

## ANTI-HARASSMENT AND NON-DISCRIMINATION

### Prohibition of Sexual or other Harassment and Discrimination

The Flossmoor Public Library is committed to maintaining a work environment that is free of harassment and discrimination. In keeping with this commitment, The Flossmoor Public Library prohibits and will not tolerate harassment of or discrimination against Flossmoor Public Library employees by anyone, including any supervisor, co-worker, vendor, customer, contractor, or other regular visitor of the Library. Violation of this policy shall be considered grounds for disciplinary action up to and including termination.

### Discrimination

Discrimination consists of employment actions taken against an individual based on a characteristic protected by law, such as sex, race, color, ancestry, national origin, citizenship status, religion, age, disability, marital status, sexual orientation, gender identity, pregnancy, military or veteran status, genetic information, order of protection status, or any other category protected by applicable law. In other words, discrimination occurs when an individual is treated differently or unequally because the individual is a member of a protected group.

### Harassment

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status such as race, color, national origin, citizenship status, religion, sex, pregnancy, sexual orientation, gender identity, age, disability, marital status, military or veteran status, genetic information, order of protection status, or any other category protected by applicable law. The Flossmoor Public Library will not tolerate harassing conduct that affects tangible job benefits, interferes unreasonably with an individual's work performance, or creates an intimidating, hostile or offensive working environment.

The conduct forbidden by this policy specifically includes, but is not limited to: (a) epithets, slurs, negative stereotypes or intimidating acts that are based on a person's protected status; and (b) written or graphic material circulated within or posted within the workplace that shows hostility toward a person because of his or her protected status.

### Sexual Harassment

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when made to an employee where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment;
2. Submission to or refusal to engage in such conduct is used as the basis for any employment decisions affecting such individual; 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.

Sexual harassment, as defined above, may include, but is not limited to:

1. Uninvited sex-oriented verbal "kidding" or demeaning sexual innuendoes, leers, gestures, teasing, sexually explicit or obscene jokes, remarks or questions of a sexual nature;
2. Graphic or suggestive comments about an individual's dress or body;
3. Displaying sexually explicit objects, photographs, writings, or drawings;
4. Unwelcome touching, such as patting, pinching or constant brushing against another's body; or
5. Suggesting or demanding sexual involvement of another employee, whether or not such suggestion or demand is accompanied by implicit or explicit threats concerning one's employment status or similar personal concerns.

Even if two or more employees are engaging in consensual conduct, such conduct could constitute harassment of or discrimination against another employee who witnesses or overhears the conduct.

#### Investigation Procedure

All Flossmoor Public Library employees are responsible to help ensure that harassment and discrimination do not occur and are not tolerated. An employee who believes that he or she has been subjected to sexual or other types of harassment or discrimination, or who has witnessed harassment or discrimination, should immediately submit a complaint to his or her supervisor, any other manager or supervisor, Human Resources Representative or Library Director. If a manager or supervisor receives a complaint of harassment or discrimination directly from an employee, or becomes aware of such conduct, the complaint or conduct shall be immediately reported to the Human Resources Representative or Library Director.

Members of the public are encouraged to report any incidents of discrimination, sexual or other harassment to the Library Director, or in the alternative, to the staff person in charge of the library.

The Human Resources representative shall promptly investigate all complaints and make all reasonable efforts to resolve the matter informally. These efforts may include, but are not limited to, convening conferences with the complainant and/or the accused harasser/discriminator to discuss the complaint and the results of the investigation. If the

complainant or the accused is not satisfied with the disposition of the investigation, he or she may submit in writing an appeal to the Human Resources representative or Library Director, who will review the investigation report and make a final decision. At the Library Director's option, he or his designee may conduct further investigation, if necessary.

The right to confidentiality, both of the complainant and of the accused, will be respected consistent with Flossmoor Public Library's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

A substantiated complaint against an employee will subject the employee to disciplinary action, up to and including termination. Any member of the public who is determined, after an investigation, to have engaged in sexual or other harassment in violation of this policy will be excluded from the Library for an indefinite period as decided by the Library Director.

False accusations regarding sexual or other harassment will not be tolerated and if an investigation results in a finding that the complainant falsely accused another of harassment or discrimination knowingly or in a malicious manner, the complainant will be subject to appropriate discipline, including the possibility of discharge; or exclusion from the Library, with regard to members of the public.

#### Retaliation Prohibited

Reporting harassment or discrimination or participating in an investigation will not reflect adversely upon an individual's status or affect future employment. Any form of retaliation against an employee who reports harassment or discrimination or participates in an investigation is strictly prohibited by the Illinois Human Rights Act, the Illinois State Officials and Employees Act, the Illinois Whistleblower Act, Title VII of the Civil Rights Act of 1964, and Library policy. Any employee who retaliates against another for exercising his or her rights under this policy shall be subject to discipline, up to and including termination.

Retaliation carried out by any visitor or patron of the Library will become the basis for exclusion from the Library. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

#### Appeal

Any individual who has been determined to have engaged in sexual or other harassment or discrimination may appeal to the Library Board of Trustees. Employees shall follow the Grievance Policy found within the Personnel Policy. Visitors or patrons of the Library may write a letter to the Library Board President requesting a special hearing concerning the charge of sexual or other harassment or discrimination and the decision resulting from its investigation.

## Resolution Outside Library

The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, an employee has the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) about filing a formal complaint. An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days.

### Contact Information:

#### Illinois Department of Human Rights (IDHR)

- Chicago: 312-814-6200 or 800-662-3942; TTY: 866-740-3953

#### Illinois Human Rights Commission (IHRC)

- Chicago: 312-814-6269; TTY: 312-814-4760

#### United States Equal Employment Opportunity Commission (EEOC)

- Chicago: 800-669-4000; TTY: 800-869-8001

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