



# Nondiscrimination and Anti-Harassment Policy

The Palos Heights Public Library is committed to maintaining an 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 staff member, patron, trustee, or contractor. Violation of this policy shall be grounds for disciplinary action up to and including termination of employment and exclusion from use of library services.

## Discrimination

Discrimination consists of actions taken against an individual based on an actual or perceived characteristic protected by law, such as sex, race, color, ancestry, national origin, citizenship 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. In other words, 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, color, ancestry, national origin, citizenship 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 environment for staff or for the public.

The conduct forbidden by this policy specifically includes, but is not limited to: (a) epithets, slurs, negative stereotypes or intimidating acts that are based on a person's protected status; and (b) written or graphic material circulated within or posted within the workplace that shows hostility toward a person because of his or her actual or perceived protected status.

## SEXUAL HARASSMENT

Sexual harassment means any:

- unwelcome sexual advance, or
- request for sexual favors, or
- any 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, or
- (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 substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment prohibited by this policy includes but is not limited to:

- Uninvited sex-oriented verbal “kidding” or demeaning sexual innuendoes, leers, gestures, teasing, sexually explicit or obscene jokes, remarks or questions of a sexual nature;
- Graphic or suggestive comments about an individual’s dress or body;
- Displaying sexually explicit objects, photographs, writings, or drawings;
- Unwelcome touching, such as patting, pinching or constant brushing against another’s body; or
- 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.

## Reporting Procedure:

It is the express policy of the Palos Heights Public Library to encourage victims of discrimination or harassment to come forward with such claims. In order to conduct an immediate investigation, any incident of sexual harassment must be reported as quickly as possible, in confidence, as follows:

### **Employees**

Employees are encouraged to report any incidents of sexual harassment 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.

### **Members of the Public**

Members of the public are encouraged to report any incidents of sexual harassment to the library director, or, in the alternative, to the Library's Board of Trustees.

Library administration shall promptly investigate all complaints and make all reasonable efforts to resolve the matter informally. 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.

Complaints by an elected/appointed official against another elected/appointed official shall be submitted to the Director. The Director shall, in consultation with legal counsel for the Employer, ensure that an independent review is conducted with respect to such allegations.

The right to confidentiality, both of the complainant and of the accused, will be respected consistent with Employer's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

Discipline:

Any employee who is determined, after an investigation, to have engaged in sexual harassment in violation of this policy will be subject to disciplinary action up to and including discharge. Any member of the public who is determined, after an investigation, to have engaged in sexual harassment in violation of this policy will be excluded from the library.

False accusations regarding sexual harassment will not be tolerated, and any person making a knowingly false accusation will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or exclusion from the library, with regard to members of the public.

The Palos Heights Public Library will discipline any individual who retaliates against any person who reports alleged sexual harassment or who retaliates against any person who testifies, assists, or participates in an investigation, a proceeding or a hearing relating to a sexual harassment complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

Appeals:

All decisions may be appealed by any party. Decisions of supervisors may be appealed to the respective department head; decisions of the department head may be appealed to the library director; decisions of the library director may be appealed to the Board of Trustees. If the library director is the subject of the complaint, the appeal may be referred to the President of the Board of Trustees for consideration by the Board of Trustees.

Also, employees have the legal recourse, investigative and complaint process available through the state and federal government. Employees may contact the state or federal government as follows:

**Illinois Department of Human Rights**

100 West Randolph Street  
Suite 10-100  
Chicago, IL 60601  
(312) 814-6200

or

222 South College  
Floor 1  
Springfield, IL 62704  
(217) 785-5100

**Illinois Human Rights Commission**

100 West Randolph  
Suite 5-100  
Chicago, IL 60601  
(312) 814-6269

or

Stratton Office Building  
Suite 404  
Springfield, IL 62706  
(217) 785-4350

**Federal Equal Employment Opportunity Commission**  
536 South Clark Street  
9th Floor  
Chicago, IL 60605  
(312) 353-2713