

# Sexual Harassment Policy

## Sample Policy #1

### Sexual Harassment Policy

All employees are responsible for assuring that the workplace is free from sexual harassment. Because of the library's strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct which could be viewed as sexual harassment, including, but not limited to:

- Unwelcome sexual advances;
- Requests for sexual acts or favors;
- Granting or denying job benefits based on receptivity to sexual advances;
- Other verbal or physical conduct of a sexually harassing nature that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Any employee who has a complaint of sexual harassment at work by anyone, including supervisors, co-workers or visitors (customers) must bring the problem to the attention of their supervisor, director or the assistant director. In certain instances if the employee is uncomfortable addressing the director the board may be approached directly.

All complaints will be promptly and carefully investigated by the administration, and all employees are assured they will be free of any and all reprisal or retaliation from filing such complaints.

An administrative investigation will include interviews with all relevant persons, including the complainant, the accused and other potential witnesses. In determining whether alleged conduct constitutes sexual harassment, the record as a whole and the totality of the circumstances, such as the nature of sexual advances and the context in which the alleged incidents occurred will be examined. A determination of appropriate action will be made from the facts, on a case-by-case basis.

All employees should be aware that the privacy of the charging party and person accused of sexual harassment would be kept strictly confidential.

The administration will review the finding with the complainant at the conclusion of its investigation. If the investigation reveals that the complaint appears to be valid, immediate and appropriate corrective action, up to and including discharge, will be taken to stop the harassment and prevent its reoccurrence. If the validity of the complaint cannot be determined, immediate and appropriate action will be taken to assure all parties are reacquainted with the sexual harassment policy and to avoid sexual harassment in the future.

Any finding can be appealed to the \_\_\_\_\_ Board of Trustees using the existing grievance policy.

If a complaint involves a member of the administration, then a written request should be made to the president of the Board of Trustees to establish a committee to investigate the complaint.

Prevention is the best tool for the elimination of sexual harassment. The library board and the administration express strong disapproval of any acts that can be construed as an act of sexual harassment of any library employee or member of the public using the library. (This includes inappropriate jokes, displays of posters, etc.)

## **Sample Policy #2**

### **Sexual and Other Unlawful Harassment**

\_\_\_\_\_ is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. \_\_\_\_\_ will not tolerate any actions, words, jokes, or comments based on a person's sex, race, color, national origin, age, religion, disability, or any other legally protected characteristic. \_\_\_\_\_ provides ongoing sexual harassment training to ensure you the opportunity to work in an environment free of sexual and other unlawful harassment.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- \* Unwanted sexual advances.
- \* Offering employment benefits in exchange for sexual favors.
- \* Making or threatening reprisals after a negative response to sexual advances.
- \* Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- \* Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- \* Verbal sexual advances or propositions.
- \* Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- \* Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment at work, report it immediately to the Library Director. If the Library Director is unavailable or you believe it would be inappropriate to discuss it with the Library Director, you should immediately contact a member of the Library Board. There will not be punishment or reprisal if you report sexual harassment or ask questions or raise concerns about it.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and the confidentiality of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any employee who becomes aware of possible sexual or other unlawful harassment must

immediately advise the Library Director so it can be investigated in a timely and confidential manner. Any employee who engages in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

### **Sample Policy #3**

#### **Sexual Harassment**

##### Purpose

It is the policy of the Library to provide an environment free from harassment for any reason, whether because of age, race, color, religion, gender, creed, national origin, disability, or any other factor, especially sex. Sexual harassment violates an individual's fundamental rights and personal dignity, is unlawful, and will not be tolerated by the library. The library considers sexual harassment in all its forms to be a serious offense.

##### Definition

Sexual harassment is unwanted sexual attention of a persistent or offensive nature made by a person who knows, or reasonably should know, that such attention is unwanted. Sexual harassment includes sexually oriented conduct that interferes with an employee's job performance and creates an intimidating, hostile, or offensive working environment. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- Promising, directly or indirectly, an employee a reward if the employee complies with a sexually oriented request;
- Threatening, directly or indirectly, to retaliate against an employee if the employee refuses to comply with a sexually oriented request;
- Denying, directly or indirectly, an employee an employment-related opportunity if the employee refuses to comply with a sexually oriented request;
- Engaging in sexually suggestive physical contact or touching another employee in a way that is unwelcome;
- Engaging in explicit language, gestures, or indecent exposure;
- Making sexual or romantic advances toward an employee and persisting despite the employee's rejection of the advances;
- Deliberately creating an overall offensive environment, including use of vulgar language, displaying, storing, or transmitting sexually explicit photographs or other materials, and the telling of sexual stories.

Sexual harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing.

Employees are prohibited from harassing other employees whether or not the incidents of harassment occur on library property and whether or not the incidents occur during working hours.

Sexual harassment can involve males or females being harassed by members of either sex. Although sexual harassment typically involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment.

Consensual sexual or romantic relationships between employees are deemed unwise and are strongly discouraged if one employee has supervisory authority over the other employee.

## Responsibilities

If employees believe that they have been subject to sexual harassment or any unwanted sexual attention by anyone (e.g., a coworker, library patron or other person), they should:

1. Make their unease and/or disapproval directly and immediately known to the alleged harasser;
2. Complete an Incident Report form; and
3. Report the incident immediately to the Director. If that individual is responsible for the harassment, report the conduct to the Assistant Director or President of the Library Board of Trustees.

Employees should feel free to raise concerns and make reports without fear of reprimand. It is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of a sexual harassment complaint. All incidents of sexual harassment or inappropriate sexual conduct must be reported regardless of their seriousness. Alleging harassment without following these procedures might be considered evidence of a malicious intent on the part of the complainant.

## Resolution

Employees often can stop or prevent sexual harassment by immediately and directly expressing their disapproval of an individual's sexually oriented attention or conduct. In many cases, an informal warning by the Director to an alleged harasser, combined with appropriate follow-up supervision and monitoring of the employee's behavior might be sufficient to prevent or stop sexual harassment. In certain instances if the employee is uncomfortable addressing the director the Board may be approached directly.

If this approach does not stop the harassment, a thorough and impartial investigation of all complaints will be conducted in a timely and appropriate manner. The investigation will be conducted by the Director, Assistant Director, or the employee's immediate supervisor. Any employee of the library who has been found to have sexually harassed another employee or visitor/patron of the library will be subject to disciplinary action up to and including termination.

## Confidentiality

All inquiries, complaints and investigations are treated confidentially. Information is revealed strictly on a need-to-know basis. However, the identity of the complainant usually is revealed to the accused and witnesses. All individuals contacted in connection with a complaint will be counseled that any information pertaining to the complaint shall be held in confidence.