

HIB

10/19/10

**RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS  
FIRE DISTRICT NO.1 FREEHOLD TOWNSHIP AFFIRMING  
THE BOARD'S CIVIL RIGHTS POLICY WITH RESPECT TO  
ALL OFFICIALS, APPOINTEES, EMPLOYEE, VOLUNTEERS  
AND MEMBERS OF THE GENERAL PUBLIC THAT COME INTO  
CONTACT WITH THE VOLUNTEERS, AGENTS, EMPLOYEES AND  
OFFICIALS OF THE DISTRICT.**

**WHEREAS;** It is the policy of the Board of Fire Commissioners of Fire District No.1 Freehold Township to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law Against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

**WHEREAS;** The Board of Fire Commissioners has determined that certain procedures need to be established to accomplish this policy.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of Fire Commissioners of Fire District No.1 Freehold Township that the following policy and procedures be, and the same are hereby adopted:

1. No official, employe, appointee or volunteer firefighter of the Board, by whatever title known, or any entity that is in any way a part of the Board of Fire Commissioners shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee, volunteer, or entity is engaged in or acting on behalf of the Board of Fire Commissioners or using the facilities or property of the Board.
2. The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Board to provide services that otherwise could be performed by the Board.

3. Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.
4. The Board shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.
5. No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.
6. The Board shall establish written procedures that require all officials, employees, appointees and volunteers of the District as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.
7. The Board shall establish a system to monitor compliance.
8. A summary of this resolution and the procedures established pursuant to this resolution shall be forwarded to the volunteer fire company annually. This summary shall be posted on the Board's web site.
9. This resolution shall take effect immediately.
10. A copy of this resolution shall be published in the official newspaper of the Board in order for the public to be made aware of this policy and the Board's commitment to the implementation and enforcement of this policy.

Moved by:

Seconded by:

Roll Call Vote:

Ayes:

Nays:

Absent:

Abstain:

Certified to be a true copy of a Resolution adopted by the Board of Fire Commissioners Fire District No.1 Freehold Township on the \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_

Clerk

## **GENERAL COMPLAINT PROCEDURES**

Any individual who observes alleged wrongdoing on the part of officials, employees, or volunteers associated with the Board of Fire Commissioners of Fire District No.1 Freehold Township may report such action using this procedure. This includes any action the individual believes to constitute harassment, sexual harassment, or any other wrongdoing. Employees of the Board, including volunteer firefighters, and members of the public may report the alleged wrongdoing to the Chief of the Volunteer Fire Company directly, or if they prefer, or do not think that the matter can be discussed with the Chief of the Volunteer Fire Company, to the Board of Fire Commissioners.

Reporting of such incidents is encouraged both when an individual feels that he or she is subject to such incidents, or observes such incidents in reference to other individuals. The report or complaint should be in writing, but individuals may make a verbal complaint at their discretion. If an individual has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their supervisor or one of the individuals listed above. All reports of harassment or wrongdoing of any nature whatsoever shall be promptly investigated by the Board.

No individual will be penalized in any way for reporting a complaint. There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no discrimination or retaliation against any other individual who participates in the investigation of a complaint.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action up to and including discharge will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly. Actions taken internally to investigate and resolve harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. Any investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The complaining individuals will be notified of a decision at the conclusion of the investigation within a reasonable time from the date of the report of an incident.