

NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

Policy Statement

Pierce County Library System commits to promoting a workplace environment that reflects the diversity of its community, and is free of unlawful discriminatory or harassing behaviors.

Purpose

It is the Pierce County Library System's goal to provide a work environment that promotes mutual respect and is free from all forms of discrimination and harassment because it damages the workplace and negatively affects morale, motivation, and job performance.

This policy affirms the Library's commitment to equal employment opportunities and to the elimination of unlawful discrimination or harassment which limits human potential, or impedes communication, understanding or access to information. The Library complies with the laws of the United States and the State of Washington.

Definitions

Discrimination: unlawful discrimination in employment occurs when an employer makes employment decisions about employees (or potential employees) based on race, color, creed, ancestry, national origin, gender, gender identity, marital or family status, religion, age, sexual orientation, citizenship, honorably discharged veteran or military status, disability, genetic information, or other class protected by federal, state, or local laws. This applies to all types of employment decisions, including hiring, firing, promotions, layoffs, training, wages, benefits, or other terms and conditions of employment.

Sexual Harassment: is defined as a form of unlawful discrimination under Title VII of the Civil Rights Act of 1964 and the Washington Law Against Discrimination.. It is repeated, unwanted conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that interferes with work performance, affects employment decisions, or is serious and frequent enough to create a hostile, intimidating, or offensive work environment or requires submission to sexual conduct in exchange for job related benefits.

Examples of conduct that may give rise to Sexual Harassment include, but are not limited to:

- Repeated sexual comments or innuendoes
- Displays, jokes, or kidding of a sexual nature
- Offensive comments about a specific gender
- Unwelcome physical contact

- Unwanted sexual advances
- Stating or implying that a job or job benefits are dependent upon compliance with sexual requests.

Workplace Harassment: is defined by the U.S. Equal Employment Opportunity Commission as repeated, inappropriate, unwelcome, or offensive conduct or speech directed toward individuals – or their relatives, friends, or associates – because of their race, color, national origin, gender, gender identity, sexual orientation, religion, disability, or age. The conduct or speech must be serious and frequent enough to create a hostile, intimidating, or offensive work environment; unreasonably interfere with an employee’s work performance; or negatively affect a person’s employment opportunities, benefits, or rights. Such harassment is prohibited by Library policy, whether it occurs on or off the work site, while the employee engaging in the behavior is performing work related duties or representing the Library as the Library’s employee.

Examples of Workplace Harassment include, but are not limited to:

- Offensive or derogatory jokes, cartoons, pictures, or graffiti
- Mimicking language or accents
- Racial or ethnic slurs
- Unwelcome comments about religious garments
- Threats
- Intimidating or hostile acts
- Posting offensive materials on physical or online walls, staff bulletin boards, or system email that denigrate or show hostility toward a person or group because of their membership in a protected class.
- Engaging in behavior that would be highly offensive to a person who is a member of a protected class with the intent to cause embarrassment or offense.

Policy

The Library will not tolerate actions, words, jokes, comments, or employment decisions based on an individual’s race, color, creed, national origin, religion, gender, gender identity, sexual orientation, marital or family status, age, citizenship, veteran’s status, disability, or genetic information.

All employees shall act in a professional, respectful manner that promotes diversity and maintains a harassment-free work environment.

It is the responsibility of all staff members to:

- not engage in behavior that constitutes unlawful discrimination or harassment,
- fully cooperate in carrying out this policy
- communicate any concerns regarding discrimination, harassment, or retaliation to the Staff Experience Director or a Human Resources Generalist.

It is the Library’s responsibility to take investigatory steps if there are allegations of discrimination, harassment, or retaliation, and to take corrective action if misconduct occurs. All such complaints will be investigated promptly and addressed in a manner to reinforce the

Library's policy prohibiting unlawful discrimination or harassment, and will be handled confidentially to the extent possible.

If misconduct occurs, it is every staff member's right under the law to report discriminatory behavior, cooperate in any investigation or receive assistance without fear of retaliation. Behavior in violation of this policy is misconduct and may subject the employee to discipline, up to and including termination.

The Library's legal obligations under anti-discrimination statutes are not expanded or diminished by the adoption of these policies. Legal obligations shall be determined solely by the law in effect at the time of any legal action.

Reporting

Written reports are encouraged, but not required. Written reports provide the best record of a report of questionable behavior. Employees are encouraged to use the Library's *Complaint Form For Reporting Discrimination, Sexual Harassment, or Workplace Harassment*.

Related Policies:

- Equal Employment Opportunity Policy
- Diversity and Inclusion Policy

Related Procedures

- Non-discrimination and Anti-harassment reporting procedure
- Complaint form for reporting discrimination, sexual harassment or workplace harassment

NON-DISCRIMINATION AND ANTI-HARASSMENT PROCEDURE

Policy Statement

Pierce County Library System commits to promoting a workplace environment that reflects the diversity of its community, and is free of unlawful discriminatory or harassing behaviors.

Procedure

Anyone who believes harassment or discrimination is occurring by coworkers, supervisors, managers, vendors, or members of the public should report the incident to the Staff Experience Director or a Human Resources Generalist either verbally or using the *Complaint Form for Reporting Discrimination, Sexual Harassment or Workplace Harassment*.

If it is comfortable and practical, during an incident of unwelcome conduct, let the individual know that their conduct is unwelcome and ask them to stop. Although this step is not required, it can resolve the situation when individuals do not realize their behavior is offensive.

If you do not feel comfortable talking directly to the individual or if you speak with them and the behavior does not stop, report the incident(s) to the Staff Experience Director or a Human Resources Generalist (either verbally or using the *Complaint Form For Reporting Discrimination, Sexual Harassment, or Workplace Harassment*).

Any staff member who is aware of any instance of sexual harassment or unlawful discrimination by Library personnel should promptly report the alleged incident to the Staff Experience Director or a Human Resources Generalist.

If you have any questions about the appropriateness of any incident you experience or witness, report the incident to the Staff Experience Director or a Human Resources Generalist so the incident can be investigated.

Following receipt of the initial report, the Staff Experience Department shall promptly prepare a written report concerning the conduct reported to document the date, time, and content of initial report.

All complaints will be taken seriously and will be investigated promptly and impartially. Every effort will be made to maintain confidentiality to protect both the complainant and the alleged harasser. However, there may be instances where the details of the complaint or identity of the complaining party have to be disclosed in order to effectively investigate or address the complaint. The Staff Experience department will notify all parties regarding the outcome of the investigation.

It is prohibited to retaliate against anyone who opposed any practice made an unlawful employment practice under anti-discrimination laws, or because such person has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing regarding alleged discriminatory conduct. Such retaliation is misconduct in violation of this policy and will be considered independently of whether a charge or complaint of harassment is substantiated. Library staff members who have been found to have violated this policy will be subject to discipline up to and including termination.

Issues involving harassment by customers will be addressed by Site Supervisors with the assistance of the Staff Experience Director. The Library may pursue legal remedies, including trespass and/or restraining orders, if necessary, to protect the rights of staff members.

Preventative Actions

The best way to prevent harassment is through open communication and staff members are encouraged to talk openly and frankly about any concern that arises.

Pierce County Library System strives to provide information to help staff understand what unlawful harassment is, to recognize situations that are harassing, and to know that this behavior will not be tolerated from fellow staff members, vendors, visitors, or customers. The Library encourages information and communication through the publication and distribution of this policy, through discussion during new employee orientation, and through ongoing training.

Related Policies:

- Diversity and Inclusion Policy
- Equal Employment Opportunity Policy

**COMPLAINT FORM FOR REPORTING DISCRIMINATION,
SEXUAL HARASSMENT OR WORKPLACE HARASSMENT**

Anyone who believes that he or she is being harassed by a coworker, supervisor, manager, vendor, or member of the public with whom a staff member has contact with in the course of their job duties should provide the following information to the Staff Experience Director or a Human Resources Generalist:

Submitted by:

Employee Name:		Telephone:	
Job Title:		Work location:	
Immediate Supervisor:			
Supervisor's Supervisor:			

Complaint Involves:

Name of Alleged Harasser(s):			
Job Title (if another Employee):		Work location:	

Description of Complaint (please be specific):

1. Date(s) of alleged harassment:
2. Time(s) of alleged harassment:
3. Location(s) of alleged harassment:
4. Witness(es) (if any):
5. Complaint (describe incident(s) in detail):
6. List all of the persons with whom you have shared these concerns and when you told them about your concerns:
7. How do you think this might be resolved:

It is important that the information that you provide is as complete as you can be and that all statements are truthful.

Employee's Signature: _____ Date: _____

Submitted To: _____ Date Received: _____