

Helen Plum Library

P-27 Non-Discrimination and Anti-Harassment

Approved by the Library Board of Trustees December 20, 2022.

The Library is committed to maintaining a work environment free of all forms of discrimination and harassment, including sexual harassment, which are illegal under the Illinois Human Rights Act (IHRA) and Title VII of the U.S. Civil Rights Act of 1964. The Library will not tolerate discrimination or harassment by anyone, including any manager, employee, vendor, patron, consultant, contractor, board member, or Library visitor.

All employees and Library officials are expected to avoid any behavior or conduct which could reasonably be interpreted as harassment. Violation of this policy shall be considered grounds for disciplinary action up to and including termination.

Discrimination

Discrimination consists of employment actions taken against an individual based on an actual or perceived characteristic protected by law, such as sex, race (and traits associated with race including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists), color, ancestry, national origin, citizenship status, work authorization 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 or perceived member of a protected group.

Harassment

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's actual or perceived protected status such as race (and traits associated with race including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists), color, ancestry, national origin, citizenship status, work authorization 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 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 actual or perceived protected status.

Sexual Harassment:

Sexual harassment, as defined by the IHRA, consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature 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
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

Sexual harassment, as defined above, may 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
5. Suggesting or demanding sexual involvement of another individual, whether or not such suggestion or demand is accompanied by implicit or explicit threats concerning one's employment status or similar personal concerns
6. Continuing to ask an employee to socialize on or off-duty when the employee has indicated that they are not interested

Even if two or more individuals are engaging in consensual conduct, such conduct could constitute harassment of or discrimination against another individual who witnesses or overhears the conduct.

Procedure for Reporting and Investigation

Everyone is responsible to help ensure that harassment and discrimination do not occur and are not tolerated. An individual who believes that he or she has been subjected to harassment or discrimination, or who has witnessed harassment or discrimination, should immediately report the incident to their manager, any other manager, or Human Resources. If a manager receives a complaint of harassment or discrimination or becomes aware of such conduct, the complaint or conduct shall be immediately reported to Human Resources. If the report is made verbally, the Library may follow up in writing in order to assure complete understanding and subsequent resolution of the specific complaint.

The Human Resources coordinator, or their designee, will promptly investigate all complaints and make all reasonable efforts to resolve the matter informally. These efforts may include, but are not limited to, meeting with the person making the complaint and/or the accused person to discuss the complaint and the results of the investigation. The Library may put reasonable interim measures in place, such as a leave of absence (with or without pay), while the investigation takes place.

Complaints by an elected or appointed official against another elected or appointed official will be submitted to the Director. The Director will, in consultation with legal counsel for the Library, ensure that an independent review is conducted with respect to such allegations.

The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the Library's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

A substantiated complaint against an employee will subject the individual to disciplinary action, up to and including termination. The Library will also take appropriate action to address a substantiated complaint of discrimination or harassment by a third party or non-employee. If an investigation results in a finding that the complainant falsely accused another of harassment or discrimination knowingly or in a malicious manner, the complainant will be subject to appropriate discipline, including the possibility of discharge.

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.

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.

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 make inquiries 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.

Retaliation is Prohibited

Reporting harassment or discrimination or participating in an investigation will not reflect adversely upon an individual's status or affect future employment. Any form of retaliation against an individual who reports harassment or discrimination or participates in an investigation is strictly prohibited by the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq., the Illinois State Officials and Employees Act, 5 ILCS 430/1-1 et seq., the Illinois Whistleblower Act, 740 ILCS 174/1 et seq., Title VII of the Civil Rights Act of 1964, and this policy. Any individual who retaliates against another for exercising his or her rights under this policy shall be subject to discipline, up to and including termination. The Library will also take appropriate action to address a third party or non-employee who engages in retaliation.

EEOC and State Agencies

The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, an individual has the right to contact the Illinois Department of Human Rights (IDHR) and/or the Equal Employment Opportunity Commission (EEOC) about filing a

formal complaint. An IDHR or EEOC complaint must be filed within 300 days of the alleged incident(s) unless it is a continuing offense.

Contact Information:

Illinois Department of Human Rights (IDHR)

- Chicago: 312-814-6200 or 800-662-3942
- Springfield: 217-785-5100

Illinois Human Rights Commission (IHRC)

- Chicago: 312-814-6269
- Springfield: 217-785-4350

United States Equal Employment Opportunity Commission (EEOC)

- Chicago: 800-669-4000