

# Yamhill Fire Protection District

District Policies, Procedures, & SOG's

## MISSION

*Yamhill Fire Protection District is dedicated to  
serve and protect our community*

# District Policies

PERSONNEL

PER – 744

Workplace Harassment Policy

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Issued: December 9, 2019

## I. EQUAL EMPLOYMENT OPPORTUNITY

Yamhill Fire Protection District is committed to fair employment practices and non-discrimination, including pay equity for all employees. We do not discriminate based on a protected class such as race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law including in the payment of wages or screen applicants based on their current or past compensation.

## II. PURPOSE - STATEMENT PROHIBITING WORKPLACE HARASSMENT

Yamhill Fire Protection District is committed to providing a work environment in which all individuals are treated respectfully. All employees of Yamhill Fire Protection District should have the expectation that they work in a professional environment and that Yamhill Fire Protection District promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment.

Yamhill Fire Protection District expects that all relationships among persons will be respectful and professional, free of bias, prejudice and harassment in the workplace, at work related event, or any activity coordinated by or through the organization.

## III. POLICY

This policy applies to all employees, elected officials, board or commission members, volunteers, interns and any other person we interact with in the course of accomplishing the work of the organization.

This workplace harassment policy has been developed to ensure that all employees can work in an environment free from unlawful harassment, discrimination and retaliation. Yamhill Fire Protection District will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of these policies will be investigated and resolved appropriately.

Discrimination, harassment and retaliation are not acceptable.

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Any employee who has questions or concerns about these policies should talk with our primary contact the Fire Chief or as an alternative you may reach the Assistant Fire Chief.

### A. RETALIATION

Yamhill Fire Protection District encourages reporting of all perceived incidents of discrimination or harassment. Reports of incidents of discrimination and harassment will be promptly and thoroughly investigated. We prohibit retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

### B. SEXUAL HARASSMENT

Sexual harassment constitutes discrimination and is illegal under federal and state laws.

For the purposes of this policy, "sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) 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.

Under Oregon Law sexual assault defined as unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation.

### C. HARASSMENT

Harassment based on any other protected class is also strictly prohibited. For this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability,

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marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

## D. REPORTING AN INCIDENT OF HARASSMENT, DISCRIMINATION OR RETALIATION

Yamhill Fire Protection District encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that their behavior is unwelcome and to request that it stop. Often this action alone will resolve the problem. We recognize, however, that an individual may prefer to pursue the matter through complaint procedures.

Yamhill Fire Protection District encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with Brian Jensen – Fire Chief, or Trampas Bergstrom – Assistant Fire Chief. See the complaint procedure described in section E.

Following receipt of a complaint or concern management will follow-up every three months for one year to ensure no further concerns or retaliation are experienced. However, employees should not wait for the management follow-up to share related experiences. If an employee would like the follow-up to discontinue the follow-up process a request must be submitted in writing to the Fire Chief

## E. COMPLAINT PROCEDURE

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with the Fire Chief, if you are unable to reach the primary contact please reach out to the Assistant Fire Chief. We encourage employees to document the event(s), associated date(s), and potential witnesses.

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Yamhill Fire Protection District encourages the prompt reporting of complaints or concerns so that action can be taken quickly. Early reporting and intervention are very often the most effective method of resolving actual or perceived incidents of harassment. However, complaints and concerns may be brought forward within four years of the alleged violation. We encourage employees to document the events, associated dates, and potential witnesses.

Any reported allegations of harassment, discrimination or retaliation will be investigated quickly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the event(s) or may have other relevant knowledge.

Yamhill Fire Protection District will maintain confidentiality throughout the investigatory process to the extent possible with acceptable investigation and appropriate corrective action.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include training, referral to counseling or corrective action. Examples of possible corrective action may include a warning, written reprimand, reassignment, temporary suspension without pay, or termination as Yamhill Fire Protection District believes appropriate under the circumstances.

False and malicious complaints of harassment, discrimination or retaliation, as opposed to complaints that, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

We encourage employees to bring their concerns and complaints to the organization, and understand that, at times however, this may not be the choice of the employee. Below is a list of the external complaint options. Please reach out to the preferred choice to determine the appropriate timelines for their processes.

- Oregon Bureau of Labor and Industries at the following web address:  
[https://www.oregon.gov/boli/CRD/Pages/C\\_Crcompl.aspx](https://www.oregon.gov/boli/CRD/Pages/C_Crcompl.aspx)

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- Civil or Criminal Action. In these circumstances, a Notice of Claim must be provided to us in accordance with ORS 30.275.

## F. EMPLOYMENT AGREEMENTS

No employee will be required or invited to sign an agreement requiring the non-disclosure of information related to discrimination or sexual assault as a condition of employment, continued employment, promotion, compensation or the receipt of benefits. An employee may request this type of agreement and, upon request, will be provided at least seven (7) days to change their mind.

## G. ADDITIONAL EMPLOYEE SUPPORT SERVICES

Employees may choose to use other support services throughout and following instances related to concerns and complaints. The organization provides the following for additional assistance:

- Speer Hoyt
- SDAO