# Pentwater District Library

## Harassment and Discrimination Policy

The Pentwater District Library (Library) is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal opportunities and prohibits discriminatory practices, including harassment. Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1990 (ADEA).

Therefore, the Library expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice, discrimination, and harassment. In order to keep this commitment, the Library maintains a strict policy of prohibiting unlawful harassment of any kind, including sexual harassment and harassment based on race, color, religion, national origin, sexual orientation, gender identity or expression, sex, age, physical or mental disability or any other characteristic protected by state, federal or local employment discrimination laws. This policy applies to all employer agents and employees, including supervisors and non-supervisory employees, and to non-employees who engage in unlawful harassment in the workplace.

Sexual harassment includes, but is not limited to, making unwanted sexual advances and requests for sexual favors where either:

- Submission to such conduct is made an explicit or implicit term or condition of employment; or
- Submission to or rejection of such conduct by an individual is used as the basis of employment decisions affecting such individual; or
- 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.

Employees who violate this policy are subject to discipline up to and including the possibility of immediate discharge.

Examples of unlawful harassment include, but are not limited to:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments.

- Oral or written communications (including posting to social media sites whether or not associated of affiliated with the **Library** that contain offensive name-calling, jokes, slurs, negative stereotyping or threats.
- Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings, e-mail and faxes or gestures.
- Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work directed at an employee because of the employee's sex or other protected characteristic.
- Threats and demands to submit to sexual requests in order keep one's job or avoid some other loss, and offers of employment benefits in return for sexual favors.
- Retaliation for having reported or threatened to report unlawful harassment.

**Complaint Resolution Process**

Any employee or other person who believes he or she has been harassed by a co-worker, supervisor, or agent of the **Library** or by a non-employee should promptly report the facts of the incident or incidents and the names of the individual(s) involved to the **Library** Director or to the President of the Board of Trustees. Upon receipt of a complaint, the **Library** will undertake a prompt, thorough, objective and good-faith investigation of the harassment allegations. Within fifteen (15) business days of the complaint being filed or the matter being referred to the **Library** Director, the investigation will be concluded and a report filed.

- If it is determined that harassment or discrimination in violation of the **Library's** policy has occurred, the **Library** Director or Board President will recommend appropriate disciplinary action. The appropriate action will depend on the following factors: (a) The severity, frequency and pervasiveness of the conduct; (b) Prior complaints made by the complainant; (c) Prior complaints made against the respondent; (d) The quality of the evidence (first-hand knowledge, credible corroboration etc.).
- If the investigation is inconclusive or it is determined that there has been no harassment or discrimination in violation of this policy, but some potentially problematic conduct is revealed, preventative action may be taken.
- Within five (5) days after the investigation is concluded, the **Library** Director or Board President will meet with the complainant and the respondent separately in order to notify them in person of the findings of the investigation and to inform them of the action being recommended by the **Library** Director or Board President.
- The complainant and the respondent may submit statements to the **Library** Director or the Board President challenging the factual basis of the findings. Any such statement

must be submitted no later than five (5) working days after the meeting with the **Library** Director or Board President in which the findings of the investigation are discussed.

- Within ten (10) working days from the date the **Library** Director or the Board President meets with the complainant and respondent, the Library **Director** will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the Library Director and other management staff as may be appropriate and decide what action, if any, will be taken. The decision will be in writing and will include facts found and a statement for or against disciplinary action. If disciplinary **action** is to be taken, the sanction will be stated.
- If it is determined that harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the **Library** to be responsible for harassment will be subject to appropriate disciplinary action, up to and including termination.

Employees will not be retaliated against for filing a complaint and/or assisting in a complaint or investigation process. Further, the **Library** will not tolerate or permit retaliation by supervisors or co-workers against any complainant or anyone assisting in a harassment investigation.

**False Accusations**

If an investigation results in a finding that the complainant falsely accused another of discrimination or harassment knowingly or in a malicious manner, the complainant will be subject to appropriate remedial action up to and including possible termination.

**Appeals Process**

If either the complainant or respondent involved in a discrimination or harassment investigation is dissatisfied with the manner in which the issue is being handled, timeliness, or the outcome or resolution, that individual may appeal the decision. Written comments should be submitted to the **Library** Director ten (10) days from the date of the Library's written decision.

**Employee Acknowledgement**

This acknowledges that I have received a copy of the Harassment and Discrimination policy. I acknowledge that I am expected to read, understand, and adhere to the Library's harassment policy. I understand that if I have questions regarding the contents of this policy, I should the contact the **Library** Director or President of the Board of Trustees for clarification.

Employee's Signature: _____

Employee's Printed Name: _____

Date: _____

**Adopted at a regular meeting of the Pentwater District Library Board of Trustees on: _____**