
PROHIBITING HARASSMENT, DISCRIMINATION, AND RETALIATION & PROCEDURES FOR REPORTING AND INVESTIGATING COMPLAINTS

The Library will not tolerate harassment of Library employees or officials by anyone, including any supervisor, co-worker, elected or appointed official or any third-party. All employees and officials are expected to avoid any behavior or conduct which could reasonably be interpreted as harassment. All employees and officials are expected to make it known promptly, through the avenues identified below, when they experience or witness offensive or unwelcome conduct.

DISCRIMINATION

Prohibited Conduct. The Library prohibits discrimination, harassment and retaliation on the basis of race (or traits associated with race including, but not limited to, hair texture and protective styles such as braids, locks, and twists), color, religion, sex, sexual orientation, national origin, age, disability, or any other characteristic, actual or perceived, protected by law. A violation of this Policy, however, does not necessarily rise to the level of a violation of the law. In other words, discrimination occurs when an individual is treated differently or unequally because the individual is a member or perceived member of a protected group.

Application of Policy. This Policy applies to all employment-related decisions, actions, conduct and terms and conditions of employment, such as, but not limited to, hiring, training, promotion, wages, hours, assignments, benefits and termination of employment. Employment decisions at the Library will be based on considerations such as, but not limited to, the following: skills, experience, qualifications and merit, to the extent that any of those considerations would apply to the specific circumstances and position involved.

HARASSMENT

Harassment is a form of discrimination and is prohibited. The Library seeks to provide a work environment in which all individuals are treated with respect and dignity and which is free from sexual harassment as well as other types of harassment described in this section.

All employees and officials are responsible for conducting themselves in accordance with this Policy. The Library will not condone harassment, whether engaged in by employees, supervisors, management, officials or by those who do business with the Library, such as, but not limited to, vendors, contractors, patrons, visitors and other third parties. Violation of this Policy shall be considered grounds for disciplinary action, up to and including termination of employees and reporting officials to appropriate authorities.

A. Harassment Relating to an Actual or Perceived Protected Status:

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's actual or perceived protected status, such as sex, sexual orientation, color, race, religion, national origin, age, physical or mental disability or other protected group status. The Library will not tolerate conduct that affects tangible job benefits, that interferes unreasonably with an individual's

work performance, or creates an intimidating, hostile, or offensive work environment. The conduct forbidden by this Policy specifically includes, but is not limited to:

- a. Slurs, negative stereotyping, demeaning or degrading comments, nicknames or intimidating acts that are based on a person's actual or perceived protected status;
- b. Written or graphic material that is circulated, available on the Library's computer system or technology resources, or posted or distributed in the workplace that shows hostility toward a person or persons because of their actual or perceived protected status.

B. Sexual Harassment:

Sexual harassment is conduct based on sex, whether directed towards a person of the opposite or same-sex. Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature become sexual harassment when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of a person's employment; (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such person; or (3) such conduct has the purpose or effect of interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

This Policy forbids harassment based on sex, regardless of whether it rises to the level of a legal violation. The Library considers the following conduct to represent some of the types of acts that violate this Policy:

- a. either explicitly or implicitly conditioning or providing preferential treatment in any term of employment (such as continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors;
- b. physical contact, such as patting, pinching or brushing against any part of another's body or physical assaults of a sexual nature;
- c. sexual propositions, sexual innuendo, suggestive comments;
- d. continuing to ask an employee to socialize on or off-duty when the employee has indicated no interest;
- e. displaying or transmitting demeaning, obscene or sexually suggestive pictures, objects, cartoons, or posters anywhere in the Library workplace;
- f. sexually oriented kidding, teasing, practical jokes, or threats;
- g. referring to or calling a person a sexualized name;
- h. telling sexual jokes or using sexually vulgar or explicit language;
- i. making derogatory or provoking remarks about or relating to an employee's sex or sexual orientation;
- j. harassing acts or behavior directed against a person on the basis of an employee's sex or sexual orientation; or
- k. off-duty conduct that falls within the above definition and affects the work environment.

Everyone is required to avoid behavior or conduct that could reasonably be interpreted as prohibited harassment under this Policy. Employees and officials are encouraged to inform others in the workplace when their behavior is unwelcome, offensive, inappropriate, or in poor taste. Employees and officials are expected to come forward promptly and report any violations pursuant to this Policy before the alleged offending behavior becomes severe or pervasive.

RETALIATION

The Library will not retaliate or allow retaliation against an individual who has made a report of a violation of this Policy or for cooperating in an investigation. This, of course, means that employees and officials also must not retaliate against any individual who has made a report of a violation of this Policy or who has cooperated in an investigation. Retaliation by anyone against anyone else for reporting violations of this Policy or cooperating in an investigation is strictly prohibited. Anyone who is found by the Library to have engaged in retaliation may be subject to discipline, up to and including termination of employment, or reporting conduct of officials to appropriate authorities.

Whistleblower protections and remedies are available under the Whistleblower Act, 740 ILCS 174/1 et seq., the State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq., and the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq.

PROCEDURE FOR REPORTING AND INVESTIGATION OF HARASSMENT, DISCRIMINATION AND RETALIATION

- A. **Reporting:** All employees and officials are responsible for helping to avoid all forms of harassment. Anyone who believes they have experienced conduct inconsistent with this section or otherwise learns of conduct prohibited by this Policy is responsible for reporting the conduct.

This section does not require reporting harassment or discrimination to any individual who is creating the harassment or discrimination. Employees or officials may make an incident report for this purpose or may report conduct in any other manner, including making a confidential report to a direct supervisor. If reporting to a direct supervisor is not possible or appropriate, employees or officials may make a confidential report to Library Administration, any Department Head, Library Board of Trustees' Personnel Committee Chair, Inspector General, or the Department of Human Rights.

In addition, each supervisor must immediately report to the Library Director, the Library Board of Trustees' Personnel Committee Chair, or an official any complaint or observation of conduct which may violate this section. Supervisors or officials who have knowledge of any conduct inconsistent with or prohibited by this section and do not report it to one or more of the above are subject to disciplinary action, up to and including termination or reporting officials to appropriate authorities.

Complaints by a Library Board trustee against another trustee shall be submitted to the Library Director. The Director shall, in consultation with legal counsel, ensure that an independent review is conducted with respect to such allegations.

- B. **Report Immediately:** Verbal complaints, as stated, must be made immediately. The Library may follow up in writing in order to assure complete understanding of and resolution of the specific complaint.
- C. **No Exception to Reporting:** Please note that there are no exceptions to this reporting requirement. There is no friendship exception. Even if the alleged victim or perpetrator of the conduct is a friend, acquaintance, family member, relative or co-worker, each and every employee and official is required to report the incident or complaint, as the case may be.

- D. **Investigation:** Any conduct inconsistent with or prohibited by this Policy will be investigated promptly. The Library is committed to investigating and taking prompt and appropriate action with respect to all such claims and strongly urges internal utilization of this Policy. The Library may put reasonable interim measures in place, such as a leave of absence (with or without pay) or a transfer, while the investigation takes place.
- E. **Disciplinary Action:** All reports of violations of this Policy shall be made in good faith. Therefore, all reports will be taken seriously and they will be promptly investigated. Employees and officials are required to cooperate with investigations conducted by the Library.

Employees or officials who engage in conduct that is found by the Library to be inconsistent with or prohibited by this Policy are subject to disciplinary action, up to and including termination or reporting to appropriate authorities. Persons knowingly making a false report are subject to disciplinary action, up to and including termination or reporting to appropriate authorities. Failure to cooperate in an investigation also will subject an employee to the same disciplinary action. The Library may discipline an employee for any inappropriate conduct discovered in investigating reports made under this Policy.

- F. **Confidentiality:** To the fullest extent practical, the Library will keep complaints and the terms of their resolution confidential. However, in order to effectively investigate such complaints, the Library must inquire of employees or officials involved. The Library also has sole discretion to determine the scope of the investigation and, within that scope, the individuals who should be informed of and asked about the allegations.
- G. **The EEOC, State and Local Agencies:** Employees and officials are encouraged to use the above complaint procedure(s) to report and resolve their complaints of harassment or retaliation to promote prompt resolution of any problems. However, employees and officials may also file a charge in writing with the Illinois Department of Human Rights within 300 days of the conduct and/or the Equal Employment Opportunity Commission at:

Illinois Department of Human Rights
100 W. Randolph St., Suite 10-100
Chicago, IL 60601
(312) 814-6200

Equal Employment Opportunity Commission
500 West Madison Street, Ste. 2800
Chicago, Illinois 60661-2511
(312) 353-2713

TRAINING

Library Staff and Trustees will be provided Workplace Harassment Prevention training within 90 days of the date of hire and annually thereafter in accordance with Illinois law.