



Sexual Misconduct Policy
Bullet Points 6/11/19

Define sexual activity and sexual misconduct broadly:

- Sexual Misconduct: Any sexual contact or sexual activity that occurs while on-duty, stems from official duty, occurs on fire department property, occurs on or in a fire department apparatus or vehicle, or occurs while in uniform or partially in uniform. Sexual misconduct includes but is not limited to the use of one's official position and/or official resources to pursue or solicit sexual contact or sexual activity.
- Intimate Part: Genital area, inner thigh, groin, buttocks or breasts of a person.
- Sexual contact: Any physical contact with the intimate parts of another person committed for the purpose of sexual gratification of the actor, or any physical contact of any of the actor's intimate parts with any parts of another person.
- Sexual activity: intercourse, oral or anal sex, or masturbation.

Prohibit:

- Sexual contact or sexual activity of any nature while on duty is prohibited.
- Sexual contact or sexual activity on fire department property, or on or in a fire department apparatus or vehicle, is prohibited whether personnel are on duty or off duty.
- Sexual contact or sexual activity while in uniform, or while wearing any part of the uniform that makes the individual identifiable as a member of this Department, is prohibited whether personnel are on duty or off duty. Uniform includes PPE or any part of PPE.
- Sexual Misconduct is prohibited.

Require:

- All members to report any violation of this policy
- Supervisors to immediately utilize the chain of command to notify the Fire Chief, who shall cause the matter to be promptly investigated.
- Under no circumstances may a supervisor attempt to resolve a complaint of sexual

misconduct with a complainant.

Discipline:

- Violations of the policy shall be considered to be serious as first offense with discipline up to and including termination, and where appropriate the matter may be referred to law enforcement for possible criminal charges.
- Members having knowledge of a violation of this policy who fail to report it may be disciplined up to and including termination, and may face criminal charges if appropriate.
- If a sexual misconduct violation involves supervisory personnel, the reporting employee shall notify an appropriate command level officer and will not be strictly held to his or her chain of command.

Training

- All fire department personnel to receive specific training about sexual misconduct and all elements of the policy.