

BETHEL PARK PUBLIC LIBRARY

POLICY NUMBER: 114

TITLE: Harassment and Discrimination Policy

DATE ISSUED: September 2014

PURPOSE: To define harassment, both sexual and non-sexual, and discrimination as well as outline the steps to take if harassment or discrimination occur. This policy applies to all work-related settings and activities, whether inside or outside the workplace, including business trips and business-related social events. This policy covers employees and other individuals who have a relationship with BPPL which enable the organization to exercise some control over the individual's conduct in places and activities that relate to BPPL's work (e.g. Trustees, contractors, vendors, volunteers, etc.).

STATEMENT OF POLICY

1. Prohibition of Discrimination
 - a. Discrimination includes unfavorable treatment of an individual with regard to employment actions such as hiring, promotion, termination, compensation, and other terms and conditions of employment based on race, national origin, color, religion, age, disability, sex (including pregnancy), sexual orientation, veterans status, marital status, genetic information, or any other factor protected by federal, state or local law.
2. Prohibition of Sexual Harassment
 - a. This policy against sexual harassment prohibits unwanted sexual advances or requests for sexual favors and other physical or verbal conduct of a sexual nature, when:
 - i. Submission to such conduct is made an express or implicit condition of employment;
 - ii. Submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual who submits to or rejects such conduct; or
 - iii. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, humiliating, or offensive working environment.
 - b. Circumstances that would constitute sexual harassment include:
 - i. Unwelcome sexual advances – whether involving physical touching or not;
 - ii. Requests for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment; or
 - iii. Coerced sexual acts.
 - c. While the following behaviors may not be severe or pervasive enough to create a sexually hostile work environment, it can nonetheless make co-workers uncomfortable. Accordingly, such behavior is inappropriate and may result in disciplinary action regardless of whether it is unlawful. Depending on the circumstance, the following may also constitute sexual harassment:

- i. Use of sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life;
 - ii. Sexually oriented comments on an individual's body, about an individual's sexual activity, deficiencies, or prowess;
 - iii. Displaying sexually suggestive objects, pictures, and/or cartoons;
 - iv. Unwelcome leering, whistling, or deliberate brushing against the body in a suggestive manner;
 - v. Sexual gestures or sexually suggestive comments;
 - vi. Inquiries into one's sexual experience; or
 - vii. Discussion of one's sexual activities.
- 3. Prohibition of Other Types of Discriminatory Harassment:
 - a. It is also against BPPL's policy to engage in verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, national origin, color, religion, age, disability, sex (including pregnancy), sexual orientation, veterans status, marital status, genetic information or any other factor protected by federal, state or local law that:
 - i. Has the purpose or effect of creating an intimidating, hostile, humiliating, or offensive working environment;
 - ii. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
 - iii. Otherwise adversely affects an individual's employment opportunities.
 - b. Depending on the circumstances, the following conduct may constitute discriminatory harassment:
 - i. Epithets, slurs, negative stereotyping, jokes, or threatening, intimidating, or hostile acts that relate to a protected characteristic; and
 - ii. Written or graphic material that denigrates or shows hostility toward an individual or group because of a protected characteristic and that is circulated in the workplace, or place anywhere in BPPL's premises such as on an employee's desk or workspace or on BPPL's equipment or bulletin boards.
 - iii. Other conduct if it falls within the definition of discriminatory harassment set forth above.
- 4. Complaint Procedure
 - a. BPPL encourages the reporting of all perceived incidents of discrimination or harassment either through an informal or formal procedure.
 - i. Informal Procedure
 - 1. Notify the offender that his or her behavior is unwelcome: or
 - 2. Notify your Department Head or the Department Head of the alleged harasser.
 - a. The Department Head will then attempt to resolve the situation as promptly and discreetly as possible.
 - ii. Formal Procedure
 - 1. Notify your Department Head or the Executive Director of the harassing conduct.
 - 2. The Executive Director will conduct an investigation of the complaint.

- a. To the extent possible, the investigation will remain confidential.
 - b. The Executive Director will determine the course of action including disciplinary action up to termination of employment.
 - c. The Executive Director will inform the employee who made the complaint of the result of the investigation.
3. If the alleged harasser is the Executive Director, the employee will report the conduct to a member of the Board of Trustees.
 - a. The Board of Trustees will develop a committee to investigate the complaint and determine a course of action.
 - b. The committee will be charged with initiating the investigation, conducting the investigation, and determining a course of action in a reasonable amount of time.
 - c. The Board of Trustees will inform the employee who made the complaint of the result of the investigation.
4. Any employee or other individuals who have a relationship with BPPL who retaliates against an employee who reports or cooperates in the investigation of a complaint of discrimination or harassment will be subject to disciplinary action.