent facts unless the reporting individual does not want the complaint carried forward. If the reporting individual wishes to seek a remedy, the alleged harasser will be informed of the complaint and given an opportunity to respond to the allegation.

Any persons who have been found by the City after investigation to have sexually harassed an employee will be subjected to appropriate sanctions depending on the circumstances, ranging from a warning up to and including termination.

Any retaliatory action of any kind taken by any person as a result of an individual making a report of sexual harassment is prohibited and shall be regarded as a separate and distinct cause for complaint.

The City recognizes that the question of whether a particular action or incident is a purely, personal, social relationship without a discriminatory employment effect requires a determination based on all facts in the matter. Given the nature of this type of discrimination, the City recognizes also the false accusations of sexual harassment can have serious effects on innocent people. We trust that all employees of the City will continue to act responsible to maintain a working environment free of discrimination. The City encourages any employee to raise questions he or she may have regarding discrimination with his or her supervisor or the Personal Administrator.