

Sexual Harassment Policy of
Western Reserve Joint Fire District

- I. **Introduction.** It is the goal of the Western Reserve Joint Fire District (“District”) to promote a workplace that is free of sexual harassment. Sexual harassment of volunteers and employees occurring in the workplace or in other settings in which employees or volunteers may find themselves in connection with District business is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an individual of a sexual harassment complaint is similarly unlawful and will not be tolerated.

To achieve our goal of providing an environment free from sexual harassment, the conduct that is described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with if encountered by employees or volunteers.

Because the District takes allegations of sexual harassment seriously, it will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, it will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth the District’s goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

- II. **Definition of Sexual Harassment.** Under Ohio law, “sexual harassment” means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:
- a) Submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or
 - b) Such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews,

salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness.

- Unwelcome sexual advances- whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquires into one's sexual experiences; and
- Discussion of one's sexual activities.

All employees and volunteers should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

III. Complaints of Sexual Harassment. If any of our employees or volunteers believes that he or she has been subjected to sexual harassment, they have the right to file a complaint with the District. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting a chief officer or legal counsel. These persons are also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

IV. Sexual Harassment Investigation. When a complaint is received, the District will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Investigation will include a private interview with the person filing the complaint and with any witnesses. The

District will also interview the person alleged to have committed sexual harassment. When the District has completed its investigation, it will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, the District will act promptly to eliminate the offending conduct, and where it is appropriate, also impose disciplinary action.

- V. **Disciplinary Action.** If it is determined that inappropriate conduct had been committed by a District employee or volunteer, the District will take such action as is appropriate under that circumstances. Such action may range from counseling to termination from employment or association with the District and may include such other forms of disciplinary action as we deem appropriate under the circumstances.
- VI. **State and Federal Remedies.** In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies.
1. The United States Equal Employment Opportunity Commission (“EEOC”)
Tower City, Skylight Office Tower
1660 West Second Street, Suite 850
Cleveland, Ohio 44113-1412
Phone (216) 522-2003.
 2. The Ohio Civil Rights Commission,
1111 East Broad Street, Suite 301
Columbus, Ohio 43205.