

SH 500 Rights of Employees

SH 510 Discrimination, Harassment, and Retaliation

Revised: 03/97, 02/03, 09/07, 11/08, 06/21

Purpose

The Discrimination and Harassment policy ensures that the Metropolitan Library System ("Library") creates and maintains a work environment of mutual respect and dignity for all individuals, where unlawful discrimination and/or harassment is strictly prohibited and will not be tolerated.

Policy

This policy applies to conduct in and/or related to the workplace and applies to all applicants, employees, volunteers, customers, temporary workers, independent contractors, and vendors. No individual is immune from this policy. The Library will make every reasonable effort to familiarize all concerned with this policy, including providing a copy to each new employee.

The Library will not tolerate sexual harassment, or any other type of harassment or discrimination because of some characteristic of another, such as an employee's or individual's race, color, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, age, marital status, disability, veteran status, genetic information, citizenship, or any other basis protected by law. Employees who violate this policy are subject to disciplinary action up to and including termination of employment.

Sexual harassment constitutes discrimination and is illegal. For the purposes of this policy, "sexual harassment" is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or

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shows hostility or aversion toward an individual because of their race, color, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, age, marital status, disability, veteran status, genetic information, citizenship or any other basis protected by law, or that of their relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the Library's premises or circulated in the workplace, on Library time or using Library equipment by email, phone (including voice messages), text messages, social networking sites or other means.

It is the policy of the Library to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, age, marital status, disability, veteran status, genetic information, citizenship, or any other basis protected by law. Managers responsible for the selection, promotion, and transfer of personnel will be provided with a copy of this policy. Any manager found in violation will be subject to disciplinary action up to and including termination of employment.

The Library strictly prohibits and does not tolerate unlawful retaliation against any employee. All forms of unlawful retaliation are prohibited, including any form of discipline, reprisal, intimidation, or other form of retaliation for participating in an activity protected by law. Examples of protected activities include:

- Lodging a good faith internal complaint (whether written or oral) with management specifically opposing unlawful discrimination or harassment or complaining about violations of wage and hour law (for example, if an employee believes they have been sexually harassed or not paid overtime they are owed).
- Filing a good faith complaint of unlawful discrimination or harassment with the U.S. Equal Employment Opportunity Commission (EEOC) or in court.
- Participating in the Library's internal investigation into allegations of sexual harassment.
- Supporting another employee's internal or administrative complaint of unlawful discrimination (by, for example, testifying or providing an affidavit in support of a coworker who has filed a discrimination complaint with the EEOC or in court).
- Filing a good faith complaint with the U.S. Department of Labor (DOL) or in court about wage and hour violations or unfair pay practices or participating in a wage and hour investigation or audit conducted by the DOL or state or local administrative agency.
- Requesting an accommodation for a sincerely held religious belief.
- Filing a workers' compensation claim.

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These examples are illustrative only, and not exhaustive. No form of retaliation for any protected activity will be tolerated.

The Library encourages reporting of all perceived incidents of discrimination, harassment, or retaliation. It is the policy of the Library to promptly and thoroughly investigate such reports. The Library prohibits retaliation against any individual who reports discrimination, harassment, or retaliation or participates in an investigation of such reports.

Employees should review SH 510.1 Discrimination, Harassment, and Retaliation Complaint Resolution Procedures for more information about how to report perceived incidents of discrimination, harassment, or retaliation and for more information about how such reports will be investigated.