

## Harassment Policy

### **Purpose**

The purpose of the policy is to provide a structure for reporting and investigating claims of harassment in the library. The harassment policy of the Hadley Luzerne Public Library applies to all patrons and staff of the library as well as all others engaged in business or activities related to the library.

### **Policy**

The Hadley Luzerne Public Library is committed to providing an environment that is free from sexual harassment, racial harassment, bullying, and other forms of harassment. Harassment can create a hostile atmosphere and is unacceptable. Harassment in any form can damage a person's welfare and undermines the mission of the library.

These guidelines aim to provide guidance so that the library can provide a harassment-free environment for patrons and staff as well as provide a framework for addressing and resolving harassment complaints.

### **Sexual Harassment**

Sexual harassment is a form of sex discrimination and is unlawful under federal and state law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the

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practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Examples of sexual harassment may include:

- Verbal: Unwelcome sexual advances, suggestive jokes and innuendo, requests for sexual favors, threats
- Non-verbal or indirect: Sexually suggestive pictures or written material, leering or gestures, spreading rumors about a person's sexual behavior or orientation
- Electronic: Sexually suggestive messages or images transmitted using technology
- Physical: Unwelcome physical conduct, up to and including assault

## **Racial Harassment**

Racial harassment is harassment on the grounds of a person, or group of persons, race, national, or ethnic origins and is defined as unwanted or unwelcome conduct, or incitement to such conduct, based on a person's race, which is offensive to the recipient and which might threaten a person's security or create a stressful, hostile, or intimidating environment for either employees or patrons.

Examples of racial harassment may include:

- Verbal: Offensive jokes or remarks about a person's race or ethnic origin, ridicule or assumptions based on racial stereotypes
- Non-verbal: Exclusion, hostile or demeaning attitudes, spreading malicious rumors
- Visual: Production, display, or circulation of materials offensive to particular racial or ethnic groups

## **Bullying**

Bullying is repeated and inappropriate behavior, direct or indirect, which could be construed as undermining a person's right to dignity. Bullying can be direct or indirect, verbal or physical, and can be conducted by one person or by a group of persons. A key facet of bullying is that it is repeated action rather than a single incident.

Bullying can take many forms, from open aggressions, threats, and shouting to subtle comments or exclusion. The impact of the recipient will be taken into consideration when dealing with cases of bullying.

Examples of bullying

- Verbal: Personal insults, demeaning remarks, humiliation in front of others, ridicule, threats

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- Non-verbal: Exclusion, hostile attitude, spreading of rumors
- Abuse of power: Excessive criticism, withholding essential information
- Physical: Aggressive behavior, physical intimidation, unwelcome physical conduct up to and including assault

## **Other Forms of Harassment**

Any act or conduct by a perpetrator is considered to be harassment if it is unwelcome to the recipient and could reasonably be seen as offensive, humiliating or intimidating to the recipient, in relation to one or more of the following characteristics of the recipient: gender, marital or family status, sexual orientation, religion, age, and disability.

## **Reporting an Incident**

Any person who feels that she/he has been subject to harassment may use one or all of the following steps. A person who reports an incident of harassment may proceed directly to the formal process and their decision to bypass any informal process should not be held against them.

### **Informal Process**

The objective of this approach is to resolve the difficulties with minimum conflict and stress for all parties involved.

Make it clear to the perpetrator that the behavior is unwelcome and unacceptable and ask them to stop. If this is not possible or if you find it too difficult to approach the perpetrator, then you should approach one of the contact persons listed below for assistance.

1. Keep a record of incidents as they occur
  - What happened
  - Date and time of incident
  - Where the incident occurred
  - Witnesses (if any)
  - Your response and the impact the incident had on you.
2. Discuss the matter with
  - The Library Director
  - The President of the Board of Trustees (if the library director is unavailable or named in the incident)

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## **Formal Process**

A formal complaint involves providing a written statement to the appropriate contact person listed above.

The Library Director and/or the Personnel Committee will investigate all formal complaints, with the assistance of outside agencies if necessary.

Investigative meetings will be held in confidence and with sensitivity, and all parties will be treated with dignity and respect. Confidentiality is required of all parties involved in the investigation.

The library will maintain a record of all statements and meetings.

All parties involved will receive written notification of the resolution of the complaint.

## **Retaliation**

Unlawful retaliation can be an action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects an individual who has engaged in "protected activity." Protected activity occurs when a person has:

- Made a complaint of sexual harassment, either internally or with an anti-discrimination agency.
- Testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law.
- Opposed sexual harassment by making a verbal or informal complaint to management.
- Reported that another employee has been sexually harassed or encouraged a fellow employee to report harassment.

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