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## Maryville Public Library Policy

### Section C: PERSONNEL

**Subject 200:2** Equal Opportunity & Harassment-Free Workplace Page 1 of 3. Adopted Sept. 2023

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## Equal Opportunity & Harassment-Free Workplace

Maryville Public Library is an Equal Opportunity Employer committed to all types of diversity in the best interest of our taxpayers, and dedicated to practices that are free from illegal discrimination. The Library shall not discriminate against any employee or applicant for employment on the basis of race, religion, sex, national origin, political affiliation, genetic information, veteran status, age, marital or pregnancy status, disability, gender expression, or any other protected class. The policy of non-discrimination applies to every aspect of employment, including recruitment, selection, training, compensation, benefits, promotion, transfer, termination, or any other personnel action. Employment and promotional opportunities are based on several factors, including demonstrated work ethic, skills and performance in line with the library's mission and goals.

### SEXUAL AND OTHER UNLAWFUL HARASSMENT:

The Maryville Public Library is committed to providing a work environment that is free of any type of harassment. Actions, words, jokes or comments based on an individual's sex, race, ethnicity, age, religion or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances
- Unnecessary touching
- Offering employment benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.
- Graphic verbal comments about an individual's body
- Conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures.

Other forms of harassment include offensive jokes, profanity, slurs, epithets, name-calling, physical assaults, threats direct or implied, unwelcome ridicule or mockery, insults or put-downs, offensive objects or pictures, retaliatory harassment, or any other behavior that interferes with work performance. Communication using social media is also subject to these definitions.

Harassment is unlawful when one of the following two conditions occur:

1. Enduring the offensive conduct becomes a condition of employment; or
2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

For the purpose of eliminating harassment before it becomes unlawful, this policy may apply to any unwelcome behaviors that adversely affect the work environment.

Petty slights, minor annoyances, and isolated incidents (unless severe) of rude, uncivil, or unprofessional behavior will generally not rise to the level of a policy violation and should be resolved between both parties as a standard of adult interpersonal communication skills. The legitimate exercise of supervisory authority—including oversight, evaluation, and requiring adherence to standards of performance, conduct, and safety—is not considered discrimination, harassment, or retaliation under this policy.

#### PROCEDURES FOR FILING A GRIEVANCE

If an employee or patron experiences or witnesses sexual or other unlawful harassment at work, it must be reported immediately to the Library Director. In the case of a harassment or discrimination claim against the Library Director, the incident(s) must be reported immediately to the current President of the Library Executive Board of Trustees. In either case, a Grievance Statement should be completed (Policy C:200.21).

All allegations of sexual or other unlawful harassment or discrimination will be swiftly and discreetly investigated. Prompt reporting is strongly encouraged, as it allows for rapid resolution for all parties, and an opportunity for more accurate memory recall.

Every investigation must be documented. A grievance statement should describe the alleged incident, when and where it occurred, and include any supporting material. Witness statements should be signed by the witness. There will be no retaliation against anyone who files a harassment complaint, participates in an investigation, or enforces a disciplinary procedure.

To the extent possible, the confidentiality of any claimants or witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, both parties will be informed of the outcome.

Any employee found to be engaging in sexual or other harassment will be subject to disciplinary action which may include termination of employment. Persons who submit intentionally dishonest reports could be subject to disciplinary action. All disciplinary actions must be documented and retained in the appropriate personnel file. The employee receiving discipline shall also be provided a copy of all documents.

**Maryville Public Library Policy**

**Section C: PERSONNEL**

**Subject 200.2: Personnel Practices Page 3 of 3**

If an employee is unable to resolve harassment conflict using these internal procedures, they are advised of the opportunity to file an administrative charge with the Equal

Employment Opportunity Commission, or Missouri's current human rights or civil rights enforcement agency. In general, the EEOC enforces a 180-day filing deadline from the date of an alleged incident.

**EMPLOYEE NOTIFICATION OF POLICY:**

*I have read and understand that abiding by the terms of this policy statement is a condition of employment by Maryville Public Library and violation of this policy may be grounds for disciplinary measures up to and including immediate discharge or termination of employment.*

\_\_\_\_\_  
Employee signature

\_\_\_\_\_  
Date

A COPY OF THIS ACKNOWLEDGEMENT WILL BE RETAINED IN THE EMPLOYEE'S PERSONNEL FILE