

Connecticut Fire Academy Recruit Firefighter Program



Department of Emergency Services and Public Protection

Equal Employment Opportunity / Affirmative Action Office

Policies

STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
CONNECTICUT FIRE ACADEMY
34 PERIMETER ROAD, WINDSOR LOCKS, CT 06096-1069
860-627-6363 877-5CT-FIRE
www.ct.gov/

DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION

(adapted and condensed for the Connecticut Fire Academy, Recruit Firefighter Program)

Although through a much longer and storied history than is contained here, with the creation of the Connecticut State Police back in 1903, the six division Department of Emergency Services and Public Protection (DESPP) came about as a result of legislation that created DESPP on July 1, 2011.

In 2011, in an effort by the state to decrease the number of agencies and reduce costs, another transformation occurred. The then Department of Public Safety became the Department of Emergency Services and Public Protection (DESPP). DESPP is comprised of the following six divisions: Connecticut State Police (CSP); Scientific Services; Emergency Management & Homeland Security (DEMHS); Police Officers Standards and Training Council (POSTC); Division of Statewide Emergency Telecommunications (DSET); and the **Commission on Fire Prevention and Control / CT Fire Academy**.

The Connecticut Department of Emergency Services and Public Protection is committed to protecting and improving the quality of life for all by providing a broad range of public safety services, training, regulatory guidance and scientific services utilizing enforcement, prevention, education and state of the art science and technology.

In striving to accomplish our mission, we will embody our core values with great **PRIDE**:

Professionalism through an elite and diverse team of trained men and women.

Respect for ourselves and others through our words and actions.

Integrity through adherence to standards and values that merit public trust.

Dedication to our colleagues, our values, and to the service of others.

Equality through fair and unprejudiced application of the law.

In addition to understanding some of the history and the mission of the DESPP, all Fire Academy Recruits are also responsible for knowing and abiding by the relevant Department of Emergency Services and Public Protection Statements of Policies. These policies, *Equal Employment/Affirmative Action, Anti-Retaliation, Anti-Discrimination, Sexual Harassment, and Americans with Disabilities Act* are listed in the "Recruit Firefighter Program" section of the Commission on Fire Prevention and Control website, and posted in the Recruit Lounge on the second floor of the Fire Academy's Administration Building. This comprehensive and detailed information in those locations is intended to ensure that we are collectively meeting the highest standards of training and performance while you are under our care, custody, and control.

Toward that end, please direct any questions, concerns, or comments regarding these policies to the Fire Academy Program Manager, or to any Recruit Firefighter Program Coordinator.



STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION OFFICE

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION
POLICY STATEMENT

It is the policy and practice of the Department of Emergency Services and Public Protection (DESPP) to ensure that no person is discriminated against or denied the benefits of any activity, program or employment process receiving public funds, in whole or in part.

Equal Employment Opportunity (EEO) means employment of individuals without consideration of age, race, ancestry/alienage, national origin, color, marital status, civil union status, familial status, religion, religious creed, criminal record (in state employment and/or licensing), disability (includes learning, intellectual, past or present history of mental disability and physical disability including but not limited to blindness), genetic information, sex, gender, gender identity or expression, sexual orientation, transgender status, veteran status, harassment (including pregnancy and sexual harassment), previously opposed discrimination (retaliation), and workplace hazards to reproductive systems unless the provisions of Sections 46a-60, 46a-80 and 46a-81 of the Connecticut General Statutes are controlling or if there is a bona fide occupational qualification excluding persons in one of the above protected groups.

Connecticut law prohibits discrimination which affects employment terms and conditions including, but not limited to, recruitment, hiring, testing, promotion, assignments, transfer, salary, referrals, classifications, benefits, leave/layoffs, training opportunities, performance evaluations, demotion, discharge, terms and working conditions, and advertising and compensation.

Equal Employment Opportunity is the purpose and goal of Affirmative Action (AA) under the provisions of Section 46a-68 *et seq.* of the Connecticut General Statutes and the corresponding Regulations of Connecticut State Agencies. The basis of this policy statement for equal employment opportunity is not only to affirm the law, but also to highlight Affirmative Action as an essential part of the philosophy of DESPP.

Additionally, DESPP has a separate Sexual Harassment Policy Statement. DESPP recognizes that sexual harassment is a form of discrimination. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct used as a condition of employment and/or creating an intimidating, hostile or offensive working environment is a violation of both state and federal equal employment opportunity laws.

It is DESPP's policy that all employees, volunteers, contractors, subcontractors, vendors, visitors, parties, and others have a right to work and exist in an environment free of discrimination, which encompasses freedom from sexual harassment. Sexual harassment undermines the integrity of the workplace and the personal dignity of the individual.



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It is the policy of DESPP to implement the principles of Equal Employment Opportunity and Affirmative Action by providing employment and advancement opportunities solely on the basis of job-related skills, ability and potential.

What is Affirmative Action?

Affirmative Action means positive action, undertaken with conviction and effort, to overcome the present effects of past practices, policies or barriers to equal employment opportunity; and to achieve the full and fair participation of women, people of color, the LGBT community, and any other protected group found to be underutilized in the work force or affected by policies or practices having an adverse impact. The *purpose* of AA is to secure the full and fair utilization of protected groups in the work force. The need for such action is measured by any lack of such utilization. DESPP recognizes the need to remedy the hiring difficulties, to the extent possible, experienced by the physically disabled and also by many older persons. To this end, program goals for past discrimination, if any, have been established and are described in the Program Goals Section 46a-68-88 of the Affirmative Action Plan.

The current list of all federal and state constitutional provisions, laws, regulations, guidelines and executive orders that prohibit or outlaw discrimination as provided by the Connecticut Commission on Human Rights and Opportunities (CHRO) is included in the plan. Those documents identify women, minorities, disabled persons, older persons and all other protected groups.

Electronic Harassment

Electronic harassment is defined as repeated, unsolicited, threatening behavior by a person or group using mobile and/or Internet technology including audio/video or other recording devices with the intent to bother, terrify, intimidate, humiliate, threaten, harass or stalk someone else because of their protected class basis. The harassment can take place in any electronic environment where communication with others is possible, such as on social media, on message boards, in chat rooms or through email. DESPP is committed to preventing electronic harassment and responding to any instances by investigating and providing appropriate disciplinary action.

Steps of the Employment Process with Affirmative Action

The role of affirmative action in the advertising/recruiting step is to create the largest pool of qualified applicants by expending sufficient resources and exercising creativity to reach likely sources of applicants from protected groups. The role of affirmative action in the testing step is to work with state personnel to ensure that all testing procedures are free of adverse impact.



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Affirmative action and equal employment opportunity *are at all times immediate and necessary agency objectives*. DESPP pledges to affirmatively provide services and programs in a fair and impartial manner. It is the goal of DESPP to ultimately achieve full utilization of minorities, women, older persons, and the physically disabled and other protected classes, to the extent possible, within DESPP's work force.

Complaints Against Agency Heads and Affirmative Action Officers

Pursuant to C.G.S. Section 46a-68(b)(4)(B), the Commission on Human Rights and Opportunities (CHRO) shall receive any complaint alleging that the executive head of a state agency or department, any member of a state board or commission or any affirmative action officer engaged in discriminatory conduct to determine whether it should be forwarded to the Department of Administrative Services (DAS) for investigation. If the complaint is made against DAS, CHRO conducts the investigation. The purpose of this legislation was to eliminate the conflict that may arise if an affirmative action officer has to investigate allegations against their manager, commander, or supervisor, as such officers report directly to the appointing authority.

Reporting a Complaint

All DESPP employees are responsible for complying with this policy, for maintaining a high level of professional conduct in the workplace, and providing a work environment in which all employees are treated with respect and fairness.

Each DESPP manager, commander, and/or supervisor has the responsibility to maintain a workplace free of any form of retaliation, and to monitor working conditions in order to detect any violation(s) of this policy.

In accordance to DESPP's Discrimination Complaint Procedure, if a person believes he or she has been discriminated against and would like to file an internal discrimination complaint, DESPP's Equal Employment Opportunity Director, Ngina McMillian should be contacted. Ms. McMillian can be reached at the Department of Emergency Services and Public Protections, 1111 Country Club Road, Middletown, CT 06457. Email: Ngina.McMillian@ct.gov Telephone: (860) 685-8062.

Investigating Complaints:

DESPP shall promptly investigate all complaints and reports of retaliation and take appropriate disciplinary action, up to and including termination of employment. DESPP employees are expected to cooperate with all investigations and any actions taken by DESPP as a result of such investigations.



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I, James C. Rovella, Commissioner of DESPP, direct all personnel to adhere to this policy statement and to familiarize themselves with DESPP's Affirmative Action Plan. In order to satisfy these lawful obligations, DESPP maintains an Equal Employment Opportunity/Affirmative Action Office.


Our policy statement is posted and distributed annually to all DESPP employees. All DESPP employees have the right to review and comment on the DESPP's Affirmative Action Plan. Copies of the Affirmative Action Plan are kept on file in the EEO/AA Office, the Office of the Commissioner, Human Resources, Western District Headquarters, Eastern District Headquarters, Central District Headquarters, the Commission on Fire Prevention and Control, the Connecticut State Police Training Academy, the Police Officer Standards and Training Council (POST), the Division of Scientific Services, the Division of Statewide Emergency Telecommunications, Emergency Management and Homeland Security, and the Bureau of Criminal Investigations.

If you have any questions regarding the DESPP Equal Employment Opportunity/Affirmative Action Policy Statement, please contact:

Equal Employment Opportunity Director, Ngina McMillian
1111 Country Club Road, Middletown, Connecticut 06457-2389
Telephone: (860) 685-8062 Email: Ngina.McMillian@ct.gov

As the Commissioner and Appointing Authority of the Department of Emergency Services and Public Protection, I am committed to achieving the goals within the timetables set forth in the Affirmative Action Plan.

4.30.19
Date


James C. Rovella
Commissioner



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AMERICANS WITH DISABILITIES ACT POLICY STATEMENT

The Department of Emergency Services and Public Protection (DESPP) is committed to providing and promoting equal opportunities in all of its activities and services. This commitment includes following the mandates of Title I and Title II of the Americans with Disabilities Act (ADA) of 1990, which prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job applications, procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment, as well as providing access to all of its programs, services and facilities to persons with disabilities.

The ADA, including the ADA Amendments Act of 2008, is a federal law that makes it unlawful to discriminate against a qualified person with a disability in all aspects of the employment process and in the provision of services and benefits. DESPP is also committed to its obligations as an employer under the Rehabilitation Act of 1973, as amended and applicable to State Constitutional disability and discrimination provisions and statutes.

According to the ADA, an individual with a disability is any person who:

- (1) Has a physical, mental, learning, intellectual or emotional impairment which substantially limits one or more of that person's major life activities and/or is chronic; and/or;
- (2) Has a record of such an impairment; and/or
- (3) Is regarded as having such impairment.

Those who meet the above ADA standards are considered qualified individuals.

Further, DESPP will make reasonable attempts by engaging in an interactive process to accommodate persons with disabilities to allow them to participate, to the extent possible, in employment programs and activities.

The association provision of the ADA prohibits employment discrimination against a person, whether or not they have a disability, because of their known relationship or association with a person with a known disability. This means that an employer is prohibited from making adverse employment decisions based on unfounded concerns about the known or perceived disability of a family member or anyone else with whom the applicant or employee has a relationship or association.

REASONABLE ACCOMMODATION:

DESPP will engage in an interactive process with the goal of providing reasonable accommodation for the known physical, mental, intellectual, learning or emotional limitations of



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an otherwise qualified individual with a disability, unless the accommodation would impose an undue hardship to the agency. DESPP will make every reasonable effort to determine and provide the appropriate

reasonable accommodation to a qualified individual upon request through its interactive process. DESPP, in its discretion, may require the individual to provide additional information about their known disability and/or limitation(s) and the need for a reasonable accommodation.

The ADA Policy Statement does not require DESPP to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative hardship.

To request a reasonable accommodation:

- a. **In connection with the interview process or current employment at DESPP:** Qualified applicants or employees with disabilities may request a reasonable accommodation in order to perform the essential functions of their jobs and/or to gain access to the hiring or promotional process. Such requests should be referred to DESPP's Equal Employment Opportunity (EEO)/Affirmative Action (AA) Office or DESPP Human Resources.
- b. **In connection with other programs, services or activities at DESPP:** Qualified individuals with a disability who require an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a program, service, or activity of DESPP should contact the EEO/AA Office for assistance in coordinating the request for accommodation.

REPORTING A COMPLAINT:

Any DESPP employee who feels that they have been unduly denied a reasonable accommodation or have been discriminated against due to their disability status is urged to report the conduct to any of the following:

1. The DESPP employee's manager, commander, or supervisor; or
2. Equal Employment Opportunity Director, Ngina McMillian
1111 Country Club Road, Middletown, Connecticut 06457-2389
Telephone: 860-685-8062 Email: Ngina.McMillian@ct.gov

DESPP employees as well as members of the public, who feel they have been denied a reasonable accommodation, may also file complaints with the Commission on Human Rights and Opportunities (CHRO).



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All DESPP employees are also urged to review DESPP's Administrative and Operational Manual, Section 4.1.3 for specific employee responsibilities and reporting procedures.

Any manager, commander, or supervisor who receives a complaint about prohibited retaliation or who believes that someone is engaging in such conduct is mandated to report the same to the DESPP EEO/AA Office; failure to do so may subject the manager, commander, or supervisor to disciplinary action.

No employee, agent or official of DESPP shall retaliate against, coerce, intimidate, threaten, harass or interfere with any individual who exercises or aids or encourages another individual to exercise rights granted or protected by the ADA or Connecticut law.

Complaints Against Agency Heads and Equal Employment Opportunity Officers:

Pursuant to C.G.S. Section 46a-68(b)(4)(B), CHRO shall receive any complaint alleging that the executive head of a state agency or department, any member of a state board or commission or any affirmative action officer engaged in discriminatory conduct to determine whether it should be forwarded to DAS for investigation. If the complaint is made against DAS, CHRO conducts the investigation. The purpose of this legislation was to eliminate the conflict that may arise if an affirmative action officer has to investigate allegations against their manager, commander, or supervisor, as such officers report directly to the appointing authority.

If you have any questions regarding the DESPP ADA Policy Statement, please contact:

DESPP Equal Employment Opportunity Director, Ngina A. McMillian
1111 Country Club Road, Middletown, Connecticut 06457-2389
Telephone: 860-685-8062 Email: Ngina.McMillian@ct.gov

4.30.12

Date



James C. Rovella
Commissioner



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Anti-Discrimination Policy Statement

Purpose:

The purpose of the Department of Emergency Services and Public Protection's (DESPP) Anti-Discrimination Policy is to foster a diverse workforce and maintain a fair work environment in which no employee experiences discrimination based on a legally protected class which includes age, ancestry/alienage, color, civil union status, criminal record (in state employment and/or licensing), disability (includes physical, learning, emotional, developmental and/or intellectual disability including but not limited to blindness), gender/sex, genetic information, gender identity or expression, harassment (including pregnancy and sexual harassment), marital status, familial status, national origin, previously opposed discrimination (retaliation), past or present history of mental disability, race, religious creed, sexual orientation, transgender status, veteran status and workplace hazards to reproductive systems unless the provisions of Sections 46a-60, 46a-80 and 46a-81 of the Connecticut General Statutes are controlling or if there is a bona fide occupational qualification excluding persons in one of the above protected groups.

DESPP is issuing this policy statement to guide DESPP employees in understanding their rights and responsibilities to equal employment.

Policy:

It is DESPP's policy to foster a diverse workforce, maintain a fair work environment, and offer programs and services in a manner that is consistent with state and federal laws that prohibit discrimination and harassment based on a person's protected class which includes age, ancestry/alienage, color, civil union status, criminal record (in state employment and/or licensing), disability (includes physical, learning, emotional, developmental and/or intellectual disability including but not limited to blindness), gender/sex, genetic information, gender identity or expression, harassment (including pregnancy and sexual harassment), marital status, familial status, national origin, previously opposed discrimination (retaliation), past or present history of mental disability, race, religious creed, sexual orientation, transgender status, veteran status and workplace hazards to reproductive systems unless the provisions of Sections 46a-60, 46a-80 and 46a-81 of the Connecticut General Statutes are controlling or if there is a bona fide occupational qualification excluding persons in one of the above protected groups.

DESPP is fully committed to equal employment opportunity (EEO) and the right to work and advance on the basis of merit, ability, and potential, free from discrimination.

Prohibited Conduct:

Discrimination is an act, which either denies or confers compensation in terms, conditions or privileges of employment on the basis of a person's membership in a protected class.

DESPP prohibits discrimination, including harassment, based on all legally protected classes that has the purpose or effect of unreasonably interfering with an individual's work performance or that creates an intimidating, offensive, or hostile environment.



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Decisions regarding employment, including but not limited to, recruitment, hiring, placement, training, promotion, compensation, benefits, transfers, layoffs, discipline, termination, etc. must be based on valid, non-discriminatory business practices.

DESPP will not tolerate discrimination or harassment on the basis of a protected class by any individual, including but not limited to, any DESPP employee, manager, commander, supervisor, co-worker, vendor, visitor, client, customer, or contractor whether in the workplace, at assignments outside of the workplace, at DESPP sponsored social events or elsewhere.

Retaliation:

Retaliation is any materially adverse action that would dissuade a reasonable person from reporting inappropriate conduct and/or filing a complaint.

DESPP strictly forbids retaliation against any employee who reports and/or files a complaint of discrimination, including harassment, or who participates in an internal or external investigation involving such conduct. DESPP managers, commanders, and/or supervisors shall not retaliate against, coerce, intimidate, threaten, harass, or interfere with any individual exercising or enjoying his or her rights under state or federal law or if such individual aided or encouraged any other individual to exercise rights granted or protected by state or federal law. All employees are strongly urged to report all instances of retaliation via one of the points of contact listed below under "Reporting Discrimination and/or Harassment."

Investigating Complaints:

All DESPP employees are responsible for complying with this policy, for maintaining a high level of professional conduct in the workplace, and providing a work environment in which all employees are treated with respect and fairness.

Every DESPP manager, commander, and/or supervisor has the responsibility to maintain a workplace free of any form of discrimination, harassment, or retaliation, and to monitor working conditions in order to detect any violation(s) of this policy.

DESPP shall promptly investigate all complaints and reports of discrimination, harassment, and/or retaliation and take appropriate disciplinary action, up to and including termination of employment. DESPP employees are expected to cooperate with all investigations and any actions taken by DESPP as a result of such investigations.



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Reporting Discrimination and/or Harassment:

DESPP employees who feel that he or she have been subjected to or have witnessed harassment or other forms of discrimination, including retaliation prohibited under this Policy, is urged to report the conduct to any of the following:

- a. Their manager, commander, or supervisor; or
- b. DESPP Equal Employment Opportunity/Affirmative Action Office

Equal Employment Opportunity Director, Ngina McMillian
1111 Country Club Road, Middletown, CT 06457-2389,
Telephone: 860-685-8062 Email: ngina.mcmillian@ct.gov

All DESPP employees are also urged to review DESPP's Administrative and Operational Manual, Section 4.1.3 for specific employee responsibilities and reporting procedures.

Any manager, commander, or supervisor who receives a complaint about prohibited harassment, other forms of discrimination, retaliation, or who believes that someone is engaging in such conduct is mandated to report the same to the DESPP Equal Employment Opportunity/ Affirmative Action Office, failure to do so may subject the manager, commander, or supervisor to disciplinary action.

Copies of Policy:

DESPP employees shall receive a copy of this Policy Statement and forward a written acknowledgement of receipt to the DESPP Equal Employment Opportunity/Affirmative Action Office. This Policy Statement shall also be posted in common areas, on the DESPP Equal Employment Opportunity/Affirmative Action Office Intranet website, and on the DESPP's Intranet site.

DESPP is committed to preventing employment discrimination, including harassment, and retaliation by ensuring that all employees are aware of their rights and obligations under this policy and by encouraging a work environment that appreciates and tolerates differences amongst employees.

DESPP shall promote these objectives through regular anti-discrimination and anti-harassment training and supervision, EEO compliance inspections of all DESPP agency facilities, including troop sites, and through general administration of its EEO programs.

DESPP is committed to promptly taking discipline and corrective action if discrimination, harassment, or retaliation occurs. Employees should promptly report any incidents of discrimination or harassment they observe, as well as any suspected retaliation related to a complaint.

4-30-19

Date



James C. Rovella
Commissioner



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ANTI-RETALIATION POLICY STATEMENT

Policy Statement

The Department of Emergency Services and Public Protection (DESPP) is committed to providing a work environment in which all people are treated with respect and dignity. DESPP will not tolerate harassment or retaliation by anyone, including any manager, commander, supervisor, co-worker, vendor, visitor, client, or customer. DESPP shall investigate each complaint of retaliation and each reported violation of this policy statement and take appropriate disciplinary action up to and including termination of employment in accordance with DESPP's Administrative and Operational Manual, Section 4.1.3.

What is prohibited?

Listed below are examples of *prohibited activities*. However, this list should not be considered to be all-inclusive as there may be other sources of protection from retaliation.

- Discriminating against, disciplining or discharging any employee because such employee:
1) is a candidate for office of representative or senator in the general assembly provided that they notify their managers, commanders, and/or supervisors within thirty (30) days of nomination or 2) is a member-elect to such office, in accordance with ***Connecticut General Statutes (C.G.S.) Section 2-3a***. Employees who are federally funded in whole or in part may run for state or municipal office under the provisions of the Hatch Act and C.G.S. Section 5-266a. If elected, the employee may not be dually employed by DESPP and their elected State office under C.G.S. Section 5-266 and the Connecticut Constitution, Article 3, Section 11. Employees completely funded by federal monies may not run for such offices as per the Department of Administrative Services (DAS) General Letter 214-D, August 21, 2014.
- Taking or threatening to take any personnel action against any state employee in retaliation for such employee's disclosure of information to: (A) an employee of the Auditors of Public Accounts, or the Attorney General under the provisions of the whistleblower statutes; (B) an employee of the state agency where the state employee/officer is employed; (C) an employee of a state agency pursuant to a mandated report statute; or (D) in the case of a large state contractor, an employee of the contracting state agency concerning information involving the large state contract. ***C.G.S. Section 4-61dd(b)(1)***.



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- Taking, or threatening to take, any personnel action against any state employee or group of state employees in retaliation for the filing of an appeal with the Employees' Review Board or a grievance. *C.G.S. Section 5-202.*
- Discharging, disciplining or otherwise penalizing any employee because the employee: 1) informs another employee that such other employee is working in, or exposed to, a hazardous condition, or 2) refuses in good faith to expose himself or herself to a hazardous condition in the workplace provided: (A) the condition causing the employee's apprehension of death, disease or serious physical harm is of such a nature that a reasonable person, having the knowledge, education, training and experience necessary for the performance of the employee's job, under the circumstances confronting the employee, would conclude there is a hazardous condition, (B) there is insufficient time, due to the urgency of the situation, to eliminate or abate the hazardous condition through resort to regular statutory enforcement procedures, (C) the employee notifies the employer of the hazardous condition and asks the employer to correct or abate the hazardous condition and (D) the employer is unable, or refuses to correct or abate such condition. No employee shall be discharged, disciplined, or otherwise penalized while a hazardous condition continues to exist, or is in the process of being corrected or abated. A hazardous condition means a condition which (A) causes or creates a substantial risk of death, disease, or serious physical harm, whether imminent or as result of long-term exposure, ***and which is beyond the ordinary expected risks inherent in a job*** (i.e., beyond the ordinary risks expected for law enforcement officers) after all feasible safety and health precautions have been taken, and (B) results from the employer's violation of applicable safety and health standards established under any federal, state and local laws and regulations, any collective bargaining agreements and any industry codes.
- Discharging, disciplining or otherwise penalizing any employee because the employee, or a person acting on behalf of the employee, reports, verbally or in writing, a violation or a suspected violation of any state or federal law or regulation, or any municipal ordinance or regulation to a public body, or because an employee is requested by a public body to participate in an investigation, hearing or inquiry held by that public body, or a court action. An employee may not be discharged, disciplined, or otherwise penalized because the employee, or a person acting on behalf of the employee, reports, verbally or in writing, to a public body concerning the unethical practices, mismanagement, or abuse of authority by such employer.



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- Subjecting an employee to discipline or discharge on account of the exercise by such employee of the rights guaranteed by the First Amendment of the U.S. Constitution, or Article 1, Sections 3, 4, or 14 of the State Constitution, provided such activity does not substantially or materially interfere with the employee's bona fide job performance or the working relationship between the employee and the employer. ***C.G.S. Section 31-51q.***
- Discharging, disciplining or otherwise penalizing any employee who speaks as a citizen on a matter of public concern, when the employee is not in violation of DESPP's Policies and Procedures, including DESPP's Social Media Policy.
- Discharging, disciplining, penalizing or in any manner discriminating against any employee because the employee filed a claim, or instituted or caused to be instituted any investigation or proceeding pertaining to state contracts under Part III of Chapter 557 or wages under Chapter 558, or has testified, or is about to testify in any such proceeding or because such employee on behalf of them self or others has exercised any rights afforded by those provisions. ***C.G.S. Section 31-69b.***
- Discharging, disciplining, penalizing or in any manner discriminating against any employee because the employee has filed an unemployment compensation claim, or instituted, or caused to be instituted any proceeding under the unemployment compensation provisions, or has testified, or is about to testify in any such proceeding, or because such employee on behalf of them self or others has exercised any rights afforded by those provisions. ***C.G.S. Section 31-226a.***
- Discharging, disciplining, penalizing, or otherwise discriminating against an employee who has 1) filed an Occupational Safety and Health Act (OSHA) complaint or caused any proceeding under or related to the OSHA to be instituted, 2) testified, or is about to testify in any such proceeding, or 3) exercised on their behalf, or on behalf of others any right under OSHA. ***C.G.S. Section 31-379.***
- Discharging or in any manner discriminating or retaliating against any employee who in good faith makes a complaint to the Victim Advocate or cooperates with the Office of the Victim Advocate in an investigation. ***C.G.S. Section 46a-13e(b).***
- Discharging or in any manner discriminating or retaliating against any employee who in good faith makes a complaint to the Child Advocate or cooperates with the Office of the Child Advocate in an investigation. ***C.G.S. Section 46a-13n (b).***



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- Disciplining, suspending, or discharging an employee because of any wage execution against the employee unless the employer is served with more than seven wage executions against the employee in a calendar year. **C.G.S. Section 52-361a(j).**
- Depriving an employee of employment, penalizing, or threatening, or otherwise coercing an employee because the employee 1) obeys a legal subpoena to appear before any court of this state as a witness in any criminal proceeding, 2) attends a court proceeding or participates in a police investigation related to a criminal case in which the employee is a crime victim, 3) a restraining order is issued on the employee's behalf pursuant to Section 46b-15, or 4) a protective order has been issued on the employee's behalf by a court of this state or another state and such out of state court order is registered in Connecticut. **C.G.S. Section 54-85b.**
- Depriving an employee of employment, or threatening or coercing such employee because the employee, as a parent, spouse, child, or sibling of a victim of homicide, or as a person designated by the victim pursuant to C.G.S. Section 1-56r, attends court proceedings with respect to the criminal case of the person or persons charged with committing the crime that resulted in the death of the victim. **C.G.S. Section 54-85d.**

Anti-retaliation protections are also provided under the Connecticut Fair Employment Practices Act (**C.G.S. Section 46a-51 et seq.**) and federal law (**Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act**) which prohibits retaliation against an employee because they have either opposed an unlawful employment practice, or made a charge, testified, assisted or participated in an investigation or proceeding under these laws. Retaliation is also prohibited against the employee that has engaged in speech or activity protected by the First Amendment of the United States Constitution.

The following are examples of retaliatory conduct that violate the DESPP Anti-Retaliation policy statement *when such conduct is taken because the employee has engaged in any of the activities protected under state or federal law*:

- Stalking or harassing an employee;
- Refusing or threatening to refuse to provide back-up support to an employee in the performance of their work duties, including emergencies;
- Tampering with, vandalizing or interfering with an employee's equipment, vehicle, or personal belongings;

1111 Country Club Road, 2 North
Middletown, Connecticut 06457
Phone: (860) 685-8010/E-Fax: (860) 706-1325
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EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION OFFICE

- Selectively disciplining an employee, or selectively threatening to impose discipline against an employee;
- Holding an employee to a higher standard of performance than other co-workers;
- Denying the employee training opportunities, favorable transfers, or promotions;
- Refusing to investigate when the employee reports violations of rules, regulations, or orders, or refusing to take corrective action when such violations are found to have occurred; and
- Taking adverse action against an employee who has participated in or supported the investigation of a complaint of a violation of this policy.

Reporting Retaliation:

DESPP employees who feel that they have been subjected to or have witnessed prohibited retaliation is urged to report the conduct to any of the following:

1. Their manager, commander, or supervisor; or
2. Equal Employment Opportunity Director, Ngina McMillian
1111 Country Club Road, Middletown, Connecticut 06457-2389
Telephone: 860-685-8062 Email: Ngina.McMillian@ct.gov

All DESPP employees are also urged to review DESPP's Administrative and Operational Manual, Section 4.1.3 for specific employee responsibilities and reporting procedures.

Any DESPP manager, commander, and/or supervisor who receives a complaint about prohibited retaliation or who believes that someone is engaging in such conduct is mandated to report the same to the DESPP EEO/AA Office; failure to do so may subject the manager, commander, and/or supervisor to disciplinary action.

Complaints Against Agency Heads and Affirmative Action Officers:

Pursuant to C.G.S. Section 46a-68(b)(4)(B), the Commission on Human Rights and Opportunities (CHRO) shall receive any complaint alleging that the executive head of a state agency or department, any member of a state board or commission or any affirmative action officer engaged in discriminatory conduct to determine whether it should be forwarded to the Department of Administrative Services (DAS) for investigation. If the complaint is made against DAS, CHRO conducts the investigation. The purpose of this legislation was to eliminate the conflict that may arise if an affirmative action officer has to investigate allegations against their manager, commander, or supervisor, as such officers report directly to the appointing authority.

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Reporting a Complaint:

All DESPP employees are responsible for complying with this policy, for maintaining a high level of professional conduct in the workplace, and providing a work environment in which all employees are treated with respect and fairness.

Each DESPP manager, commander, and/or supervisor has the responsibility to maintain a workplace free of any form of retaliation, and to monitor working conditions in order to detect any violation(s) of this policy.

Investigating Complaints:

DESPP shall promptly investigate all complaints and reports of retaliation and take appropriate disciplinary action, up to and including termination of employment. DESPP employees are expected to cooperate with all investigations and any actions taken by DESPP as a result of such investigations.

If you have any questions regarding the DESPP Anti-Retaliation Policy Statement, please contact:

Equal Employment Opportunity Director, Ngina McMillian
1111 Country Club Road, Middletown, Connecticut 06457-2389
Telephone: 860-685-8062 Email: Ngina.McMillian@ct.gov

4-30-19
Date


James C. Rovella
Commissioner



**STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION OFFICE**

SEXUAL HARASSMENT POLICY STATEMENT

Sexual Harassment is a form of misconduct that undermines the integrity of the employment relationship. It is the policy of the Department of Emergency Services and Public Protection (DESPP) to provide its employees with a workplace that is free from sexual harassment. Regardless of whether the conduct results from maliciousness, thoughtlessness, or poor judgment, sexual harassment in the workplace is unacceptable and will not be tolerated.

Sexual Harassment is illegal and violates Title VII of the Civil Rights Act of 1964, 42 US Code Section 2000e *et. seq.*, as amended, as well as Connecticut General Statutes (C.G.S.) Section 46a-60(a)(8). DESPP prohibits sexual harassment, in any form, by or against its employees, volunteers, contractors, subcontractors, vendors, visitors, parties and other offices. Any employee who violates this policy statement will be subjected to discipline, up to and including termination of employment.

DEFINITIONS OF SEXUAL HARASSMENT

Sexual Harassment is defined as any unwelcome sexual advance, request for sexual favors, and other electronic, verbal, and/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 an individual's employment; or
- 2) Submission to and/or rejection of such conduct by an individual is used as a basis for employment decisions affecting an individual's employment, evaluation, wages, advancement, assigned duties, shifts or career development; or
- 3) Such conduct is so severe or pervasive that it has the purpose or effect of creating an objectively hostile or abusive environment.

The following types of conduct that may constitute sexual harassment include:

- Repeated sexual advances, propositions and/or inappropriate and/or offensive comments;
- Engaging in sexual flirtation and/or physical touching;
- Inappropriate exposure of physical anatomy;
- Discussing sexual activities;
- Making a comment and/or spreading a rumor which embarrasses, ridicules or demeans a person because of the individual's gender, gender identity or expression, sexual orientation, and/or transgender status;



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- Making graphic and/or suggestive comments about an individual's body or physical appearance;
- Displaying sexually suggestive objects, pictures, cartoons or drawings;
- Threatening or insinuating, either explicitly or implicitly, that an employee's refusal to submit to sexual advances shall adversely affect the employee's continued employment, performance evaluation, wages, advancement, assigned duties, and/or any other privilege or condition of employment;
- Using or displaying crude and offensive language and/or gestures, sexually explicit jokes, sexually explicit media, and/or sexually degrading words to describe an individual; and
- Retaliation against an employee for reporting sexual harassment and/or participating in an Equal Employment Opportunity (EEO)/Affirmative Action (AA) investigation regarding sexual harassment, in accordance with DESPP's Anti-Retaliation Policy Statement.

Several examples of conduct that may violate the DESPP Anti-Retaliation Policy Statement include the following:

- Termination, demotion, disadvantageous transfers or assignments, refusals to promote, threats, reprimands, negative evaluations;
- Co-worker hostility or retaliatory harassment, to include intimidation, gossip, rumors, insults, or otherwise offensive conduct that would subject a person to public ridicule or humiliation; and/or
- Any action or combination of actions that are reasonably likely to materially and adversely affect an employee's job performance or opportunity for advancement.

When interacting with others in the workplace, it is important to be sensitive to the way in which words and actions may be perceived by others. If words or actions could reasonably be perceived as offensive and unwelcome, they could constitute unlawful harassment.

ELECTRONIC SEXUAL HARASSMENT

Electronic sexual harassment is identified as repeated, unsolicited, threatening behavior of a sexual nature by a person or group using mobile and/or internet technology, including audio/video or other recording devices, with the intent to bother, terrify, intimidate, humiliate, threaten, harass or stalk an individual. The harassment can take place in any electronic environment where communication with others is possible, such as on social networking/media sites, on message boards, in chat rooms or through email. DESPP is committed to preventing electronic sexual harassment and responding to any instances by investigating and providing appropriate disciplinary action.



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DESPP prohibits all inappropriate communications whether verbal or non-verbal. This includes the sharing of sexual jokes and pictures, if not intended to harass.

Employee Responsibilities:

All DESPP employees are responsible for complying with this policy statement, for maintaining a high level of professional conduct in the workplace, and providing a work environment in which all employees are treated with respect and fairness.

Each DESPP manager, commander, and/or supervisor has the responsibility to maintain a workplace free of any form of sexual harassment, and to monitor working conditions in order to detect any violation(s) of this policy statement.

Reporting Sexual Harassment:

DESPP employees who feel that they have been subjected to or have witnessed sexual harassment is urged to report the conduct to any of the following:

1. Their manager, commander, and/or supervisor; or
2. Equal Employment Opportunity Director, Ngina McMillian
1111 Country Club Road, Middletown, Connecticut 06457-2389
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Investigating Complaints:

DESPP shall promptly investigate all complaints and reports of sexual harassment and take appropriate disciplinary action, up to and including termination of employment. DESPP employees are expected to cooperate with all investigations and any actions taken by DESPP as a result of such investigations.

Any manager, commander, and/or supervisor who receives a complaint about prohibited sexual harassment or who believes that someone is engaging in such conduct is mandated to report the same to the DESPP Equal Employment Opportunity/Affirmative Action Office; failure to do so may subject the manager, commander, and/or supervisor to disciplinary action.

If you have any questions regarding the DESPP Sexual Harassment Policy Statement, please contact:

Equal Employment Opportunity Director, Ngina McMillian
1111 Country Club Road, Middletown, Connecticut 06457-2389
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4-30-19
Date


James C. Rovella
Commissioner

Connecticut Fire Academy Recruit Firefighter Program

**Department of Emergency Services and Public Protection
Equal Employment Opportunity / Affirmative Action Department**

Policies

State of Connecticut
Department of Emergency Services and Public Protection
Connecticut Fire Academy
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Adopted May 2017

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