

**LAFD DISCRIMINATION PREVENTION POLICY  
AND COMPLAINT PROCEDURES**

**III. FILING A DISCRIMINATION COMPLAINT**

**E. OUTSIDE AGENCIES**

State of California Department of Fair Employment  
and Housing

Commission on the Status of Women

~~A complaint of sexual harassment or gender discrimination may be filed with the Commission on the Status of Women at (213) 978-0300. The Commission is committed to the elimination of sexual harassment in the workplace and provides support and guidance in this area. The Internet website is <http://www.lacity.org/csw/>~~

**E. OUTSIDE AGENCIES**

~~EmployeeMembers~~ may file a complaint with a state or federal agency. ~~EmployeeMembers~~ who do not feel comfortable filing a complaint within the available ~~Fire Department and~~ City processes may choose to file a complaint with:

State of California Department of Fair Employment and Housing

~~EmployeeMembers~~ who believe they have been discriminated against, harassed or retaliated against because of activity involving a discrimination complaint have the right to file a discrimination and/or retaliation complaint with the state's regulatory agency. Under state legislation, non-management employees may be held personally liable for harassing a co-worker based on any form of discrimination covered by the State's Fair Employment and Housing Act. ~~Time limits for filing complaints vary. Therefore, employees should check directly with this agency for specific deadlines and requirements.~~

~~EmployeeMembers~~ alleging discrimination based on **sexual orientation**, known or perceived, have the right to file a complaint with the Department of Fair Employment and Housing (DFEH). ~~Employees should check directly with this agency for specific deadlines and requirements. The website is <http://www.dfeh.gov>~~

~~Time limits for filing complaints vary. Therefore, members should check directly with this agency for specific deadlines and requirements. The website is <http://www.dfeh.gov>~~

Complaints of discrimination or retaliation covered by the DFEH may be submitted to:

Department of Fair Employment and Housing (DFEH)  
~~611 West Sixth Street, 15<sup>th</sup> Floor~~ 1055 W. Seventh St., Ste. 1400  
Los Angeles, CA 90017  
Phone: ~~1-(800)-884-1684~~  
TTY: ~~1-(800)-700-2320~~  
Video Phone For the Deaf: (916) 226-5285

**LAFD DISCRIMINATION PREVENTION POLICY  
AND COMPLAINT PROCEDURES**

**III. FILING A DISCRIMINATION COMPLAINT**  
**E. OUTSIDE AGENCIES**  
Federal Equal Employment Opportunity  
Commission

Federal Equal Employment Opportunity Commission

**EmployeeMembers** who believe they have been discriminated against, harassed or retaliated against because of filing or participating in a discrimination complaint have the right to file a discrimination and/or retaliation complaint with the federal regulatory agency. Time limits for filing complaints vary. Therefore, **employeeemembers** should check directly with this agency for specific deadlines and requirements. The website is <http://www.eeoc.gov/>

Equal Employment Opportunity Commission (EEOC)  
255 E. Temple Street, 4th Floor  
Los Angeles, CA 90012  
Phone: ~~4~~(800)-669-4000  
Fax: (213)-894-1118  
TTY: ~~4~~(800)-669-6820

## I. SEXUAL HARASSMENT PREVENTION POLICY

Sexual harassment is a form of sex discrimination. It is a violation of the City's policy and Federal and State law. Prompt and appropriate action must be taken to deter sexual harassment. Prevention and education are the best tools for the elimination of sexual harassment in the workplace.

### A. POLICY

**Note: Dissemination of this policy serves as notice to all employee members and violations of the policy may serve as a basis for discipline.**

The policy of the City of Los Angeles and the Fire Department is that sexual harassment in the workplace is unacceptable and will not be condoned or tolerated. The City of Los Angeles and the Fire Department promote and maintain a working environment free from all forms of discrimination, including sexual harassment, intimidation, retaliation or coercion. The Fire Department LAFD is committed to providing a work environment free from sexual harassment. This means everyone is responsible for the prevention of sexual harassment in the workplace. City policy requires prompt and appropriate corrective action to prevent sexual harassment.

The Department LAFD maintains a zero tolerance policy for discrimination based on sexual harassment. As a result the Department LAFD may take corrective actions, up to and including formal discipline, when policy violations occur, even if they are not so serious as to be unlawful. For example, even though a sexual comment might not rise to the level of creating a hostile work environment under the law, such a comment is nevertheless unacceptable in the workplace, violates the LAFD's Department's zero tolerance policy, and may be subject to a corrective action.

This sexual harassment prevention policy extends to the conduct of all LAFD personnel towards any applicant, employee member, or member of the public. In addition, any employee member will also be subject to disciplinary action who, while acting in his or her capacity as a Fire Department LAFD employee member, sexually harasses a contractor, vendor, client, customer, visitor, Fire Department volunteer or any member of the public.

## LAFD SEXUAL HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURES

### I. SEXUAL HARASSMENT PREVENTION POLICY

#### A. POLICY (cont.)

##### Compliance

#### B. DEFINITION OF SEXUAL HARASSMENT

Similarly, the Department~~LAFD~~ will not tolerate sexual harassment of its ~~employeemembers~~, applicants, or contractors, by non-~~employeemembers~~, such as third party contractors, vendors, clients, hospital personnel and/or customers. LAFD Incidents of harassment by non-members shall ~~ould~~ be immediately reported to a Manager, Officer or Supervisor alerted to any such conduct so that ~~it can take~~ immediate and appropriate corrective action can be taken to stop and, ~~and best attempt~~ ~~to~~ prevent further harassment.

##### Compliance

All ~~employeemember~~s are responsible for preventing sexual harassment by complying with the conduct standards in this policy and by conducting themselves at all times in a professional manner. Management, including all Managers, Officers and Supervisors, is responsible for setting the tone for a harassment-free work environment and for taking appropriate measures, whether or not a complaint has been received, whenever they witness or learn of behavior which could be perceived as sexual harassment. EmployeeMembers may also help to prevent harassment by taking the initiative to oppose and report conduct that they believe to be unlawful sexual harassment. Compliance with this policy depends on the efforts of both management and ~~employeemember~~s of LAFD the Fire Department at all levels.

Moreover, ~~employeemember~~s are expected to report any sexually harassing behavior, regardless of whether the behavior is directed toward them or towards another ~~employeemember~~ (including Fire Department volunteers), citizen, or contractor. EmployeeMembers may report the conduct as described in Section III: Filing A Sexual Harassment Complaint.

Disciplinary action, including warnings, reprimands, suspensions, or termination~~dismissal~~ will be taken against those individuals determined to be in violation of this policy.

#### B. DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is generally defined as unsolicited, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature directed ~~to at~~ a person of the same or of the opposite sex when:

1. Submission to such conduct is explicitly or implicitly made a term or condition of employment;

## LAFD SEXUAL HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURES

### I. SEXUAL HARASSMENT PREVENTION POLICY B. DEFINITION OF SEXUAL HARASSMENT (cont.)

2. Submission to or rejection of this conduct is used as a basis for an employment decision affecting the employeemember; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

While it is not possible to list all circumstances that may be considered to be sexual harassment, some examples of conduct that may violate the LAFD's Sexual Harassment Prevention Policy include, but are not limited to, the following:

- Unwelcome sexual advances, whether it involves physical touching or not (this may include an expression of sexual interest after being informed that the interest is unwelcome or a situation which began as reciprocal attractions, but later ceased to be reciprocal);
- Offering employment benefits in exchange for sexual favors;
- Unwelcome leering, whistling, ~~brushing against the body~~physical contact, sexual gestures, a suggestive comment, staring, sexual flirtation or proposition;
- Displaying a sexually suggestive object in the workplace, sharing items of a sexual nature such as emails or text messages, or telling/showing sexual jokes, stories, drawings, pictures or gestures;
- Displaying sexually suggestive visual materials in the workplace, including but not limited to materials in magazines, computer screens or cell phones
- ~~Making~~Creating and/or repeating a sexually related rumor about another employeemember;
- Making an inquiry into an employeemember's sexual experience(s);
- Reprisal or making a threat after a negative response is made to a sexual advance;
- Physical assault such as rape, sexual battery or an attempt to commit an assault or, intentional physical conduct such as impeding or blocking movement or touching or brushing against another employeemember's body;
- Making a derogatory comment or joke regarding an individual's sexual orientation or perceived sexual orientation.

It is important to note that:

- Such conduct is actionable if offensive to a reasonable person and the victim was offended;
  - A man or woman may be the harasser of a same or opposite sex victim;
  - The harasser does not have to be the victim's supervisor;
  - The victim does not necessarily have to be the one to whom the remark or conduct is directed, but may be someone in the same room who overhears and is offended by the comment or behavior;
  - A consensual relationship may lead to claims by non-involved employeemembers who believe that they were disadvantaged when favoritism is shown to a paramour, but is not shown to an employeemember who did not have a romantic relationship with the employeemember granting the favors. ~~If such sexual favoritism is widespread, sends a message that employees of a certain sex are sexual playthings, or This may creates an atmosphere where~~ employeemembers believe they must consent to such relationships as a term or condition of employment, ~~it could be unlawful.~~
- Any employeemember, who initiates or persists in conduct that is viewed by another as being of a sexual nature, assumes the risk and liability and the possible penalties for such conduct. An employeemember who violates the Fire Department's LAFD's Sexual Harassment Prevention Policy may face a range of disciplinary actions, including termination/dismissal. Furthermore, offending employeemembers, including supervisors and non-supervisors, can be held personally liable for monetary damages (and may be required to pay for their own attorney) if an offended employeemember files a lawsuit.

#### Types of Sexual Harassment

There are two types of sexual harassment. They include "quid pro quo" harassment and "hostile work environment" harassment. Quid pro quo harassment occurs when submission to or rejection of unwelcome sexual conduct is used to make an employment decision affecting the complainant, resulting in some tangible injury to the complainant. On the other hand, a hostile work environment claim is based on unwelcome sexual conduct that interferes with an individual's work performance or creates an intimidating, offensive, or hostile work environment. To constitute sexual harassment, these claims do not have to result in economic or serious psychological injury, but they do have to negatively affect an employeemember's work environment.

## LAFD SEXUAL HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURES

### I. SEXUAL HARASSMENT PREVENTION POLICY B. DEFINITION OF SEXUAL HARASSMENT Types of Sexual Harassment (cont.) Quid Pro Quo

The courts have generally agreed that sexual harassment has occurred when incidents in a work environment are severe or pervasive enough to create a hostile work environment. The EEOC considers that a hostile work environment is created by a pattern of offensive conduct. While one incident usually is not sufficient in and of itself to be considered sexual harassment, the nature, frequency, and context of remarks should be considered. A single instance of unwelcome, intentional touching of a person's body may by itself create a hostile work environment. In determining whether or not a hostile work environment exists, courts use a "reasonable victim" or "reasonable person" standard. This standard acknowledges that there are subjective as well as objective elements to a complaint of sexual harassment. Each case must be evaluated based upon the unique set of circumstances alleged.

The following examples are intended to expand upon the above definitions of the various types of sexual harassment. Some behaviors may fall into both types of sexual harassment, but it is most important to understand that the behaviors are inappropriate and should not be tolerated or condoned in the work place:

#### Quid Pro Quo

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Such behavior is illegal when it is part of a supervisor's decision to hire or fire someone; or, when it is used to make other employment decisions related to like pay, promotion, specialized training opportunities or job assignment.
- Engaging in implicit or explicit coercive sexual behavior which is used to control, influence, or affect the career, salary, and/or work environment of another employeemember; offering favors or employment benefits, such as a promotion, favorable work performance evaluation, favorable assigned duties, specialized training opportunities or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.
- Making reprisals, threats of reprisal, or implied threats of reprisal following a negative response to a sexual overture; for example, either implying or actually withholding support for an appointment, promotion, or change of assignment; suggesting a poor work performance evaluation will be prepared, or suggesting a probationary period will be failed.

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| <b>LAFD SEXUAL HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURES</b> | <b>I. SEXUAL HARASSMENT PREVENTION POLICY</b><br><b>B. <u>DEFINITION OF SEXUAL HARASSMENT</u></b><br><u>Types of Sexual Harassment</u><br><u>Hostile Work Environment (cont.)</u><br><b>C. <u>SEXUALLY HARASSING BEHAVIORS</u></b><br><u>Verbal Harassment</u> |
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### Hostile Work Environment

- Unwelcome behavior of a sexual nature that is repeated or egregious and creates an intimidating, hostile, or offensive work environment. While this kind of inappropriate behavior may be committed by accident, it is often committed intentionally; for example, repeated use of inappropriate language or comments of a sexual nature, including innuendoes and references to a person's intimate body parts, that are considered offensive to others in the workplace.
- Unwelcome conduct that has the effect or purpose of interfering with an individual's work environment, unreasonably interferes with an individual's work performance, or makes the work environment intimidating or hostile; for example, a situation that began as a reciprocal attraction between two **employeemembers** but later ceased to be reciprocal, and one of the **employeemembers** continues to exhibit or express behavior that is no longer welcomed by the other.

### **C. SEXUALLY HARASSING BEHAVIORS**

The following examples describe some of the sexually harassing behaviors that are inappropriate and may be illegal on the job. They are intended to give all **employeemembers** more specific information that will help you determine if the behavior could be considered sexually harassing. These examples are only a sample of inappropriate behavior and are not meant to be all-inclusive:

#### Verbal Harassment

Sexual comments, innuendoes, double entendres, and the use of sexually oriented language whether or not it is directed toward a specific person or group of persons, if any person is offended. Slang, names, or labels, such as "honey", "sweetie", "baby", "babe", "boy", "girl", that others reasonably find offensive; obscene or lewd sexual jokes, comments, or suggestions; negative or offensive comments, jokes, or suggestions about another person's gender; talking about another **employeemember's** body, body parts, or sexual characteristics ~~or preferences in a negative or embarrassing way~~; pressure for dates or sexual relations.

## LAFD SEXUAL HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURES

### I. SEXUAL HARASSMENT PREVENTION POLICY C. SEXUALLY HARASSING BEHAVIORS (cont.)

#### Non-Verbal Harassment

#### Physical Harassment

#### Visual Harassment

#### Other Unwelcome Behaviors

#### Non-verbal Harassment

Suggestive looks, leering, and ogling; calling attention to another employeemember's body or sexual characteristics or preferences in a negative or embarrassing way.

#### Physical Harassment

Unwelcome physical contact such as brushing against someone's body, impeding or blocking movements, kissing, hugging, touching, "friendly" pats, squeezes, pinches, back rubs, or massages.

#### Visual Harassment

Displaying nude or sexually oriented pictures, internet sites, text messages, calendars, magazines, movies, cartoons, posters, or photographs, including those that may exhibit family or friends; displaying explicit or suggestive objects or other inappropriate paraphernalia, including such items as "gag gifts" at any City or Department related work site, facility or function.

#### Other Unwelcome Behaviors

- Deliberately ostracizing or excluding another employeemember because of his or her gender, gender expression, gender identity or sexual orientation.
- Not taking seriously an employeemember who experiences sexual harassment, laughing at him or her, ignoring him or her or otherwise minimizing his or her issues.
- Blaming the victim of sexual harassment for causing the problem.
- Continuing offensive behavior after a co-worker has indicated that behavior is unwelcome.

## LAFD SEXUAL HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURES

### I. SEXUAL HARASSMENT PREVENTION POLICY D. MEMBERS AND NON-MEMBERS COVERED BY THE PREVENTION POLICY AND COMPLAINT PROCEDURE E. RECOGNIZING SEXUAL HARASSMENT

#### D. EMPLOYEE MEMBERS AND NON-EMPLOYEE MEMBERS COVERED BY THE PREVENTION POLICY AND COMPLAINT PROCEDURE

**Employee Members** are individuals occupying a position in the classified civil service, and include interns and volunteers, personal services contract employees, and also, employeemembers exempt from civil service under the provisions of the City Charter including elected and appointed officials. **Non-employeemembers** may include the public, customers, hospital personnel, service providers (i.e., delivery persons, postal workers, repair persons, etc.), vendors, contractors, volunteers and others not considered "employees".

The Sexual Harassment Prevention Policy and Complaint Procedure covers members of the public, volunteers, or employees of a business under contract with the City, who complain of harassment by City employees during the conduct of their employment. The City may also be held liable for non-employees' harassing conduct. It is, therefore, imperative for Managers, Officers and Supervisors to take immediate and appropriate corrective action to report and stop this conduct whenever they know or should have known of sexual harassment committed by a non-employeemember against employeemembers, applicants or contract workers. All reasonable steps shall be taken to prevent harassment from occurring or recurring. Loss of tangible job benefits shall not be necessary to establish harassment.

#### E. RECOGNIZING SEXUAL HARASSMENT

There is no typical profile of a sexual harasser. Anyone can be a harasser, regardless of his or her gender, age, sexual orientation, or job position, just as anyone can be the victim of sexual harassment. To help clarify what is or is not appropriate behavior in the workplace, employeemembers might ask these questions about their behavior or about the behavior of others:

- "If someone behaved this way toward my spouse, partner, child or parent, how would I feel about the behavior?"
- "Would I be embarrassed to see my remarks or behavior reported in the newspaper or described to my own family?"

If you answered "yes" to these questions, it is likely that the remarks or behavior are inappropriate in the work place.

Further, to help you recognize sexual harassment, consider the following:

• ~~Is the behavior directed toward persons of one gender only?~~

- Is the behavior repeated despite objections to harassment? Does it appear deliberate?
- Has the employeemember who is receiving the attention objected in any way? Is it unsolicited? Does it appear to be unwelcome?

Social behaviors, that are part of the interactions between people but not necessarily needed to get work accomplished, may or may not be appropriate. Some social behaviors are acceptable, and still others may be inappropriate for the work place. Under most circumstances, good manners are not regarded as sexual harassment. Good manners could include social behaviors that are part of society's rules of etiquette, such as:

- Opening doors
- Pulling a chair out
- Allowing "ladies first"

However, an employeemember or non-employeemember may carry such good manners to such an extremes ~~with an employee~~ that it results in annoying, embarrassing, or degrading that employeemember. This may result in inappropriate on-the-job behavior.

EmployeeMembers should consider that terms and behaviors used at home or with family members may not be appropriate on-the-job behavior. Calling female family members "girls" or male and female members "sweetie" mayis not ~~be~~ appropriate for on-the-job contacts regardless of the user's intent or the use of these terms at home with female employees and non-employees.

Additionally, employeemembers need not, and realistically cannot, be prohibited from non-work related social interactions, but it should be made clear that social relationships will not be permitted to interfere with work performance or business decisions.

F. RETALIATION

LAFD maintains a zero tolerance policy for retaliation. The Department prohibits retaliation against anyone who reports discriminatory activity, registers a complaint pursuant to the policy, assists in making a discrimination complaint, or who cooperates in an investigation. Any employeemember who makes a complaint regarding behavior the employeemember believes is sexual harassment; assists, testifies, or participates in any sexual harassment investigation or proceeding; or who opposes such conduct in the workplace, will not be adversely affected in the terms and conditions of his or her employment, and will not be discriminated against or discharged for engaging in such activity.

~~Retaliation is generally defined as~~ can take several forms including but not limited to harassing language, behavior or conduct, unwarranted punitive action, or acts of discrimination that are directed toward another employeemember, or such employeemember's family or friends, in response to an employeemember bringing a complaint alleging discrimination or harassment; or testifying on behalf of and/or in support of another employeemember who filed such a complaint; or advising another employeemember who has complained of discrimination or harassment; or assisting or participating in an investigation, proceeding, or hearing concerning an employeemember who has complained of discrimination or harassment. It can be as subtle as avoiding a person once you have found out that he or she filed a complaint, or as overt as going out of your way to treat the person who filed the complaint in a spiteful or vengeful way, such as joining other employeemembers in creating or contributing to ~~the~~ hostile work environment ~~in~~ of the unitworkplace to which the complainant is assigned.

Some examples of conduct that may violate the LAFD's retaliation policy include, but are not limited to, the following:

- Co-worker hostility ~~or~~ retaliatory harassment, ~~to include~~ ing but not limited to shunning, negatively impacting a co-workers' ability to perform their duties, intimidation, gossip, rumors, insults, or otherwise offensive conduct that would subject a person to public ridicule or humiliation;
- Any action or combination of actions that is reasonably likely to materially and adversely affect an employeemember's job performance or opportunity for advancement;
- Termination, demotion, disadvantageous transfers or assignments, refusals to promote, threats, reprimands, negative evaluations.

Complaints of retaliation will be promptly investigated by the Professional Standards Division. If retaliation is substantiated, appropriate disciplinary action, including termination~~possible dismissal~~, will be taken.

Acts of reprisal are unacceptable. Reprisal not only affects the recipient, but also can spread rapidly throughout the organizational unit. Reprisal or retaliation against an individual for lodging a complaint destroys faith in leadership and can damage the human relations climate and morale.

Every employeemember, whether witness, complainant or alleged harasser, ~~is expected to~~shall cooperate fully with every investigation. Confidentiality concerning complaints or investigations is maintained to the greatest extent possible in order to prevent embarrassment, further discrimination or harassment, or retaliation. Confidential or sensitive information obtained by any employeemember during the course of an official investigation, whether acquired as a witness, complainant, respondent, or representative, shall not be disclosed to others unless required by law. Concerns of individuals regarding confidentiality of information provided by them will be handled as sensitively as possible, and information shall not unnecessarily be disclosed to others.

However, employeemembers should be aware that the Fire Department~~LAFD~~ is required in certain circumstances to take preventive or corrective actions that may be inconsistent with an individual's desire that a report or certain behavior be kept completely confidential.

The preceding examples are provided to help all employeemembers of the Fire Department maintain a work environment free from unwelcome sexual overtures, advances, and coercion. All employeemembers and non-employeemembers are expected to adhere to a standard of conduct that is respectful to all employeemembers within the Department and the public we serve. Each employeemember must respect each person's individual dignity and right to work-free from fear of any harassment, discrimination, or retaliation.

## LAFD SEXUAL HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURES

### II. RESPONSIBILITIES AND CONSEQUENCES A. OFFICERS, MANAGERS AND SUPERVISORS Responsibilities

## II. RESPONSIBILITIES AND CONSEQUENCES

### A. OFFICERS, MANAGERS AND SUPERVISORS

#### Responsibilities

Officers, Managers and Supervisors are in key positions to make an impact in terms of immediately correcting inappropriate behavior in the workplace and ensuring that a discrimination free workplace is maintained. Therefore, the law has placed a greater responsibility on Officers, Managers and Supervisors to act when they observe or learn of a potential sexual harassment situation.

It is the responsibility of all Fire Department LAFD Officers, Managers and Supervisors to ensure that their organizational units are workplace is in full compliance with the Department's sexual harassment prevention policy and to take all necessary steps to prevent, stop and report sexual harassment. This includes setting the tone for a harassment-free work environment by informing new employees of the Department's policy, periodically reiterating this policy to all subordinate staff and journalizing these efforts, and ensuring that employees receive all mandated sexual harassment training and all related, distributed materials in accordance with the Fire Chief's direction.

Officers, Managers and Supervisors are responsible for informing employees about how to pursue their rights if harassed, including directing the members to the Fire Department's Complaint Tracking System, and promptly notifying and accessing the appropriate resources such as Operations Bureau, Professional Standards Division, Fire Commission Office, and or the Personnel Department for guidance and assistance in the proper handling of the complaint.

Officers, Managers and Supervisors who engage in sexual harassment or make submission to sexual favors a term or condition of an individual's employment will be subject to discipline up to and including termination dismissal if the allegation is substantiated. They also put themselves at risk for monetary damages (and potentially having to pay the full cost of their own defense) if an offended employee pursues the matter in litigation.

Officers, Managers and Supervisors are responsible for acts of sexual harassment between employees in the workplace if they know or should have known of the conduct, unless they can show that they took timely and appropriate action when they became aware of the situation. Ignorance is not an acceptable defense for inaction of an Officer, Manager or Supervisor if, through reasonable care and workplace monitoring, they should have been aware of the conduct.

## LAFD SEXUAL HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURES

### II. RESPONSIBILITIES AND CONSEQUENCES A. OFFICERS, MANAGERS AND SUPERVISORS Responsibilities (cont.)

Officers, Managers and Supervisors may also be responsible for sexual harassment by non-employeemembers where the officer, manager, or supervisor knew or should have known of the conduct, and failed to take timely and appropriate corrective action. In reviewing these cases, the extent of the eOfficer, Manager and Supervisor's control, and any other legal responsibility, which they may have with respect to the conduct of such non-employeemembers, will be taken into consideration.

Officers, Managers and Supervisors are responsible for ensuring the employeemembers' understanding of the Fire Department's zero tolerance policy towards sexual harassment. Officers, Managers and Supervisors shallmust:

- Provide a discrimination-free work environment and take proactive steps to communicate to the subordinates that sexual harassment in the workplace will not be tolerated or condoned;
- Take all complaints seriously and not shrug off or minimize the complaint, or otherwise discourage members from reporting such complaints.
- Immediately report to their chain of command and directly onto the Complaint Tracking System any sexual harassment complaints they have received, or any sexual harassment they have witnessed. Professional Standards Division (PSD) will act as the lead for the Department on any allegations of sexual harassment, and directions from them are to be strictly followed.
- Ensure that all of their subordinate employeemembers are informed of the Department's policy against sexual harassment and the process for reporting complaints both internally and with outside City offices and other agencies;
- Ensure that their subordinate employeemembers are not discouraged from filing any form of complaints (formal or informal) so that the complaints may be properly and thoroughly evaluated and investigated in a timely manner;
- Set an example by their own behavior and let others know by demonstrating that they support the Department's policy by and will takeing appropriate corrective action to stop and report if potential sexual harassment occurs;
- Ensure that all employeemembers attend and complete training, when mandated, to make them aware of (1) conduct that could be construed as sexual harassment and (2) the consequences of such conduct;