



TODD HARMS
Fire Chief

Sacramento Metropolitan Fire District

10545 Armstrong Ave., Suite 200 • Mather, California 95655 • Phone (916) 859-4305 • Fax (916) 859-3715

AGENDA

**POLICY COMMITTEE – REGULAR MEETING
THURSDAY, JUNE 13, 2019 – 5:30 P.M.
SACRAMENTO METROPOLITAN FIRE DISTRICT
10545 Armstrong Avenue
Board Room – Second Floor
Mather, California**

COMMITTEE MEMBERS

Director Barnes
Director Clark
Director Goold

CALL TO ORDER

**PUBLIC OPPORTUNITY TO DISCUSS MATTERS OF PUBLIC INTEREST WITHIN
COMMITTEE'S SCOPE INCLUDING ITEMS ON OR NOT ON AGENDA**

CONSENT AGENDA

The Consent Agenda is acted upon with one motion unless a committee member requests separate discussion and/or action.

Page No.

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| 1. | Action Summary Minutes
Recommendation: Approve the Action Summary Minutes for meeting of March 14, 2019. | 2 |
|----|---|---|

ACTION ITEM

- | | | |
|----|---|---|
| 1. | Workplace Harassment (Melisa Maddux, HR Manager)
Recommendation: Approve the revision to the Workplace Harassment policy and refer to the full Board for approval. | 3 |
|----|---|---|

NEXT MEETING DATE: TBD

AGENDA ITEMS: TBD

ADJOURNMENT

Posted on June 10, 2019

Melissa Penilla, Clerk of the Board

* No written report



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ACTION SUMMARY MINUTES – REGULAR MEETING

POLICY COMMITTEE
THURSDAY, MARCH 14 – 5:30 P.M.
SACRAMENTO METROPOLITAN FIRE DISTRICT
10545 Armstrong Avenue
Board Room – Second Floor
Mather, California

CALL TO ORDER

The meeting was called to order at 5:31 p.m. by Director Goold. Committee members present: Barnes, Clark, and Goold. Committee members absent: None. Staff present: Chief Harms and Interim Clerk Dehoney.

PUBLIC COMMENT: None

CONSENT AGENDA

Action: Moved by Clark, seconded by Barnes, and carried unanimously by members present to adopt the Consent Calendar as follows:

1. **Action Summary Minutes**

Recommendation: Approve the Action Summary Minutes for meeting of October 11, 2018.

Action: Approved the Action Summary Minutes.

ACTION ITEM

1. **Election of Officers** (*Goold*)

Recommendation: Elect a Chair and Vice Chair to the Policy Committee for 2019.

Action:

- a) Moved by Barnes, seconded by Goold and carried unanimously to have Director Clark serve as Vice Chair for the 2019 calendar year.
- b) Moved by Clark, seconded by Barnes and carried unanimously to have Director Goold serve as Chair for the 2019 calendar year.

PRESENTATION ITEM

1. **Out of Class Pay – Non Suppression Policy** (*Melisa Maddux, HR Manager*)

Recommendation: Administrative Policy review is for informational purposes only, no action required.

Action: No action taken.

ADJOURNMENT

The meeting adjourned at 5:37 p.m.

Director Goold, Chair

Michelle Dehoney, Interim Clerk of the Board



Todd Harms
Fire Chief

Sacramento Metropolitan Fire District

10545 Armstrong Ave., Suite 200 • Mather, CA 95655 • Phone (916) 859-4300 • Fax (916) 859-3702

DATE: June 13, 2019
TO: Policy Committee
SUBJECT: Revision of Board Policy
Policy 01.005.02 - Workplace Harassment

TOPIC

Review the proposed changes to the current 01.005.02 Board Policy regarding Workplace Harassment.

DISCUSSION

Attached is the Workplace Harassment Policy that was approved by the Board on July 13, 2017. This policy was reviewed by the Human Resources Division, and new language has been added to address legal updates. The original policy and the newly revised policy are attached for your review.

RECOMMENDATION

Recommend the Policy Committee approve the revision to the Workplace Harassment policy and refer to the full Board for approval.

Submitted By:

Melisa Maddux
Human Resources Manager

Approved By:

Greg Casentini
Deputy Chief, Administration



Sacramento Metropolitan Fire District

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POLICY COMMITTEE MEETING AGENDA

THURSDAY, JUNE 13, 2019

ACTION ITEM #1

Workplace Harassment Policy

Revised Version

Sacramento Metropolitan Fire District

BOARD POLICY

POLICY TITLE: Workplace Harassment

OVERSIGHT: Administration

POLICY NUMBER: 01.005.03

EFFECTIVE DATE: 04/21/93

REVIEW DATE:

06/13/19

Background

The Sacramento Metropolitan Fire District (District) is committed to maintaining a work environment for all employees that is free of all forms of harassment, including sexual harassment. Discriminatory harassment based upon race, color, religious creed, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status of any person, is unlawful under the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Genetic Information Nondiscrimination Act of 2008, including amendments to the law under California's Fair Employment and Housing Act.

Purpose

To create and maintain a work environment free from any conduct which falls under the definition of workplace harassment and discrimination. The District is committed to educating employees through training, orientation and literature.

Scope

This policy applies to all employees and/or individuals in any District workplace or worksite location, or persons providing services to the District.

Definitions

1. **Workplace Harassment:** Any form of unwanted or unwelcomed behavior ranging from unpleasant remarks to physical violence.
2. **Workplace Discrimination:** Any form of unwanted or unwelcomed behavior based upon race, color, religious creed, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status..
3. **Sexual Harassment:** Any form of unwanted or unwelcomed sexual advances, requests for sexual favors, visual, verbal or physical conduct of a sexual nature. There are two types of sexual harassment: quid pro quo and hostile work environment.
4. **Quid Pro Quo (this for that) Harassment:** A form of unlawful sexual discrimination that occurs when a person with the power to influence an employment decision or condition seeks a sexual favor in return for a positive outcome. Quid pro quo harassment occurs when submission to or rejection of such conduct by an individual is used as the basis for employment decisions.

5. **Hostile Work Environment:** Any unwelcomed or unsolicited speech that unreasonably interferes with an individual's work, or has the effect of creating an intimidating, hostile or offensive working environment. It is conduct that both a reasonable person would find hostile or abusive and the person who is the object of the harassment perceives to be hostile or abusive.
6. **Retaliation:** Conduct causing any interference, coercion, restraint or reprisal against a person complaining of harassment or participating in the resolution of a complaint.

Policy

1. The District shall comply with state and federal laws regarding unlawful harassment, discrimination, and retaliation.
2. Employees will not engage in workplace harassment as defined in this policy.
3. The work environment will remain free from unlawful discrimination, sexual harassment, and intimidation, including but not limited to, visual, verbal and physical harassment.
4. Unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature constitute sexual harassment when submission to such conduct:
 - a. either explicitly or implicitly is a term or condition of employment status, or the basis for employment decisions.
 - b. has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
5. Inappropriate conduct between a non-employee and an employee may also constitute workplace harassment.
6. Employees who violate this policy are subject to disciplinary action up to and including termination of employment.

Procedures

1. It is the responsibility of each employee to conduct themselves in such a manner as to contribute to an environment free of workplace harassment.
2. Employees have a duty to report unlawful discrimination and/or workplace harassment to their chain of command or the Human Resources Division.
3. Employees performing in any type of management capacity have a special responsibility to administer this policy, and must take the lead role in preventing

- and/or correcting identifiable instances of unlawful discrimination and/or workplace harassment.
4. Managers are responsible for counseling employees, when appropriate, to prevent and/or correct workplace harassment.
 5. All supervisory personnel shall take at least two hours of interactive training, and at least one hour of interactive training for nonsupervisory employees in any two year period in Workplace Harassment, including but not limited to the following areas:
 - a. Definition of workplace harassment
 - b. Unlawful discrimination
 - c. Obligation to promptly investigate any report of unlawful discrimination
 - d. Confidentiality
 - e. Applicable federal, California state and local laws
 - f. District policy on workplace harassment and retaliation
 - g. Harassment prevention and correction
 - h. Remedies available to victims
 - i. Appropriate disciplinary actions
 6. All employees shall be provided training in the following areas:
 - a. Definition of workplace harassment
 - b. District policy on workplace harassment and retaliation
 - c. Employee rights
 - d. How to report workplace harassment
 - e. Penalties associated with retaliation
 7. The District policy for Workplace Harassment shall be discussed and distributed during new employee orientations.
 8. All initial and/or refresher training on Workplace Harassment shall be coordinated between the Human Resources Division and the Training Division.
 9. A hostile work environment is determined by considering all circumstances, including the frequency of the alleged harassing conduct, its severity, whether it is physically threatening or humiliating, and whether it unreasonably interferes with an employee's work performance.
 10. Anyone who feels that they have been subjected to unlawful discrimination and/or sexual or workplace harassment has the option of utilizing either a formal or an informal resolution process as follows:

- a. Informal options include:
 - I. Speaking directly and in confidence with the offending individual, or writing a letter asking that person to stop the objectionable behavior or conduct.
 - II. Speaking with a member of management confidentially for guidance on the problem.
 - III. Resolving the offending conduct informally with the help of a third party who does not have a supervisory or management position, such as a peer.
 - b. Formal options include:
 - I. Reporting perceived violations to the chain of command.
 - II. If the offender is within the chain of command, perceived violations should be reported to the Human Resources Division.
 - III. Reporting perceived violations using the Unlawful Discrimination Hotline at (916) 202-1835.
11. The District shall promptly, confidentially, and impartially investigate any complaints of workplace harassment or retaliation.
 12. Any interference, coercion, or intentional misrepresentation during an investigation process shall be grounds for disciplinary action, up to and including, termination of employment.
 13. The District will keep the complainant, and any subject of the complaint apprised of the investigation into the allegations. Upon completion of the harassment investigation the District will provide, as allowed by law, notice of its findings within a reasonable time period of completion, and provide an opportunity to the complainant to meet with the District and discuss those findings.
 14. Any form of retaliation against an employee complaining of workplace harassment will not be tolerated. Such actions violate this policy, and will result in appropriate disciplinary action, up to and including, termination of employment.

References

1. California Fair Employment and Housing Act
2. Title VII of the Civil Rights Act of 1964
3. Age Discrimination Act of 1967 (ADEA)
4. Americans with Disabilities Act of 1990

5. Genetic Information Nondiscrimination Act of 2008
6. Government Code 12950, relating to employment



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POLICY COMMITTEE MEETING AGENDA

THURSDAY, JUNE 13, 2019

ACTION ITEM #1

Workplace Harassment Policy

Current Version

Sacramento Metropolitan Fire District

BOARD POLICY

POLICY TITLE: Workplace Harassment

OVERSIGHT: Administration

POLICY NUMBER: 01.005.02

EFFECTIVE DATE: 04/21/93

REVIEW DATE: 07/13/17

Background

The Sacramento Metropolitan Fire District (District) is committed to maintaining a work environment for all employees that is free of all forms of harassment, including sexual harassment. Discriminatory harassment based upon race, color, religion, sex, or national origin is unlawful under the Civil Rights Act of 1964. Further amendments to that law, and protection under California's Fair Employment and Housing Act, have expanded unlawful discrimination to include age, veteran status, denial of family and medical care leave, mental and physical disability (including HIV and AIDS), marital status, medical condition (cancer and genetic characteristics), or sexual orientation.

Purpose

To create and maintain a work environment free from any conduct which falls under the definition of workplace harassment and discrimination. The District is committed to educating employees through training, orientation and literature; and, revising the workplace harassment policy as required.

Scope

This policy applies to all employees and/or individuals in any District workplace or worksite location, or persons providing services to the District.

Definitions

1. **Workplace Harassment:** Any form of unwanted or unwelcomed behavior ranging from unpleasant remarks to physical violence.
2. **Workplace Discrimination:** Any form of unwanted or unwelcomed behavior based upon age, veteran status, denial of family and medical care leave, mental and physical disability (including HIV and AIDS), marital status, medical condition (cancer and genetic characteristics), or sexual orientation.
3. **Sexual Harassment:** Any form of unwanted or unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. There are two types of sexual harassment; quid pro quo and hostile work environment.
4. **Quid Pro Quo (this for that) Harassment:** A form of unlawful sexual discrimination that occurs when a person with the power to influence an employment decision or condition seeks a sexual favor in return for a positive outcome. Quid pro quo harassment occurs when submission to or rejection of such conduct by an individual is used as the basis for employment decisions.

5. **Hostile Work Environment:** Any unwelcomed or unsolicited speech that unreasonably interferes with an individual's work, or has the effect of creating an intimidating, hostile or offensive working environment. It is conduct that both a reasonable person would find hostile or abusive and the person who is the object of the harassment perceives to be hostile or abusive.
6. **Retaliation:** Conduct causing any interference, coercion, restraint or reprisal against a person complaining of harassment or participating in the resolution of a complaint.

Policy

1. The District shall comply with state and federal laws regarding unlawful harassment, discrimination, and retaliation.
2. Employees will not engage in workplace harassment as defined in this policy.
3. The work environment will remain free from unlawful discrimination, sexual harassment, and intimidation, including but not limited to, verbal and physical harassment.
4. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to such conduct:
 - a. either explicitly or implicitly is a term or condition of employment status, or the basis for employment decisions.
 - b. has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
5. Inappropriate conduct between a non-employee and an employee may also constitute workplace harassment.
6. Employees who violate this policy are subject to disciplinary action up to and including termination of employment.

Procedures

1. It is the responsibility of each employee to conduct him or herself in such a manner as to contribute to an environment free of workplace harassment.
2. Employees have a duty to report unlawful discrimination and/or workplace harassment to their chain of command or the Human Resources Division.
3. Employees performing in any type of management capacity have a special responsibility to administer this policy, and must take the lead role in preventing and/or

- correcting identifiable instances of unlawful discrimination and/or workplace harassment.
4. Managers are responsible for counseling employees, when appropriate, to prevent and/or correct workplace harassment.
 5. All supervisory personnel shall take at least two hours of interactive training in any two year period in Workplace Harassment, including but not limited to the following areas:
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References

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2. Title VII of the Civil Rights Act of 1964