

Amityville Public Library

Discrimination and Harassment in the Workplace Policy

The Library is committed to providing its employees with a collegial work environment that is free of discrimination, including harassment. Accordingly, the Library expressly prohibits any form of unlawful harassment against any employee of the Library and will enforce its policy against harassment at all levels within the workplace.

This policy covers all employees, including management personnel. Every employee of the Library must avoid any conduct that could reasonably be interpreted as harassment prohibited by this policy. In addition, every employee should endeavor to protect other employees from unlawful harassment and maintain a work environment free from unlawful harassment or intimidation.

Prohibited Conduct

Conduct prohibited by this policy includes any verbal or physical conduct that could reasonably be perceived as denigrating or showing hostility toward an individual because of the individual's race, color, religion, gender, sexual orientation, national origin, age, disability, or other status protected by law. Harassing conduct prohibited by this policy includes, but is not limited to:

- (a) Epithets, slurs, negative stereotyping, or intimidating acts that are based on an individual's protected status, and
- (b) Written or graphic material circulated or posted within the workplace that shows hostility toward an individual because of his or her protected status.

Sexual Harassment

Sexual harassment, according to the Equal Employment Opportunity Commission, and for purposes of this policy, consists of unwelcome sexual advances, requests for sexual favors or other verbal or physical acts of a sexual or sex-based nature where:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- (b) An employment decision affecting an employee is based on that individual's acceptance or rejection of such conduct; or

- (c) Such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

Sexual harassment is not limited to explicit demands for sexual favors. It refers to behavior that is not welcome, that is personally offensive, that fails to respect the rights of others, that lowers morale or interferes with work effectiveness. Sexual harassment may take various forms, including the following:

- (a) VERBAL - Sexual innuendos, suggestive comments, teasing and jokes of a sexual nature, sexual advances or propositions, repeated offensive sexual flirtations, sexually degrading words about an individual, graphic verbal commentary about an individual's body, sexually-oriented language and threats.
- (b) NON-VERBAL - Displaying or circulating in the workplace obscene or sexually suggestive objects, pictures or graphic commentaries, leering, whistling and obscene gestures.
- (c) PHYSICAL - Unwelcome physical contact, including touching, pinching, brushing the body and any other type of coerced or offensive sexual activity or physical contact.

This behavior is unacceptable in the workplace itself and in any business-related setting outside the workplace, including but not limited to client and customer work sites, business trips, and business-related social events.

Procedures

The Library encourages individuals who believe they are being discriminated against or harassed to firmly and promptly notify the offender that his or her behavior is unwelcome. Additionally, any employee of the Library who has witnessed or experienced any conduct which he or she believes to be inconsistent with this policy has a responsibility and an obligation to report that conduct promptly to his or her supervisor, the Director, or any of the supervisory staff of the Library.

The Library wishes to emphasize that if the complaint involves someone in the employee's direct line of command, then the employee may go to the Director with the complaint. If the complaint involves the Director, the employee may go to any of the members of the Board of Trustees with the complaint. All reports of conduct inconsistent with this policy will be promptly and thoroughly investigated and will include interviews of the complainant and the person accused of harassment. In addition, the Library may interview any other person who may have information regarding the alleged harassment and may conduct such other fact-finding activities as are deemed necessary.

Discipline/Sanctions

Any employee found to have engaged in conduct that violates this policy will be subject to discipline. The disciplinary action taken with respect to each violation will be determined in accordance with the seriousness of the particular offense and may include written warnings, suspension, demotion or discharge. The Library has the right to impose any sanction or combination of sanctions to deal with the conduct up to and including termination of employment as provided by law. The Library will advise the complaining party that corrective action has been taken.

Where a hostile work environment has been found to exist, the Library will take reasonable steps to eliminate the conduct creating such an environment.

Employees may also be subject to discipline for inappropriate conduct established during the investigation of a report made under this policy, even if the conduct does not constitute unlawful harassment or violation of this policy.

Where or when appropriate, the terms and rules of the Disciplinary Review Procedure of the Collective Bargaining Agreement shall be applied. This section is not intended to supercede the terms of the Collective Bargaining Agreement.

Protection Against Retaliation

Any employee who reports discrimination or harassment, registers a complaint pursuant to this policy or participates in an investigation of harassment will be protected from any form of retaliation. Retaliation is a serious violation of this policy and should be reported immediately.

Confidentiality

The Library will endeavor to keep all matters related to investigations conducted under this policy confidential, including statements given by employees. However, no employee can be guaranteed that his or her statement will never be disclosed, as information sometimes must be shared in order to further an investigation. Moreover, in the event of a lawsuit or an administrative proceeding, records maintained by the Library and the complainant may be subject to disclosure.

Adopted December 15, 2005