

WATERTOWN POLICE DEPARTMENT GENERAL ORDER



JOANNA W. VITEK
CHIEF OF POLICE

Effective Date: July 1, 2009	Rescinds: Amends:	Number: A-130
Subject: Sexual Harassment	Re-evaluationDate: July 2012	
Distribution: ALL PERSONNEL	Related CALEA Standards:	

This order consists of the following numbered sections:

1. Purpose
2. Policy
3. Definitions
4. Procedures
5. Training

1. PURPOSE

The purpose of this policy is to establish rules regarding sexual harassment within this department.

2. POLICY

It is the policy of this department to prohibit sexual harassment in any form. This document will provide employees with a mechanism for reporting and resolving allegations of sexual harassment and discrimination. This policy is to be utilized in conjunction with Article 19 of the City of Watertown's Personnel Policy.

3. DEFINITIONS:

a. **SEXUAL HARASSMENT:** Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct when:

- i. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- ii. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- iii. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

b. **TYPES OF SEXUAL HARASSMENT:**

- i. **QUID PRO QUO HARASSMENT:** A circumstance by which an employee is afforded a favorable employment action in exchange for a sexual favor. Examples:
 1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
 3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- ii. **HOSTILE WORK ENVIRONMENT:** A circumstance by which an employee is confronted with an environment involving sexually explicit language, photos, or conduct. Examples:
 1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
 3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

c. **SEXUAL HARASSMENT PROGRESSION:**

- i. **Non-Physical**
 1. Pressure for Dates
 2. Sexual Jokes
 3. Teasing
 4. Remarks

5. Questions
 6. Suggestive Looks/Gestures
 - ii. Physical/Non-Physical Intimidation:
 1. Sexual Favors
 2. Pinching
 3. Touching
 4. Phone Calls
 5. Blocking
 6. Cornering
 7. Sending Materials of Sexual Nature
 - iii. Physical/Bodily Harm
 1. Sexual Assault
 2. Attempted Sexual Assault
 - d. **SEXUAL DISCRIMINATION:** The disparate treatment of an employee with respect to work benefits, conditions, assignments, promotions, etc. based upon the gender of the employees unless such disparate treatment is necessary based upon some bona-fide occupational qualification i.e. undercover assignment where a male is necessary due to the nature of the infiltration.
4. **PROCEDURE:** Supervisors and all employees have an obligation to provide and maintain a work environment free of all harassment.
- a. **Reporting Requirements:** All employees within the department have an obligation to promptly report violations of this policy.
 - b. The department shall promptly investigate all complaints regarding harassment or discrimination regardless of origin.
 - c. Complaints should be made to an employee's immediate supervisor. If the immediate supervisor is involved in the allegation or the employee is uncomfortable with making a report to their immediate supervisor, they may by-pass the chain of command in order to report the harassment or discrimination.
 - d. Once an allegation is made steps should be taken to separate the involved employees while an investigation into the allegations is conducted. The separation should be undertaken in an equitable manner, which is non-punitive in nature. In no case will the complaining employee be forced to change assignments against his/her choice. The supervisor is required to immediately prevent future conduct which might continue or aggravate the allegation(s).
 - e. All allegations of sexual harassment or sexual discrimination shall be documented and forwarded up the chain of command to the Chief of Police.
 - f. All complaints of sexual harassment or discrimination shall be immediately investigated.
 - g. To the extent possible, the alleged victim of the sexual harassment shall be kept informed of the progress of the investigation.
 - h. At the conclusion of the investigation, the alleged victim and the accused employee should be informed of the conclusions reached by the investigation.
 - i. Where evidence is established to sustain a violation of this policy, immediate disciplinary action shall be taken against the offending employee in accordance with established procedures.
 - j. No employee shall be disciplined for reporting allegations of sexual harassment or discrimination unless such reporting was done falsely.
5. **TRAINING:** The department shall conduct appropriate training regarding sexual harassment and sexual discrimination for all employees that includes instruction on the reporting requirements . This training shall be documented for all employees .

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