



**CHEVY CHASE  
VILLAGE  
POLICE  
DEPARTMENT**

Police Chief: John Fitzgerald

**GENERAL ORDER: 4-25 HARASSMENT IN THE WORKPLACE**

DATE: 6/13/2019    Pages: 2    ◇    New    ◆    Amended

DISTRIBUTION:    All Personnel

**I. PURPOSE**

To maintain a healthy work environment and to provide procedures for reporting, investigating and resolving complaints of harassment, sexual or otherwise.

**II. POLICY**

It is the policy of the Chevy Chase Village that employees have the right to work in an environment free from all forms of harassment. The Village does not condone, and will not tolerate harassment in any form. Harassment is generally defined as behavior which creates a work environment that a reasonable person would find "hostile or abusive". Therefore, the Village shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment, sexual or otherwise.

**III. PROHIBITED ACTIVITY**

- A. No employee shall either explicitly or implicitly ridicule, mock, deride or belittle any person.
- B. Employees shall not make offensive or derogatory comments based on race, color, age, sex, religion, national origin, marital status, disability, or sexual preference, either directly or indirectly to another person. Such harassment is a prohibited form of discrimination misconduct subject to disciplinary action by the Village.
- C. Employees shall not:
  - 1. make rude remarks, or
  - 2. make comments that involve negative stereotyping, or
  - 3. make statements or engage in actions that may be perceived as threatening, intimidating or hostile, or
  - 4. create, post or otherwise disseminate written or graphic material that denigrates a protected group.
- D. Sexual harassment is prohibited. Sexual harassment is defined as 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 as 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.
- 4. Sexual harassment includes but is not limited to:
  - a. Offensive sexual flirtations, advances, or propositions;
  - b. Verbal abuse of a sexual nature;
  - c. Sexually graphic verbal commentaries about an individual's appearance or body;
  - d. The display of sexually suggestive or graphic objects or pictures;
  - e. Offering or giving anything in exchange for a sexual favor.

**IV. RESPONSIBILITIES**

- A. Each supervisor will be responsible for preventing acts of harassment. This responsibility includes:
  - 1. Monitoring the unit work environment for signs that harassment may be occurring;
  - 2. Counseling all employees on the types of behavior prohibited, and Village procedures for reporting and resolving complaints of harassment;
  - 3. Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved persons are within his/her line of supervision; and,
  - 4. Taking immediate action to limit the work contact between two employees where there has been a complaint of harassment, pending investigation.

- B. Each supervisor has the responsibility to assist any employee of the Village, who comes to that supervisor with a complaint of harassment, in documenting and filing a complaint with the Village Manager's office.
- C. Each employee of the Village is responsible for assisting in the prevention of harassment through the following acts:
  - 1. Refraining from participation in, or encouragement of, actions that could be perceived as harassment;
  - 2. Reporting acts of harassment to a supervisor; and,
  - 3. Encouraging any employee, who confides that he/she is being harassed, to report these acts to a supervisor.
- D. Failure to take action to stop known harassment shall be grounds for discipline.

**V. COMPLAINT PROCEDURES**

- A. Employees encountering harassment shall tell the person that their actions are unwelcome and offensive. The employee shall document all incidents of harassment to provide the fullest basis for investigation.
- B. Any employee who believes that he/she is being harassed *shall* report the incident(s) to *their* supervisor as soon as possible so that steps may be taken to protect the employee from further harassment, and appropriate investigative and disciplinary measures may be initiated.
  - 1. Where this is not practical, or if the harasser is the victim employee's supervisor, the victim employee may instead file a harassment complaint with another supervisor, the Chief or with the Village Manager.
  - 2. If the harasser is the Chief of Police, the victim employee may file a harassment complaint with the Village Manager.
  - 3. The supervisor or other person to whom a complaint is given shall meet with the employee and document the specific incidents, the person (s) performing or participating in the harassment, and the dates on which it occurred.
  - 4. The Village employee taking the complaint shall expeditiously deliver the complaint to the Village Manager.
- C. The Village Manager shall be responsible for the investigation of any complaint alleging harassment. *The Village Manager has the authority to conduct the investigation, however he/she may*

delegate investigative responsibility to an appropriate supervisory/managing employee or to another appropriate individual/agency outside of the Village government.

- 1. The Village Manager's office shall immediately notify the prosecutor's office if the complaint contains evidence of criminal activity, such as battery, rape, or attempted rape.
- 2. The investigation shall include a determination whether other employees are being harassed by the person, and whether other employees participated in, condoned, or encouraged the harassment.
- 3. The Village Manager *or designee* shall inform the parties involved of the outcome of the investigation.
- 4. A file of harassment complaints will be kept in a secure location.
- D. There shall be no retaliation against any employee for filing a harassment complaint, or assisting, testifying, or participating in the investigation of such a complaint.
- E. *Complainants or* Employees accused of harassment may file an appeal in accordance with Village procedures when they disagree with the investigation or disposition of a harassment claim.
- F. This policy does not preclude any employee from filing a complaint with any appropriate state or federal agency.

This directive voids the previous version dated 4/26/2001.