

SEXUAL HARASSMENT

The Board of Trustees affirms its commitment to non-discrimination and recognizes its responsibility to provide for all Patchogue-Medford Library employees an environment that is free of sexual harassment and intimidation. Sexual harassment is a violation of law and stands in direct opposition to Library policy. Therefore, the Board prohibits all forms of sexual harassment by employees. Generally, sexual harassment is defined as unwelcomed sexual advances, requests for sexual favors and other verbal or physical 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;
- b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment is not limited to explicit demands for sexual favors. It includes the following:

- a) **VERBAL** – Sexual innuendos, suggestive comments, teasing and jokes of a sexual nature, sexual advances or propositions, repeated offensive sexual flirtations, sexually degrading words about an individual, graphic verbal commentary about an individual's body, sexually oriented language and threats.
- b) **NON-VERBAL** – displaying or circulating in the workplace obscene or sexually suggestive objects, pictures, or graphic commentaries, leering, whistling and obscene gestures.
- c) **PHYSICAL** – Unwelcomed physical contact, including touching, pinching, brushing the body, and any other type of coerced or offensive sexual activity or physical contact.

The Board acknowledges that in determining whether sexual harassment has occurred, the perspective of the victim as well as the offender's conduct and/or intention should be evaluated.

The Library encourages individuals who believe they are being harassed to firmly and promptly notify the offender that his or her behavior is unwelcome as well as to notify his/her supervisor of any claimed harassment. If the complaint involves the supervisor, the employee may go to the Director or Assistant Director with the complaint. Additionally, any employee of the Library who has witnessed or experienced any conduct which he or she believes to be inconsistent with this policy has a responsibility and an obligation to report that conduct promptly to his/her supervisor. Supervisors informed of any such allegation

shall report it immediately to the Director, or, if the allegation concerns the Director, to the Assistant Director. All such complaints will be investigated promptly and thoroughly.

Upon receipt of an informal/formal complaint, the Library will conduct a thorough investigation of the charges. However, if the Library has knowledge of or has reason to know of any alleged sexual harassment, the Library is obligated, even in the absence of a complaint, to investigate such conduct promptly and thoroughly.

Based upon the results of the Library's investigation, immediate corrective action will be taken, up to and including termination of the offender's employment in accordance with policy and legal guidelines. The Board prohibits any retaliatory behavior directed against complainants and/or witnesses. Follow-up inquiries shall be made to ensure that harassment has not resumed and that the victim and/or witnesses have not suffered retaliation. The Library will endeavor to keep all matters related to investigations conducted under this policy confidential, including statements given by employees. However, no employee can be guaranteed that his or her statement will never be disclosed, as part of the investigation. Moreover, in the event of a lawsuit or an administrative proceeding, records maintained by the Library and the complainant may be subject to disclosure.

The Director/designee(s) shall affirmatively discuss the topic of sexual harassment with all employees, express the Library's condemnation of such conduct and explain the sanctions for harassment. The Board of Trustees of the Patchogue-Medford Library recognizes that sexual harassment is an unacceptable form of conduct which undermines the integrity of the employment relationship. It undermines morale and interferes with the productivity of its victims. While it is not the Board of Trustees' intent to regulate employee's social interaction where relationships are freely entered into, conduct constituting harassment will not be tolerated.

Romantic relationships between an employee and someone in a supervisory or evaluating relationship are strongly discouraged as such relationships may create a conflict of interest. Furthermore, factors such as real or perceived power of one person over another within the Library may override claims of consent at a later date. Supervisors choosing to enter into such a relationship are required to promptly disclose it to the Director or Assistant Director to enable the Library to determine whether any conflict of interest exists or whether any further steps should be taken in order to ensure a positive work environment.

Sexual harassment by Library staff toward members of the public and/or members of the public toward other members of the public or Library staff is also prohibited. Any such complaints should be brought to the Director or the Board and the matter will be addressed in a manner which is consistent with this policy and related guidelines to the extent possible.

A copy of this policy shall be available upon request to all employees, and may be posted at various locations throughout the Library.

Adopted March 2018
Board of Trustees

