

**Lower Providence Township Police Department
Eagleville, Pennsylvania**

General Order ☒
Special Order ☐
Personnel Order ☐

ORDER NUMBER

111

Subject

Harassment and Discrimination in the Workplace

Date of Issue

January 28, 2020

Effective Date

January 28, 2020

Expiration Date

**Until Amended or
Rescinded**

Issued by:

Michael Jackson, Chief of Police

Amends

Rescinds

All Previous Orders

Standard Number:

1.8.2

Distribution

- 1. General Order Manuals**
- 2. Records Manual**
- 3. Reading Verification to all Personnel**

I PURPOSE

The purpose of this order is to maintain a healthy work environment in which all individuals are treated with respect and dignity and to provide procedures for reporting, investigating, and resolving complaints of harassment and discrimination. It is stressed that the Lower Providence Township Police Department will not tolerate harassment or discrimination of any type. Federal law provides for the protection of classes of persons based on race, color, sex, religion, age, disability and national origin. Not protected by federal law but also protected by this order are persons based on their sexual orientation.

II POLICY

It is the policy of the Lower Providence Township Police Department to uphold Title VII of the Civil Rights Act of 1964, ensuring 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 by employees (whether sworn or civilian), volunteers, or other non-employees who conduct business with this agency. This department considers harassment and discrimination of others a form of serious employee misconduct. Therefore, the agency shall take direct and immediate action to prevent such behavior and to remedy all reported instances of harassment and discrimination. Any violations of this policy can lead to discipline up to and including termination, with repeated violations, even "minor," resulting in greater levels of discipline as appropriate.

III DEFINITIONS

- A. Department – Lower Providence Township Police Department.
- B. Employee - Department personnel, whether sworn, civilian, or volunteer.

- C. Sexual Harassment - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
 2. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
 3. 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.

IV REGULATION

A. Prohibited Activity

1. No employee shall either explicitly or implicitly ridicule, mock, deride or belittle any person. Examples of such behavior include (but are not limited to) the following:
 - a. repeated insults or abusive comments
 - b. teasing that creates discomfort or tension
 - c. verbal abuse
 - d. assignment of the employee to complete demeaning types of tasks that are otherwise not in an employee's job description
 - e. assignment to stereotypical duties
2. Based on race, color, sex, religion, age, disability, sexual orientation, or national origin, no employee shall repeatedly harass or make offensive, derogatory, abusive, belittling, or demeaning comments, either directly or indirectly, to another. 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 the Department.
3. Employees shall refrain from all behavior that could be considered sexual harassment. In addition to those behaviors already described in the 'DEFINITIONS' section of this General Order, other examples of sexual harassment could include (but are not limited to) the following:
 - a. sexual jokes, gestures, or innuendoes
 - b. sexual stereotyping
 - c. displays of sexual devices or sexually suggestive things
 - d. creation of an atmosphere where swearing or sexually oriented language is regularly heard
 - e. unwelcome and/or unsolicited touching
 - f. suggestive or demeaning looks or leering.
4. Employees do not have to endure racial slurs, sexual innuendoes, or other abusive or discriminating comments made by the public. While law enforcement duties do require extraordinary patience in the face of certain inflammatory acts by people, it is clear that harassment of Department employees is not acceptable.

B. Employee Responsibilities

1. Each 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 department 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;
 - 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, pending investigation.
 1. If a situation requires separation of the parties, care should be taken to avoid actions that appear to punish the complainant.

2. Transfer or reassignment of any of the parties involved should be voluntary pending the outcome of the investigation.
 - e. Failure to carry out these responsibilities may be grounds for discipline.
 2. Each supervisor has the responsibility to assist any employee who comes to that supervisor with a complaint of harassment in documenting and filing a complaint with Command personnel or other investigatory authority.
 3. Each employee of the Department 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. Failure of an employee to carry out the above responsibilities may be grounds for discipline.
- C. Complaint Procedures
 1. Any employee encountering harassment is encouraged to inform the person that his/her actions are unwelcome and offensive. The employee is encouraged to document all incidents of harassment in order to provide the fullest basis for investigation.
 2. Any employee who believes that he/she is being harassed shall report the incidents as soon as possible so that steps may be taken to protect the employee from further harassment, and so that appropriate investigative and disciplinary measures may be initiated. Where doing so is not preferred, the employee may instead file a complaint with another supervisor, with any Command personnel, with the Chief of Police, or with the Township Manager.
 - a. The supervisor or other person to whom a complaint is given shall meet with the employee and document the incident(s) complained of, the person(s) performing or participating in the harassment, any witnesses to the incident(s) and the date(s) of occurrence.
 - b. The employee taking the complaint shall promptly submit a confidential memorandum documenting the complaint to the appropriate investigative authority.
 3. Command personnel shall be responsible for investigating any complaint alleging harassment or discrimination.
 - a. The investigating authority shall immediately notify the Chief of Police.
 - b. The District Attorney's Office shall immediately be notified if the complaint contains evidence of criminal activity.
 - c. The investigator shall include a determination as to whether other employees are being harassed by the person, and whether other Department members participated or encouraged the harassment.
 - d. The investigator shall inform the parties involved of the outcome of the investigation.
 - e. A file of harassment and discrimination complaints shall be maintained in a secure location. The Chief of Police shall be provided with a summary of these complaints.
 4. There shall be no retaliation against any employee for filing harassment or discrimination complaint, or for assisting, testifying, or participating in the investigation of such a complaint.
 5. The complaining party's confidentiality will be maintained throughout the investigation to the extent practical and appropriate under the circumstances.
 6. Complainants or employees accused of harassment may file a grievance or appeal in accordance with the Department's procedures when they disagree with the investigation or disposition of a harassment claim.
 7. This policy does not preclude an employee from filing a complaint or grievance with an appropriate outside agency.
- D. Retaliation
 1. 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 Department and by federal statutes.
 2. Retaliation is a form of employee misconduct. Any evidence of retaliation shall be considered a separate violation of this General Order and shall be handled by the same complaint procedures established for harassment and discrimination complaints.

3. Monitoring to ensure that retaliation does not occur is the responsibility of the Chief of Police, all Command personnel, and all supervisors.

Michael Jackson

Michael Jackson
Chief of Police