

Gatlinburg Firefighters Association

ANTI-DISCRIMINATION & EQUAL EMPLOYMENT OPPORTUNITY POLICY

1. PURPOSE

- 1.1** Gatlinburg firefighters association (hereinafter noted as GFA) aims to provide an environment where employees and others in the workplace are treated fairly and with respect, and are free from unlawful discrimination, harassment, and bullying.
- 1.2** GFA aims to ensure that when employment decisions are made, they are based on merit, not on irrelevant attributes or characteristics that an individual may possess. GFA also tries to create a work environment which promotes good working relationships.

2. COMMENCEMENT OF POLICY

- 2.1** This policy will commence from February 2, 2015. It replaces all other anti-discrimination & equal opportunity employment policies (whether written or not).

3. APPLICATION OF POLICY

- 3.1** This policy applies to all employees, agents, and contractors of GFA.
- 3.2** This policy is not limited to the workplace or work hours. This policy extends to all functions and places that are work related.

4. EQUAL EMPLOYMENT OPPORTUNITY POLICY LAWS

- 4.1** Under EEO laws, discrimination, vilification, sexual harassment, bullying and victimization are unlawful and strictly prohibited.

5. DISCRIMINATION

- 5.1** Direct discrimination in employment occurs when a person is treated less favorably than another in their employment because of a reason or ground which is prohibited by law. The prohibited grounds of discrimination are set out in the federal, state and territory anti-discrimination laws and include sex, race, age, and handicap. A full list as noted below.

- Race
- Sex
- Pregnancy
- Careers responsibility. Family
- Religious belief, affiliation, conviction, or activity
- Marital status, domestic status, relationship status
- Homosexuality, transsexuality, sexuality, sexual preference/orientation, lawful sexual activity, gender identity
- Disability/impairment, including physical

6. HARASSMENT

6.1 DEFINITION

A. Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information, or sexual preference. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of EEOC laws.

6.2 TYPES OF HARRASSMENT

- Sexual
- Racial
- Gender
- Age
- Religion
- National origin
- Disability
- Sexual preference

6.3 MAKING HARASSMENT COMPLAINTS

- A.** Any employee that believes that he/she has been victim of harassment by an employee of GFA, or any third person with knowledge or belief of conduct, which may constitute harassment, is obligated to report the alleged act(s) immediately to an appropriate GFA board of directors' official. GFA will respect the confidentiality of the complainant, and the individual(s) against whom the complaint is filed consistent with GFA's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action when the conduct has occurred. GFA will not tolerate the harassment of its employees, participants, and contractors. GFA will take immediate, and positive steps to stop harassment when it is reported.
- B.** The president of GFA shall designate the person to investigate complaints of harassment by or against any employee, participant or contractor.

6.4 INVESTIGATION OF COMPLAINTS

- A.** When any employee, participant, or contractor of GFA makes an allegation of harassment, the person to whom the complaint is made shall immediately notify the president of GFA board of directors.
- B.** The person designated by the president shall make a written record of the investigation.
- C.** Upon completion of the investigation, the investigator shall prepare a written report and present writings to the president of GFA.

6.5 ACTION ON COMPLAINTS OF HARRASSMENT

- A.** Upon receipt of the report of investigation, the president shall immediately review the report. If the president feels the report is not complete in some respect, he/she may question the complainant, the person against which the complaints have been made, and witnesses to the alleged conduct.
- B.** The president may call a special meeting to address the results of the investigation.
- C.** The board of directors of GFA shall determine disciplinary action consistent with the nature of the complaint, investigation findings, and severity of the incident.

6.6 OBLIGATION OF EMPLOYEE

- A.** Employees are not only encouraged to report instances of harassment; they are obligated to report them. Employees are also obligated to cooperate in the investigation of harassment. Employees are also obligated to refrain from making bad faith accusations of harassment.
- B.** All management personnel are to see that this policy is enforced in their area of responsibility and bring all incidents they may have knowledge of to the attention of the president.