

SEXUAL HARASSMENT: “NO TOLERANCE” POLICY

The Columbia County Rural Library District Library’s position is that sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. The Library District will not condone any sexual harassment of or by its employees. No employee, patron, or visitor – either male or female – should be subject to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Sexual harassment does not refer to occasional compliments of a socially accepted nature. It refers to behavior that is not normally welcome, is personally offensive, that debilitates morale, and that interferes with work effectiveness or patron’s enjoyment of the library. All workers, including supervisory employees, will be subject to severe discipline up to and including dismissal for any act of sexual harassment they commit depending upon the facts and circumstances relating thereto, and all patrons or visitors shall be dealt with according to the guidelines set out under Title VII of the Civil Rights Act of 1964, relating to sexual harassment.

The Equal Employment Opportunity Commission (EEOC) has adopted written guidelines stating that sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964, and any sexual harassment tolerated by employers constitutes a violation of said act. The EEOC guidelines state: “Unwelcome sexual advances, 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 an individual’s employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) 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.”

In determining whether alleged conduct constitutes sexual harassment, the EEOC Commission will look at the record as a whole and the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination of the legality of a particular action will be made from the facts, on a case-by-case basis. Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

It is the responsibility of each member of management to provide the necessary support to ensure that discrimination in employment does not occur and that associates are assured of a workplace free from sexual harassment and, further, that the library grounds and building is free of sexual harassment for every patron and visitor as well.

All employees who feel victimized by sexual harassment should report the harassment to their supervisor, the Director, or the Library Board of Trustees immediately. Should a manager or

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supervisor be advised of an infraction of this policy, he/she should immediately report the incident to the Director or Library Board of Trustees.

Supervisors, managers, and other employees who receive a sexual harassment complaint should carefully investigate the matter, questioning all employees or others who may have knowledge of either the incident in question or similar problems. Both the complaint and the investigative steps and findings should be documented as thoroughly as possible.

Employees who are dissatisfied with the investigating manager’s resolution of a sexual harassment complaint may file a complaint with the Library District Board of Trustees. No employee will be subject to any form of retaliation or discipline for pursuing a *bona fide* sexual harassment complaint.

HISTORY

Adopted June 11, 2009