





## Waterford Ambulance Service Standard Operating Guideline

2. Any form of retaliation against anyone who has complained of or formally reported discrimination, harassment, or sexual assault, or has participated in an investigation of such a complaint, regardless of whether the complaint relates to the complaining person or someone else, will not be tolerated, and violates both this policy and applicable law.
3. The Waterford Ambulance Service prohibits discrimination, harassment, retaliation, and sexual assault. The Waterford Ambulance Service expects management level personnel to serve as models of appropriate conduct for other employees, and will hold them to a higher standard of accountability. Management personnel shall not only refrain from actions that violate this policy, and any activity that would give the appearance of impropriety.
4. The following definitions apply to this policy.
  - a) **Discrimination** is adverse treatment of any employee based on the protected class or category of persons to whom he/she belongs, rather than on the basis of his/her individual merit, with respect to the terms, conditions, or privileges of employment including, but not limited to hiring, firing, promoting, disciplining, scheduling, training, or deciding how to compensate that employee.
  - b) **Harassment** is unwelcome verbal or physical conduct prohibited by law directed toward, or differential treatment of, an employee because of his/her membership in any protected group or on any other prohibited basis (e.g., race, gender and/or gender identity or expression, color, creed, religion, age, national origin, ethnicity, disability, veteran or military status, sex, sexual orientation, pregnancy, genetic information, marital status or citizenship status). The harasser can be the employee's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the Service, such as a client or customer. Examples of such conduct include, but are not limited to:
    - Offensive or degrading remarks, verbal abuse, or other hostile behavior such as insulting, teasing, mocking, degrading or ridiculing another person or group.
    - Racial slurs, derogatory remarks about a person's accent, or display of racially offensive symbols.
    - Unwelcome or inappropriate physical contact, comments, questions, advances, jokes, epithets or demands, physical assault or stalking.
    - Displays or electronic transmission of derogatory, demeaning or hostile materials.
    - Unwillingness to train, evaluate, assist, or work with an employee.
    - Hazing or bullying, as defined below.



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- c) **A hostile work environment** results from harassing conduct that has the purpose or effect of unreasonably interfering with an employee's work performance, or creates an intimidating, hostile or offensive working environment.
- d) **Sexual harassment** is a form of harassment that consists of making unwelcome sexual advances or requests for sexual favors, or engaging in other verbal or physical acts of a sexual or sex-based nature where such conduct interferes with the employee's work performance or creates an intimidating, hostile or offensive working environment. Sexual harassment may also occur where a supervisor/manager demands that an employee/subordinate satisfy sexual demands in order to receive job benefits, to continue employment, or as a basis for making any other employment decision. Such sexual harassment occurs between a manager/supervisor and an employee due to the nature of the manager/subordinate relationship. A manager/supervisor for this purpose is someone who can affect or impact an employee's terms, conditions, or privileges of employment because he/she can take or impact action such as hiring, firing, promoting, disciplining, scheduling, training, or deciding how to compensate that employee.
- e) **Retaliation** is any adverse action taken against an individual (applicant or employee) because he or she filed a charge of discrimination, complained to the Service or a government agency about discrimination on the job, or participated in an employment discrimination proceeding (such as an internal investigation or lawsuit), including as a witness. Retaliation also includes adverse action taken against someone who is associated with the individual opposing the perceived discrimination, such as a family member.
  - Examples of retaliation include termination, demotion, refusal to promote, or any other adverse action that would discourage a reasonable person from opposing perceived discrimination.
- f) **Sexual assault** is a sexual act against the will and without the consent of the employee-victim or where the employee-victim is incapable of giving consent. This includes conduct that would be considered criminal under the Connecticut State Criminal Code.
- g) **Hazing** is any action taken or situation created intentionally that causes embarrassment, harassment or ridicule risks emotional and/or physical harm to members of an group or team whether new or not regardless of the person's willingness to participate.
- h) **Bullying** is the use of force, threat, or coercion to abuse, intimidate, or aggressively impose domination over others. The behavior is often repeated and habitual. One essential prerequisite is the perception, by the bully or by others, of an imbalance of social or physical power.



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5. Any employee who believes that he or she has been a victim of discrimination, harassment, retaliation or sexual assault prohibited by this policy, or any employee who has witnessed such discrimination, harassment, retaliation or sexual assault, should immediately report the circumstances in accordance with the procedure set forth below.
6. The Waterford Ambulance Service may investigate any conduct that violates this policy, even in the absence of a complaint, and take remedial action where appropriate.
7. An employee may make a complaint to any of the individuals listed below:
  - The Executive Committee.
  - The Town of Waterford Human Resources Officer.
  - Any ambulance Board Member or Officer.
8. The Waterford Ambulance Service encourages prompt reporting of complaints so that it may respond appropriately and conduct an investigation while the matter is freshest in witnesses' memory and other evidence is most likely to be available. There is no fixed deadline for reporting discrimination, harassment, retaliation or sexual assault complaints.
9. Because it is not always easy to interpret words or actions, employees are further encouraged to bring forward any concerns under this policy before they rise to the level of violating the law.
10. All Board Members and designated Officers have an affirmative duty and are required to promptly report any discrimination, harassment, retaliation or sexual assault that they observe, learn about from others, or reasonably suspect has occurred with respect to an employee.
11. The Waterford Ambulance Service will conduct a prompt, thorough and impartial investigation of a complaint as necessary and appropriate. The Waterford Ambulance Service will make every reasonable effort to complete its investigation within thirty (30) days of a report of discrimination or



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harassment. The investigator may find it necessary to extend the time period for completing an investigation in some circumstances.

12. The investigator shall provide the complainant, the alleged wrongdoer, and the Executive Committee with notice of any extension and give them a new timetable for completion of the investigation. The investigation shall include an interview with the alleged employee-victim. It also may include interviews with the person who made the initial report, the complainant (if not the alleged victim), the alleged wrongdoer and/or any other person who may have information regarding the incident, each of whom is encouraged to cooperate with any investigation. The investigator may also review relevant documents.
13. The investigation process is strictly internal to Waterford Ambulance Service, may contact legal services to aid in investigating complaints. The investigator will report his or her findings to the person who made the initial report, the alleged victim of discrimination, harassment, retaliation or sexual assault, the alleged wrongdoer, and relevant Board Members and designated Officers.
14. Where the investigator concludes that a violation of this policy has occurred, the President will take prompt and appropriate remedial action, including disciplinary action. Disciplinary action will follow the Progressive Discipline SOG.
15. The Waterford Ambulance Service will maintain the confidentiality of the complaint, and the privacy of the persons involved, to the greatest extent possible, consistent with its goal of conducting a thorough and complete investigation and to the extent permitted by law.
16. The Waterford Ambulance Service will not in any way retaliate against an individual who reports a perceived violation of this policy, participates in any investigation, or otherwise opposes perceived discrimination, harassment, or retaliation, including as a witness. It will also not retaliate against anyone associated with the individual who engages in such protected conduct, such as a family member.



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17. The Waterford Ambulance Service further will not tolerate retaliation by any employee. Retaliation is a serious violation of this policy, as well as federal, state, and local law. Anyone who believes he/she is a victim of retaliation is expected report the matter immediately according to the same procedure provided in this policy for making complaints of discrimination, harassment, or sexual assault. Any person found to have retaliated against another individual will be subject to the same disciplinary action provided under this policy for other violations.
18. The medical, emotional, and legal needs of a sexual assault victim may differ from those of other harassment complainants. Sexual assault victims who are employees are expected; therefore, in addition to filing a complaint under this policy, report the assault to the police and pursue counseling and other services available through the Town of Waterford's Employee Assistance Program, (EAP).
19. Consensual relationships involving sexual behavior that is welcome and voluntary do not constitute sexual harassment under the law; however, romantic relationships in situations where one individual has greater power or authority over another, such as a relationship between a supervisor and a subordinate is an example of an inappropriate relationship as it may affect optimal performance and operations, and is subject to review by the Waterford Ambulance Service. If a consensual relationship occurs, any situation of authority must be discontinued and appropriate action may be taken.

*Steven D. Garvin*

President, Waterford Ambulance Service