

Policies

SEXUAL HARASSMENT POLICY

Approved: 11/17/1993; Reviewed and Revised 6/21/2006, 6/16/2010, 6/17/2015; Reviewed 9/16/2020.

Review Date: 2025.

1. Purpose

All employees have the right to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive, including sexual harassment.

The purpose of this policy is to state that T. B. Scott Free Library prohibits sexual harassment and to set forth procedures by which allegations of sexual harassment may be filed, investigated, and resolved.

The library's position is that sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. No employee—either male or female—should be subject to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical, by other employees or by patrons of the library.

2. Policy Statement

Sexual harassment of staff members or applicants for employment by library management, staff, or patrons is unacceptable behavior and will not be tolerated or condoned. The library will take appropriate corrective action to remedy any situation which is brought to its attention.

3. Legal Definitions and Guidelines

State Statutes define sexual harassment as unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature, and includes conduct directed by a person at another person of the same or opposite gender.

State Statutes defines that “unwelcome verbal or physical conduct of a sexual nature” includes but is not limited to the deliberate, repeated making of unsolicited gestures or comments of a sexual nature, or the deliberate, repeated display of offensive sexually graphic materials which is not necessary for business purposes; or deliberate verbal or physical conduct of a sexual nature, whether or not repeated, that is sufficiently severe to interfere substantially with an employee's work performance or to create an intimidating, hostile or offensive work environment.

Unwelcome sexual advances (either verbal or physical), requests for favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

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- A. Submission to such conduct is either an explicit or implicit term or condition of employment. (e.g., promotion, training, timekeeping, etc.); or
- B. Submission to or rejection of the conduct is used as a basis for making employment decisions; or
- C. The conduct has the purpose or effect of substantially interfering with an individual's work, performance, or creating an intimidating, hostile, or offensive work environment.

No absolute standards exist for determining whether certain incidents are sexual harassment or are simply reflections of personal or social relationships. Each situation must be looked at individually.

4. Management Responsibility

It is the responsibility of Supervisors, Department Heads, and the Director to make sure the library is in full compliance with this policy. It is their responsibility to: provide guidance; investigate charges of impropriety; and recommend appropriate action. Management is responsible for taking action against acts of sexual harassment by non-supervisory personnel or others, regardless of the manner in which the library becomes aware of the conduct.

5. Co-Worker Harassment

A. Procedure

- 1. Complaints of sexual harassment should be brought to the attention of the employee's immediate Supervisor. If the alleged harasser is the employee's immediate Supervisor, the employee should feel free to bypass the Supervisor and take the complaint to his or her Department Head or the Director.
- 2. After notification of any employee's complaint, a confidential investigation will immediately be initiated by the Director (or by the Assistant Director in the Director's absence) to gather facts about the complaint. Every effort will be made to protect the rights of both (or all) parties.

B. Consequences

After the investigation has been completed, a determination will be made by appropriate management regarding the resolution of the case, within 15 days of the complaint. If warranted, disciplinary action will be taken up to and including dismissal.

C. Library Board Responsibility

If the employee is not satisfied after bringing the matter to the attention of his/her Supervisor and the Library Director, he or she should report the matter to the Library Board of Trustees in writing. The Library Board will act on the matter within 45 days after receiving the complaint.

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6. Non-retaliation

This policy also prohibits retaliation against employees who bring sexual harassment charges or assist in investigating charges. Any employee bringing a sexual harassment complaint will not be adversely affected in terms and conditions of employment, nor discriminated against or discharged because of the complaint.

7. Patron Harassment of Library Employees

Recognizing that library employees have a significant amount of contact with the general public, patrons committing acts of sexual harassment will be subject to provisions of this policy:

A. Procedure

1. Complaints of sexual harassment of a staff member by a patron should be brought to the attention of the employee's immediate Supervisor, Department Head, or the Director.
2. After notification of the employee's complaint, a confidential investigation will immediately be initiated by the Director (or Assistant Director in the absence of the Director) to gather facts about the complaint. Every effort will be made to protect the rights of both (or all) parties.

B. Consequences

1. Patrons who sexually harass library employees shall first receive a written warning. On a second violation of this policy, borrowing privileges shall be revoked for a period of sixty (60) days. Upon a third violation, the patron's borrowing privileges are permanently revoked.
2. At any time that a patron's borrowing privileges are revoked, the patron shall not be permitted to enter the library, except to return materials borrowed from the library's collection.
3. If the patron does not have a library card, the patron shall not be permitted to enter the library upon second violation of this policy.

C. Library Board Responsibility

Any person who has sexually harassed a library staff member and received a written warning, who has had his or her borrowing privileges revoked and/or who is not permitted to enter the library, may appeal the decision to the Library Board. The Library Board shall consider the appeal within 30 days of the filing of the appeal with the Library Director or at its next regularly scheduled meeting, whichever occurs first. However, if the appeal is filed less than 48 hours prior to the next regularly scheduled meeting, then the Board shall schedule a meeting to hear the appeal within thirty (30) days of the date of the filing.