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| Non-Discrimination and Anti-Harassment Policy | |
| ADOPTED DATE | 05/26/2011 |
| REVISED DATE | 02/22/2024 |
| REVIEW DATE | 12/07/2017 |
| REVISION # | 4.1 |

LIBRARY POLICY

Non-Discrimination and Anti-Harassment Policy

PURPOSE

The Frankfort Public Library District is committed to a collaborative environment in which all individuals are treated with dignity, respect, and courtesy. This policy is designed to prevent harassment, discrimination, and retaliation of patrons, nonemployees, Trustees, employees, and guests. This policy was previously titled "Sexual Harassment Policy."

POLICY

The Frankfort Public Library District is committed to maintain a work environment that is free of all forms of discrimination and harassment, including sexual harassment, which are all illegal under the Illinois Human Rights Act (IHRA) and Title VII of the U.S. Civil Rights Act of 1964 (Title VII). In keeping with this commitment, the Library will not tolerate discrimination or harassment by anyone, including any supervisor, employee, vendor, patron, consultant, contractor, trustee, or other visitors of the Library.

Conduct prohibited by this policy is unacceptable on Library District property, and in any Library-District related setting outside the Library property, such as during Library-sponsored trips, meetings, and related social events.

Violation of this policy shall be considered grounds for disciplinary action up to and including termination.

Discrimination

Discrimination consists of employment actions taken against an individual based on an actual or perceived characteristic protected by law, such as sex, race (and traits associated with race including but not limited to hair texture and protective hairstyles), color, ancestry, national origin, citizenship status, work authorization status, religion, age, disability, marital status, sexual orientation, gender identity, pregnancy, military or veteran status, genetic information, order of protection status, or any other category protected by applicable law. Discrimination occurs when an individual is treated differently or unequally because the individual is a member or perceived member of a protected group.

Harassment

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's actual or perceived protected status such as race (and traits associated with race including but not limited to hair texture and protective hairstyles), color, ancestry, national origin, citizenship status, work authorization status, religion, sex, pregnancy, sexual orientation, gender identity, age, disability, marital status, military or veteran status, genetic information, order of protection status, or any other category protected by applicable law. The Library will not tolerate harassing conduct that affects tangible job benefits, interferes unreasonably with an individual's work performance, or creates an intimidating, hostile, or offensive working environment.

The conduct forbidden by this policy specifically includes, but is not limited to:

1. Epithets, slurs, negative stereotypes or intimidating acts that are based on a person's protected status; and

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2. Written or graphic material circulated within or posted within the workplace that shows hostility toward a person because of their protected status.

Sexual Harassment

Sexual Harassment means any unwelcome sexual advances, requests for sexual favors, or any other verbal, physical, or visual conduct of a sexual nature when:

1. Submission to the conduct is made either implicitly or explicitly a condition of the 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. The harassment has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
4. Such conduct has the purpose or effect of substantially interfering with an individual's performance of duties or creating an intimidating, hostile, or offensive environment in which to perform duties.

Sexual harassment, as defined above, may include, but is not limited to:

1. Uninvited sex-oriented verbal "kidding" or demeaning sexual innuendos, leers, gestures, teasing, sexually explicit or obscene jokes, remarks, or questions of a sexual nature;
2. Graphic or suggestive comments about an individual's dress or body;
3. Displaying sexually explicit objects, photographs, writings, or drawings;
4. Unwelcome touching, such as patting, pinching, or constant brushing against another's body; or
5. Suggesting or demanding sexual involvement of another individual, whether or not such suggestion or demand is accompanied by implicit or explicit threats concerning one's employment status or similar personal concerns.

For purposes of this Policy, the phrase "working environment," is not limited to a physical location an employee is assigned to perform their duties and the prohibition of harassment does not require an employment relationship.

Sexual harassment of nonemployees in the workplace by Library employees and sexual harassment of Library employees by nonemployees in the workplace also will not be tolerated. For purposes of this Policy, "nonemployees" in the workplace means a person who is not otherwise an employee of the Library and is directly performing services for the Library pursuant to a contract with the Library and includes contractors and consultants. Any employee or nonemployee who either observes or believes that they are being subjected to or are the object of sexual harassment is urged to immediately report such conduct to the Administration in accordance with this Policy's Sexual Harassment Reporting Procedure.

Sexual harassment prohibited by this policy includes verbal, electronic, written or physical conduct. The terms intimidating, hostile or offensive as used above include conduct which has the effect of humiliation, embarrassment or discomfort.

Reporting Procedure

It is the express policy of the Frankfort Public Library District to encourage reporting of any perceived harassment or discrimination. An individual who believes that they have been subjected to sexual or other types of harassment or discrimination, or who has witnessed harassment or discrimination, should immediately submit a complaint as follows:

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1. **Employee:** Employees are encouraged to report any incidents of harassment or discrimination to their direct supervisor. If the person to whom an employee is directed to report is the offending person, the report should be made to the next higher level of administration or supervision. If a supervisor, Department Head, or Manager becomes aware of harassment or discrimination, the complaint or conduct shall immediately be reported to the Library Director for investigation. In the case of the offending person being the Library Director, or a Library Board Trustee, the report should be made to another Library Board Trustee.
2. **Trustee:** All members of the Board of Library Trustees for the Frankfort Public Library District, whether elected or appointed, are subject to this Policy and are prohibited from harassing or discriminating against another Library Trustee or another elected or appointed official of a governmental unit, or any employee, nonemployee or patron in any Library working environment. Any member of the Board who violates this Policy shall be liable for his or her individual conduct.

Any allegation of harassment made by an elected official against another elected official may be reported to the President of the Library Board or their designee. If the Board President or their designee is the person making the allegation or is the person alleged to have committed the harassment, then the report may be made to any other elected official. The Board President shall, in consultation with the Library's legal counsel, ensure that an independent review is conducted with respect to such allegations.

3. **Contractor:** Any employee or nonemployee who either observes or believes that they are being subjected to or is the object of harassment or discrimination is urged to immediately report such conduct to the Library Director for investigation. In the case of the offending person being the Library Director, or a Library Board Trustee, the report should be made to another Library Board Trustee.
4. **Library Patrons & Guests:** Patrons and guests of the Frankfort Public Library District experiencing any incident of harassment from another patron or guest on library property should contact the police. Library administration should be notified to ensure the Library is providing a safe and secure environment.

The Library encourages a prompt reporting of complaints so that rapid response and appropriate action may be taken. However, due to the sensitivity of these issues and because of the emotional toll that such misconduct may have on an individual, no limited timeframe will be instituted for reporting harassment or discrimination complaints. Delayed reporting of complaints will not, in and of itself, preclude the Library from taking remedial action.

Investigation Procedure

The Library Director, or designee, shall promptly investigate all complaints and make all reasonable efforts to resolve the matter. These efforts may include, but are not limited to, convening conferences with the complainant and/or the accused harasser/discriminator to discuss the complaint and the results of the investigation. The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the Library's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

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A substantiated complaint against an employee will subject the individual to disciplinary action, up to and including dismissal. The Library will also take appropriate action to address a substantiated complaint of discrimination or harassment by a third party or non-employee.

If an investigation results in a finding that the complainant falsely accused another of harassment or discrimination knowingly or in a malicious manner, the complainant will be subject to appropriate discipline, including the possibility of dismissal.

Retaliation Prohibited

Reporting harassment or discrimination or participating in an investigation will not reflect adversely upon an individual's status or affect future employment. Any form of retaliation against an individual who reports harassment or discrimination or participates in an investigation is strictly prohibited by the Illinois Human Rights Act, the State Officials and Employees Act, the Illinois Whistleblower Act, Title VII of the Civil Rights Act of 1964, and Library policy. Any individual who retaliates against another for exercising his or her rights under this policy shall be subject to discipline, up to and including dismissal.

Annual Training

The Library will provide annual sexual harassment prevent training for all employees in accordance with Illinois law. All employees shall annually take the Sexual Harassment Prevention Training course developed by the Illinois Department of Human Rights, or other competent vendor meeting the training requirements as set by law. Evidence of annual completion of the required training shall be maintained by Library administration.

Resolution Outside the Library

The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, an employee has the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) about filing a formal complaint. An IDHR or EEOC complaint must be filed within 300 days of the alleged incident(s) unless it is a continuing offense.

Contact Information:

Illinois Department of Human Rights (IDHR)

- Chicago: 312-814-6200 or 800-662-3942; Chicago TTY: 866-740-3953
- Springfield: 217-785-5100; Springfield TTY: 866-740-3953
- Marion: 618-993-7463; Marion TTY: 866-740-3953

Illinois Human Rights Commission (IHRC)

- Chicago: 312-814-6269; Chicago TTY: 312-814-4760
- Springfield: 217-785-4350; Springfield TTY: 217-557-1500

United States Equal Employment Opportunity Commission (EEOC)

- Chicago: 800-669-4000; Chicago TTY: 800-869-8001