



## MEMORANDUM

**TO:** Public Safety Commission

**FROM:** Jasper Brown, Chief of Staff  
Austin – Travis County Emergency Medical Services

**DATE:** March 3, 2018

**SUBJECT:** Austin – Travis County EMS Policies and Procedures for reporting and addressing allegations of harassing workplace behavior

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### **Does your department have a written or published policy defining and prohibiting harassing behavior?**

#### Policy 202 – Responsibility to Coworkers

##### .01 Purpose

Employees are at all times individually responsible for treating coworkers with respect and dignity. The intent of this policy is to clearly state that unprofessional behavior will not be tolerated in the workplace.

##### .03 Policy

##### A. Relations with Coworkers

##### 1. Mutual Respect and Courtesy

Employees are expected to treat each other with respect. They are to be courteous and civil at all times and perform their duties in a cooperative and supportive manner. Employees will not threaten, display physical aggression toward, or use insolent or abusive language with one another.

##### 2. Supporting Fellow Employees

Employees shall cooperate, support, and assist each other at every opportunity, and shall not publicly criticize the work or the manner of performance of duty of any other employee.

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

#### Policy 200 – Individual Responsibilities

##### 2. Reporting Violations

a. Employees have an obligation and responsibility to report incidents or unusual events involving, but not limited to, policy violations; illegal or unethical behavior; conflicts involving coworkers, customers or other providers; abuse; loss, theft or damage of city property; breaches of confidentiality; deviations from

orders, procedures, or instructions; incidents involving harassment, violence or hostility, or abuse of any kind; acts of discrimination; or violations of safety policies. Any person who has knowledge of or who witnesses incidents or unusual events shall report them through their chain of command. If for any reason a person does not feel comfortable using their chain of command for submitting a report, they may report directly to the EMS Chief or the EMS Human Resources Manager or City of Austin established processes.

b. Except as required by law and as required in reporting the incident or unusual event:

- i. Employees will not disclose or discuss such information with anyone, except investigators assigned to the case, the employee's representative, the employee's chain-of command or other persons specifically designated by the EMS Chief.
- ii. Investigators of such cases will not disclose or discuss information about any such investigation with anyone, except other investigators assigned to assist with the investigation, the investigator's chain-of-command, or other persons specifically designated by the EMS Chief.

**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?**

Policy 205 Internal Investigations

B. Complaint Process

1. Complainants may be department employees, a member of the public, or anonymous. complaints can be received by the following:
  - i. Any person in the employee's chain-of-command including the EMS Chief. If the allegation involves a person in the employee's chain-of-command, employees should feel free to report the situation to any other supervisor.
  - ii. The EMS HR manager or designee
  - iii. The City's Human Resources Director or HRD Employee Relations (a division of the City's Human Resources Department)
  - iv. Office of Professional Conduct (OPC)

**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?**

Policy 205- *Internal Investigations* defines that OPC Investigator will be assigned to investigate but nothing in the document restricts the powers vested in the EMS Chief as the decision maker in all disciplinary matters.

**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?**

*HR-01.07.02 Administrative Investigation Procedures for Sworn Personnel* outlines the administrative investigation process and who may investigate. This states “EMS Employee” to include Executive Staff.

Administrative Investigation – An investigation of alleged misconduct by an ATCEMS Employee that could result in disciplinary action. These may be conducted by:

- a) EMS’s Office of Professional Conduct (OPC)
- b) EMS Human Resources (EMS-HR) or City Human Resources (City-HR)
- c) EMS Operations Command
- d) EMS Chief of Staff
- e) An Independent Investigator designated by the Chief or his designee and/or the City Manager