

**ORLANDO POLICE DEPARTMENT POLICY AND PROCEDURE**  
**1608.0, HARASSMENT IN THE WORKPLACE**

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CHIEF OF POLICE:	JOHN W. MINA

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**POLICY:** It is the policy of the Orlando Police Department that all employees have the right to work in an environment free of all forms of harassment. This agency will not tolerate, condone or allow harassment of its employees by other employees, volunteers, or other nonemployees who conduct business with this agency. The Department considers harassment and discrimination of others a form of serious employee misconduct, and shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment and discrimination. A violation of this policy can lead to discipline up to and including termination, with repeated violations, even if "minor," resulting in greater levels of discipline as appropriate.

PROCEDURES:

**1. DEFINITIONS**

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct based on the employee's gender when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
- b. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment include, but are not limited to, lewd or sexually suggestive comments; off-color language or jokes of a sexual nature; slurs and other verbal, graphic, or physical conduct relating to an individual's sex or sexual preference; or any display of sexually explicit pictures, greeting cards, articles, books, magazines, photos, or cartoons.

Racial Harassment: Verbal or physical conduct of a racial nature or with negative or stereotypical racial overtones.

Examples of racial harassment include, but are not limited to, racially suggestive comments; off-color language or jokes of a racial nature; slurs, and other verbal, graphic, or physical conduct relating to an individual's race or ethnic origin; or any display of racially derogatory pictures, greeting cards, articles, books, magazines, photos, or cartoons.

**2. PROHIBITED ACTIVITY**

No employee shall either explicitly or implicitly ridicule, mock, deride, or belittle any person.

Employees shall not make offensive or derogatory comments to any person, either directly or indirectly, based on race, color, sex, religion, age, disability, or national origin. Such harassment is a prohibited form of discrimination under state and federal employment law and/or is also considered misconduct subject to disciplinary action by this Department.

Individuals covered under this policy include agency members defined as employees and applicants for employment with the agency, whether sworn, regular, reserve or civilian, and all volunteers.

### **3. EMPLOYEE RESPONSIBILITIES**

#### **3.1 MANAGERS' AND SUPERVISORS' RESPONSIBILITIES**

Each manager and supervisor shall be responsible for preventing acts of harassment. This responsibility includes:

- a. Monitoring the unit work environment on a daily basis for signs that harassment may be occurring;
- b. Counseling all employees on the types of behavior prohibited, and the agency procedures for reporting and resolving complaints of harassment;
- c. Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision; and
- d. Taking immediate action to prevent retaliation towards the complaining party and to eliminate the hostile work environment where there has been a complaint of harassment.

Failure to carry out these responsibilities will be considered in any evaluation or promotional decision and may be grounds for discipline.

Each manager and supervisor shall assist any employee of this agency who comes to that manager or supervisor with a complaint of harassment, in documenting and filing the complaint in accordance with Section 4.

#### **3.2 GENERAL**

Each employee is responsible for assisting in the prevention of harassment through the following acts:

- a. Refraining from participation in, or encouragement of, actions that could be perceived as harassment;
- b. Reporting acts of harassment to a supervisor; and
- c. Encouraging any employee who confides that he or she is being harassed or discriminated against to report these acts to a supervisor.

### **4. COMPLAINT PROCEDURES**

Any employee encountering harassment is encouraged to inform the offending person that his/her actions are unwelcome and offensive. The employee is encouraged to document all incidents of harassment to provide the fullest basis for any subsequent investigation.

Any employee who believes that he/she has been subjected to harassment within the context of this policy shall immediately report the incident to a supervisor or manager. Should the employee prefer not to discuss the incident with a supervisor or manager within his/her own chain of command, the initial complaint may be brought directly to the attention of any supervisor or manager in the Department, or the Internal Affairs Section.

Any supervisor or manager receiving such a complaint shall contact the Internal Affairs Section Manager. The Internal Affairs Section Manager shall decide if the complaint shall be handled formally with an INOI, or informally (i.e., supervisor's or manager's intervention, counseling, and documentation). In making that determination, the Internal Affairs Section Manager shall consider the following:

- a. The wishes of the offended employee;
- b. The seriousness of the alleged harassing behavior; and,
- c. Past disciplinary actions.

## 5. RETALIATION

Retaliation against any employee for filing a harassment or discrimination complaint, or for assisting, testifying, or participating in the investigation of such a complaint, is illegal and is prohibited by this agency and by federal statutes.

Retaliation is a form of employee misconduct. Any evidence of retaliation shall be considered a separate violation of this policy and shall be investigated by Internal Affairs.

Monitoring to ensure that retaliation does not occur is the responsibility of all managers, supervisors, and the Internal Affairs Section. Instances of retaliation shall immediately be reported to Internal Affairs.

## 6. TRAINING

Formal training concerning harassment and discrimination in the workplace shall be provided to all newly hired nonsworn employees within six months of their employment date. Supervisors will contact the Training Section to schedule the training.

Newly hired sworn members will be provided with such training during orientation. Individuals who are hired as temporary civilian employees to attend the police academy shall be provided training about harassment and discrimination during the pre-academy training.

The In-Service Training Unit will schedule refresher training in harassment and discrimination for all employees on a regular basis.