

# ENDWELL FIRE DISTRICT

<b>ANTI-HAZING POLICY</b>	
<b>Number: 2024-19</b>	<b>Adopted: January 10, 2024</b>

## Basic Statement

The welfare of our personnel is one of our highest District and Departmental values. Our commitment to this value is the foundation for maintaining a high-quality workforce. We expect our leaders to demonstrate this commitment by aggressively eliminating barriers to success for all personnel. In our continuous pursuit of excellence, all personnel will share responsibility for ensuring that the talents and capabilities of our members and the District and Department as a whole are recognized, valued, and used in a manner that contributes to the accomplishment of our mission. In an era when our discipline, critical thinking, and adaptability are paramount to our ability to respond and serve, a well-managed, highly diverse workforce is imperative to achieving operational excellence.

Under New York State Law Hazing can result in criminal prosecutions. "A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury. Hazing in the first degree is a class A misdemeanor." McKinney's Penal Law § 120.16.

## Hazing Policy

The Endwell Fire District and Fire Department seek to promote a safe environment where employees may function without compromising their health, safety, and welfare. For purposes of this policy the term "employee" includes volunteer members of the Fire Department, paid employees of the Fire District, and Fire Department as well as Fire District Officers. It is, therefore, the Fire District and Fire Department policy that hazing is prohibited. The impact of hazing activities can result in irrevocable harm to its victims, their families, and the community as a whole. It is the responsibility of every employee of the Fire District and Fire Department to support the prevention of hazing. Supervisors as well as each individual must accept the personal obligation to uphold the basic values of being just, civil, and respectful of the rights of others.

## Hazing Defined

Hazing is any intentional, knowing, or reckless act committed by an individual, whether individually or in concert with other persons, against another employee, in which both of the following apply:

- a. The act was committed in connection with an initiation into a workgroup, station, shift, or unit in or affiliated with the Fire District and/or Fire Department.
- b. The act contributes to a substantial risk of potential physical injury, mental harm, or degradation, or causes physical injury, mental harm, or personal degradation.

The fact that an act of Hazing occurs well after the initiation of an employee into a group, station, shift, or unit will not prevent action under this policy.

# ENDWELL FIRE DISTRICT

<b>ANTI-HAZING POLICY</b>	
<b>Number: 2024-19</b>	<b>Adopted: January 10, 2024</b>

## Hazing is Prohibited

1. Hazing is prohibited. All personnel must take reasonable measures within the scope of their individual authority to prevent violations of this policy.
2. Aiding and abetting another person who is engaged in hazing is prohibited.
3. It is not a defense to a violation of this policy that the hazing victim consented to or participated in the hazing activity.
4. Infringement on bodily integrity including roping, tying, choking, taping, handcuffing, holding down, etc., is prohibited and is unacceptable.
5. Any infringement on bodily integrity will be considered a more serious form of Hazing and result in more significant disciplinary action.

## Acceptable Activities

Acceptable activities may include those not mentioned above that enhance station life by fostering team-building activities, which ultimately improve job performance, increases effectiveness, and builds crew continuity.

## Responsibilities

1. It is the responsibility of the supervisor to set the tone and maintain a workplace environment where all employees feel safe and can carry out their duties.
2. The employee being offended must ask the person(s) being offensive to stop the undesired behavior. If the behavior continues, the employee being offended is to immediately inform their supervisor.
3. Any retaliation or sanction towards an employee for reporting hazing activity is strictly prohibited, will be considered a more serious form of Hazing, and result in more significant disciplinary action.

## Hazing Violations

1. Violations of this policy or interference in an investigation under this policy by personnel will subject the employee to disciplinary action. Any Fire District and/ or Fire Department employee who knowingly permits, authorizes, or condones hazing activity will also be subject to disciplinary action.
2. The Fire District and Fire Department will investigate all complaints received. Discipline, if appropriate, will be imposed in accordance with the rules and regulations of the Fire District and State law.
3. Any violation involving a crime, emergency, or an imminent threat to the health or safety of any person should be reported immediately to local law enforcement officials.

# ENDWELL FIRE DISTRICT

<b>ANTI-HAZING POLICY</b>	
<b>Number: 2024-19</b>	<b>Adopted: January 10, 2024</b>

4. The Fire District and Fire Department will report to law enforcement any complaint involving criminal conduct that creates a substantial risk to the health or safety of any person in the Fire District and Fire Department. Such reporting shall include, but not be limited to, criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession.

## Confidential Reporting

1. Violations of this policy can be reported confidentially to any one of the following within the Fire District and Fire Department:
  - a. Direct supervisor
  - b. Chief of the Fire Department
  - c. Fire District Board of Fire Commissioners
  - d. Fire District Superintendent/ Fire District Manager
2. Violations of this policy can be reported confidentially to any one of the following outside of the Fire District and Fire Department:
  - a. New York State Division of Human Rights
  - b. The US Equal Employment Opportunity Commission
  - c. Law Enforcement Agencies
3. Although complaints will be treated with understanding and confidentiality it is important for personnel filing complaints to understand that persons accused of improper conduct have a right to due process and a hearing and such basic rights that include the right to confront and cross-examine accusers. Thus, while care will be taken to protect those that file complaints; they must understand that they may need to eventually testify against employees charged with misconduct and that such employees will be entitled to access to complaints filed against them to be able to defend themselves against such complaints.

## Complaints Filed Internally

1. The Chief of the Fire Department shall be responsible to investigate any complaints filed by volunteer members of the Fire Department and issue a report and recommendation to the Board of Fire Commissioners of the Fire District relative to appropriate action under the policy and other rules and regulations of the Fire District and Fire Department.
2. The Fire District Superintendent / Fire District Manager shall be responsible to investigate any complaints filed by paid employees of the Fire District and issue a report and recommendation to the Board of Fire Commissioners of the Fire District relative to appropriate action under the policy and other rules and regulations of the Fire District and Fire Department.

# ENDWELL FIRE DISTRICT

ANTI-HAZING POLICY	
<b>Number:</b> 2024-19	<b>Adopted:</b> January 10, 2024

3. If the Board of Fire Commissioners determines that a conflict will prevent the Chief of the Fire Department or Fire District Superintendent / Fire District Manager from performing the above-referenced investigatory and reporting tasks, the Board will either assign the other officer to undertake the tasks or assign a neutral third party to undertake the tasks.

The adoption of the foregoing policy in the form of a resolution was duly put to a vote and upon roll call, the vote was as follows:

Chairman	Anderson	AYE
Commissioner	Battaglini	NOT PRESENT
Commissioner	Storm	AYE
Commissioner	Hamzik	AYE
Commissioner	Stupski	AYE

The resolution was thereupon duly adopted.

Dated: Endwell, New York  
April 27, 2022

This policy is adopted on January 10, 2024, and supersedes any previous reversion of this policy.

By order of the Board of Fire Commissioners, Endwell Fire District.

Reviewed & Adopted: January 10, 2024  
No Changes Made  
Reviewed and Adopted: January 4, 2023  
Adopted by the Board of Fire Commissioners  
April 27, 2022