

NORTH YORK FIRE DEPARTMENT

Keswick Valley & Millville New Brunswick
www.northyorkfire.com



ANNEX F

Abuse & Harassment Policy

APPLICATION

This policy applies to volunteers, staff members, contractors, fee for service individuals involved with the fire department at any level.

For the purposes of this policy, harassment in the workplace includes **personal and sexual harassment, poisoned work environment and abuse of authority**. It is the policy of the North York Fire Department to maintain a working environment free from any discrimination and to prohibit abuse and harassment among its membership and visitors.

4.1 Personal Harassment

Personal harassment means any objectionable or offensive behavior that is known or ought reasonably to be known to be unwelcome. It includes objectionable conduct, comment or display made on either a one-time or continuous basis that demeans, belittles, or causes personal humiliation or embarrassment.

Without limiting the above, personal harassment includes harassment on the basis of the following grounds of discrimination: race, color, religion, national origin, ancestry, place of origin, age, physical disability, mental disability, marital status, sexual orientation or sex.

4.2 Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's membership;
- Submission to or rejection of such conduct is used as a basis for any membership decision affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with a member's work performance or of creating an intimidating, hostile or offensive work environment.

Examples of behavior that can constitute sexual harassment include, but are not limited to:

- unwanted touching, patting or leering;
- sexual assault;
- inquiries or comments about a person's sex life;
- telephone calls with sexual overtones;

- gender-based insults or jokes causing embarrassment or humiliation.
- repeated unwanted social or sexual invitations; and
- inappropriate or unwelcome focus/comments on a person's physical attributes or appearance.

4.3 Poisoned Work Environment

A **poisoned work environment** is characterized by an activity or behaviour, not necessarily directed at anyone in particular, that creates a hostile or offensive workplace. Examples of a poisoned work environment include but are not limited to: graffiti, sexual, racial or religious insults or jokes, abusive treatment of a member and the display of pornographic or other offensive material.

4.4 Abuse of Authority

Harassment also includes **abuse of authority** where an individual **improperly** uses the power and authority inherent in a position to endanger a person's membership, undermine the performance of duties, or in any way interfere with or influence a person's membership. It is the exercise of authority in a manner which serves no legitimate fire department related purpose and ought reasonably to be known to be inappropriate. Examples of abuse of authority include, but are not limited to, such acts or misuse of power as intimidation, threats, blackmail or coercion.

4.5

The **workplace** includes but is not limited to the physical fire hall site, washrooms, training sessions, department travel, conferences, department related social gatherings, the firefighter's home or fire hall, fire, accident, or rescue scenes, etc.

Any member, who believes that a superior, subordinate, or peer has subjected themselves to discrimination and/or harassment, should promptly report such incident(s) to their immediate superior officer and/or to the Fire Chief.

Officers who perceive any indications of possible discrimination and/or harassment in their area of responsibility will contact their Fire Chief. All information disclosed will remain confidential, unless otherwise authorized by the member providing the information, or to the extent necessary to notify the appointing authority in connection with the complaint investigated. All complaints and allegations will be fully investigated and where necessary, appropriate disciplinary action, including termination, will be taken.

Discrimination and/or harassment and related behavior in the fire department are inexcusable, inappropriate and will not be tolerated. This policy is consistent with the business objectives and practices of the North York Fire Department and in conjunction with applicable federal and provincial laws and regulations.

The abuse of one's authority or position, to intimidate, coerce, or harass is forbidden. The Fire Chief and officers are responsible for their members' work environment.

This policy will be observed and adhered to by all members and individuals under the jurisdiction of the North York Fire Department.

Further, this statement of policy shall be disseminated annually to all members of the North York Fire Department and will be posted for public display in a prominent location within the fire hall and easily accessible to all members and visitors.

Responsibility and authority for ensuring compliance and continued implementation of this policy rests with the Fire Chief of the North York Fire Department. The Fire Chief will ensure that all his officers share in this responsibility. Any member or applicant for membership with the North York Fire Department who believes he/she has been discriminated against and/or harassed should advise or inform the Fire Chief or an officer in writing. If the complaint is not handled in a timely fashion by the Fire Chief or involves the Fire Chief, the file shall be handled by the LSM.

The Fire Chief will ensure members have access to information on appropriate workplace behavior and volunteers' rights and responsibilities. The Department of Environment and Local Government will assist the Fire Chief, or any member of the fire department, in obtaining any additional information if deemed necessary.

The Fire Chief will encourage members to attend information and/or training sessions on workplace abuse, harassment, and discrimination.

This policy comes into effect immediately.