

SPRINGFIELD POLICE DEPARTMENT

Standard Operating Guideline

Effective Date: 10/06/2015	Supersedes Policy Dated: 10/15/2014	Rescinds:	SOG Number: 103.12
Accreditation Index: 26.1.3			
Part Title: Administration		Chapter Title: Standards of Conduct	
Chief of Police:			

Workplace Harassment

I Policy

The purpose of this directive is to establish and maintain a healthy working environment and to provide procedures for reporting, investigating, and resolving complaints of all forms of harassment; including sexual harassment.

It is the policy of the Springfield Police Department that all employees have the right to work in an environment that is free of all forms of harassment. Harassment, in any form, will not be tolerated and necessary action will be taken to prevent and /or remedy any reported incidents of harassment. In particular, sexual harassment will result in vigorous intervention and severe disciplinary action.

II Definitions

SEXUAL HARASSMENT: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitute sexual harassment when (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 working environment.

UNLAWFUL HARASSMENT: Conduct that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

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III Procedure

1 PROHIBITED ACTIVITY

- 1.1 No employee shall maliciously ridicule, mock, or belittle any person.
- 1.2 No employee shall make offensive or derogatory comments based on race, sex, religion, or national origin either directly or to a third party.
- 1.3 No employee shall sexually harass another person.
- 1.4 Fraternalization Restricted-Protected Classes
 - 1.4.1 Employees, Police Cadets, Interns, and volunteers who are less than 21 years of age are considered a protected class of persons within the department. They are entrusted to us for direction, guidance, and assistance. Employees shall avoid inappropriate on-duty or off-duty relationships with this class of persons. Employees who develop such relationships are subject to disciplinary action.
 - 1.4.1(a) Inappropriate is defined as a relationship that involves sexual intimacy or dating.
 - 1.4.1(b) Cadet supervisors and Cadet commanders are not prohibited from dating other cadets however cadets have the same rights to complain of inappropriate conduct as any employee.
 - 1.4.2 Also protected is a group or person that, by the nature of their position is here for learning/developing experience or on the job training.
 - 1.4.2(a) Examples include but are not limited to:
Police Academy trainees, officer trainees participating in the Field Training and Evaluation program engaged in relationships with supervisors, FTO's or other officers who evaluate or could be in a position to affect the evaluation of the new officer.
 - 1.4.3 This policy is not intended to affect relationships that existed prior to one or both parties becoming affiliated with the Department, providing that the pre-existing relationship is disclosed at the time of hiring nor would it apply to relationships that began prior to adoption of the policy.
- 1.5 Retaliation in any form against an employee for filing a harassment complaint or for assisting, testifying, or participating in the investigation of such complaint is strictly prohibited.
- 1.6 Displays of inappropriate posters, cartoons, other illustrations or photographs bearing sexual, suggestive, or improper content in offices at headquarters, substations, or undercover offices.

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- 1.7 Use of sexual terminology, phrases, or the telling of jokes may be offensive or insensitive to some people. It is the responsibility of the speaker to ensure that anything said will not be heard by any person who may be offended.
 - 1.7.1 Professional terminology pursuant and necessary to an investigation is NOT restricted in any manner.
- 1.8 False accusations of workplace harassment are viewed to be as severe a form of misconduct as the harassment itself. Fabrications or false statements made in such cases will be thoroughly investigated and, if sustained, will be met with severe disciplinary action.

2 EMPLOYEE RESPONSIBILITIES

- 2.1 Employees who encounter harassment should tell the harasser that their actions are unwelcome and offensive.
- 2.2 Employees may wish to report the incident to either:
 - 2.2.1 Their immediate supervisor
 - 2.2.2 Director of Human Resources (ext. 1600)
 - 2.2.3 A supervisor other than their direct supervisor
 - 2.2.4 Chief of Police
- 2.3 Nothing in the policy should be construed as to prohibit, inhibit, or restrict the right of an employee from filing a complaint or grievance with an appropriate outside agency.

3 SUPERVISOR'S RESPONSIBILITIES

- 3.1 Supervisors who receive a complaint of harassment shall: ¹
 - 3.1.1 Document the allegations from the reporting party and any other relevant information;
 - 3.1.2 Explain to the involved employee such conduct may violate Standard Operating Guidelines and/or policies of the City of Springfield;
 - 3.1.3 Notify the chain of command and determine if a temporary reassignment of the involved employee is required pending an investigation;
 - 3.1.4 Forward the complaint to the Director of Human Resources;
 - 3.1.5 Document the results of the investigation, as appropriate, in the involved employee's Performance Documentation File and ensure any resulting disciplinary/corrective action is carried out.
- 3.2 Supervisors shall assume responsibility for preventing harassment by: ²

¹ Section 3.1 revised, supervisor's responsibilities clarified, per Policy Change Order 15-038.

² Section previously numbered 3.2 was deleted, subsequent section (previously 3.3) was renumbered, per Policy Change Order 15-038.

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- 3.2.1 Educating employees about harassment, department and city policies, and procedures for resolving such problems;³
- 3.2.2 Monitoring their commands for signs of harassment or prohibited activity and taking appropriate intervention action;⁴
- 3.2.3 Isolating employees involved in such an incident from continued work contact through re-assignment, pending completion of the investigation. Care should be taken to ensure that this is NOT perceived by the complainant as a disciplinary action against them.⁵

4 INSPECTIONS AND INTERNAL AFFAIRS RESPONSIBILITIES

- 4.1 The IIAU Supervisor shall record and log any such complaint and shall direct an investigation alleging workplace or sexual harassment as provided in [SOG 103.10 – Disciplinary Investigation Process](#).⁶

IV Attachment

3 Section 3.2.1 (previously 3.3.1) revised, punctuation correction, per Policy Change Order 15-038.

4 Section 3.2.2 (previously 3.3.2) revised, minor wording change, per Policy Change Order 15-038.

5 Section 3.2.3 (previously 3.3.3) revised, spelling corrections, per Policy Change Order 15-038.

6 Section 4.1 revised, punctuation change, per Policy Change Order 15-038.