

# Eastern Oklahoma Library System Policy & Procedures

**TITLE:** Anti-Harassment/Sexual Harassment

**EFFECTIVE:** 8/21/89

**REVISION:** 11/14/23

**APPROVED BY:** Board of Trustees

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**PURPOSE:** EOLS is committed to a work environment in which all individuals are treated with dignity and respect. Each individual should expect to work in a professional atmosphere which promotes equal employment opportunities and prohibits discriminatory practices, including harassment. EOLS expects; therefore, that all relationships among persons in the system will be business-like and free of bias, prejudice and harassment.

**POLICY STATEMENT:** It is the policy of EOLS to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender/sex, national origin, age, disability status, status as a veteran sexual orientation, gender identity or expression or any other characteristic protected by federal, state or local laws. Behavior, verbal or physical in nature, by any employee (or patron) that harasses, disrupts, or interferes with another's work performance or creates an intimidating, offensive, or hostile environment is strictly prohibited. EOLS encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of EOLS to investigate such reports and prohibit retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

## **DEFINITIONS:**

Sexual harassment constitutes discrimination and, as such, is illegal under federal law. 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: 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.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender/sex. Depending on the circumstances, these behaviors may include, but are not limited to a pattern of: 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 of sexually suggestive objects or pictures in the workplace; similar electronic communications and other physical, verbal or visual conduct of a sexual nature which would be deemed offensive by a reasonable person.

Harassment on the basis of any other legally protected characteristic (defined by EEOC) is also strictly prohibited. Under this policy harassment is verbal or physical conduct that denigrates/demeans or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, age, disability status, status as a veteran, sexual orientation or gender identity (sex/gender is specifically addressed above) or any other characteristic protected by law (such as pregnancy); 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. This protection may also extend to the described behavior directed toward an individual because of his/her relatives/friends/associates.

Harassment conduct may include, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating/demeaning jokes; and written (including electronic communication) or graphic material that denigrates/demeans or shows hostility or aversion toward an individual or group that is displayed or circulated in the workplace.

Retaliation is defined as taking action against someone or treating him/her in a threatening, hostile, or intimidating manner as a result of the individual reporting an incident or cooperating in an investigation. Retaliation is a very serious offense and will result in disciplinary action, up to and including termination of employment.

## **PROCEDURES:**

1. Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment (defined with examples above) will be tolerated. This policy also extends to non-employees in the workplace such as applicants, vendors, consultants, and library customers/patrons.
2. Each supervisor/manager has a responsibility to keep the workplace free of any form of harassment, including ensuring employees understand their rights and responsibilities under this policy. Supervisors/managers are expected to model appropriate behavior and specifically shall not threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect an individual's employment or conditions of employment (i.e. evaluation, wages, assignments, advancement, etc.)

3. Conduct prohibited by this policy extends to any work-related setting outside the physical workplace such as during business trips/travel, meetings, business-related social events/activities, etc.
4. EOLS encourages prompt reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the alleged offender's identity or position. Individuals who believe they have been the victim of such conduct or individuals who have witnessed such conduct should report their concerns to their immediate supervisor, their department manager, the EOLS Human Resources Manager, or the Executive Director. All complaints of harassment will be investigated promptly and in as impartial and confidential manner as is possible.
5. Individuals who believe they are being subjected to inappropriate conduct are also encouraged to promptly advise the offender that his/her behavior is unwelcomed and request that it stop. Often this action alone will resolve the problem. EOLS recognizes that an individual may prefer to address the matter through established complaint procedures.

### COMPLAINT PROCEDURE

- I. Consult: If, for any reason, an individual does not wish to address the alleged offender directly, or if the individual is uncertain about whether the conduct constitutes harassment, he/she should notify his/her immediate supervisor. The issue may only need discussion and clarification, or management may intervene and talk to the alleged offender on the individual's behalf. It is important to note that when potential harassment, discrimination or retaliation is reported to an EOLS representative, it may be necessary to take action to address such conduct beyond an informal discussion. In such cases, this will be discussed with the reporting employee. The Human Resources Manager should be notified of the incident.
- II. Formal Complaint: Individuals who believe they have been victims of conduct prohibited by this policy, or who believe they have witnessed such conduct should report their concerns to their supervisor/manager, the Human Resources Manager or Executive Director. Any/all formal complaints brought to any supervisor/manager should also be reported to the Human Resources Manager.

Prompt reporting of complaints or concerns is important as early intervention &/or corrective action have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any/all reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, interviews with individuals who may have observed the alleged conduct or have other relevant knowledge. Confidentiality will be maintained through this process to the extent consistent with adequate investigation and appropriate corrective action. A timely resolution of each complaint should be reached,

communicated to the parties involved and corrective action, if applicable, taken promptly. Any employee, supervisor or manager who is found to have violated the harassment policy will be subject to appropriate action. Response action may include but not be limited to: training, referral for counseling, and/or disciplinary action such as written counseling, reassignment, temporary suspension without pay, or termination.

EOLS prohibits any form of retaliation against employees for bringing forward a valid complaint or providing information about harassment. However, if an investigation shows that the complaint or information about the complaint was false, the individual who provided the false information will be subject to disciplinary action, up to and including termination.

If a party to the complaint does not agree with its resolution, that party may appeal to the EOLS Executive Director. The Executive Director will review the matter and make a decision or may choose, at his/her discretion, to refer the matter to the Board for discussion/action. This decision will be final.

EOLS has developed this policy to ensure that all employees can work in an environment free from harassment and retaliation. EOLS will make every reasonable effort to ensure that all concerned are familiar with this policy and aware that complaints in violation of this policy will be investigated and addressed appropriately. Any employee who has questions or concerns about this policy should talk with their immediate supervisor/manager, the Human Resources Manager or Executive Director.

Finally, this policy should not and may not be used as a basis for excluding or separating individuals of a particular gender, or any other protected class, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. The law (and policy of EOLS) prohibits disparate treatment on the basis of sex or any other protected characteristic, with regard to the terms, conditions, privileges and prerequisites of employment. This prohibition against harassment is intended to complement and further those policies, not to form the basis of any exception to them.

**POLICY RECEIPT**

I, \_\_\_\_\_ (Printed Name)  
acknowledge the receipt of the Anti-Harassment Policy of EOLS. I have read it and have  
been given the opportunity to ask questions for clarification. I understand the  
expectations, reporting process and agree to comply with this policy.

\_\_\_\_\_  
Employee signature

\_\_\_\_\_  
Date