

Public Safety Commission

#4 – Harassment in the Workplace

March 2018 Meeting

Agenda Item no. 4

Topic: Department policies for addressing allegations of harassing workplace behavior by a member of department's executive team

Speakers: APD Asst. Chief Gay, AFD Chief of Staff Dodds, ATCEMS Chief of Staff Brown, City of Austin Human Resources Director Joya Hayes

Sponsored by: Landuyt, Webber

Estimated time: 30 minutes

Description: Short presentation regarding each of the public safety departments' policies and procedures for reporting and addressing allegations of harassing workplace behavior by a member of your department's executive team.

-does your department have a written or published policy defining and prohibiting harassing behavior?

-does your department have a written or published policy requiring reporting of harassing behavior if an employee or supervisor witnesses such behavior?

-does your department have a written or published policy regarding who could accept a complaint regarding harassing behavior against a member of your department's executive team?

-does your department have a written or published policy regarding who would investigate a complaint about harassing behavior against a member of your department's executive team?

-as a practical matter, how would an allegation against a member of the executive team be handled differently than an allegation against an employee entitled to civil service protections?

Overall Answer:

AFD has the following policies and department communications regarding procedures related to Harassment:

- Harassment Prevention Policy (Policy, E202.1, effective November 2015)
- Personal and Family Relationships in the Workplace (Policy, E206, effective November 2015)
- Use of Social Media (Policy, C109.1, effective May 2017)
- Computer Use (Policy, C102, effective October 2009)
- Harassment/Relationship Policy Educational Rollout (Special Order, January 2016)
- Workplace Conduct (Message from the Chief, April 2010)

1. Does your department have a written or published policy defining and prohibiting harassing behavior?

Yes. AFD Policy E202.1 (Harassment Prevention) specifically defines both harassment and sexual harassment. The policy states that AFD will not tolerate any harassment, provides direction on how to report such actions, and states consequences.

2. Does your department have a written or published policy requiring reporting of harassing behavior if an employee or supervisor witnesses such behavior?

Yes. AFD Policy E202.1 (Harassment Prevention) specifically defines both harassment and sexual harassment. The policy states that AFD will not tolerate any harassment, provides direction on how to report such actions, and states consequences.

3. Does your department have a written or published policy regarding who could accept a complaint regarding harassing behavior against a member of your department's executive team?

Yes. AFD Policy E202.1 (Harassment Prevention) Section IV.B. (Reporting Process) describes that a complaint can be filed with any supervisor up to and including the Fire Chief. We expect a complaint of this nature against a member of our executive team would be filed with City of Austin Human Resources Department (COAHRD).

4. Does your department have a written or published policy regarding who would investigate a complaint about harassing behavior against a member of your department's executive team?

Yes. Same response as question 3.

5. As a practical matter, how would an allegation against a member of the executive team be handled differently than an allegation against an employee entitled to civil service protections?

The AFD Professional Standards Office investigates employees with civil service protection. PSO Battalion Chief is responsible for investigating anyone of the same rank or below and executives who are not in his/her direct chain of command. If the executive supervises the PSO Battalion Chief in some way, the Fire Chief would request assistance from the Police Department investigative team or some other department with similar resources. The Fire Chief would make a judgement about the allegations based on the external investigation. If the Fire Chief is the subject of the allegations, COAHRD would conduct the investigation and the City Manager's Office would determine discipline.

	AUSTIN FIRE DEPARTMENT Policy and Procedure	General Order Number E202.1
Subject: Harassment Prevention Policy	Effective Date: 11-9-2015	Rescinds: E202
Application: I. All AFD Personnel	Authorized by: Rhoda Mae Kerr, Fire Chief	

I. Purpose

To define and establish the Harassment Prevention Policy for the Austin Fire Department (AFD).

II. Background

The Austin Fire Department strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The environment of all workplaces within AFD should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Members should be able to work and learn in a safe, yet stimulating atmosphere. The accomplishment of this goal is essential to the mission of the AFD. For that reason, AFD will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of members, AFD will seek to prevent, correct and discipline behavior that violates this policy.

All members, regardless of their positions, are covered by and expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any member who violates this policy. Based on the seriousness of the offense, disciplinary action may be taken, up to and including indefinite suspension/termination.

III. Policy

A. Definitions

1. Harassment - Abusive, obscene or threatening conduct or communication that is intended to bully, shame, injure, or instill fear in another and/or has the effect of interfering with an individual's work performance or creates an intimidating, oppressive or hostile work environment.

2. Sexual Harassment - Any unwanted sexual advance, request for sexual favors or pressure to engage in any sexual behavior, as well as any other verbal or physical conduct of a sexual nature, such that submission to, or rejection of, such conduct:
 - a. Either openly or by implication, is a term or condition of an individual's employment.
 - b. Is used as a basis for employment decisions affecting that individual.
 - c. Has the effect of interfering with an individual's work performance or creates an intimidating, oppressive or hostile work environment.
3. Assault – When a person intentionally or knowingly causes physical contact with another and the person knows or should reasonably believe that the other will regard the contact as offensive or provocative. This includes a threat of bodily harm coupled with an apparent, present ability to cause the harm.
4. Sexual Assault – Any sexual act, threat of a sexual act or contact of a sexual nature in which a person is forced, threatened or coerced to engage in against their will.
5. Hazing - the practice of rituals and other activities that potentially involve harassment, abuse or humiliation and are used as a way of initiating a person into or out of a group.

B. Harassment

1. AFD will not tolerate the hazing of members. This includes any intentional or reckless act that endangers the mental or physical health or safety of a person as well as any activity that intimidates or threatens a person with ostracism or subjects them to mental stress, shame or humiliation regardless of consent.
2. AFD will not tolerate harassment targeting the following group identities, including but not limited to: gender or gender expression, race, national origin, religion, sexual orientation, skin color, veteran status, HIV or other medical conditions, disabilities, age and/or relative rank within the fire service (e.g., cadets, probationary firefighters, rookies or junior firefighters).
3. While on duty or on City premises, AFD members, independent contractors and/or vendors shall not engage in activities that could constitute harassment and members shall report such activities if they do occur. These activities include, but are not limited to, the following behaviors:
 - a. Obscene or abusive language or offensive gestures in their communication with coworkers or members of the public such as epithets, slurs, negative stereotyping, denigrating nicknames, pet names or slang.
 - b. Oral, written, electronic or other means of communication that has the effect of threatening or intimidating co-workers or members of the public such as

hostile or denigrating material placed on walls, bulletin boards, electronic devices or posted/circulated elsewhere in the workplace/cyberspace.

- c. Physically endangering, intimidating or injuring coworkers or members of the public.
4. While off duty, AFD members shall not engage in the aforementioned forms of harassment with co-workers if such conduct has the effect of interfering with an individual's subsequent work performance and/or creates an intimidating, oppressive or hostile work environment. If a member is a victim of any such conduct, or if a member witnesses an act of harassment that occurs while off duty, they shall report this immediately per the Reporting Process of this policy.
5. Harassment will not be tolerated and will result in discipline up to and including indefinite suspension/termination.
6. Harassment can be a criminal act but should not be confused with assault which is always a crime that shall be reported to the appropriate law enforcement agency.

C. Sexual Harassment

1. While on duty or on City premises, AFD members, independent contractors and/or vendors shall not engage in activities that could constitute sexual harassment and members shall report such activities if they do occur. These activities include, but are not limited to, the following behavior:
 - a. Unwanted sexual advances, requests for sexual favors or unwanted verbal or physical conduct of a sexual nature.
 - b. Sexually oriented jokes, remarks, or gestures.
 - c. Publicly displaying (making available for other members to view) sexually oriented images, movies, or pictures, including sexually explicit electronic pictures displayed on an electronic device.
2. While off duty, AFD members shall not engage in the aforementioned forms of conduct if such conduct has the effect of interfering with an individual's subsequent work performance and/or creates an intimidating, oppressive or hostile work environment. This includes harassing communications sent via email and/or through social media while off duty. Any such conduct shall be reported immediately.
3. Sexual Harassment can occur between persons of the opposite sex or of the same sex.

4. Sexual Harassment will not be tolerated and will result in discipline up to and including indefinite suspension.
5. Sexual Harassment should not be confused with sexual assault which is a crime that shall be reported to the appropriate law enforcement agency.

IV. Procedure

A. Duty to Report

1. As leaders in public safety, it is expected that ALL AFD members will immediately intervene to stop offenders from engaging in harassing behavior and shall provide assistance to individuals who are victims of harassment. If the harassing behavior continues, any member who witnesses or becomes aware of the harassing behavior has a duty to report said behavior following the process described below. This does not prohibit a member from reporting harassing behavior on first occurrence. Failure to report known offenses to the policy may lead to disciplinary action, up to and including indefinite suspension/termination.

B. Reporting Process

1. Any member that believes that they are a victim of any type of harassment or is a witness to such should immediately notify their first level supervisor. If the supervisor is the harasser or if the member feels that reporting to the first level supervisor is not a suitable or appropriate avenue for addressing the complaint, then the member is required to report the harassment to any of the following:
 - a. Any other AFD supervisor (civilian or uniformed).
 - b. Fire Department Professional Standards Office (PSO).
 - c. Fire Chief.
 - d. Fire Department Human Resources Manager (FDHR).
 - e. City of Austin Human Resources Department (HRD).
2. Any supervisor that receives a report of harassment is required to relay this information, through their chain of command, to the Fire Chief or FDHR. The report will also be documented in writing by the supervisor and forwarded to the PSO and FDHR. If the harasser is in the supervisor's chain of command, the supervisor may bypass the harasser and proceed to the next level supervisor. PSO and FDHR shall notify the City of Austin HRD of the report.
3. The City of Austin HRD shall investigate all complaints of Sexual Harassment. All AFD members will be expected to cooperate fully with any investigation. When the offender and/or the victim is a uniformed member, PSO will participate as requested by HRD investigators to compel cooperation of uniformed members or assist in the fact gathering as warranted. The investigative results shall be provided to the Fire

Chief and to the City Manager's office by HRD. If at any time during the course of the investigation the offense is determined to be criminal, the appropriate law enforcement agency shall be notified. If the investigation reveals that a policy violation occurred, the Fire Chief, by civil service law, has 180 days from becoming aware of the violation to take disciplinary action (180 day rule does not apply to civilians).

C. Support for the Victim

Victims of harassment are encouraged to seek support from any or all of the following sources:

1. AFD Psychologist.
2. City of Austin Member Assistance Program (affiliated with health care program).
3. AFD Wellness Center Peer Support Team.
4. One of the AFD Chaplains.
5. Austin Police Department Victim Services.

City of Austin HRD or AFD HR can help with additional resources if needed.

D. Harassment or Discrimination Outside of This Policy

If any member feels that they have been harassed or were discriminated against in a manner not covered by this AFD policy, then they may file a complaint with the Federal Equal Employment Opportunity Commission (EEOC).

E. Retaliation Prohibited

1. No member shall be discriminated against, harassed, intimidated, nor suffer any reprisal as a result of reporting violations of this policy in good faith. Any member who experiences discrimination, harassment, intimidation, or any form of retaliation as the result of having reported harassment should immediately report such action to any of the following:
 - a. Any AFD supervisor (civilian or uniformed).
 - b. Fire Department PSO.
 - c. Fire Chief.
 - d. Fire Department Human Resources Manager.
 - e. City HRD.
2. Any member who discriminates against, harasses, intimidates or in any other way retaliates against an individual who reports a violation of this policy in good faith or cooperates in the investigation shall be subject to discipline up to and including indefinite suspension/termination.

F. Criminal Activity and Threat of Imminent Physical Harm

Criminal activity such as assault and sexual assault as defined above, and any other threat of imminent physical harm, shall be referred to the appropriate law enforcement agency. If the member is aware of a threat of imminent physical harm to themselves, another member or a member of the public, they should attempt to remove themselves from the situation and immediately notify appropriate law enforcement personnel by calling "911." Additionally, the member shall notify their coworkers who may be in peril and report this emergency call to "911" to their supervisor or other member of management immediately.

G. Malicious Accusations

Anyone who knowingly makes a false accusation shall be subject to discipline up to, and including, indefinite suspension/termination.

H. Training

All members shall receive training as is necessary and available. It is the purpose of this provision to create a clear standard and to raise the emphasis on achieving compliance. All members will be required to participate in refresher training on a frequency to be determined by the Fire Chief.

	Austin Fire Department Policy and Procedure	General Order Number E206
Subject: Personal and Family Relationships in the Workplace	Effective Date: 11-9-2015	Rescinds:
		Page: 1 of 3
Application: All AFD Personnel	Authorized by: Rhoda Mae Kerr, Fire Chief	

I. Purpose

The purpose of this policy is to establish guidelines governing personal and family relationships in the workplace.

II. Background

The expectation for professionalism in personal and family relationships is necessary in order for the Austin Fire Department (AFD) to maintain order and discipline, promote relationships of mutual respect and confidence between supervisors and subordinates and between employees who work together, and to minimize the possible adverse impact on the well-being of our employees. AFD understands that a spirit of camaraderie and familial ties among its members is beneficial to morale, and that it cannot dictate a member's off-duty relationships. However, a paramilitary organization also lends itself to creating power structures that have the potential to affect proper professional and personal relationships while on-duty, resulting in uncomfortable strain or hostility, as well as perceived and/or actual favoritism, potential misconduct, allegations of sexual harassment and other workplace distractions. Specifically, supervisor/subordinate relationships create an environment that may negatively impact the work performance of the subordinate and/or others. As such, it may have the same influence as harassment.

III. Definitions

A. "Family" refers to all relatives, including but not limited to: past and present spouses, past and present domestic partners, relatives by marriage, children (including biological, foster and step-children), parents, step-parents, grandparents, grandchildren, in-laws, siblings (including adoptive or step-siblings), cousins, nieces, nephews, aunts and uncles.

B. "Personal Relationship" refers to an intimate, sexual or dating relationship.

IV. Policy

- A. Due to the tenuous nature of initial employment and the necessary deference to the existing rank structure, sworn members are strictly prohibited from initiating any type of personal relationship with any Cadet or Probationary Firefighter, regardless of the member's current assignment or rank.

Furthermore, AFD prohibits personal relationships between a supervisor and their subordinate and employees who work at the same station on the same shift because such relationships, even when they are consensual, can create compromising conflicts of interest or the appearance of such conflicts.

- B. Personal and family relationships shall constitute neither an advantage nor a disadvantage to selection, promotion, salary or other conditions of employment.

1. Uniformed members who are family members or in a personal relationship:

- a. cannot work in the same fire station on the same shift.
- b. cannot be directly supervised by the family member or the other person in the relationship.
- c. should not work in the direct chain of command unless authorized by the Fire Chief or their designee.

2. Uniformed members in staff positions and/or civilians who are family members or in a personal relationship:

- a. cannot be directly supervised by the family member or the other person in the relationship.
- b. should not work in the direct chain of command unless authorized by the Fire Chief or their designee.

3. One or both uniformed members who are engaged in a personal relationship that is in violation of this policy shall immediately self-initiate a transfer to an open assignment that would not place them in violation of this policy. Members may confidentially request assistance from their Battalion Chief or Division Chief in order to expedite and facilitate a transfer to an open assignment.

However, when a personal relationship that is in violation of this policy becomes public knowledge through self-disclosure or by virtue of its impact on work performance it must be reported to someone in the appropriate chain of command. The member's chain of command will review the situation in light of all the facts (reporting relationship between the members, effect on co-workers,

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job titles of the members, etc.) and will determine, at a minimum, which one of the members will be transferred to another assignment.

4. Exceptions exist for temporary assignments including but not limited to training evolutions, emergency scene operations, traveling or non-Operations Added Time, where a supervisory relationship could exist.
- C. Refer to E202.1 Harassment Prevention Policy, in the event that a personal or family relationship becomes abusive or obscene and/or involves threatening conduct or communication that is intended to harass, annoy, alarm, torment, embarrass or injure another.
- D. Violation of this policy may lead to discipline up to and including indefinite suspension.

	AUSTIN FIRE DEPARTMENT Policy and Procedure	General Order Number C109.1
Subject: Use of Social Media	Effective Date: 05-02-2017	Rescinds: C109
		Page: 1 of 4
Application: All AFD Personnel	Authorized by: Rhoda Mae Kerr, Fire Chief	

I. Purpose

This policy identifies potential uses of social media that may be evaluated and utilized as deemed necessary and reasonable by fire administrative and supervisory personnel. The Department also recognizes the role that social media plays in the personal lives of some members. As such, this policy provides guidance of a precautionary nature, and restrictions and prohibitions on the use of social media by members of the Department, whether on or off duty, and regardless of the ownership of the device with which the information is being captured and/or shared.

II. Background

The Austin Fire Department endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes the Department's position on the use and management of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media but rather social media in general, as emerging technology may outpace our ability to create policies governing its use. This policy is not meant to inhibit the First Amendment rights of any member of the Department acting as a private citizen in accordance with the applicable state and federal court decisions.

Social media provides a new and valuable means of assisting the Department and its members in meeting community outreach, problem-solving, investigation, recruitment, fire prevention, and related organizational and community objectives. The personal use of social media can have an effect on Fire Department members in their official capacity, either as individuals or on the Department as a whole.

III. Terminology

The environment of social media is constantly changing as new technology and uses are developed. This policy is meant to include, but not be limited to, any social media interaction, such as a "Post," "Profile," "Comment," etc., and does not exclude any future social media interactions/terminology that may not yet be defined.

Social media that is not department sanctioned is considered personal use, and each individual is personally responsible – and potentially liable – for whatever is posted.

IV. Policy

A. Violation of this social media policy may result in disciplinary action, up to and including termination or indefinite suspension.

B. Personal Use of Social Media

1. Members are cautioned that speech on or off duty, made pursuant to their official duties—that is, that owes its existence to the employee’s professional duties and responsibilities—may not necessarily be protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Members should assume that their speech and related activity on social media will reflect upon the Department and their position within the Department.
2. Members are not restricted from using social media as private citizens or for personal matters, so long as their use does not impair working relationships of the Department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, negatively affect the public perception of the Department, or violate any provisions of AFD Policy E201 Code of Conduct.
3. Members are prohibited from the use of speech, images, comments, and/or cartoons containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, threaten, harass, or otherwise express bias against any person, as further defined in AFD Policy E202 Harassment Policy.
4. Members may not make any statements, speeches, appearances, or endorsements that could reasonably be considered to represent the views or positions of the Department without express authorization.
5. Members may not post, transmit, or disseminate any photographs, video or other recordings obtained or accessible as a result of employment with the Department without the express authorization of the Fire Chief or their designee.

C. Authorized Department Use of Social Media

1. Authorized Department social media sites or pages shall be approved in advance by the Fire Chief or their designee, and by the City PIO (Public Information Officer).
2. Content managers for authorized Department social media sites or pages shall provide all authorization information (usernames and passwords) to the Department’s Public Information Office, and the PIO must be named an administrator.

3. All Department social media sites or pages must adhere to the City of Austin's Social Media Guidelines (Administrative Bulletin 08-05).
4. Social media pages shall clearly indicate they are maintained by the Department and shall have Department contact information prominently displayed.
5. Department social media pages will include information determined by the City's PIO to be relevant and necessary, but at a minimum should include:
 - i. An introductory statement that clearly specifies the purpose and scope of the Department's presence on the website.
 - ii. A link to the Department and City of Austin official websites.
 - iii. Information that is designed for the target audience(s) such as the community, civil leadership, members, and/or potential job candidates.
6. Department social media content shall adhere to applicable laws, regulations, and policies of the Austin Fire Department and the City of Austin, including all information technology and records management policies.
 - i. All content is subject to public information laws. Relevant records retention schedules apply to social media content.
 - ii. Content must be managed, stored, and retrieved to comply with public information laws, and e-discovery laws and policies.
 - iii. Members using a Department-issued or Department-owned Communication Messaging Device to access social media, whether on duty or off duty, have no reasonable expectation of privacy in information contained in that equipment, regardless of whether or not the employee is receiving a financial stipend for the device. Information that is related to the Department but shared via personal message options (text, personal email, etc.) is also subject to public information requests and open records laws.
7. Department social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Department or the City of Austin.
 - i. Pages shall clearly indicate that posted comments will be monitored and that the Department reserves the right to remove obscenities, off-topic comments, personal attacks or any other comments as they see fit.
 - ii. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
 - iii. Pages shall clearly indicate the process for filing public information requests and that they are not to be used for emergency notification (i.e., call 911).
8. Under no circumstances will photo images, video, or audio of any patients or their identifiers be posted online without their permission.
9. Department personnel representing the Department via social media outlets (regardless of whether those outlets are personal or Department accounts) will be held responsible and accountable, and shall do the following:

- i. Conduct themselves at all times as representatives of the Department and, accordingly, shall adhere to all Department standards of conduct and observe conventionally accepted protocols and proper decorum.
- ii. Identify themselves as a member of the Department.
- iii. Not make statements or comments concerning pending Austin Fire Department legal matters, nor post, transmit, or otherwise disseminate confidential information.
- iv. Not conduct political activities or private business.

10. Additionally, Department personnel who serve in the PIO function have special access to Department social media accounts, and they will be held accountable and responsible for anything they post on those accounts, whether or not they are acting in the PIO role at that time.

V. Procedure

- A. Divisions of the Department (including individual fire stations) who wish to establish a social media presence must submit a formal request to the Department's Public Information Office outlining the type of account requested, its expected use, administrators, etc. Accounts may not be created in advance of the following process being completed first:
 1. The Department's Public Information Office will submit the request to the Fire Chief and City PIO for approval.
 2. Once approved, the Department's Public Information Office will work with the member to create the account and ensure it meets all relevant standards and contains all required information.
 3. The Department's Public Information Office will work closely with the member to ensure the site remains appropriate, timely, and positively reflects the Department's mission and brand.
 4. Both the City and the Department's Public Information Officer must have manager/administrator status to all accounts, as well as all usernames and passwords.
 5. If at any time content is deemed to not meet these standards, the Department's Public Information Office reserves the right to remove the content immediately.

	AUSTIN FIRE DEPARTMENT Policy and Procedure	General Order Number C102	
Subject: Computer Use		Effective Date: 10-01-2009	Rescinds: H27-C
Application: All AFD Personnel		Authorized by: Rhoda Mae Kerr, Fire Chief	

I. Purpose

To ensure responsible and acceptable use of computers by all members of the Austin Fire Department according to the City of Austin Acceptable Use Policy.

II. Background

This Austin Fire Department Computer Use policy must be consistent with the City of Austin Communication and Technology Management (CTM) policies and procedures. The full explanation of the computer policies listed below can be found on the CTM web site: <http://cityspace.ci.austin.tx.us/departments/ctm/security-policy>.

III. Policy

A. Members are subject to disciplinary action up to and including indefinite suspension for unacceptable use of computer resources, including email and Internet usage. Some examples of unacceptable uses that could result in termination include: conducting or promoting a commercial or personal business; engaging in political lobbying; viewing or receiving sexually explicit material; sending racial, ethnic, religious or gender-based slurs; and threatening or harassing others. In addition, all members should be aware that Internet usage and email messages are not personal or private. All computer files are the property of the City of Austin and, therefore, a public record. CTM monitors every connection to the Internet and can produce reports of this usage for each member.

IV. Procedure

A. Computer Acceptable Use

1. The use of City-provided Internet, e-mail and/or computer use must be related to, and for the benefit of, City government. Similar to the use of telephones, televisions, and newspapers, computers are a major instrument for communications within our society. Limited personal use may be permitted, as approved by the immediate supervisor, at times when the use does not interrupt, interfere or prevent the productivity of AFD business or work requirements. All personal use of the computer must be appropriate for the workplace. Any questions should be directed to the immediate supervisor.
2. All on-line communications, such as electronic mail messages (and attachments) and postings to various kinds of discussion groups, are subject to the same laws, regulations, policies, and other requirements as information communicated in other written forms and formats. This includes proper business correspondence practices and proper use of City of Austin equipment and resources.
3. Use network resources responsibly to avoid having a negative impact on others who need to share those resources.
4. User Responsibilities
 - a. Comply with this "Acceptable Use Policy." By participating in the use of networks and systems provided by the City, users agree to comply with City and department policies governing their usage.
 - b. Do not download and/or install non-authorized software on your PC.
 - c. Take all reasonable precautions to prevent the use of their electronic mail account and their workstation by unauthorized individuals. Lock or use a screen saver password whenever you leave your PC to protect your account from unauthorized access.
 - d. Users are responsible for activity from their login account, email account and/or their workstation.
 - e. Comply with other City and department policies, procedures, and standards.
 - f. Be courteous and follow accepted standards of etiquette and "netiquette".
 - g. Use information technology resources efficiently and productively.
 - h. Communicate data security needs of information under your purview to your LAN administrator or ctm.security@ci.austin.tx.us.
 - i. All desktops must have up to date virus protection installed and active.

- j. All servers should have up to date virus protection. If you feel like you have a server that does not require it, please email ctm.security@ci.austin.tx.us for authorization.
 - k. Save all business data to authorized drives that ensure backups are done appropriately.
 - l. Do not share passwords. Do not give your password to anyone. Authorized users will be able to get your password through legitimate means. (For example: If your IT person needs to access your account, they have the rights to change your password.) You are responsible for your login account and password.
5. Privacy
- a. Neither Internet usage nor electronic mail messages are personal or private.
 - b. All computer files are the property of the City of Austin, regardless of their physical location or the form in which they are maintained. The City of Austin reserves the right to access and disclose all messages and other electronic data, sent over its electronic mail system or stored in its files, for legal and audit purposes. Under the Texas Open Records Act, any electronic mail can be a public record. Employees should be aware that electronic records are subject to the mandatory public disclosure requirements of the Texas Open Records Act, subject to the exceptions under the Act.
 - c. E-Mail is backed up daily on a permanent basis allowing the City of Austin to restore current electronic mail in the event of system failure. Employees should assume that copies (back-up copies or otherwise) of electronic mail messages and other electronic correspondence may exist on other systems even though the sender and recipient have discarded their copies of the document.
 - d. Information Systems Department monitors every connection to the Internet (all email, web sites, instant messages, etc.)
6. Acceptable uses of computer resources are those that conform to the purpose, goals, and mission of the department and to each user's job duties and responsibilities. The following list, although not all-inclusive, provides some examples of acceptable uses:
- a. Communications and information exchanges directly relating to the mission, charter, and work tasks of the department including electronic mail in direct support of work-related functions or collaborative projects.
 - b. Communications with vendors of products used or being considered for use by the City, either to investigate use of their product or to receive help in using their product.

- c. Communications, including information exchange, for professional development or to maintain job knowledge or skills.
 - d. Announcements of City laws, procedures, hearings, policies, services, or activities.
 - e. Use involving research and information gathering in support of the City's governmental duties.
7. Unacceptable use can be defined generally as activities that do not conform to the purpose, goals, and mission of the department and to each user's job duties and responsibilities. Any computer usage in which acceptable use is questionable should be avoided. When in doubt, seek policy clarification prior to pursuing the activity.
8. The City of Austin computer use, e-mail and/or Internet access may not be used to:
- a. Listen to, view, or temporarily download audio or video files for entertainment or leisure activities during normal business hours. These activities are bandwidth intensive and take resources away from our customers.
 - b. Seek or gain unauthorized access to City of Austin network resources or to Internet resources.
 - c. Destroy the integrity of computer based information.
 - d. Compromise the privacy and/or security of users.
 - e. Disrupt the functions of City of Austin networks or other computer resources, including, but not limited to, propagation of worms or viruses or other debilitating programs.
 - f. Conduct or participate in illegal actions.
 - g. Violate City of Austin or fire department policies.
 - h. Circumvent legal protection provided by copyright and license to programs and data.
 - i. Conduct or promote commercial or private/personal business enterprises or products.
 - j. Engage in political lobbying.
 - k. Support or solicit on behalf of groups, organizations, etc. that are not related to City of Austin.
 - l. Transmit unsolicited commercial information (i.e. junk mail, advertising, etc.)
 - m. Transmit material that may be deemed offensive to its recipient.

- n. View, transmit, or receive sexually explicit material.
 - o. Advocate racial, ethnic, religious, or gender-based slurs.
 - p. Threaten or harass others.
 - q. Harm to minors.
 - r. Threats.
 - s. Harassment.
 - t. Fraudulent activity.
 - u. Forgery or impersonation.
 - v. Unsolicited email or bulk email.
 - w. Unauthorized access.
 - x. Copyright or trademark infringement.
9. Anyone who inadvertently encounters an unauthorized site or inappropriate email receipt is to immediately sever the site linkage and/or delete the file. Upon such an occurrence, the member is to notify their immediate supervisor acknowledging the inadvertent site contact and the approximate time and duration the site was visited. An email should be sent through the member's chain of command to the Battalion Chief level to document the incident.
10. The City of Austin realizes that we have little control over communications received, especially those received from unsolicited sources. Any unsolicited electronic correspondence (spam) should be deleted.

B. Use of Personal Software and Hardware

- 1. The use of non-City provided hardware and/or software is prohibited without approval from the Department Head and CIO.

C. Prohibited Applications and Devices

- 1. No privately owned computing device (laptop, tablet PC, mobile device, etc.) shall be connected in any way to a City computer or network. AFD is not responsible for damage or theft of privately owned computing devices. Private devices used while on City property are subject to all provisions of the Computer Acceptable Use policy.

D. Prohibited Email Attachments

1. Email is one of the primary vectors for the transfer of malicious software. Refer to the City's Acceptable Use Policy to ensure that the files being transferred are in conformance with the acceptable uses of computer equipment in the City.

E. City of Austin Removable Media

1. Steps must be taken to minimize the risk of data lost or stolen on all removable media (i.e.: floppy disks, removable hard drives, usb flash drives, cdroms, dvds, etc.) which contain confidential information for the City, especially Electronic Personal Health Information (EPHI) and/or Electronic Protected Information (EPI).
 - a. Members with access to this type of information shall physically secure all removable media when not in use. This can be accomplished by placing the media in a locked container such as a safe, locked office, locked desk, locked filing cabinet, as long as the container cannot be easily removed.
 - b. All EPI and/or EPHI information must be encrypted if it is stored on removable media and is not physically secured.

F. City of Austin Handheld/Blackberry Device Use

1. Handheld Devices must not be used to store EPI and/or EPHI data. All Handheld Devices must utilize the City's standards for encryption for the data being transferred and must utilize the City's standards for password protection. The employee must exercise the City's physical controls on the portable device.

G. Information Security Sanctions

1. Workforce members who violate the information security policies of the City will be subject to loss of City resources and/or disciplined in accordance with the severity of the infraction and pursuant to the City's personnel policies.

H. Instant Messaging

1. Commercial IM protocols (AIM, Yahoo Messenger, etc) are strictly forbidden for use within the City's network infrastructure. Use of IM by City Employees must conform to the City's Acceptable Use Policy.

I. Intellectual Property/Social Media

Any written, auditory, and/or visual messages communicated by a member that are relative to the Austin Fire Department in any capacity are the sole property of the

Austin Fire Department. This includes, but is not limited to, any written, auditory, and/or visual messages communicated via or on Department resources or via or on personal devices (cell phones, PDAs, etc.) and/or social media (Twitter, Facebook, MySpace, etc.)

J. Screen Locking and Member Log Off

1. All computer workstations attached to the City's network must have screen locking software installed which automatically locks or logs off the workstation if left idle more than 15 minutes.
2. Employees are ultimately responsible for the security of their computer. Employees must therefore not rely on the 15 minute timeout to lock their system if they are leaving the system unattended, but rather manually lock or log off their computer.



SPECIAL ORDER

TO: All Uniformed Personnel

FROM: Tom Dodds, Chief of Staff

DATE: January 27, 2016

SUBJECT: Harassment/Relationship Policy Educational Rollout

Recently, two new polices were released to the department: Harassment Prevention (GO E202.1) and Personal and Family Relationships in the Workplace (GO E206). To assist each member in becoming familiar with the new policies and to provide opportunities to ask questions we have created educational sessions. The educational sessions will be administered through Captains' Complements, and will be led by Battalion Chiefs and the Executive Team. Each member is directed to read and become familiar with the policies, as well as print out a personal copy of each policy for use in the session. This training is mandatory; an attendance roster will be completed by the Battalion Chief at each session.

	Time	Shift	Captains Complement/Staff Location	Executive Team Member
5-Feb.	1300	B	AFR	Jantzen
8-Feb.	0730	B	Communications B	Orta
	1000	N	Wildfire	Orta
	1300	B	Q1	Woolverton
	1300	N	Investigations	Orta
	1300	B	Station 14	Jantzen
	1530	B	Station 31	Jantzen
	1530	B	Q17	Clopton
9-Feb.	0730	C	Communications C	Orta
10-Feb.	0730	D	Communications D	Buck
	1300	A	Q1	Vires
	1300	A	L8	Davis
	1300	N	Prevention	Orta
	1530	A	Q38	Orta
	1530	A	Q17	Vires
11-Feb.	0730	A	Communications A	Davis

All Uniform Personnel

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Harassment/Relationship Policy Education Rollout

	1030	N	Education Services	Davis
	1300	B	Q3	Dodds
	1300	B	Q40	Fowler
	1300	N	Wellness	Woolverton
	1530	B	Q19	Frick
	1530	B	Q15	Fowler
12-Feb.	1300	C	Q3	Buck
	1300	C	Q40	Davis
	1300	N	Headquarters	Orta
	1530	C	Q19	Vires
	1530	C	Q27	Tanzola
15-Feb.	1300	C	Q1	Vires
	1300	C	L8	Davis
	1300	N	Shops	Woolverton
	1530	C	Q38	Davis
	1530	C	Q17	Vires
17-Feb.	1300	B	Q18	Jordan
	1300	B	Q35	Frick
	1530	B	Q27	Frick
	1530	B	L8	Davis
18-Feb.	1300	C	B1 Makeups	Clopton
	1300	C	Q15	Woolverton
	1530	C	L36	Dodds
	1530	C	Q18	Vires
19-Feb.	0900	C	AFR	Jantzen
	1300	A	Q3	Jordan
	1300	A	Q18	Swenson
	1300	A	AFR	Jantzen
	1530	A	Q19	Jordan
	1530	A	Q27	Swenson
22-Feb.	1300	A	Q40	Swenson
	1300	A	Station 14	Jantzen
	1530	A	Station 31	Jantzen
	1530	A	L36	Swenson
24-Feb.	1300	C	Q35	Vires
	1300	C	Station 14	Jantzen
	1300	N	SpecOps	Jantzen
	1530	C	B2 Makeups	Buck
	1530	C	Station 31	Jantzen
25-Feb	1300	A	Q35	Clopton
	1300	A	B2 Makeups	Swenson

	1530	A	B3 Makeups	Swenson
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All Uniform Personnel

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Harassment/Relationship Policy Education Rollout

	1530	A	B4 Makeups	Dodds
26-Feb.	1300	B	L36	Tanzola
	1300	B	Q38	Frick
	1530	B	B5 Makeups	Buck
	1530	B	B3 Makeups	Tanzola
29-Feb.	1300	B	B4 Makeups	Buck
	1300	B/N	Spec Ops/Make ups	Jantzen
	1530	B	B1 Makeups	Fowler
	1530	B	B3 Makeups	Woolverton
2-March	1300	A	B1 Makeups	Frick
	1300	A	B2 Makeups	Buck
	1300	A	AFR Makeups	Jantzen
	1530	A	Spec Ops Makeups	Jantzen
	1530	A	B3 Makeups	Buck
3-March	1300	B	B5 Makeups	Dodds
	1300	B	B1 Makeups	Frick
	1530	B	B4 Makeups	Fowler
	1530	B	B2 Makeups	Buck
4-March	0900	B	AFR Makeups	Jantzen
	1300	C	B1 Makeups	Frick
	1300	C	B2 Makeups	Buck
	1300	C	AFR Makeups	Jantzen
	1530	C	B3 Makeups	Tanzola
	1530	C	B4 Makeups	Dodds
7-March	1300	C	B5 Makeups	Tanzola
9-March	1300	B	B2 Makeups	Fowler
11-March	0900	C	Spec Ops Makeups	Jantzen
	1300	A	B1 Makeups	Jordan
	1300	A	B5 Makeups	Buck
	1530	A	B4 Makeups	Buck
	1530	A	B5 Makeups	Fowler
14 March	1300	A	Q15	Dodds



MESSAGE FROM THE CHIEF

**DISPOSAL DATE:
Indefinite**

TO: All Fire Department Personnel
FROM: Rhoda Mae Kerr, Fire Chief
DATE: April 16, 2010
SUBJECT: Workplace Conduct

Recently, the fire service has received much national attention regarding the subject of workplace relations and the concept of “culture”. While the AFD is committed to ensuring that our work sites are free from all forms of harassment and have taken affirmative steps to that effect, we cannot relax our efforts.

As stated in General Order E202, a workplace that is free from harassment supports AFD’s values of teamwork, professionalism, service and equal opportunity. While members of the fire service may consider there to be a difference between harassment and “worming,” conduct that a reasonable person may find offensive, objectionable, or inappropriate has no place in the workplace and will not be tolerated. All members should be familiar with General Order E202 and supervisors should discuss the policy with their assigned personnel.

AFD remains committed to zero tolerance to all forms of harassment.

In the near future, the Department intends to implement a program that will provide resources for both employees and supervisors to address these specific types of issues.

Questions that are not resolved by referring to General Order E202 should be addressed through the chain of command, AFD HR, or the City of Austin HR Department.