



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

2012 EEO POLICY STATEMENT

The Department of Emergency Services and Public Protection (“DESPP”) will 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 on the basis of the factors mentioned below.

What is Equal Employment Opportunity?

"Equal Employment Opportunity" means employment of individuals without consideration of:

- | | |
|--|--|
| Age | Genetic Information |
| Ancestry/Alienage | Gender Identity or Expression |
| Color | Harassment (including Pregnancy and Sexual Harassment) |
| Criminal Record (except for state licensing and/or employment) | Marital Status |
| Disability (includes Physical Disability, Learning Disability and/or Intellectual Disability, formerly Mental Retardation) | National Origin |
| Gender/Sex | Previously Opposed Discrimination (Retaliation) |
| | Race |
| | Religious Creed |
| | Sexual Orientation |

Unless the provisions of §46a-60(b), §46a-80(b) and §46a-81(b) of the Connecticut General Statute 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 the employment terms and conditions including, but not limited to:

- | | |
|-------------|-------------------------|
| Recruitment | Benefits |
| Hiring | Leave |
| Testing | Training Opportunities |
| Promotion | Performance Evaluations |
| Assignments | Demotion |
| Transfer | Discharge |
| Salary | Working Conditions |

It is the policy of the Department of Emergency Services and Public Protection to implement the principles of Equal Employment Opportunity (“EEO”) and Affirmative Action (“AA”) by providing employment and advancement opportunities solely on the basis of job-related skills, ability and potential.



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Purpose and Need

Equal Employment Opportunity is the purpose and goal of Affirmative Action under the provisions of §§46a-68-31 through 46a-68-74 of the Affirmative Action Regulations of Connecticut State Agencies. The basis of this policy statement for equal employment opportunity is not only because it is the law, but also because it is an essential part of the philosophy of this Department.

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, Blacks and Hispanics and any other protected group found to be underutilized in the work force or affected by policies or practices having an adverse impact. It is to achieve the full and fair participation of any protected group found to be underutilized in the workforce or affected by policies or practices having an adverse impact. The *purpose* of affirmative action is to secure the full and fair utilization of protected groups in the workforce, and the need for such action is measured by any lack of such utilization. The Department recognizes the need to remedy the hiring difficulties experienced by the physically disabled and by many older persons. To this end, program goals for past discrimination, if any, have been established and are described in the Program Goals §46a-68-44 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 State of Connecticut Commission on Human Rights and Opportunities (“CHRO”) is included in the plan. Those documents identify women, minorities, disabled persons, elderly persons and all other protected groups.

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 insure that all testing procedures are free of adverse impact. The role of affirmative action in the remainder of the process including promotion, transfer, discipline, compensation, benefits, and layoffs, is to secure the full and fair utilization of protected groups.



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Affirmative action and equal employment opportunity *are at all times immediate and necessary agency objectives*. The Department of Emergency Services and Public Protection (“DESPP”) pledges to affirmatively provide services and programs in a fair and impartial manner. It is the goal of the Department is to ultimately achieve full utilization of minorities, women, the elderly, the physically disabled and other protected classes within the Department’s workforce.

I, Reuben F. Bradford, direct all personnel to adhere to this policy statement and to familiarize themselves with the Department of Emergency Services and Public Protection’s Affirmative Action Plan. In order to satisfy these lawful obligations, DESPP maintains an Equal Employment Opportunity/Affirmative Action Office.

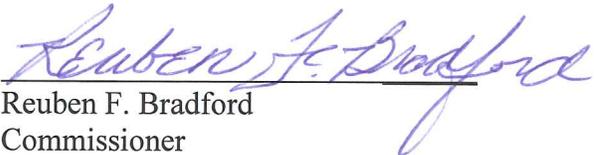
If you have any questions and/or concerns about any employment matters, wish to file an EEO Complaint of Discrimination form, or obtain more information about this policy statement and/or any other EEO related matters, such as the EEO Discrimination Complaint Procedures, please forward all inquiries by regular mail, electronic mail, and/or telephone contact to:

Jesenia Delgado, Equal Employment Opportunity Manager or
the assigned designee, Jewel White, EEO Specialist 1
Equal Employment Opportunity (“EEO”)/Affirmative Action (“AA”) Office
State of Connecticut Department of Emergency Services and Public Protection
1111 Country Club Road
Middletown, Connecticut 06457
(860) 685-8010
jesenia.minier-delgado@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.

10-31-11

Date


Reuben F. Bradford
Commissioner



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CONTRACT COMPLIANCE POLICY STATEMENT

The Department of Emergency Services and Public Protection ("DESPP") has the responsibility to review, monitor and enforce the equal opportunity, affirmative action and contract compliance laws of the State of Connecticut as they apply to contractors (including but not limited to, subcontractors and suppliers to contractors) who do business with the state.

Contracts with the state to provide these services bear a special responsibility to assure that their employment and subcontracting procedures promote equal opportunity for all persons. Contract compliance laws were enacted as a means of providing equal employment opportunities for minorities, female workers, economic development, and business growth opportunities for small contractors, minorities and women owned businesses through the distribution of state contracting dollars.

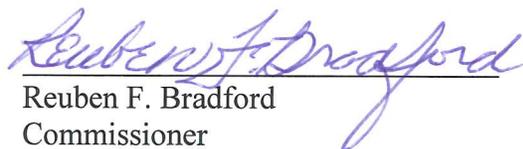
Contracts to be awarded are subject to the State of Connecticut Contract Compliance regulations effective August 23, 1990. These regulations set forth specific obligations of both a state agency and contractors with the State of Connecticut. Before awarding a contract subject to contract compliance requirements, DESPP will consider the following factors:

- a. The bidder's promise to develop and implement a successfully implemented Affirmative Action Plan;
- b. The bidder's success in developing an apprenticeship program complying with §§46a-68-1 to 46a-68-17, of the Affirmative Action Regulations for Connecticut State Agencies, inclusive;
- c. The bidder's submission on EEO-s Data indicating that the composition of its workforce is at or near parity when compared to the racial and gender composition of the workforce in the relevant labor market area; and
- d. The bidder's promise to set aside a portion of the contract for legitimate minority business enterprises.

DESPP is committed to Affirmative Action/Equal Opportunity. In accordance with this commitment, the Department will not knowingly do business with any contractor, subcontractor, bidder, and/or supplier of materials who discriminates against members of a protected class. Any contracts awarded by the Department shall contain the provisions of Connecticut General Statutes §4a-60 and §4a-60a.

10-31-11

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ANTI-RETALIATION POLICY STATEMENT

Policy Statement

The State of Connecticut 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. The Department will not tolerate harassment or retaliation by anyone, including any supervisor, co-worker, vendor, client or customer. DESPP shall investigate each complaint of retaliation and each reported violation of this policy statement and take disciplinary action, implement remedial measures and/or provide resolution, as appropriate.

What is prohibited?

Listed below are examples of *prohibited activity*. 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; 2) holds such office; 3) is a member-elect to such office; or 4) loses time from work in order to perform duties as such representative, senator or member-elect. ***Connecticut General Statutes Section 2-3a.***
- 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. ***Connecticut General Statutes Section 4-61dd(b)(1).***
- 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. ***Connecticut General Statutes 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 to a hazardous



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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 in the process of being corrected or abated. A hazardous condition for purposes of this statute 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. *Connecticut General Statutes Section 31-40t.*

- 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. No municipal employer shall discharge, discipline or other penalize any employee 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. *Connecticut General Statutes Section 31-51m.*
- Subjecting an employee to discipline or discharge on account of the exercise by such employee of the rights guarantees by the First Amendment to the U.S. Constitution or Sections 3, 4, or 14 of Article First of the State Constitution, provided such activity does not substantially or materially interfere with the employee's bona fide job performance or



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the working relationship between the employee and the employer. *Connecticut General Statutes Section 31-51q.*

- 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 himself or others has exercised any rights afforded by those provisions. *Connecticut General Statutes Section 31-69b.*
- Discharging, disciplining, penalizing or in any manner discriminating against any employee because the employee has filed a 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 himself or others has exercised any rights afforded by those provisions. *Connecticut General Statutes 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 his or her behalf or on behalf of others any right under OSHA. *Connecticut General Statutes 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. *Connecticut General Statutes 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. *Connecticut General Statutes Section 46a-13n(b).*
- 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. *Connecticut General Statutes Section 52-361a.*
- 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



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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.

Connecticut General Statutes 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 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. *Connecticut General Statutes Section 54-85d.*
- Anti-retaliation protections are also provided under the Connecticut Fair Employment Practices Act (**Connecticut General Statutes Section 46a-51 et seq.**) and federal law (**Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the American with Disabilities Act**) which prohibit retaliation against an employee because (s)he has either opposed an unlawful employment practice or made a charge, testified, assisted or participated in an investigation or proceeding under these laws; and 2 the First Amendment to the United States Constitution which prohibits retaliation against an employee because the employee engaged in speech or activity protected by the First Amendment.

Any conduct that constitutes retaliation is prohibited. The current test adopted by the United States Supreme Court in Burlington Northern & Santa Fe Railway. Co. v. White, 126 S. Ct. 2405 (2006) is whether there have been materially adverse employer actions that are likely to dissuade a reasonable employee from engaging in a protected activity (i.e., making or supporting a charge of discrimination).

The following are examples of retaliatory conduct that violates this 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 the employee;
- Refusing or threatening to refuse to provide back-up support in performing work duties, including emergencies;



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- Tampering with, vandalizing or interfering with the employee's equipment, vehicle or personal belongings;
- Selectively disciplining the employee or selectively threatening to impose discipline against the employee;
- Holding the 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.

Manager or Supervisor Responsibility

Each Department of Emergency Services and Public Protection ("DESPP") manager and/or supervisor has a responsibility to maintain the workplace free of any form of retaliation, to monitor working conditions in order to detect any violation(s) of this policy statement and to take prompt action to correct and report any violation(s).

Any DESPP manager and/or supervisor who witnesses conduct that violates this policy statement or receives a report of conduct that is alleged to violate this policy statement shall immediately report such conduct to the Department's Equal Employment Opportunity ("EEO")/Affirmative Action ("AA") Office as soon as feasible. Failure of a department manager or supervisor to take action upon witnessing or receiving a report of retaliation constitutes a violation of the policy statement.

Filing a complaint

The Department of Emergency Services and Public Protection ("DESPP") strongly encourages anyone who believes that (s)he is a victim of retaliation to report such retaliation as soon as it occurs. Any employee who witnesses retaliation or who becomes aware that an employee has been subjected to retaliation should report same to a supervisor, manager, the Department's Human Resources Unit and/or the Employment Opportunity ("EEO")/Affirmative Action ("AA") Office as soon as feasible and must do so immediately if the conduct jeopardizes the safety or security of the operation or of personnel.



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The Department's EEO/AA Office shall investigate and remedy retaliation that comes to its attention whether or not an employee has made a complaint. The following procedures apply to complaints:

A complaint of retaliation shall be made within thirty (30) days of the conduct complained of; however the Department's EEO/AA Office shall have the discretion to accept and investigate complaints made after thirty (30) days and shall do so for good cause shown. The Department's EEO/AA Office shall accept and investigate such complaints without a showing of good cause for delay if they allege ongoing or continuous misconduct that has continued by the same alleged Opposing Party(ies) within the thirty (30) day period.

A complaint of any violation of this policy statement may be made directly to any of the following:

1. Equal Employment Opportunity ("EEO")/Affirmative Action ("AA") Office;
2. Human Resources Unit; or
3. Any Manager or Supervisor.

If a complaint is received by any DESPP personnel other than personnel in the Department's EEO/AA Office, such personnel shall transmit such complaint to the Department's EEO/AA Office. Retaliation complaints may also be filed with other agencies which have jurisdiction to investigate and remedy such complaints.

Complaint Investigation and Disposition

The Department's EEO/AA Office or in the event of a conflict of interest, the Director of the Human Resources Unit (or his or her assigned designee), shall conduct and complete a fair, objective, comprehensive, and to the extent possible, confidential investigation into each and every complaint of retaliation. Upon completion of the investigation, the report shall be forwarded to the DESPP Commissioner (or his or her assigned designee) for a determination on appropriate action, where necessary.

Any employee who is found, after investigation, to have violated this policy statement shall be subject to consequences appropriate to the violation.

The DESPP Commissioner (or his or her assigned designee) may order appropriate measures to remedy conditions that violate this policy. Such remedial measures may include steps necessary to protect the complainant, other employees, and supportive witnesses from retaliation during and after the investigation, including but not limited to: counseling the alleged



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harasser to refrain from conduct that may be, or perceived to be retaliatory; transferring the alleged harasser; or offering the complainant, where available, an administrative transfer to another facility or location.

The Department's Equal Employment Opportunity ("EEO") Officer (or his or her assigned designee) or in the event of a conflict of interest, the Director of the Human Resources Unit (or his or her assigned designee), shall conduct a final interview with the Complainant to explain the results of the investigation and the determined course of action. If the Complainant does not agree with the investigation or the determined course of action, the Department's EEO Officer (or his or her assigned designee) or the Director of the Human Resources Unit (or his or her assigned designee), as the case may be, shall advise the Complainant that they may still file a complaint with the outside agency having jurisdiction to investigate and remedy such complaint.

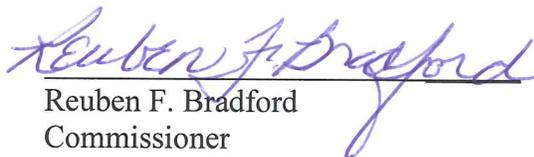
In the event of a determination that there is not sufficient evidence to substantiate a finding of a violation of this policy statement, the Complainant and the Opposing Party(ies) of the complaint shall be notified within five (5) business days of the determination.

Complaints of retaliation and all related records that do not result in an Administrative Inquiry ("AI") or Internal Affairs ("IA") complaint shall be retained by the Department's EEO Officer who will maintain such records securely. If you have any questions, concerns, complaints, or requests for additional information regarding the DESPP Anti-Retaliation Policy Statement, please forward all matters by either regular mail, electronic mail and/or telephone contact to the Department's EEO Officer (or his or her assigned designee):

Jesenia Delgado, Equal Employment Opportunity Manager or
the assigned designee, Jewel White, EEO Specialist I
Equal Employment Opportunity ("EEO")/Affirmative Action ("AA") Office
State of Connecticut Department of Emergency Services and Public Protection
1111 Country Club Road
Middletown, Connecticut 06457
(860) 685-8010
jesenia.minier-delgado@ct.gov

At any time after the filing of a complaint, the Department's EEO/AA Office may coordinate with the Human Resources Unit and any necessary personnel to address any matters that require immediate action or an attempt to a resolution of conflict mediation of the complaint.

10-31-11
Date


Reuben F. Bradford
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 the Americans with Disabilities Act of 1990 (“ADA”), 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. The Department is also committed to its obligations, as an employer, under the Rehabilitation Act of 1973, as amended and applicable State Disability and Discrimination Constitutional provisions and statutes.

DESPP strictly prohibits discrimination on the basis of disability in:

- (1) admission to, access to, and/or operation of its public programs, services, or activities; and/or
- (2) its hiring or employment practices.

An individual with a disability is any person who:

- (1) has an actual physical or mental impairment which substantially limits one or more of that person’s major life activities; and/or
- (2) has a record of such an impairment; and/or
- (3) is regarded as having such an impairment; and/or
- (4) falls within one or more of the disabling conditions protected by the state constitution and statutes.

Further, the Department will not exclude persons with a disability from participation in any employment program or activity. Accordingly, the Department will provide access to all of its programs, services and facilities to persons with disabilities in accordance with Title II of the Americans with Disabilities Act.

REASONABLE ACCOMMODATIONS (“RA”)

DESPP will provide a reasonable accommodation (“RA”) on the known physical or mental limitations of an otherwise qualified individual with a disability, unless the accommodation would impose an undue hardship to the agency. The Department will make every rational effort to determine and provide the appropriate reasonable accommodation to a qualified individual upon request. DESPP, in its discretion, may require the individual to provide additional information about his or her known disability and/or limitation(s) and the need for a reasonable accommodation.



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

How to request a reasonable accommodation:

- a. ***In connection with current employment at DESPP or the interview process:*** Qualified employees or applicants 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 process. Such requests should be initially referred to the Department's Equal Employment Opportunity ("EEO")/Affirmative Action ("AA") Office. **If you are unable to submit the initial request to the DESPP EEO/AA Office, alternate submission sites are the Department's Special Services Unit/Employee Assistance Program, the Department's Human Resources Unit and/or the employee's manager and/or supervisor.** A representative from the alternate site will forward the request(s) to the Department's EEO/AA Office for appropriate review and handling.
- b. ***In connection with open competitive examinations:*** Qualified individuals with a disability who require special testing accommodations should contact the **Personnel Assessment Services Section** of DAS/Statewide Human Resources Management at **(860) 713-7463** (voice and TDD) immediately upon submitting an application for an examination associated with the Department of Emergency Services and Public Protection ("DESPP"). When calling, the individual should be prepared to provide the exam title and number and a description of his or her specific needs.
- c. ***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 Mrs. Jesenia Delgado, Equal Employment Opportunity Manager or in the absence of the EEO Manager, the assigned designee, for assistance in coordinating the request for accommodation. The individual should be prepared to provide a description of his or her specific needs and medical release to evaluate your circumstances properly.

COMPLAINTS

EEO Complaints that derive from a Request for a Reasonable Accommodation that is denied and/or the inaccessibility of a DESPP program, service, or activity to persons with disabilities are to be filed the Department's EEO/AA Office, except for EEO Complaints against the DESPP Commissioner or the Department's EEO/AA Office. Any additional forms and/or advisement on other avenues of redress are available to all employees and/or applicants by



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request through the Department's EEO/AA Office or by reviewing the DESPP EEO/AA Intranet website.

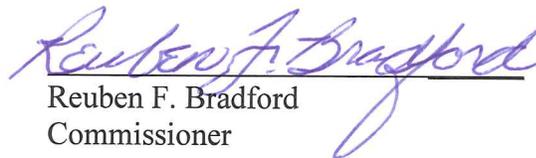
If you have any questions, concerns, complaints, or requests for additional information regarding the ADA Policy Statement, please forward all inquiries by either regular mail, electronic mail and/or telephone contact to the designated ADA Compliance Coordinator:

Jesenia Delgado, Equal Employment Opportunity Manager or
the assigned designee, Jewel White, EEO Specialist I
Equal Employment Opportunity ("EEO")/Affirmative Action ("AA") Office
State of Connecticut Department of Emergency Services and Public Protection
1111 Country Club Road
Middletown, Connecticut 06457
(860) 685-8010
jesenia.minier-delgado@ct.gov

Individuals needing any other services from the Department are invited to make their needs or requests known to the ADA Compliance Coordinator.

10-31-11

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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 State of Connecticut Department of Emergency Services and Public Protection (“DESPP”) to provide its employees with a workplace that is free of 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. Violations of this policy statement will be treated as serious disciplinary infractions.

Sexual Harassment is illegal and violates Title VII of the Civil Rights Act of 1964, 42 US Code §2000e et. seq., as amended, as well as Connecticut General Statutes §46a-60(8). DESPP prohibits sexual harassment, in any form, by or against its employees and/or to visitors at our troop sites and/or administrative offices. Any employee who violates this policy statement will be subjected to discipline, up to and including, termination of employment. Any employee who potentially violates this policy statement will be counseled and any employee who was subjected to harassment will be apprised of her or his rights.

Any employee who believes that he or she is a victim of any form of illegal discrimination, including harassment based on pregnancy and/or sexual harassment, or any employee who witnesses or has knowledge of such impermissible conduct is urged to report it in accordance with the DESPP EEO Policy Statement and §4.1.4 of the Administration & Operations Manual. An EEO investigation will be conducted promptly and when appropriate, action will be taken to remedy the problem at the conclusion of the EEO investigation. EEO Complaints made against the DESPP Commissioner and/or the Department’s EEO/AA Office, which will be automatically referred to the State of Connecticut Commission of Human Rights and Opportunities (“CHRO”) and if appropriate, investigation by the Department of Administrative Services (“DAS”) under §46a-68(b). DESPP will also take appropriate action to protect employees who are retaliated against for reporting illegal employment discrimination, in accordance with the Department’s Anti-Retaliation Policy Statement.

DEFINITIONS OF SEXUAL HARASSMENT

Sexual Harassment is defined as any unwelcome sexual advances, requests for sexual favors, and other 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



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- 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 has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment; or
- 4) Such conduct is so severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

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

- Repeated sexual advances, propositions and/or inappropriate and/or offensive comments;
- Engaging in sexual flirtation and/or physical touching without consent;
- Discussing sexual activities;
- Making a comment and/or spreading a rumor which embarrasses, ridicules or demeans a person because of the individual's gender and/or sexual orientation;
- 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 unseemly gestures, crude and offensive language, sexually explicit jokes, sexually explicit photographs or drawings, and/or sexually degrading words to describe an individual; and
- Retaliation against an employee for reporting sexual harassment and/or participating in an EEO Investigation regarding sexual harassment, in accordance with the Department's Anti-Retaliation Policy Statement.

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.



STATE OF CONNECTICUT
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EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION

MANAGEMENT RESPONSIBILITIES

The Department of Emergency Services and Public Protection (“DESPP”) Equal Employment Opportunity Manager, and its managers and supervisors shall make every reasonable effort to ensure that every work site is free of sexual harassment and to ensure mutual dignity and respect.

These efforts shall include, but are not limited to:

1. Implementing preventive measures, include compliance with online and/or classroom training and informational posting rules with the State of Connecticut Commission on Human Rights and Opportunities (“CHRO”) set forth in §46a-54-200 through §46a-54-207 of the Regulations of Connecticut State Agencies.
2. Monitoring working conditions to detect sexually harassing conduct.
3. Conducting a prompt and thorough EEO Investigation of each Complaint or report received, and communicating the results of the EEO Investigation to the Complainant who was allegedly subjected to the harassment.
4. Carrying out expeditious remedial measures reasonably calculated to prevent and correct any sexually harassing conduct which has occurred.

Further, all managers and/or supervisory staff share the responsibility in the implementation of this Policy Statement. Any DESPP supervisor and/or manager found to be in violation of any part of this policy statement will be subject to disciplinary action, up to and including, termination from employment.

EMPLOYEE RESPONSIBILITIES

1. Each DESPP employee shall refrain from engaging in any activity or conduct that may constitute sexual harassment.
2. Any employee who witnesses sexually harassing conduct, or who becomes aware that another employee has been subjected to sexual harassment, is urged to immediately report the harassment to the Equal Employment Opportunity Manager, or in the absence of the EEO Manager, the assigned designee.



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3. No employee shall retaliate against another employee for complaining about or reporting sexually harassing conduct, or for participating in any internal or external EEO Investigation of such conduct, in accordance with the Department's Anti-Retaliation Policy Statement.

SEXUAL HARASSMENT COMPLAINT PROCEDURE

Any employee who believes s/he has experienced sexual harassment, or has witnessed sexual harassment by any employee, prospective employee, vendor, or any other person in connection with his/her employment or participation with the Department of Emergency Services and Public Protection ("DESPP"), should bring the matter to the immediate attention of:

Jesenia Delgado, Equal Employment Opportunity Manager or
the assigned designee, Jewel White, EEO Specialist I
Equal Employment Opportunity ("EEO")/Affirmative Action ("AA") Office
State of Connecticut Department of Emergency Services and Public Protection
1111 Country Club Road
Middletown, Connecticut 06457
(860) 685-8010
jesenia.minier-delgado@ct.gov

If the Complainant(s) prefers, s/he may report the matter directly to his or her supervisor. If the complainant(s) feels uncomfortable reporting the harassment to his or her supervisor, s/he should immediately report the matter to any other member of management. An EEO investigation will be conducted promptly, and if appropriate, action will be taken at the conclusion of the EEO investigation, with exception for EEO Complaints made against the DESPP Commissioner and/or the Department's EEO/AA Office, which will be automatically referred to the State of Connecticut Commission of Human Rights and Opportunities ("CHRO") and if appropriate, investigation by the Department of Administrative Services ("DAS"), under §46a-68(b). The Department will not tolerate violations of this policy statement and strongly encourages victims of sexual harassment to report such harassment as soon as it occurs.

INVESTIGATION OF SEXUAL HARASSMENT COMPLAINTS

The Equal Employment Opportunity Manager, or in the absence of the EEO Manager, the assigned designee, will investigate all reported incidents of sexual harassment for the purpose of determining whether the incident took place, whether it constituted sexual harassment, and to determine what remedial actions, if any, are needed. The Complainant(s) must file the EEO Complaint of Discrimination Form

1111 Country Club Road, 2 North
Middletown, Connecticut 06457
Phone: (860) 685-8010/Fax: (860) 685-8019
An Affirmative Action/Equal Opportunity Employer



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within thirty (30) business days of the reported incident in order to begin investigating within a timely manner.

- To the extent practicable, all EEO Investigations will be conducted in as confidential a manner as possible;
- The EEO Complaint can be submitted as a written summary that will ultimately be copied into the Official EEO Complaint of Discrimination Form and signed by the Complainant(s);
- Both the Complainant(s) and the Opposing Party(ies) will be interviewed as part of the EEO Investigation and both will be reminded of the Department's Anti-Retaliation Policy Statement, Sexual Harassment Policy Statement, and the yearly EEO Policy Statement;
- The Complainant(s) will be asked to provide corroborating evidence for review and identify witnesses;
- The Equal Employment Opportunity Manager or in the absence of the EEO Manager, the assigned designee, will report and advise on the outcome of the EEO Investigation and make concluded recommendations to the DESPP Commissioner. The findings will be reviewed by the DESPP Commissioner or his or her designee, who will concur with the recommended final action(s), if any;
- The Complainant(s) shall be notified of the final action, if any, taken on his or her EEO Complaint;
- All EEO Investigations will be investigated within a ninety (90) day period, unless extenuating circumstances delays the process. The Complainant(s) and the Opposing Party(ies) will be notified in writing if a delay beyond this period from the filing of the EEO Complaint is extended to conclude with the evaluation and resolution of the EEO Complaint; and
- During the course of the EEO Investigation, the Equal Employment Opportunity Manager or in the absence of the EEO Manager, the assigned designee, shall report to the DESPP Commissioner or his or her designee, any potential criminal conduct.

RETALIATION FOR REPORTING SEXUAL HARASSMENT IS PROHIBITED

Please refer to the Department's Anti-Retaliation Policy Statement concerning the no tolerance policy for harassment or retaliation in the workplace.

10-31-11

Date

Reuben F. Bradford
Commissioner