

Lisle Free Library

Personnel

Policy 3-F “Anti-Discrimination/Harassment”

Effective Date: Immediately

Application: All Library Staff, Personnel, and Trustees

Statement of Purpose: The Lisle Free Library is committed to maintaining an environment free of discrimination and harassment. This policy explains what constitutes harassment in the workplace and the procedure to follow when harassment has occurred at the Lisle Free Library.

Any employee or individual covered by this policy who engages in harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination of employment.

Policy:

I. Definitions and Prohibited Acts

The Lisle Free Library is committed to creating an environment in which all individuals are treated with respect and dignity. All employees have the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the Lisle Free Library expects that all relationships among individuals in the workplace will be business-like and free of discrimination and harassment.

In keeping with this commitment, the Lisle Free Library will not tolerate discrimination against, or harassment of, its employees or others because of race, creed, religion, color, national origin, age, sex, marital status, sexual orientation, gender identity or expression, physical or mental disability, citizenship status, military status, genetic predisposition, carrier status, or any other characteristic protected by Federal, New York State or local law.

The Lisle Free Library does not tolerate discrimination against or harassment of its employees nor does it tolerate retaliation against any employee who complains of discrimination or harassment. As detailed below, employees who violate this policy are subject to disciplinary action, up to and including termination or employment.

- A. Harassment by an employee in any form (verbal, written or physical) will subject the offending employee to disciplinary action up to and including termination of employment.
- B. Discrimination by an employee in any form and in any aspect of employment (e.g. hiring, performance, appraisals, discipline, scheduling) will subject the offending employee to disciplinary action up to and including termination of employment.
- C. Employees who have experienced or witnessed discrimination or harassment are to immediately report the incident so that the Lisle Free Library can act to stop it. Employees may report harassment to the Director and/or a Board member with whom they are comfortable.
- D. Discrimination and/or harassment by non-employees at the Lisle Free Library will be dealt with on an individual basis by the Director and/or the Board.

Last Revised: 3/1/2020 by CCD

II. Definitions and Prohibited Acts

A. Harassment – Generally

Workplace harassment is a form of employment discrimination based on an individual's membership in a group protected by Federal, New York State, or local law. It is a violation of Federal and New York State law and the policies of the Lisle Free Library.

Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person's race, creed, religion, color, national origin, age, sex, marital status, sexual orientation, gender identity or expression, physical or mental disability, citizenship status, military status, genetic predisposition, carrier status, or any other characteristic protected by Federal, New York State or local law.

B. Discrimination includes, but is not limited to, treating an applicant or employee unfavorably or less favorably than others because of a characteristic protected by Federal, New York State or local law. The Lisle Free Library prohibits discrimination in any aspect of employment, fringe benefits and any other term or condition of employment.

The Lisle Free Library will not tolerate discrimination or harassing conduct where:

1. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or
2. Such conduct has the purpose or effect of unreasonable interfering with an individual's work performance; or
3. Such conduct adversely affects tangible job benefits or opportunities; or
4. Submission to such conduct is made a term or condition of employment.

C. Other examples of prohibited conduct include the use of epithets, stereotyping, name calling, and the posting or circulation of any written or graphic material (such as signs, pictures or cartoons) that denigrates or intimidates an individual because of his or her protected group status. Also prohibited is pushing, shoving, threats or other intentional acts perpetrated in whole or in part because of the employee's protected group status as identified above (Section II, subsection A.)

III. Reporting a Complaint of Discrimination or Harassment

A. Responsibility of Employees:

1. **Employees** must abide by the Lisle Free Library rules and refrain from discrimination against or harassment of fellow employees or patrons.
2. If an employee finds another individual's (either an employee or non-employee) behavior to be offensive, the **employee** should inform the offending person(s) that the conduct is offensive and such conduct should stop immediately.

3. In addition, an employee who has experienced or witnessed discrimination or harassment must immediately report the incident so that the Lisle Free Library can act to stop it. **Employees** may report discrimination or harassment to the Director or a Board member.

B. Responsibilities of the Director:

1. The **Director** is to refrain from all forms of discrimination or harassment at all times *and* are to take all necessary steps to prevent discrimination or harassment from occurring in their work area.
2. If the Director becomes aware of discrimination or harassment, or receives a report of discrimination or harassment from an employee, the **Director** will *immediately* notify the Board of Trustees.
3. If the **Director** observes their employees discriminating against or harassing others, the **Director** must ask the offending employees to stop immediately, explaining what the offending behavior is, how it offends, and what the consequences are if the behavior continues.
4. If the harassment continues, the **Director** should consult with the Board of Trustees.

IV. Investigation of a Discrimination or Harassment Complaint

- A. All complaints of discrimination or harassment will be investigated whether the information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected discrimination or harassment will be prompt, impartial and thorough. The investigation will be confidential to the extent possible. If an investigation confirms discrimination or harassment has occurred, the Lisle Free Library will take immediate and appropriate corrective action up to and including discharge of the offender.

All persons involved, including complainants, witnesses, and alleged perpetrators, will be accorded due process to protect their rights to a fair and impartial investigation. Due process in relation to claims of discrimination or harassment provides (1) the complainant with the ability to provide full details of the complaint, (2) the accused with the opportunity to respond to the allegations, and (3) the opportunity for a thorough and fair investigation to be conducted with proper disciplinary action being administered upon completion of suspected discrimination or harassment. Employees who participate in any investigation will not be retaliated against.

- B. **Employees** also may report harassment to the Equal Employment Opportunity Commission (EEOC) or the New York State Division of Human Rights. Employees have 300 days from the last date of unlawful discrimination or harassment to file a charge with the EEOC. Employees have one (1) year from the last date of unlawful discrimination or harassment to file a charge with the New York Division of Human Rights.

- C. Investigations will be done in accordance with the following steps:

1. Upon receipt of the complaint, the Board of Trustees will be notified, conduct a review of the allegations, and take any interim actions, as appropriate.

2. Relevant documents, electronic communications, emails, or telephone records will be reviewed.
3. All parties involved, including any relevant witnesses, will be interviewed.
4. Written documentation of the investigation (i.e. letter, memo, or email) will be created and kept in records, which will include a list of all documents reviewed; the names of those interviewed; a timeline of events; and the final resolution of the complaint, together with any corrective action(s).
5. Upon conclusion of the investigation any identified corrective actions will be taken. The individual(s) who complained and the individual(s) accused will be notified about the final determination.

V. Retaliation is Prohibited

- A. Retaliation is any action that would keep an individual from coming forward to make or support a discrimination or harassment claim. The action need not be job-related or occur in the workplace to constitute unlawful retaliation.
- B. The Lisle Free Library prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of discrimination or harassment. Retaliation against an individual for reporting discrimination or harassment is a serious violation of this policy and will be subject to constructive disciplinary action.

Approved: 3/2/2020 by Board of Trustee

Discrimination or Harassment Complaint Form

If you believe that you or another person has been subjected to discrimination or harassment, this form may be used to file a complaint. If you are unsure what constitutes discrimination or harassment, kindly refer to our harassment policy. When completing the form, please provide as much detail as possible as the information will be used to assist in the investigation of your complaint. Submit the completed form to the Director or any Board of Trustee members.

Your Name: _____

Your Contact Information (Phone Number or Email): _____

Name(s) of Alleged Victim(s): _____

Name(s) of Alleged Harasser(s): _____

Detailed statement of the incident(s) including dates, times, places, and names of witnesses. Attach additional sheets as needed.

Are there documents, emails, text messages, etc. which contain information supporting this incident(s) described above? If so, please describe or attach a copy.

To investigate this report, it will be necessary to interview you, the alleged victim(s), the alleged harasser(s), and any witnesses with knowledge of the allegation(s). To the extent possible, the investigation and any resulting management action will be handled in a confidential manner.

Retaliation against an individual who has complained about discrimination or harassment or who has cooperated with an investigation of the same is unlawful and will not be tolerated.

The information provided in this report is true and correct to the best of my knowledge. I am willing to cooperate fully in the investigation of my report.

Signature of Reporting Person: _____ Date: _____