

KANSAS CITY, MO. POLICE DEPARTMENT PERSONNEL POLICY	DATE OF ISSUE 5/27/05	EFFECTIVE DATE 6/11/05	NO. 310-4
SUBJECT Policy Series 300: Employee Relations 310- Discrimination and/or Harassment		AMENDS	
REFERENCE Policies 201, 233, 335, 340 & 345		RESCINDS 310-3 Sexual Harassment/Sex Discrimination	

I. INTRODUCTION

It is the policy and practice of the Board of Police Commissioners and the Kansas City, Missouri Police department to provide a work atmosphere free of actual or perceived discrimination and/or harassment.

II. DEFINITIONS

- A. Discrimination - Unequal and unfair treatment of members based on age, sex, race, color, religion, disabilities, or national origin with regard to personnel policies, benefits, and daily employment practices. Examples of discrimination include, but are not limited to:
1. Unlawful personnel management actions such as reassignment or transfer, termination, disciplinary measures, demotion, or withholding of promotion or appointment based only upon age, sex, race, color, religion, disability or national origin.
 2. Unlawful supervisory behavior, such as intentionally delegating more physically demanding or undesirable work assignments, based only upon age, sex, race, color, religion, disability or national origin.
 3. Favoritism in the form of employment opportunities or other benefits resulting in denial of such opportunities for other members where such benefits are based only on age, sex, race, color, religion, disability or national origin.
- B. Harassment - Employee or supervisory behavior inclusive of making derogatory comments, epithets, slurs, or jokes; posting derogatory pictures, cartoons, posters, graffiti, or drawings; or writing derogatory words, messages, or letters which are inflicted on a member to encourage transfer, reassignment, or resignation or create an unlawful hostile work environment.
- C. Age Harassment - A form of discrimination directed toward members who are over the age of forty, including basing employment actions on stereotypical assumptions. Examples of age harassment include, but are not limited to:
1. Derogatory comments/remarks related to age such as being accident-prone, unable to learn new tasks or having geriatric physical afflictions.
 2. Age-based teasing, remarks, jokes, threats.

3. Public statements emphasizing youth, freshness, vigor, energy, young blood, younger image, or youth movement.
- D. National Origin Harassment – A form of discrimination based on differences in ancestry, heritage, or national background. Examples include, but are not limited to:
1. Ethnic slurs or other verbal and physical conduct related to the members' (or their ancestors) national origin, surname, color, accent, or manner of speaking.
 2. Derogatory comments/remarks related to ancestry, culture, birthplace, physical characteristics, citizenship, or membership or association with specific ethnic groups, school, or religious affiliation.
- E. Disabilities Harassment- A form of discrimination based on a physical or mental impairment, which substantially limits one or more major life activities. Examples include, but are not limited to:
1. Teasing or making jokes about a member's disability
 2. Intentionally and unlawfully creating an environment that makes it difficult for a disabled member to perform their job functions, such as altering work accommodations, assigning physically demanding duties, etc.
- F. Race/Color Harassment- A form of discrimination based on race or color. Examples include, but are not limited to:
1. Racial or ethnic jokes, racially offensive or derogatory terms or names.
 2. Displaying racially insensitive materials.
- G. Religious Harassment- A form of discrimination including coercion, by a supervisor/commander, of member participation or non-participation in religious activities. Examples include, but are not limited to:
1. Insisting member participate in religious activities or hold particular religious views as a condition of continued employment, promotion, preferred job assignments or any other benefit or privilege of employment. Insisting members not participate in religious activities outside workplace or not hold particular religious views.
 2. Engaging in religious discourse or expression that could reasonably be perceived as coercive.
 3. Religiously derogatory language that is physically threatening, humiliating, or unreasonably interferes with a member's work performance.
- H. Gender Harassment- A form of sex discrimination directed toward a member of the opposite sex. Examples of gender harassment include, but are not limited to:
1. Derogatory comments/remarks related to physical or work abilities of the opposite sex, pregnancy or childbirth, marital status, or sexual orientation.

2. Displaying insensitive or inappropriate pictures or material.
 3. Inappropriate language used to describe a member of the opposite sex.
- I. Sexual Harassment- A form of sex discrimination directed toward a member of the opposite sex or of the same sex, including unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, affecting a female or male member. Examples of sexual harassment include, but are not limited to:
1. Sexually suggestive or obscene letters or notes, derogatory comments, epithets, slurs, or jokes.
 2. Any inappropriate physical overtures of a sexual nature such as physical assault, impeding or blocking movement, touching, or any physical interference with normal work.
 3. Gestures with a sexual connotation, displaying sexually suggestive or derogatory objects, pictures, cartoons, or posters.
 4. Threats or insinuations that lack of sexual favors will result in reprisal, withholding support for appointment, promotion, transfer, rejection of probation, punitive action, change of assignment, or a poor performance report.
- * J. Illegal or Unethical Behavior – Illegal behavior is behavior prohibited by law or deemed to be unlawful or illicit. Unethical behavior is behavior that deviates from the commonly understood standard of conduct within the law enforcement community.
1. The public demands that the integrity of the police department be above reproach. Members must avoid any conduct that might compromise the integrity of the department or undercut the public confidence in the department.
 2. All members must be aware of their position and strive to maintain the high professional standards of the department.

III. POLICY

- A. The department does not condone or tolerate any conduct or practice by its members, which may be construed as discrimination and/or harassment because of age, sex, race, color, religion, disabilities, or national origin. Additionally, the department will not tolerate any form of retaliation against a department member who reports discrimination and/or harassment or who participates in an investigation.
- * B. Any conduct or behavior that creates an unlawful, unethical, intimidating, hostile, or offensive working environment will not be tolerated.
- C. Favors will never be a factor affecting or influencing a member's employment, promotion, performance evaluation, disciplinary actions, or assignment in this department.

- D. Members are expected to report incidents involving conduct that may be construed as discrimination and/or harassment. Although an incident may not be overt or intentional, it may be perceived by the reporting member as discrimination and/or harassment.
- E. It is the responsibility of all commanders and supervisors to ensure all assigned subordinates are aware of and strictly adhere to the Discrimination and/or Harassment policy. Further ensure any and all questions asked regarding this policy are clarified.

IV. PROCEDURES

A. Member's Responsibility

1. Report by a Form 191 P.D. or Oral Report

To report any incident of discrimination, harassment, illegal or unethical behavior, the member will complete a Form 191 P.D., Interdepartment Communication, detailing the incident or orally report the incident to the immediate supervisor or to any other superior.

2. KCPD Hotline - Report Anonymously by Phone

- * a. A member may also submit a report regarding discrimination, harassment, illegal or unethical behavior anonymously. The member may call the KCPD Hotline at (816) 889-1452 with details of the incident. This information is reported directly to the Manager, Human Resources or designee.
- * b. The message must include pertinent and specific details regarding the incident(s). The member is not required to leave a name or any other identifying information. However, the member may leave a name if so desired.

B. Supervisor's Responsibility/Commander's Responsibility

- 1. Review the Form 191 P.D. or receive an oral report from the reporting member, and prepare a Form 191 P.D. Ensure the report(s) are complete and properly documented.
- 2. Make appropriate recommendations and forward all applicable reports, in a sealed envelope marked "Confidential", through the chain of command for review and recommendations. An additional copy must be sent in a sealed envelope marked "Confidential" to the Manager, Human Resources.

C. Bureau Commander's Responsibility

- 1. Review reports and make appropriate recommendations, which may include further Investigation by the Internal Affairs Unit.
- 2. Forward all applicable reports directly to the Chief of Police in a sealed envelope marked "Confidential".

3. Ensure that copies of the final disposition are forwarded to the Manager, Human Resources in a sealed envelope marked "Confidential".

D. Chief of Police's Responsibility

1. Endorse the recommended action; impose another action, or direct further investigation by the Internal Affairs Unit.
2. Forward a copy of the final disposition to the appropriate bureau commander who will ensure a copy of the disposition is forwarded to the Manager, Human Resources.

* E. Manager, Human Resources Responsibility

1. The Manager, Human Resources will transmit details of the anonymous reports with recommendations to the Administration Bureau commander.
2. Maintain a file on all reports of discrimination, harassment, illegal or unethical behavior.
3. Submit a summary report of claims to the Chief of Police.
 - a. A summary of reports of verbal and written complaints will be made annually.
 - b. A summary of reports of anonymous complaints will be made quarterly.

James D. Corwin
Chief of Police

Adopted by the Board of Police Commissioners this __27th____ day of _May, 2005.

Angela L. Wasson-Hunt
President