

## RESPECTFUL WORK ENVIRONMENT

**Scope:** All Library Employees, Agents, Officials, Patrons, Contractors, Visitors, and Volunteers

**Purpose:** The purpose of this policy is to promote a respectful, productive, professional, and diverse work environment that is free of all forms of unlawful discrimination and harassment, by adhering to all applicable federal, state, and local laws.

**Policy:** All persons have a right to work in a respectful and productive environment free of discrimination and harassment. The Urbana Free Library will not tolerate any form of conduct by employees, agents, officials, patrons, contractors, visitors, or volunteers that harasses, disrupts, or interferes with another's work performance or creates an intimidating, offensive, or hostile work environment. The Urbana Free Library prohibits discrimination or harassment of any person by any other person regardless of any employment relationship or lack thereof.

**Comment:** Employees, agents, officials, patrons, contractors, visitors, or volunteers are expected to maintain a respectful and productive work environment that is free of harassing or disruptive conduct. No form of discrimination or harassment will be tolerated, including discrimination or harassment based on the following reasons: actual or perceived race (and traits associated with race, including, but not limited to, hair texture and protective hairstyles), color, national origin, ancestry, citizenship status, work authorization status, age, religion, creed, marital status, disability, sex, gender, pregnancy, sexual orientation, gender identity, military or veteran status, order of protection status, genetic information, reproductive decisions, family responsibilities, or any other category protected by applicable law.

Special attention should be paid to the prohibition of sexual harassment. The Illinois Human Rights Act currently defines sexual harassment as:

Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- (3) 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.

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Please note: The policy recognizes the above definition as a minimum legal standard. As the Library is committed to ensuring a diverse, productive, and professional work environment, this policy's expectations and standards are considerably higher.

**Definitions:** Discrimination or harassment under this policy includes unwanted or unwelcomed conduct of either a sexual nature or related to an individual's actual or perceived protected class status. Examples of such conduct include, but are not limited to:

- **Physical Conduct:** Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions about, to, or in the presence of another individual;
- **Verbal Conduct:** Demeaning, insulting, intimidating, or sexually suggestive comments about, to, or in the presence of an individual; suggestive comments, insults, humor, lewd comments, and/or jokes about sex, anatomy, or gender-specific traits; sexual propositions or requests for sexual acts; or repeated requests for dates.
- **Written Conduct:** Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronic communications in any form (including but not limited to email, instant messages, text messages, mobile phone images, tweets, podcasts, and Internet materials).
- **Non-verbal Conduct:** Suggestive or insulting sounds (e.g., whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls," "smacking," or "kissing" noises.
- **Visual Conduct:** Display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs, posters, signs, pin-ups, or slogans of a sexual nature, viewing pornographic material or websites.
- **Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, non-supervisory employees, or non-employees, also is prohibited.**

**Management Staff:** For purposes of this policy, "manager" or "management staff" shall be defined as any person who is engaged in or responsible for directing or overseeing the work of The Urbana Free Library's employees, including, but not limited to, all supervisors, department heads, and administrators.

- All management staff, agents, and officials have an affirmative responsibility to keep the workplace free of any form of harassment, particularly sexual harassment.
- No manager, agent, or official is to threaten, promise, or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to

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sexual advances will affect the employee's terms or conditions of employment. This prohibition shall apply to off-duty conduct to the extent that such conduct (1) arises out of the work relationship between the complainant and alleged harasser and (2) has a demonstrable effect on the workplace.

- Each manager, agent, and official has an affirmative responsibility to promptly report any conduct or situation that may constitute sexual harassment or discriminatory behavior directly to the administrator responsible for Human Resources and the appropriate department head, whether that behavior is directly observed or knowledge of the behavior is gained by indirect means.
- If a manager, agent, or official is uncertain whether suspect behavior constitutes harassment or discrimination, the supervisor, manager, agent, or official shall promptly contact the administrator responsible for Human Resources to determine whether further investigation is warranted.

**Reporting Procedure:** Any employee who believes that conduct by an employee, agent, official, patron, contractor, visitor, or volunteer could constitute a violation of this policy has a responsibility to report the situation as soon as possible. It is not necessary for the person making the report to be the subject of the harassment or discrimination. The report should be made to either the employee's department head or the administrator responsible for Human Resources. Should the employee have concerns about privacy, confidentiality, potential retaliation, or for any other reasons the employee deems it necessary or appropriate, in all situations the employee may make a confidential report to the administrator responsible for Human Resources.

All reports of harassment and/or discrimination, including anonymous reports made via written, telephonic, or some other non-direct means of communication, will be investigated promptly and in as impartial and confidential a manner as possible. The investigation will be conducted by the administrator responsible for Human Resources or their designee and/or a representative from the City of Urbana's Human Resources Division. Employees are required to cooperate in any investigation. A timely resolution of each report should be reached and communicated to the parties involved.

**Retaliation and Interference Prohibited:** The Library is committed to maintaining a culture that promotes the prevention, detection, and elimination of any and all forms of harassment. No individual making a report in good faith under this policy shall be subject to any negative employment consequences based upon that report, even if that report is not able to be substantiated. In addition, any witness will be protected from retaliation in accordance with the State Officials and Employees Ethics Act (5 ILCS 430/15-10), the Whistleblower Act (740 ILCS 174/15), and the Illinois Human Rights Act (775 ILCS 5/6-101).

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For the purposes of this policy, retaliatory action means the reprimand, discharge, suspension, demotion, denial of promotion or transfer, or adverse change in the terms or conditions of employment of any Library employee that is taken in response to a Library employee's involvement in protected activity pursuant to this policy.

**Discipline:** Any employee, agent, official, or manager who is found to have violated the Respectful Work Environment Policy will be subject to appropriate disciplinary action, up to and including termination.

Any manager who fails to promptly report conduct that may constitute a violation of this policy will be subject to disciplinary action, up to and including termination.

Any employee, agent, official, or manager who (1) retaliates against an employee who reports a possible violation of this policy, or (2) interferes with a harassment investigation in any way will be subject to appropriate disciplinary action, up to and including termination.

Any employee, agent, official, or manager who is found to have knowingly made an intentional misrepresentation during the course of an investigation, or who interferes with an investigation brought pursuant to this policy, will be subject to appropriate disciplinary action, up to and including termination.

Any person who knowingly and intentionally makes a false report of harassment or discrimination will be subject to appropriate disciplinary action, up to and including termination. If a report of harassment or discrimination is made in good faith, but is unable to be substantiated, it shall not be deemed a false report.

**Training and Implementation:** All employees, supervisors, managers, persons who have been agents for three (3) months, officials, and volunteers will be trained on this policy within six (6) months of the implementation of this policy or the commencement of employment or service, whichever date is earlier. At the completion of training, all employees and volunteers will be required to sign a document confirming their knowledge and understanding of the policy. Training for employees shall reoccur on at least an annual basis.

**External Reporting:** The purpose of this policy is to establish prompt, thorough, and effective procedures for responding to every report and incident so that problems can be identified and remedied by the Library. However, all Library employees have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) for information regarding filing a formal complaint with those entities. An IDHR complaint must be filed within 300 days of the alleged

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incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days.

Adopted March 8, 2016

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