

Anti-Harassment Policy

The Hempstead Public Library ("Library") is strongly committed to maintaining an atmosphere where individuals are able to enjoy a work environment free from unlawful discrimination and harassment. The Library will comply with all applicable federal, state and local laws that prohibit workplace harassment.

All Library employees, officers and applicants, as well as everyone with whom the Library does business (e.g., outside vendors, consultants, members of the public, independent contractors), are prohibited from engaging in unlawful harassment based on any of the following: age; race, color or national origin; creed; religion; sex; disability; marital or partnership status; familial status; ancestry; citizenship; pregnancy; sexual orientation or affectional preference; veteran or military status; genetic predisposition or carrier status; status as a victim of domestic violence, sex offenses or stalking; or any other category or status protected by federal, state, or local law. **Harassment on the basis of any such protected status or characteristic is strictly prohibited and will not be tolerated by the Library.** Any violation of this policy may result in disciplinary action up to and including dismissal in accordance with applicable law and the Collective Bargaining Unit.

Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or visual, verbal or physical conduct of a sexual nature when:

- submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to, or rejection of, such conduct is used as the basis for employment decisions affecting the individual; or
- such conduct has the purpose or effect of interfering unreasonably with the individual's work performance or creating an intimidating, hostile or offensive work environment that is, or would be, offensive to a person of reasonable sensitivity and sensibilities.

This definition includes many forms of offensive behavior. It makes no difference if the harassment is "just joking" or "teasing" or "playful." Sexually harassing conduct includes, but is not limited to:

- unwanted sexual advances
- offering employment benefits in exchange for sexual favors
- making or threatening reprisals after a negative response to sexual advances

- visual conduct such as leering; making sexual gestures; or displaying sexually suggestive or degrading objects, pictures, cartoons, posters, computer or television broadcasts, emails, Internet images or phone images.
- verbal or written conduct such as making or using derogatory comments; sexual propositions; sexual innuendo or sexually suggestive comments; sexually explicit jokes or jokes concerning gender-specific traits or gender preference; sexually explicit comments about an individual's body or clothing; comments about an individual's sexual desirability; sexually degrading words to describe an individual; suggestive or obscene letters, notes, invitations, emails or text messages; or playing radio or television or online broadcasts in the workplace that contain sexually suggestive or degrading conversation or images
- physical conduct such as touching, petting, pinching, impeding or blocking movements, or assault
- retaliation for reporting harassment or threatening to report harassment

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment on the job is unlawful, regardless of whether it involves: co-worker harassment; harassment by a supervisor or Library administrator or officer; or harassment by persons doing business with or for the Library.

Other Forms of Harassment

In addition to sexual harassment, harassment on the basis of any protected characteristic protected by law is strictly prohibited (e.g., harassment on the basis of age; race, color or national origin; creed; religion; disability; marital or partnership status; familial status; ancestry; citizenship; pregnancy; sexual orientation or affectional preference; veteran or military status; genetic predisposition or carrier status; status as a victim of domestic violence, sex offenses or stalking; or any other category or status protected by federal, state, or local law). Such prohibited harassment includes comments, conduct and/or behavior similar to the examples of sexual harassment set forth above. It makes no difference if the harassment is "just joking" or "teasing" or "playful." The following is a non-exhaustive list of examples of harassing conduct:

- visual conduct such as derogatory posters, photographs, cartoons, drawings, gestures, or computer or television broadcasts
- verbal conduct such as ethnic or religious jokes, or derogatory comments, slurs, innuendoes, epithets or threats (including but not limited to those uttered over radio or television or online broadcasts)
- physical conduct such as touching, blocking movements or assault
- retaliation for reporting harassment or threatening to report harassment

It is unlawful for members of the same protected group to harass each other, and for members of one protected group to harass members of another protected group. Like sexual harassment, harassment based on any other protected characteristic set forth above is unlawful, regardless of whether it involves: co-worker harassment; harassment by a supervisor or Library administrator or officer; or harassment by persons doing business with or for the Library.

Complaint Procedure

This complaint procedure provides for prompt, thorough and objective investigation of any claim of unlawful harassment; appropriate disciplinary action against one found to have engaged in unlawful harassment; and appropriate remedies for any victim of unlawful harassment.

Every Library employee, supervisor, administrator, and officer as well as anyone with whom the Library does business is responsible for maintaining a workplace free from unlawful harassment. Accordingly, any such person who believes the actions or words of a co-worker, supervisor, administrator, officer or individual with whom the Library does business, or any other incident(s) involving such individual(s), constitute harassment prohibited by this policy must take the following actions:

- If possible, tell the harasser that his/her actions are not welcome and must stop.
- Promptly report the harassing action(s), word(s) and/or incident(s) to the matter to the Library Director. If you feel uncomfortable speaking to the Library Director, or if you feel a complaint you previously made has not been adequately addressed, you must report the matter to the Chairperson or Vice Chairperson of the Library's Board of Trustees. The Library strongly encourages reports be made on the same day as and immediately after the harassing action(s), word(s) and/or incident(s) occurred

Reports of harassment may be done either verbally or in writing, but it is strongly encouraged that complaints be made in writing (the Harassment Complaint Form below should be used for this purpose). The complaint should be as detailed as possible and include the names of the individual(s) involved, any witness(es) to the harassment, direct quotes and/or evidence (e.g., notes, e-mails, digital recordings, etc.) of the harassment. Written complaints should be personally delivered, faxed, emailed or mailed to the Library Director, or Chair or Vice Chairperson of the Library's Board of Trustees, as follows:

Library Director
Hempstead Public Library
115 James A. Garner Way
Hempstead, N.Y. 11550
Fax: (516) 481-6840
Email: irene@hempsteadlibrary.info

Chairperson/Vice Chairperson, Board of Trustees
Hempstead Public Library
115 James A. Garner Way
Hempstead, N.Y. 11550
Fax: (516) 481-6840
Email: board@hempsteadlibrary.info

The Library, either itself or by a delegated investigator, will conduct a prompt and appropriate investigation into all complaints of unlawful harassment. The Library is committed to investigating any instance of alleged or suspected unlawful harassment that comes to the Library's attention, even if the victim does not make any complaint, and even if the victim or complainant does not want the matter pursued. The accused shall be afforded an opportunity to present his or her version of events, and shall be permitted to do so in the presence of a union representative where required by law.

All employees are hereby directed and required to cooperate with the Library in conducting its investigation(s) into complaints of alleged unlawful harassment or any other instance of unlawful harassment that comes to its attention. All complaints of harassment and the investigation of complaint(s) are confidential to the maximum extent practicable consistent with law and the Library's commitment to conduct a thorough investigation.

If the Library's investigation is conclusive, and unlawful harassment is found to have occurred, appropriate corrective action will be taken in a timely manner and appropriate measures will be taken to deter any future harassment. Appropriate disciplinary action, which may include termination of employment, will be taken in accordance with applicable law and the terms of any applicable collective bargaining agreement. Once the investigation is complete and a determination has been made, such determination will be communicated to the individual who complained, the victim of the harassment (if the victim is not the individual who made the complaint), and the accused harasser.

No Retaliation

Retaliation of any kind against an employee who makes a good faith complaint of unlawful harassment or who participates in an investigation into alleged unlawful harassment is strictly prohibited and will not be tolerated. Retaliation, direct or indirect, against any employee for complaining in good faith of unlawful harassment or participating with an investigation into unlawful harassment will be grounds for discipline, up to and including termination. Follow-up interview(s) with the individual who complained, the victim of the harassment (if the victim is not the individual who made the complaint) and/or any individual that participated in the Library's investigation into a complaint of unlawful harassment may be conducted where appropriate, to ensure that the harassment has not resumed and that no retaliation has occurred.

If you have any questions about this Anti-Harassment Policy, please contact the Library Director. Questions about this policy will be treated as confidential to the extent practicable.

Adopted by the Library Board of Trustees December 3, 2015

Reviewed by the Library Board of Trustees:

December 3, 2015; March 10, 2016; March 8, 2017