

4.19 ANTI-HARASSMENT AND NON-DISCRIMINATION POLICY

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

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 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 Library District 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" means any unwelcome sexual advances, requests for sexual favors or any other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for 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 can 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.

All Library District employees are responsible to help ensure that harassment and discrimination do not occur and are not tolerated. Any 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, or the Library Director in accordance with the procedures below. 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 Director.

1. Any employee wishing to submit a complaint (i.e., the “complainant”) should submit a written statement to the Library Director, or alternatively, to the Board of Trustees in the event that the Library Director is the alleged harasser/discriminator. The written statement should state the specific facts and/or perceived wrongful act (e.g., location, names, dates, times) to be investigated. All such written statements should be submitted as soon as possible after the occurrence.
2. The Library Director or her designee 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.
3. The rights to confidentiality, both of the complainant and of the accused, will be respected consistent with the Library District’s legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.
4. A substantiated complaint against an employee will subject the employee to disciplinary action, up to and including discharge.
5. Reporting harassment, discrimination or retaliation, assisting in making a complaint, cooperating in an investigation of harassment, or otherwise engaging in conduct protected by the Illinois Whistleblower Act will not reflect adversely upon an individual’s status or affect future employment. Additionally, no one making a complaint in good faith will be retaliated against even if the complaint is not substantiated. Any employee who retaliates against another for exercising their rights under this policy shall be subject to discipline up to and including discharge.
6. Given the seriousness of the consequences for the accused, a false or frivolous complaint is a severe offense that can result in disciplinary action, including the possibility of discharge. False or frivolous complaints refer to cases in which the accuser is acting in bad faith and using a sexual harassment complaint to accomplish some end other than stopping sexual harassment.

The Library District anticipates that harassment and discrimination complaints can be resolved through the Library District’s internal complaint process. However, an employee has a right to file a charge of civil rights violation with the following:

Section IV — Personnel Policies

The Illinois Department of Human Rights
100 West Randolph
James R. Thompson Center, Suite 10-100
Chicago, Illinois 60601
Phone...(312)814-6200
TDD.... (312)263-1579

or

Equal Employment Opportunity Commission (EEOC)
500 West Madison Street, Suite 2800
Chicago, Illinois 60601
Phone...1-800-669-3362
TDD....(312)353-2421

Complaints filed with the Department of Human Rights must be filed within 180 days of the incident. Complaints filed with the EEOC must be within 300 days of the incident.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92
Revised 6.19.96; 12.14.16; 12.13.17*