



Sugar Grove Fire District Sexual Harassment





OVERVIEW

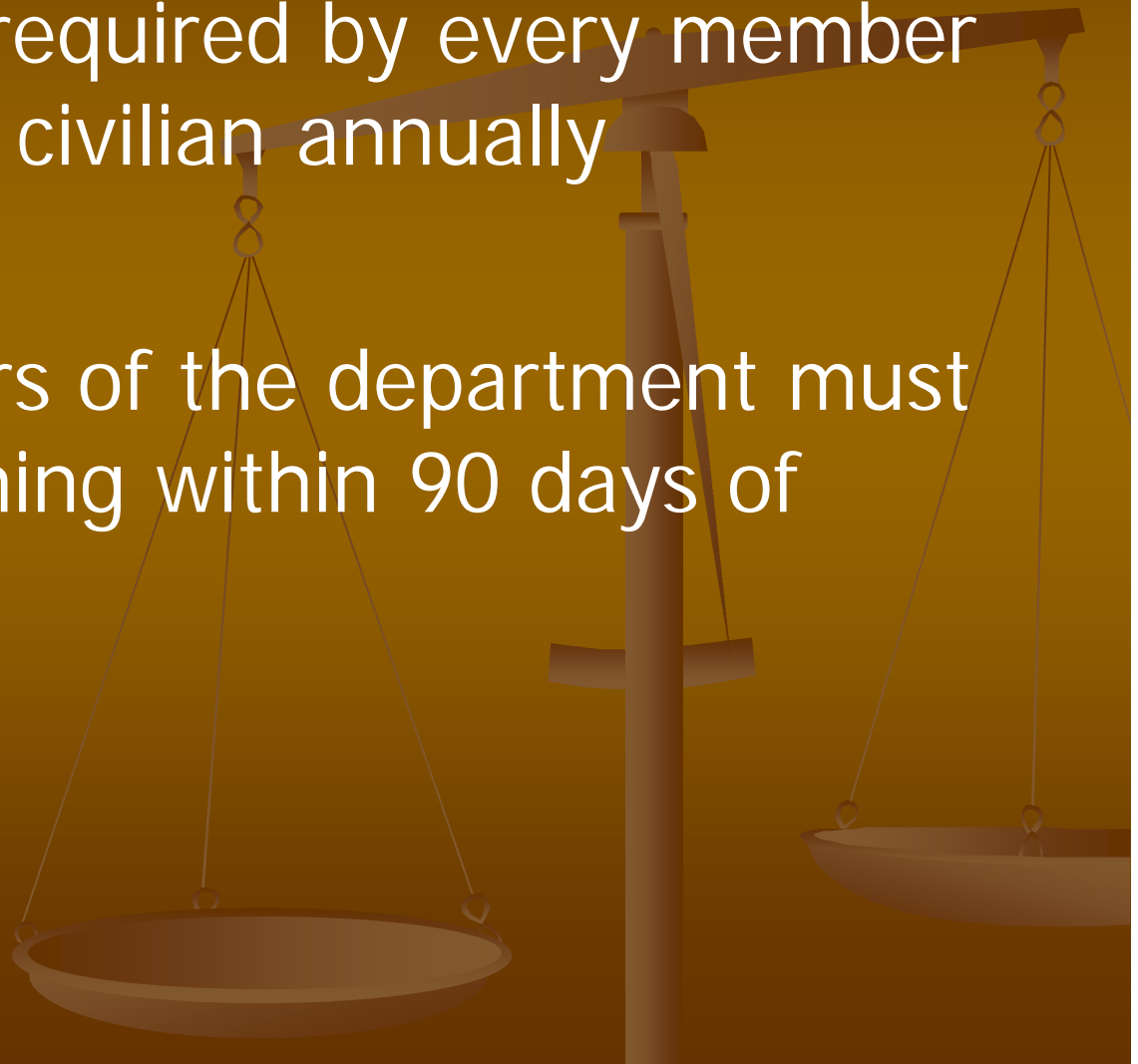
- DEFINITION
- TYPES OF SEXUAL HARASSMENT
- EXAMPLES OF TYPES
- ADVICE FOR VICTIMS
- INFORMAL RESOLUTION TECHNIQUES
- ADMIN/LEGAL SANCTIONS
- COMPLAINT PROCEDURES
- REPRISAL





Requirements for this Training

- This training is required by every member both sworn and civilian annually
- All new members of the department must receive the training within 90 days of employment





2010 Statistics

EEOC Sexual Harassment Claims: 2010 Statistics (EEOC Statistics for 2011 will be available in 2012)

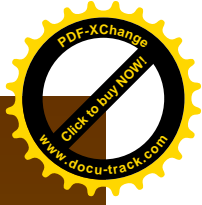
Total Claims filed	11,717	
% of Charges Filed by Males	16.4%	
Claims Resolutions by Type:	Number	Percent
Settlements	1,417	11.1%
Withdrawals w/Benefits	1,195	9.4%
Administrative Closures	2,907	22.8%
No Reasonable Cause	6,393	50.1%
Reasonable Cause	850	6.7%
Successful Conciliations	308	2.4%
Unsuccessful Conciliations	552	4.3%
Merit Resolutions	3,472	27.2%
Total Settlement Dollars	\$48,400,000	



Is There a Difference between Sexual Harassment and Sex Discrimination

- Sexual discrimination is treating someone different because of their gender.





What is it?

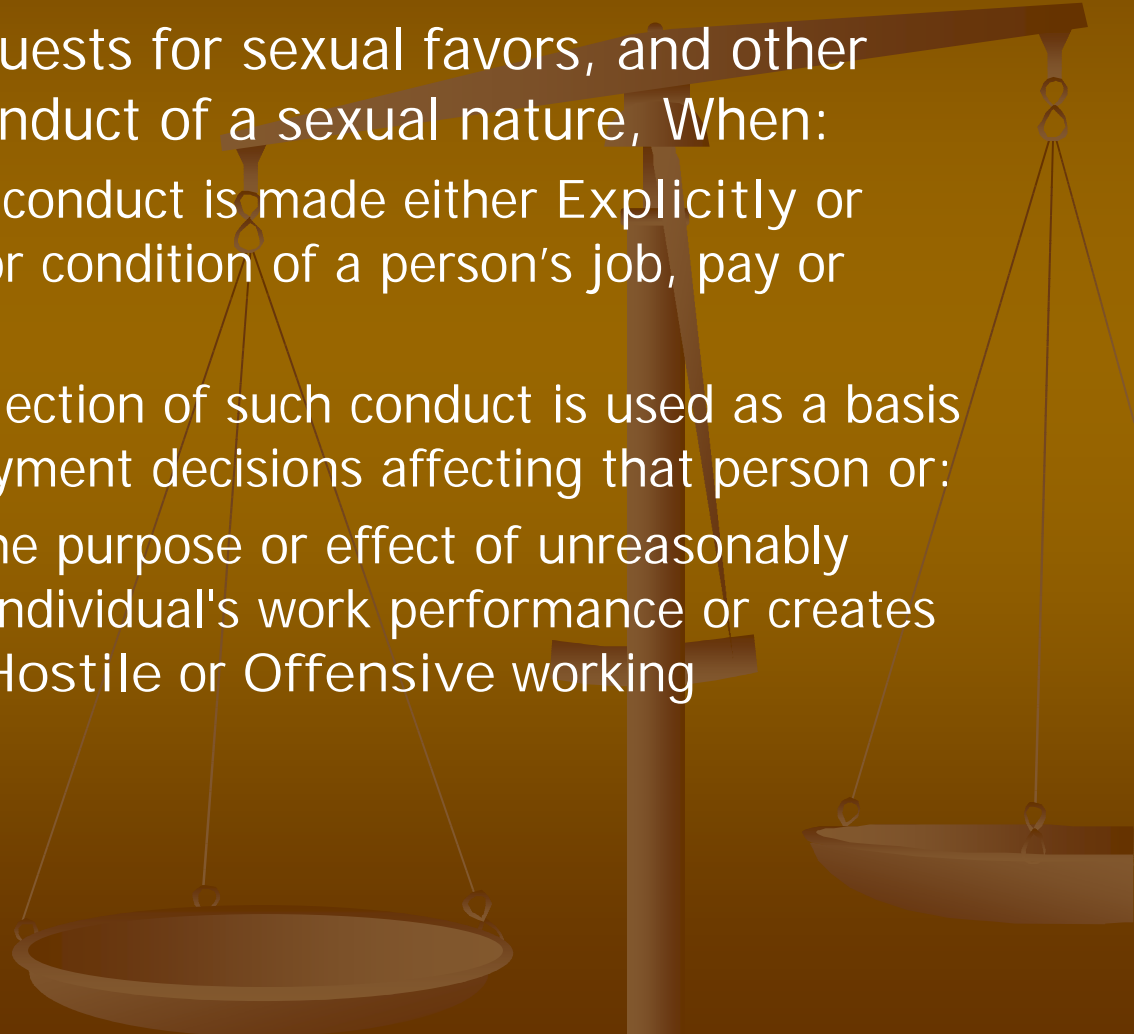
sex-u-al ha-rass-ment \`sek-sh(e-)wel he-
`ras-ment\ *n* (1975):

- According to Merriam-Webster's Collegiate Dictionary (3rd Ed.), it is: A form of sex discrimination that is an uninvited and unwelcome verbal or physical conduct directed at an employee because of his or her sex.



LEGAL DEFINITION

- A form of sexual discrimination that involves unwelcome Sexual advances, requests for sexual favors, and other verbal, or physical conduct of a sexual nature, When:
 - Submission to such conduct is made either Explicitly or Implicitly a term or condition of a person's job, pay or career, or:
 - Submission to or rejection of such conduct is used as a basis for career or employment decisions affecting that person or:
 - Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an Intimidating, Hostile or Offensive working environment





DEFINITION CONTINUED

- The definition of Sexual Harassment emphasizes that Workplace conduct, to be actionable as “Abusive Work Environment” the harassment need not result in concrete psychological harm to the victim, but rather be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, that the work environment as hostile or offensive.
- Any person in a Supervisory or Command position who uses or condones any form of sexual behavior to control , influence, or affect the career, pay, or job of a department member or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical conduct of a sexual nature in the workplace is also engaging in Sexual Harassment.



TYPES OF SEXUAL HARASSMENT

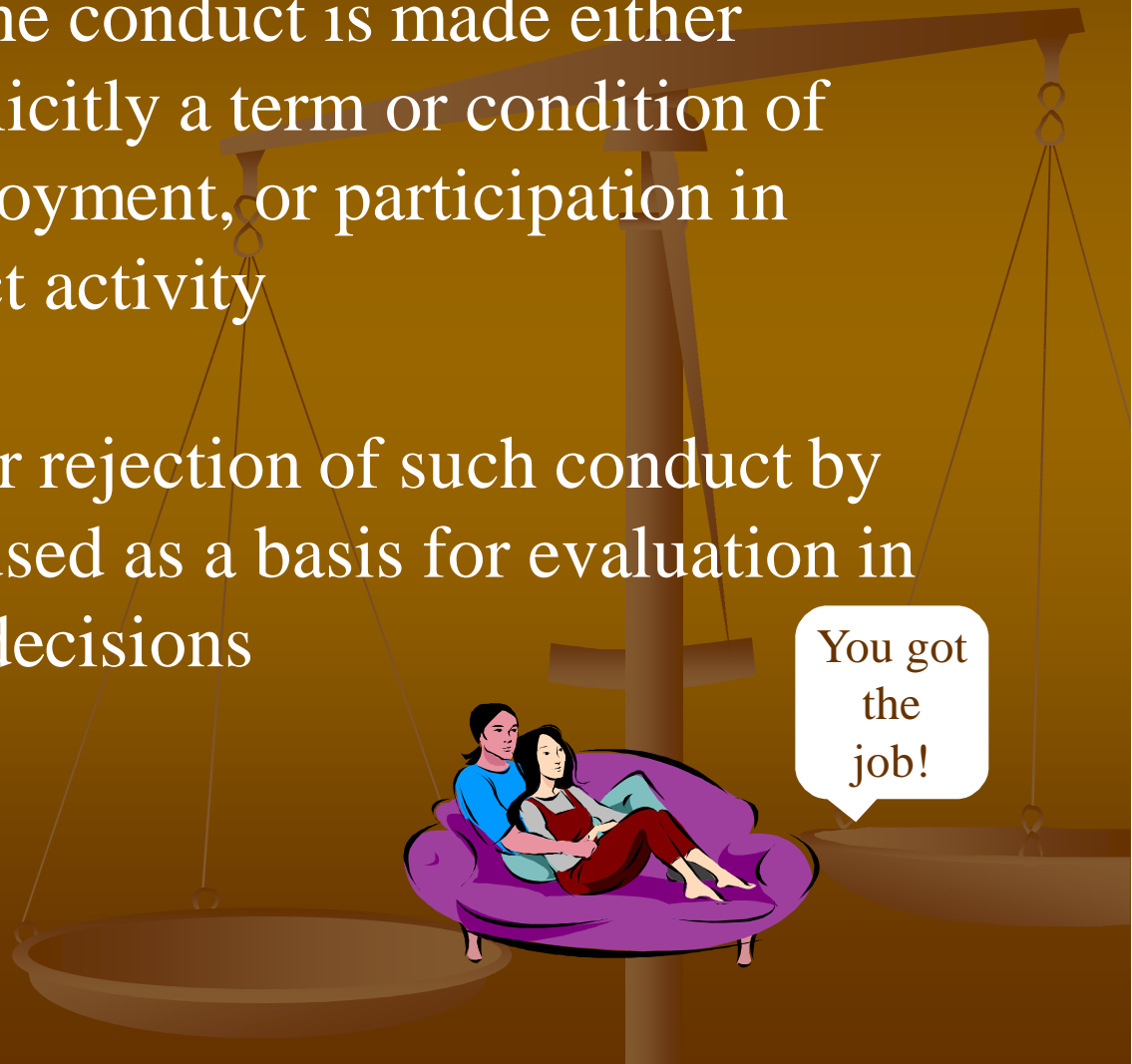
- Quid Pro Quo Latin "This for That"
- Hostile Environment





QUID PRO QUO

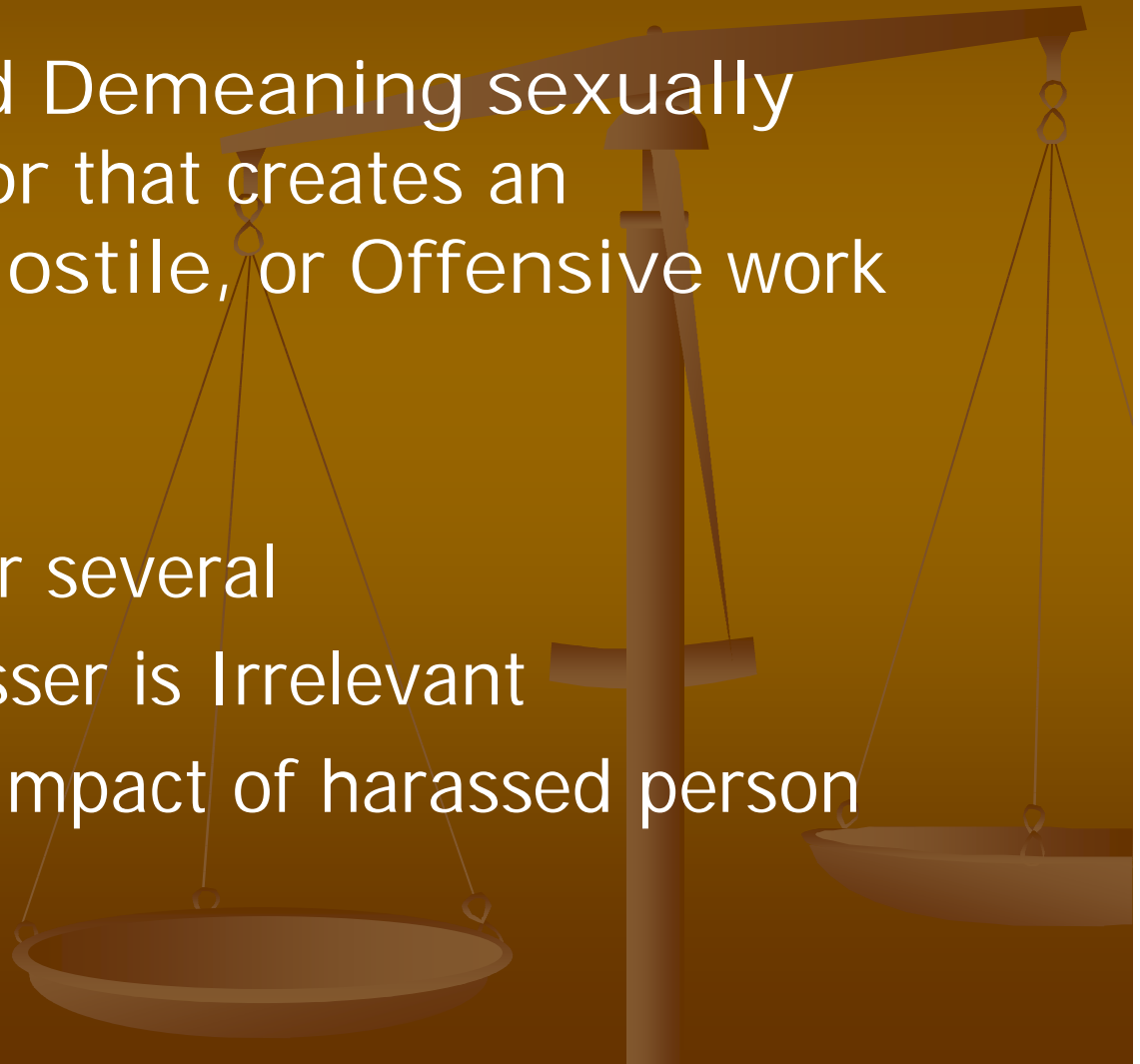
- Submission to the conduct is made either explicitly or implicitly a term or condition of instruction, employment, or participation in other Fire District activity
- Submission to or rejection of such conduct by an individual is used as a basis for evaluation in making District decisions





HOSTILE ENVIRONMENT

- Unwelcome and Demeaning sexually related behavior that creates an Intimidating, Hostile, or Offensive work environment.
 - Subtle
 - One incident or several
 - Intent of harasser is Irrelevant
 - Perception or Impact of harassed person





Three Main Types of Sexual Harassment

- Verbal
- Physical
- Obsessive Behavior

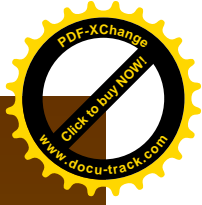




EXAMPLES OF SEXUAL HARASSMENT

- VERBAL
 - Profanity, off-colored jokes
 - Sexual comments, threats
 - Whistling, barking, grunts, growling
 - Passing rumors of sexual acts or involvement

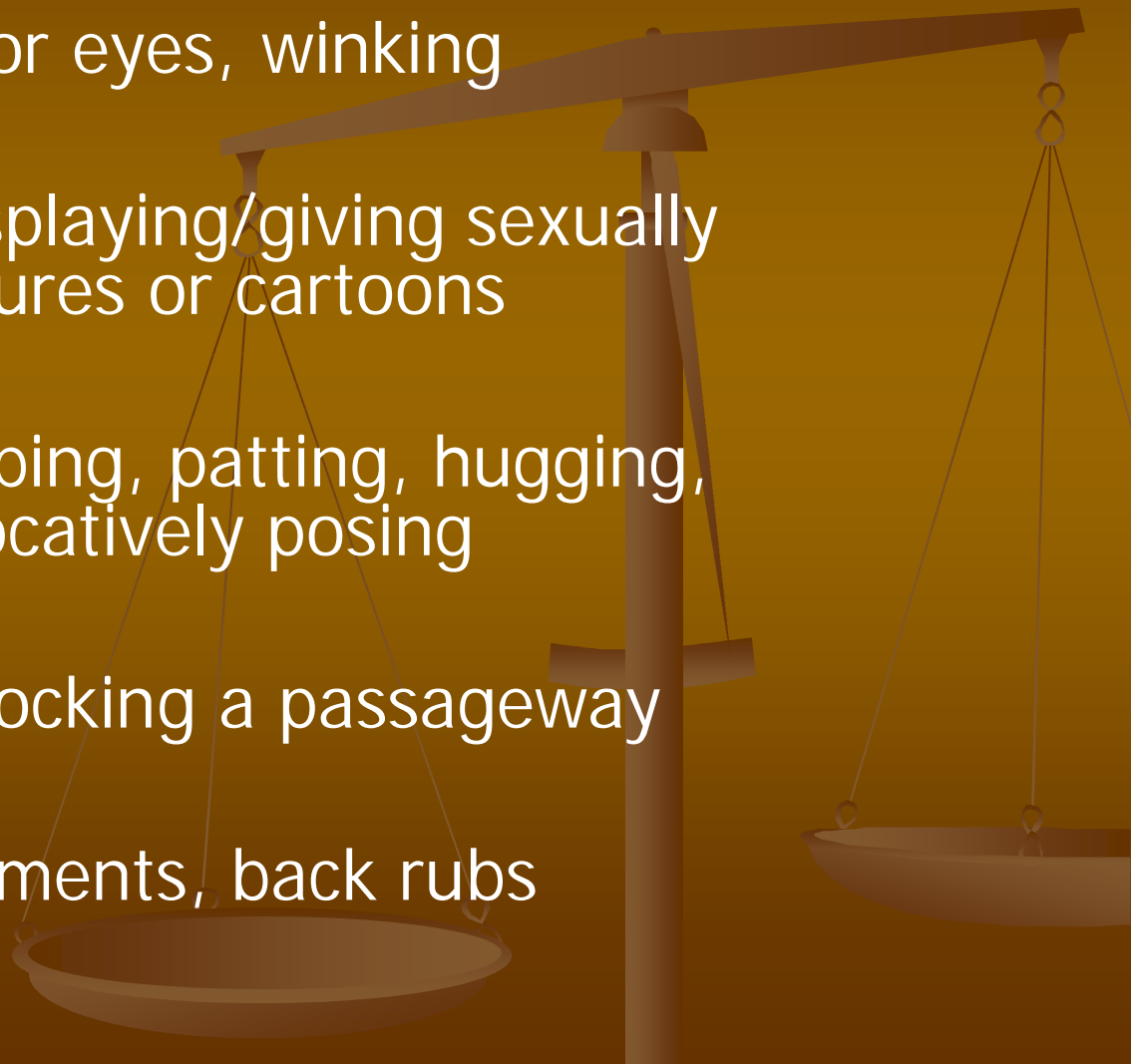




EXAMPLES OF SEXUAL HARASSMENT

■ PHYSICAL

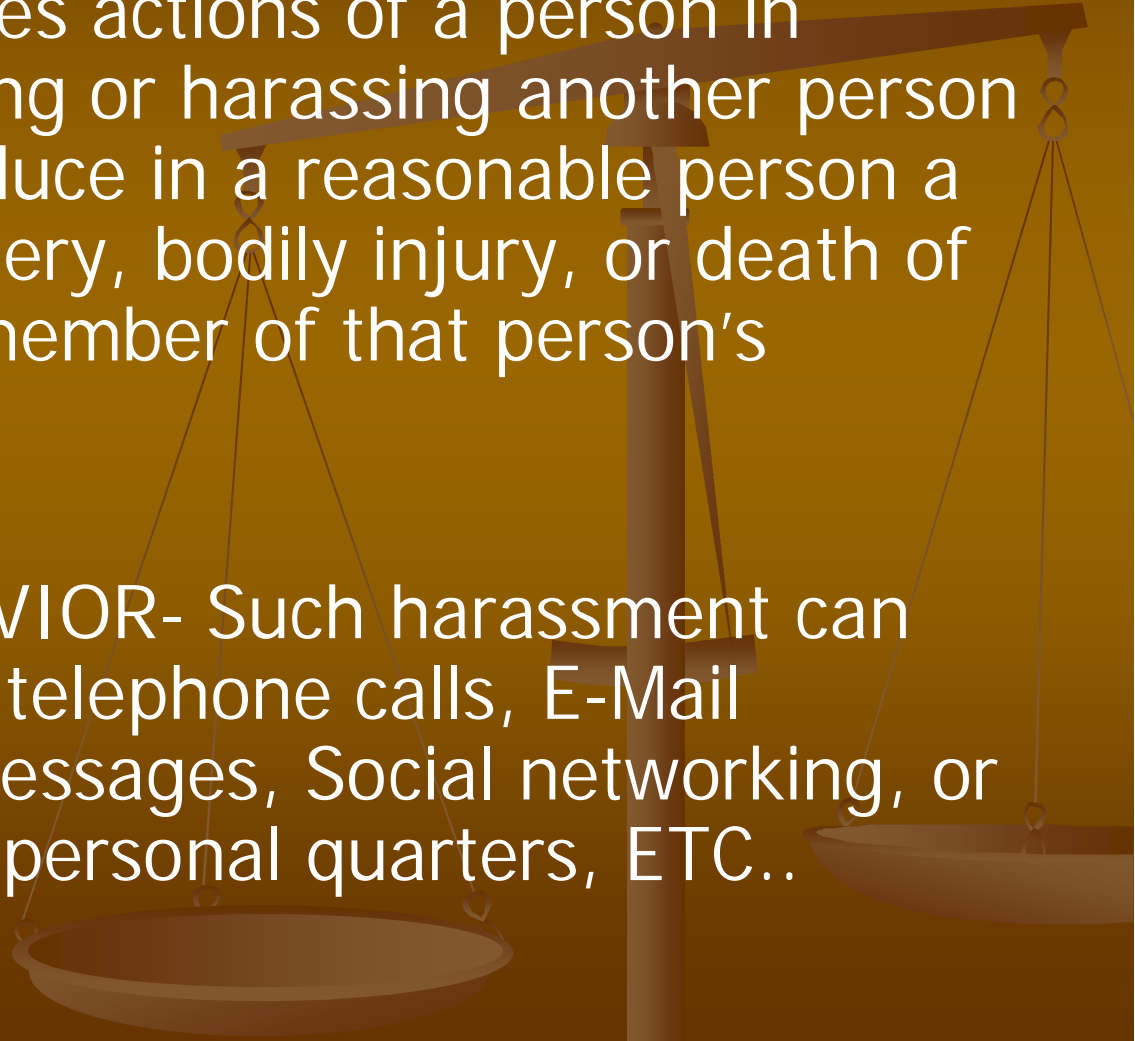
- Leering, elevator eyes, winking
- Licking lips, Displaying/giving sexually suggestive pictures or cartoons
- Stroking, grabbing, patting, hugging, pinching, provocatively posing
- Cornering or blocking a passageway
- Clothing adjustments, back rubs





OBSESSIVE BEHAVIOR

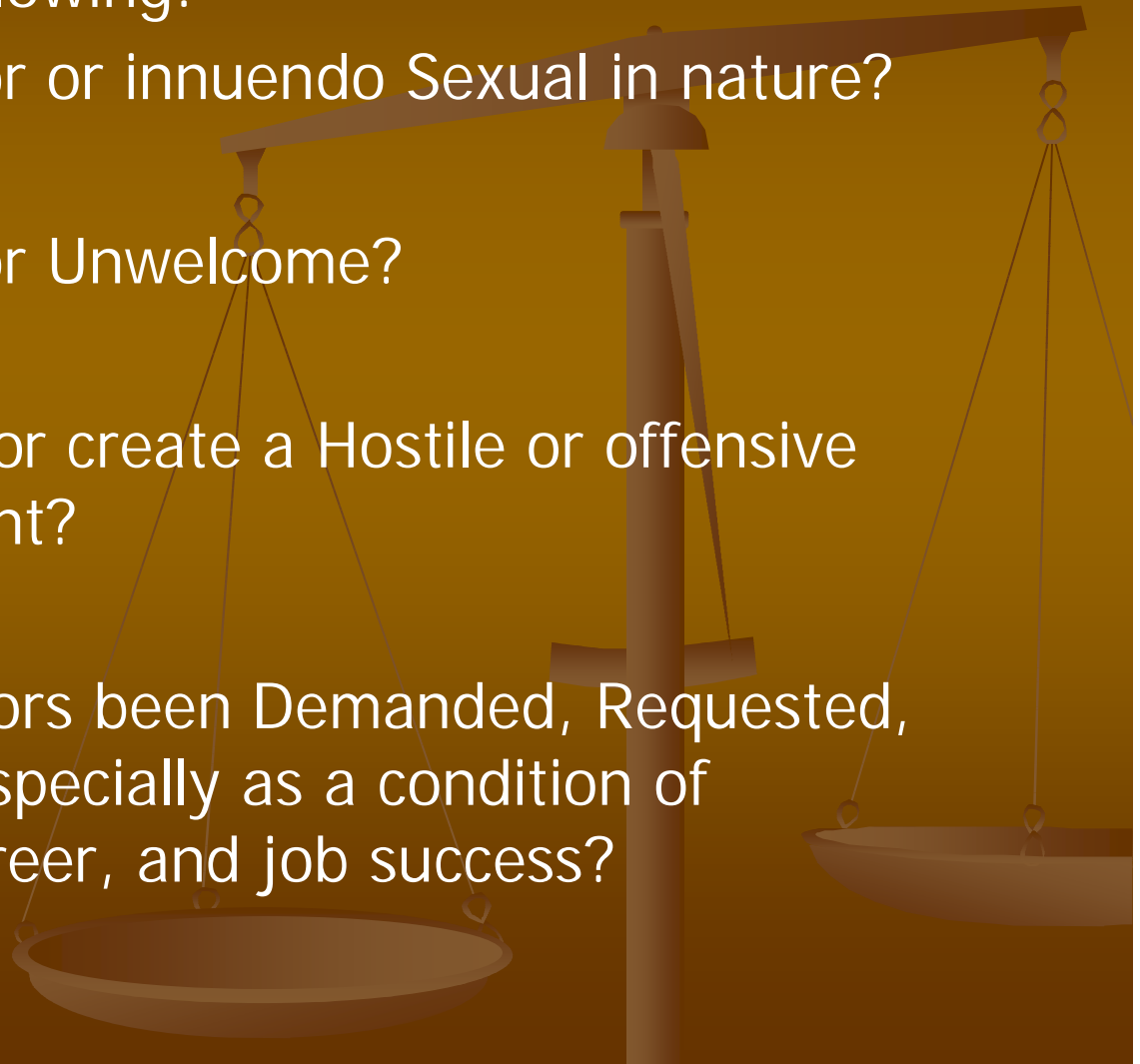
- STALKING- Includes actions of a person in repeatedly following or harassing another person in a manner to induce in a reasonable person a fear of sexual battery, bodily injury, or death of that person or a member of that person's immediate family.
- OBSESSIVE BEHAVIOR- Such harassment can include unwanted telephone calls, E-Mail messages, Text messages, Social networking, or uninvited visits to personal quarters, ETC..





IS IT SEXUAL HARASSMENT

- Ask yourself the following:
 - Was the behavior or innuendo Sexual in nature?
 - Was the behavior Unwelcome?
 - Does the behavior create a Hostile or offensive work environment?
 - Have Sexual favors been Demanded, Requested, or Suggested- Especially as a condition of employment, career, and job success?





If you answered
“YES” to any of the
questions

Then this is a form of

Sexual Harassment



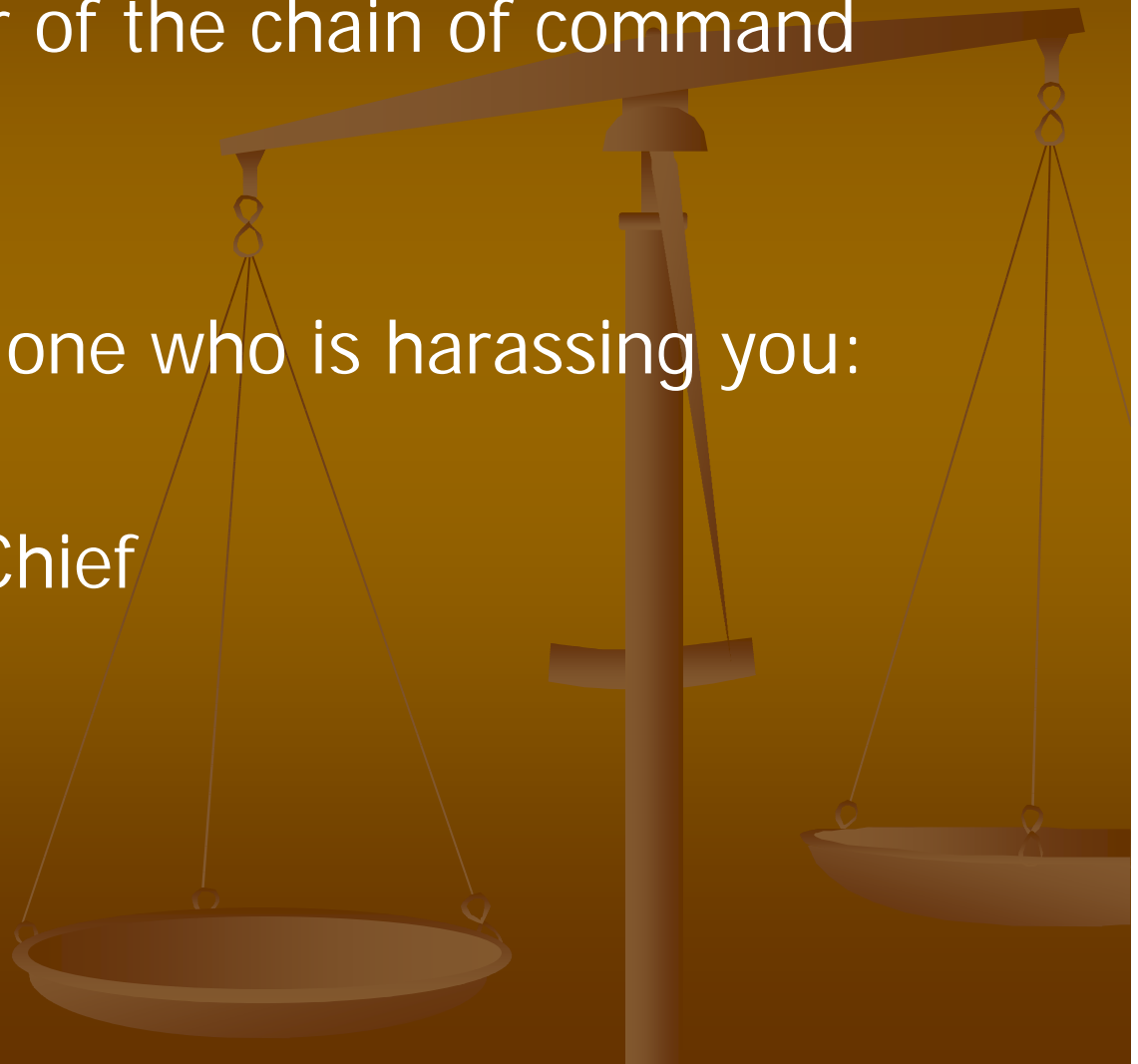


WHAT IF YOU ARE A VICTIM?

- Contact a member of the chain of command
- Like your officer.

If your officer is the one who is harassing you:

- Contact The Fire Chief





HOW DO VICTIMS COPE?

- SELF COPING MECHANISMS
 - Denial
 - Blaming oneself
 - Joking
 - Avoidance
 - Confrontation

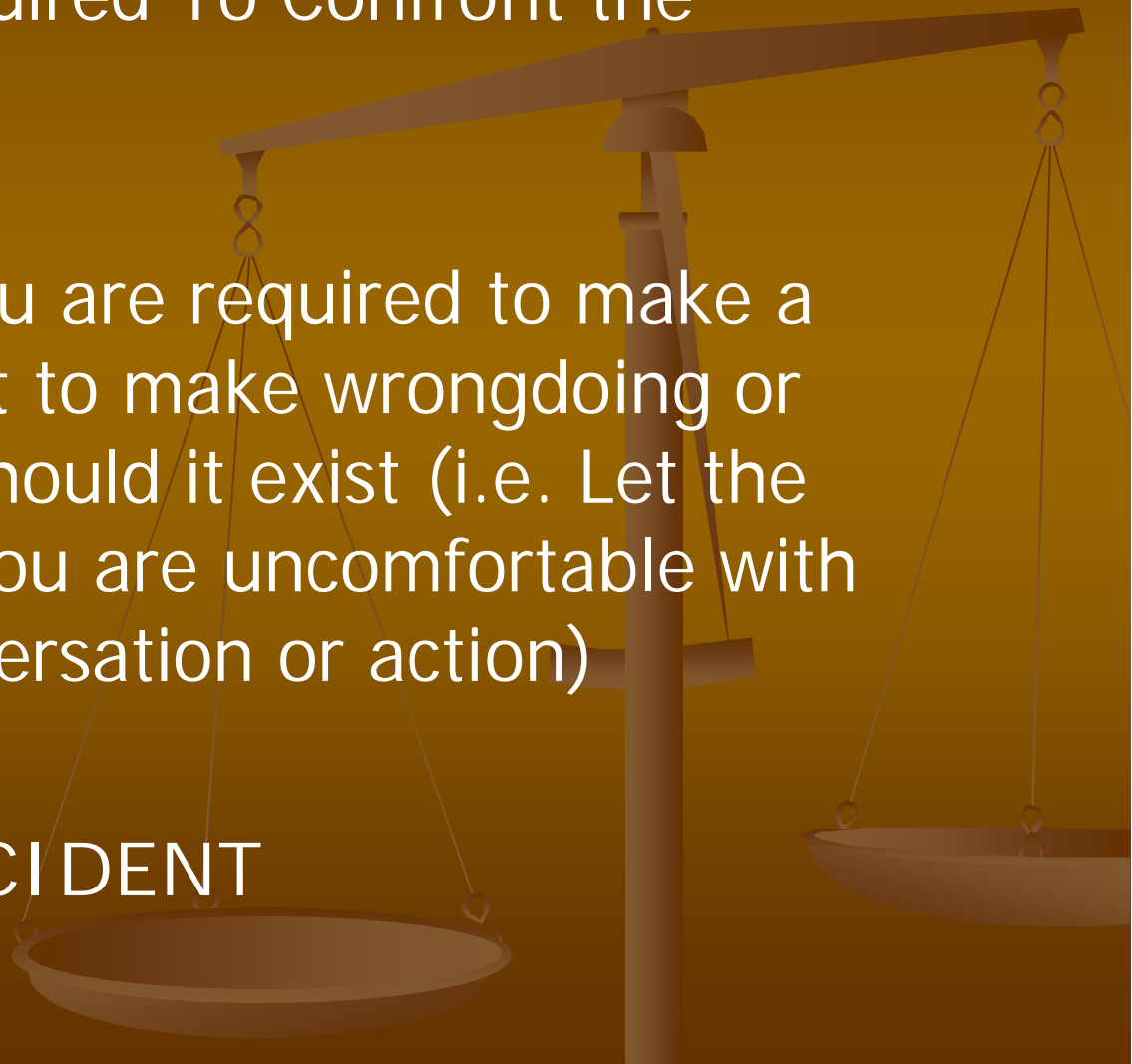




WAYS TO RESOLVE THE HARASSMENT

- You are not Required To Confront the harasser
- Nevertheless, you are required to make a reasonable effort to make wrongdoing or conflict known should it exist (i.e. Let the harasser know you are uncomfortable with the current conversation or action)

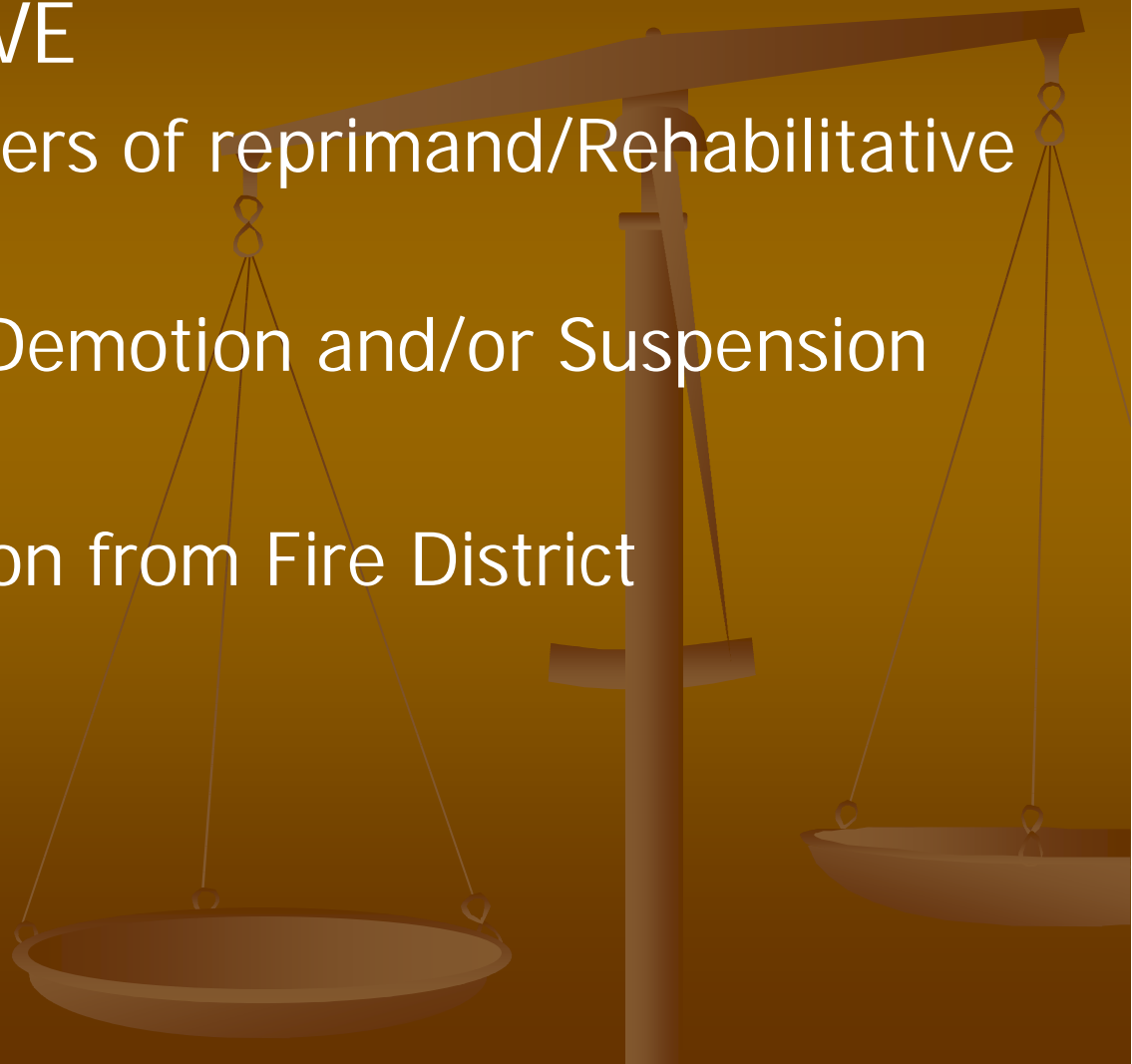
REPORT THE INCIDENT

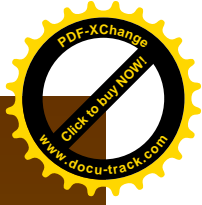




WHAT CAN HAPPEN TO THE HARASSER

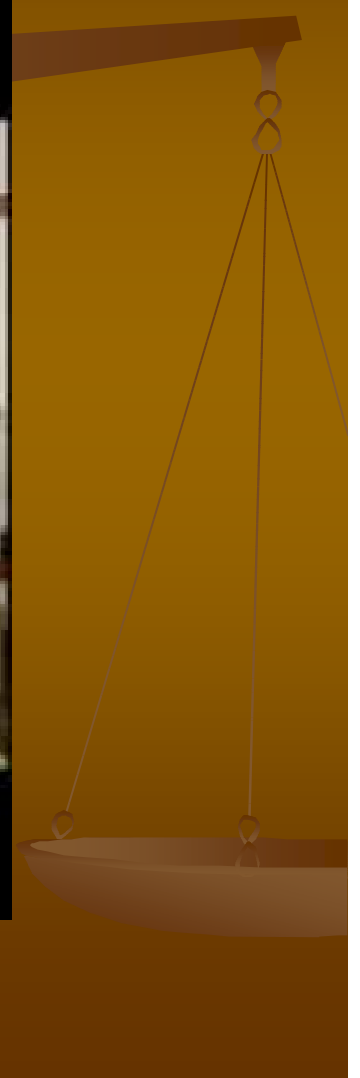
- ADMINISTRATIVE
 - Counseling/Letters of reprimand/Rehabilitative
 - Administrative Demotion and/or Suspension
 - Up to termination from Fire District





OR THIS COULD
HAPPEN

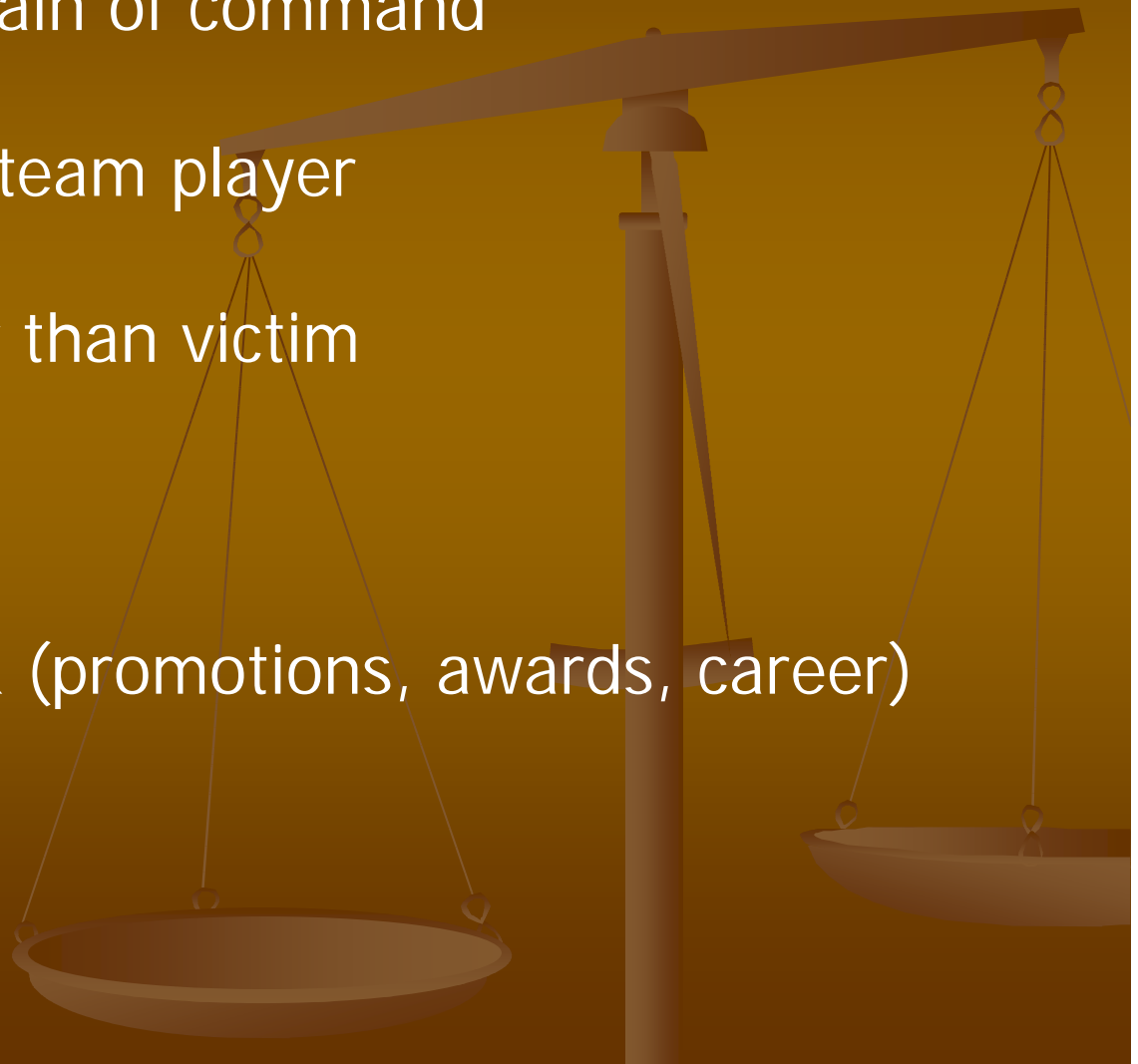






WHY INCIDENTS ARE NOT REPORTED

- Lack of faith in chain of command
- Labeled as a non-team player
- Perpetrator rather than victim
- Peer pressure
- Not worth the risk (promotions, awards, career)
- Fear of reprisal





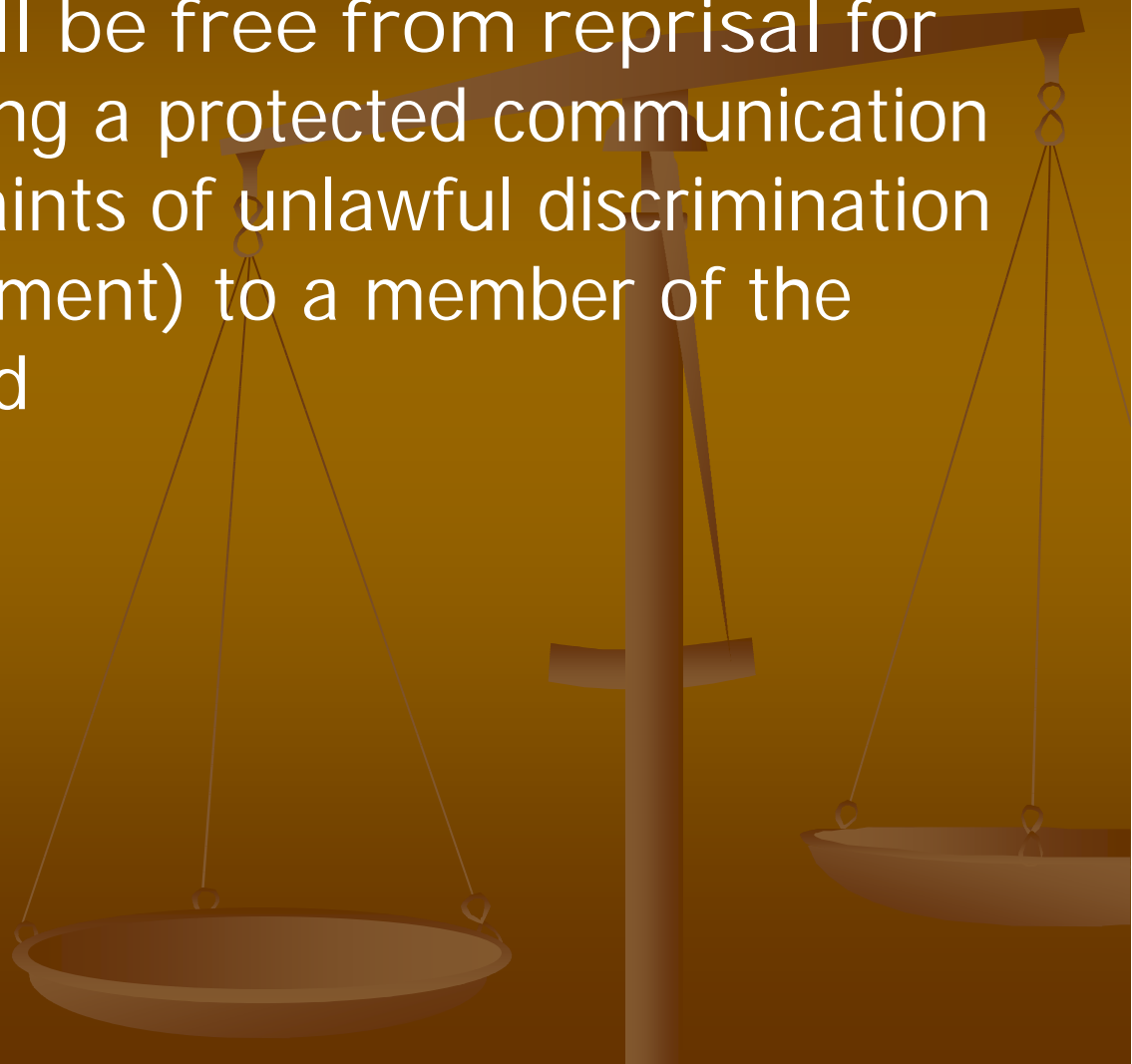
Reprisal Definition

- *noun*
- 1. (in warfare) retaliation against an enemy, for injuries received, by the infliction of equal or greater injuries.
- 2. an act or instance of retaliation.
- 3. the action or practice of using force, short of war, against another nation, to secure redress of a grievance.
- 4. the forcible seizure of property or subjects in retaliation.



FEAR OF REPRISAL

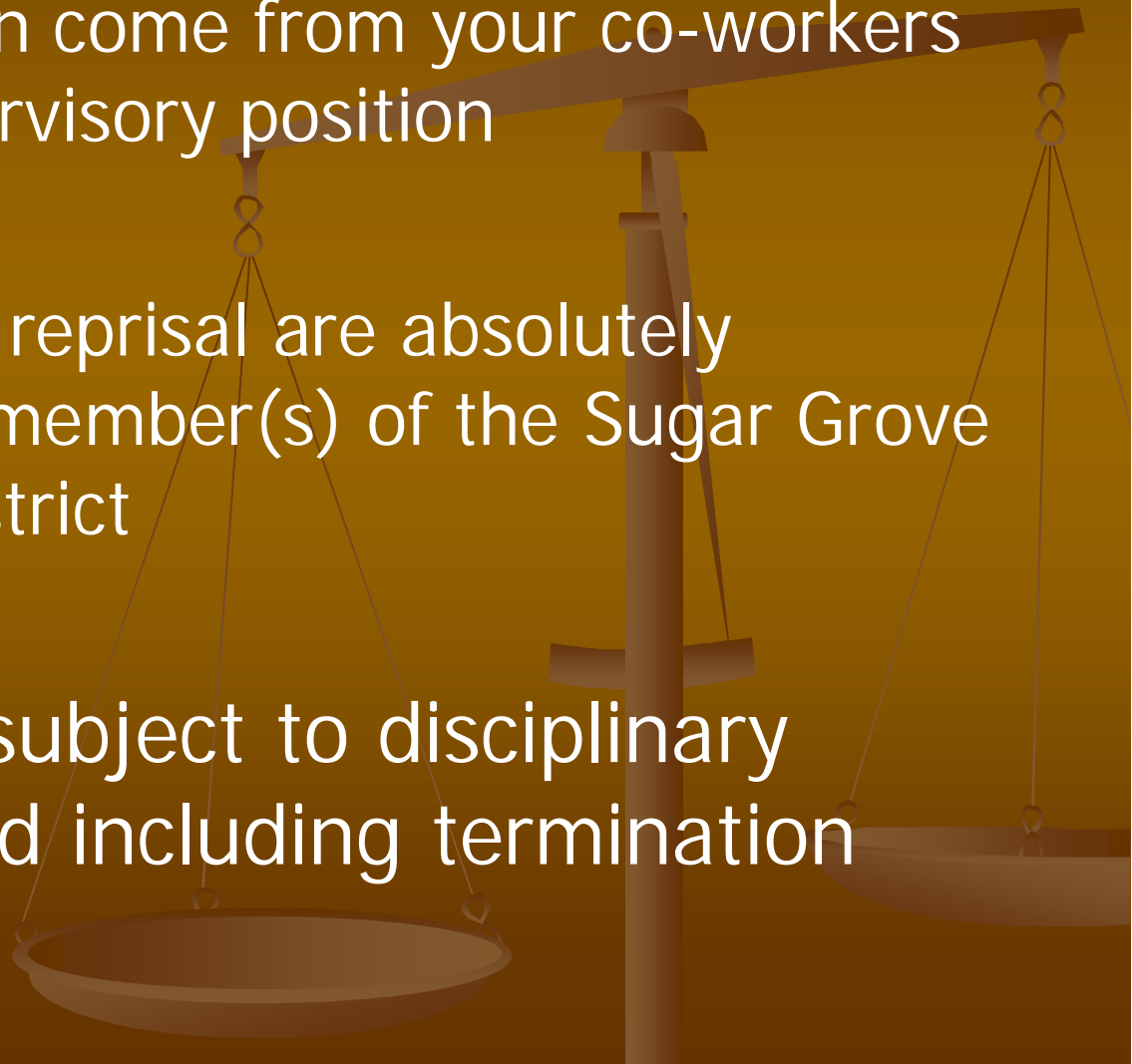
- Firefighters shall be free from reprisal for making or preparing a protected communication (to include complaints of unlawful discrimination and sexual harassment) to a member of the Chain of Command





REPRISAL

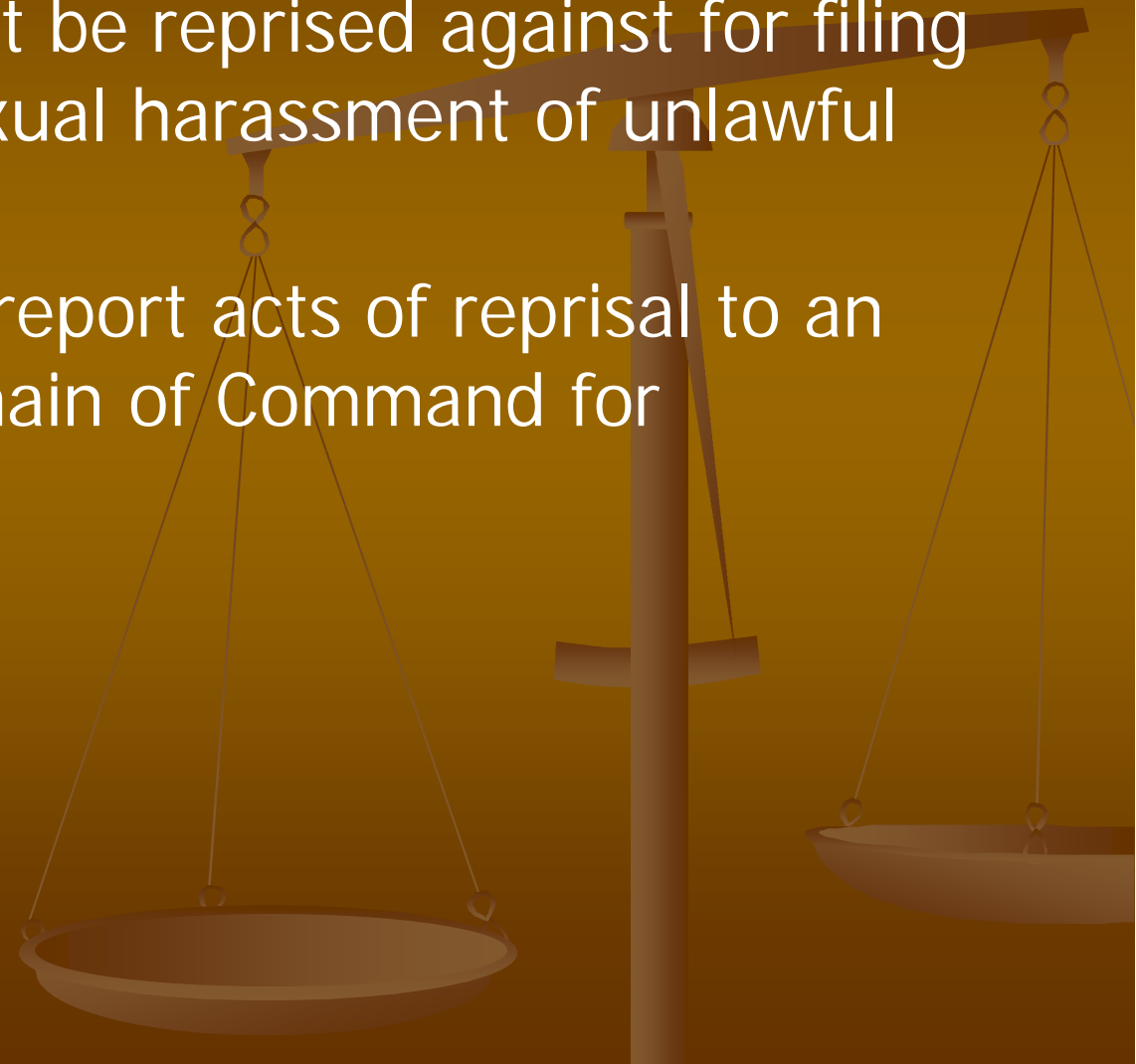
- Acts of reprisal can come from your co-workers or those in a supervisory position
- Threats or acts of reprisal are absolutely forbidden by any member(s) of the Sugar Grove Fire Protection District
- Those acts are subject to disciplinary action, up to and including termination





WHISTLEBLOWER PROTECTION ACT

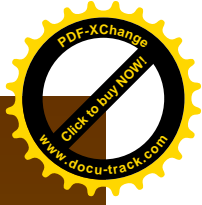
- Firefighters cannot be reprimanded for filing a complaint of sexual harassment or unlawful discrimination.
- Firefighters must report acts of reprisal to a member of the Chain of Command for investigation.





This is
How *NOT* to handle
a complaint



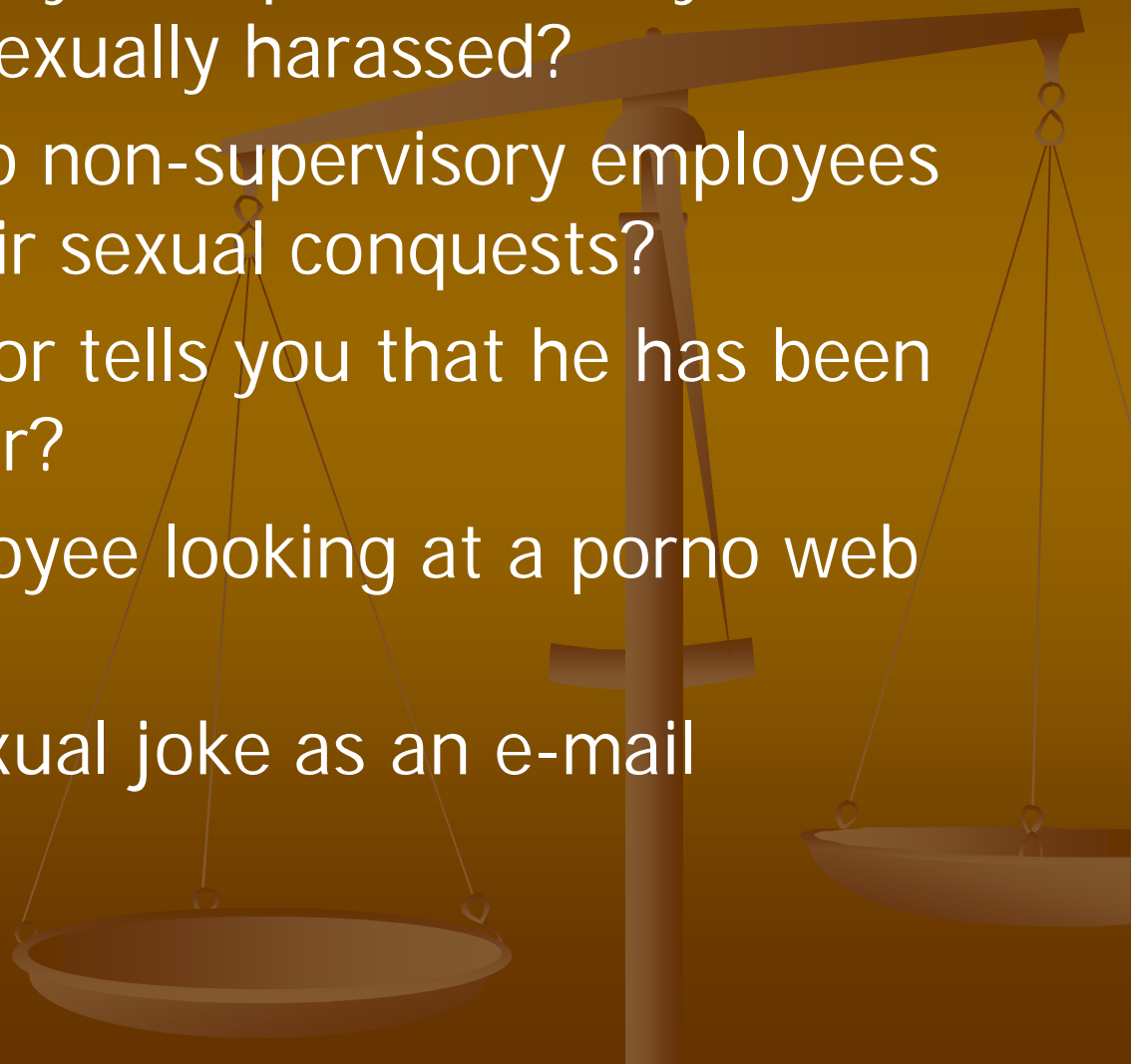




Officer's Responsibilities

What should you do if:

- An employee who you supervise tells you that he/she is being sexually harassed?
- You overhear two non-supervisory employees talking about their sexual conquests?
- Another supervisor tells you that he has been dating a coworker?
- You see an employee looking at a porno web site?
- You receive a sexual joke as an e-mail attachment?

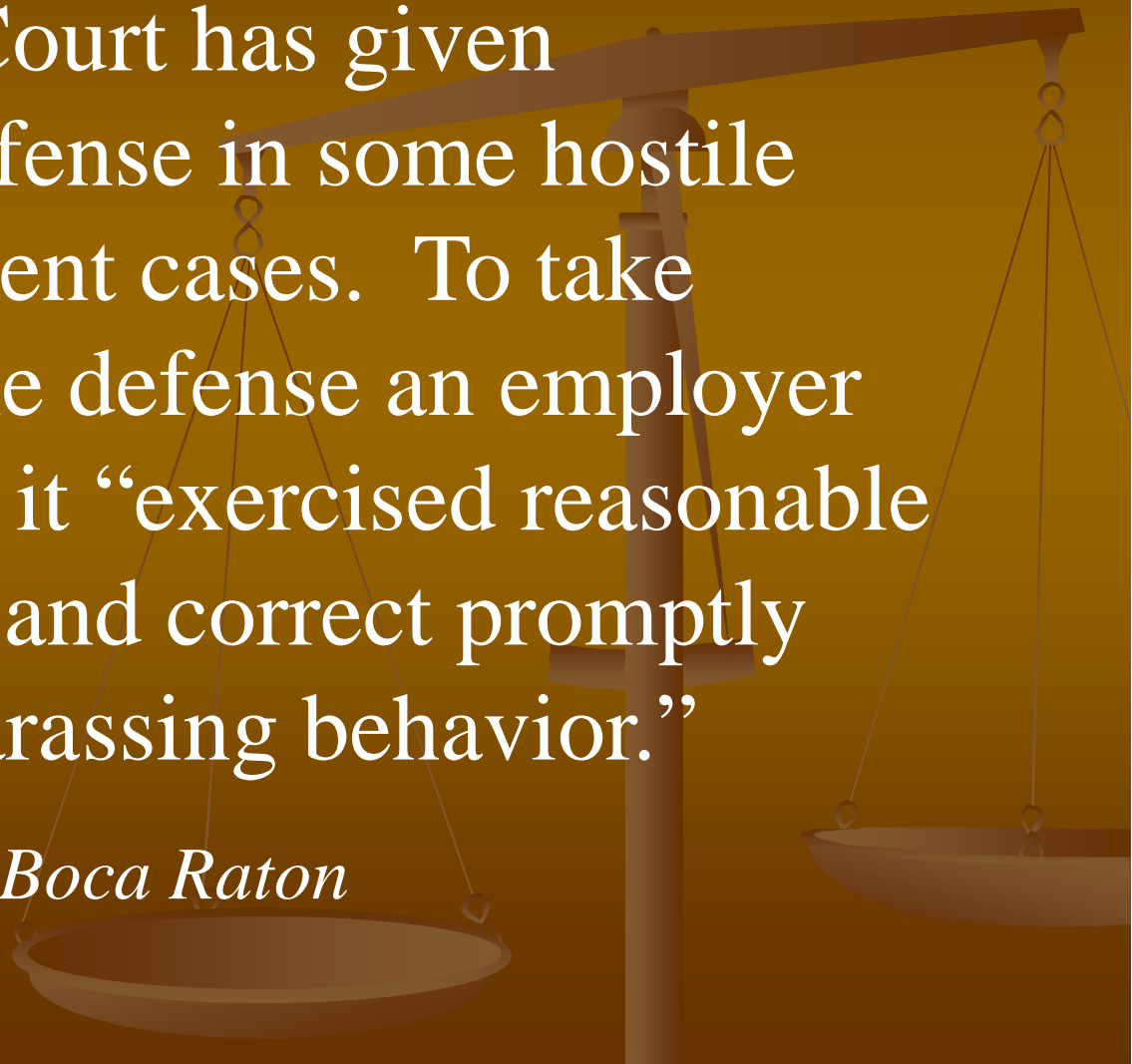




Officer's Must Take "Reasonable Care"

The Supreme Court has given employers a defense in some hostile work environment cases. To take advantage of the defense an employer must show that it "exercised reasonable care to prevent and correct promptly any sexually harassing behavior."

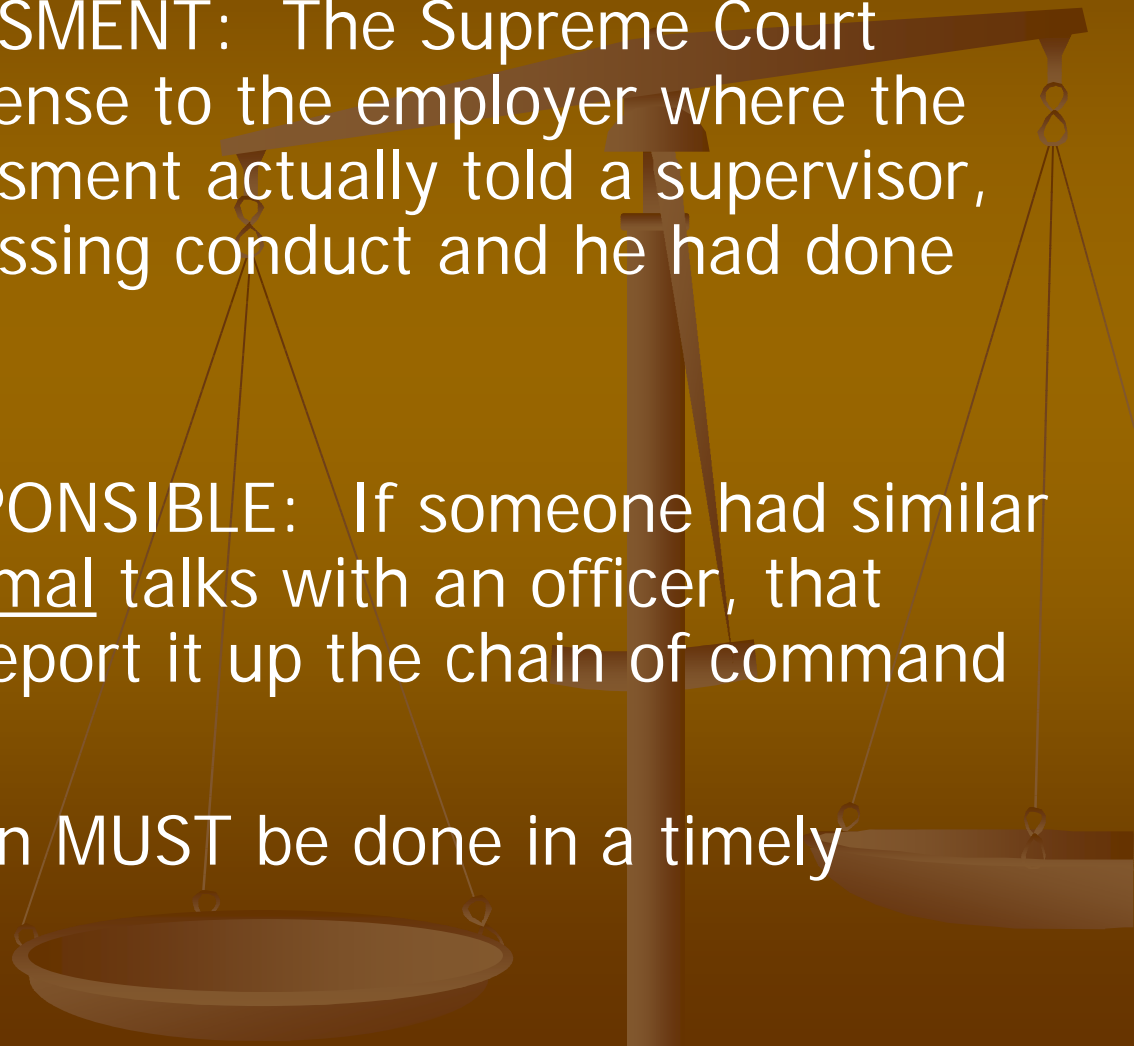
Faragher v. City of Boca Raton





What Is “Reasonable Care?”

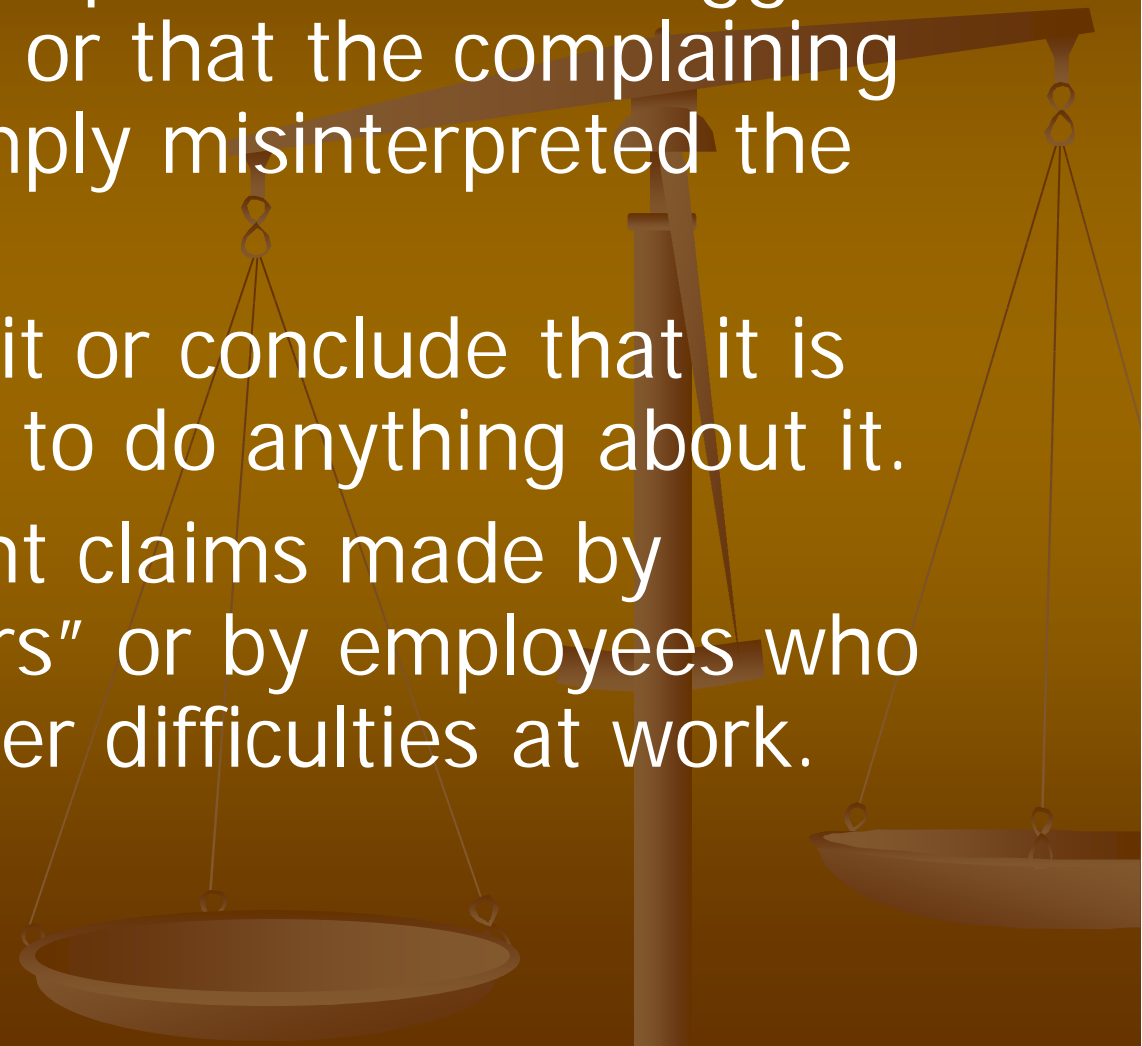
- YOU MUST DO SOMETHING WHEN YOU LEARN ABOUT HARASSMENT: The Supreme Court denied the defense to the employer where the victim of harassment actually told a supervisor, about the harassing conduct and he had done nothing.
- YOU ARE RESPONSIBLE: If someone had similar informal or formal talks with an officer, that officer MUST report it up the chain of command
- An investigation MUST be done in a timely manner.





What not to do

- If you get a complaint, do not suggest that it is trivial or that the complaining person has simply misinterpreted the facts.
- Do not ignore it or conclude that it is not your place to do anything about it.
- Do not discount claims made by “trouble makers” or by employees who are having other difficulties at work.





Making False Claims

- Grossly inaccurate or groundless complaints made in bad faith may subject the complainant to disciplinary action
- Word For Word from the Sugar Grove Fire Protection District Policy Manual



SUMMARY

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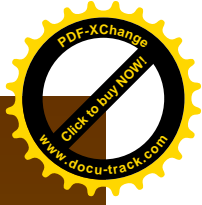




EQUAL OPPORTUNITY IS

GOOD LEADERSHIP





ANY QUESTIONS



Now Please take the sexual harassment quiz.