

CRAWFORD COUNTY LIBRARY

Policy Manual

Policy No. 210

Subject: Harassment

The purpose of this policy is to contribute to a quality work environment for all the employees and future employees of the Crawford County Library, and to inform each person of their rights and responsibilities in achieving that goal, with respect to each person being free from intimidation, hostility, disrespect, humiliation, insults, or from being subjected to offensive physical or verbal abuse or actions, direct or insinuated, based on a person's sex, whether of the opposite sex or the same sex.

Crawford County Library insists that each employee respect the individual rights of all other employees. Accordingly, Crawford County Library fully supports and complies with laws, both state and federal, which are enacted to protect and safeguard employees' right to work in an environment free of harassment. Crawford County Library will not tolerate harassment; complaints of harassment will be promptly investigated (See Complaint Procedures below). Any employee found to have harassed another employee is subject to disciplinary action, which may include termination.

Crawford County Library accepts no liability for harassment of one employee by another employee. The individual who makes unwelcome advances, threatens, or in any way harasses another employee is personally liable for such actions and their consequences. Crawford County Library may not provide legal, financial, or any other assistance to an individual accused of harassment. Crawford County Library will determine the extent to which legal or financial assistance will be provided based on an investigation of the facts and circumstances of each case.

Any malicious complaint which, upon investigation, is shown to be without foundation, will be treated as a disciplinary matter, no less serious than an act of harassment itself.

What is Harassment?

Harassment can take many forms. It may be, but is not limited to: words, signs, jokes, pranks, intimidation, physical contact, or violence. Harassment is not necessarily sexual in nature.

Sexual harassment is defined as unwelcome sexual advance, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly as a term or condition of employment;
2. Submission to or a rejection of such conduct by an individual is used as a basis for employment decisions such as discharge, promotion, transfer, work assignments, etc.; and/or (Continued on next page)

3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

Examples of Harassment

Any harassment that violates State or Federal law will be unacceptable. Examples of harassment include:

1. Making derogatory comments, insults, suggestive remarks or jokes based on a person's sex;
2. Display of photographs, cartoons, or drawings that would be offensive to a reasonable person;
3. Conduct which when viewed by a reasonable person would have the purpose or effect of degrading or creating an intimidating, hostile, or offensive work environment;
4. Propositions or requests for sexual favors;
5. Physical contact which is sexual in nature;
6. Stating or implying that deficient job performance is attributable to a person's gender;
7. Possession (while on employer's property or while working) of materials of any kind, such as magazines, calendars, etc., which are degrading to an individual or group on the basis of sex (or any other protected characteristic); and
8. The giving of unsolicited or inappropriate personal gifts (lingerie, books, or any gift inappropriate in nature).

Complaint Procedure

All Crawford County Library employees, and particularly managers, are responsible for keeping our work environment free of harassment. Any employee who believes he or she has been the subject of any harassment should report the incident immediately to their supervisor. The report should be made within three (3) days of the occurrence. The employee's supervisor shall then immediately notify the Director or the Crawford County Board of Trustees about the complaint. A complaint may be filed by an employee who was not the target of harassment or retaliation. When the Library becomes aware of a charge of harassment, it is obligated by law to take prompt and appropriate action, whether or not the victim wants the Crawford County Library to do so. The complaint will promptly be investigated in a fair and expeditious manner.

Steps for Filing a Complaint

The employee shall register his/her complaint initially with his/her immediate supervisor. The immediate supervisor will investigate the complaint and prepare a written report. The supervisor will give the employee a written response to the complaint within five (5) working days. A copy of the report will be given to the Library Director and the Chair of the Personnel Committee of the Crawford County Library Board of Trustees.

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Where the immediate supervisor was: (1) a participant in the prohibited activity; (2) condoned the activity; (3) failed to respond in writing within five (5) days without good cause; or (4) the response was unsatisfactory, the employee may at his/her choosing bypass the immediate supervisor and submit a written complaint directly to the Library Director or the Chair of the Personnel Committee of the Crawford County Library Board of Trustees.

In those situations where a violation has been shown to have occurred, immediate action, as deemed appropriate under the circumstances, will be taken to remedy the situation. Further steps will be taken to discourage or prevent future reoccurrence.

All complaints and the actions taken to resolve such complaints will be treated confidentially, and will be disclosed only when necessary to the investigation and resolution of the matter. NOTE: Reasonable accommodations will be provided, upon request, of persons with disabilities who need assistance filing or pursuing a complaint of harassment.

Non-retaliation Policy

The above policy not only strictly prohibits harassment, but also prohibits any active retaliation against an employee who, in good faith, has filed a complaint pursuant to this policy. Any supervisor, agent, or employee of the employer which is found to have taken actions determined to be retaliatory in nature against a complainant shall be subjected to immediate discipline up to and including immediate discharge. Any person who believes that they were retaliated against for exercising his or her rights under this policy should immediately file a complaint.

This Crawford County Library Policy Statement is based upon the Michigan Civil Rights Act and the analogous federal legislation, Title VII or the Civil Rights Act of 1964, as well as the guidelines promulgated by the Equal Employment Opportunity Commission.

ADOPTED: April 10, 2003

REVIEWED:

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