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smrld.org

SERVING GRANITE CITY, MITCHELL, AND PONTOON BEACH

HARASSMENT POLICY

PURPOSE:

We expect every person at SMRLD to be treated with fairness, respect and dignity. SMRLD is an environment free of any type of unlawful discrimination, including freedom from harassment on the basis of any protected characteristic.

PROVISIONS:

Improper Conduct: Instances that may violate the SMRLD's policy against harassment and which may result in disciplinary action include the following:

- Race or color
- Sex or sexual orientation (including gender-related identity)
- Marital status
- Pregnancy (including childbirth or related medical or common conditions)
- Religion
- National origin or ancestry
- Age (40 and over)
- Disability (physical or mental)
- Military status or unfavorable military discharge
- Order of protection status
- Citizenship status *(born or naturalized U.S. citizens, U.S. national, or documented immigrant)
- Arrest record (or criminal history record ordered expunged, sealed or impounded)
- Retaliation (for opposing unlawful discrimination)
- Coercion/aiding and abetting (helping or forcing a person to commit unlawful discrimination)

For these purposes, the term harassment includes:

- Innuendos, suggestive comments, insults, humor, and jokes about any of the categories identified by law, sexual propositions, threats, repeated requests for dates, or statements about other employees or visitors, even outside of their presence, of an illegal harassing nature
- Suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls", "smacking", or "kissing" noises

- Posters, cartoons, signs, pin-ups, or slogans that are stereotypical
- Touching, unwelcome hugging or kissing, pinching, brushing the body, coerced sexual intercourse, or actual assault
- Offensive or derogatory epithets, slurs, negative stereotyping jokes
- Threatening, intimidating, or hostile acts that relate to race, color, religion, national origin, ancestry, sex (including pregnancy), age, physical or mental handicap, marital status, status as a veteran, or sexual orientation
- Unwelcome comments about a person's religion or religious garments
- Written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, religion, national origin, ancestry, sex, pregnancy, age, physical or mental handicap, marital status, status as a veteran, or sexual orientation and that is circulated in the workplace, or placed anywhere on the workplace premises such as on an employee's desk or workspace or on workplace equipment (including a computer) or bulletin boards
- Online harassment includes using email, cell phone texts, internet posting, online comments, blog posts, and social media (such as Facebook, LinkedIn, Instagram, YouTube, and others); conduct online and through social media can constitute harassment even when it occurs "off the clock," "off-site," or even "out of state"
- Retaliation against an employee who has reported an alleged violation of this Policy or participated in an investigation related to this Policy.

Sexual harassment is *unwelcome* sexual attention that is demeaning and causes the recipient distress. Comments or behavior that may be intended to be complimentary may be viewed by the recipient as unwelcome and a form of sexual harassment.

Sexual harassment is defined as any unwelcome advance or request for sexual favors or any conduct of sexual nature where:

- Submission to the harassment is made explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of the harassing conduct is threatened to be used, as the basis of employment decisions; or
- Such conduct has the purpose or effect of substantially interfering with an individual's work or creates an intimidating, hostile, or offensive working environment.

Unwelcome sexual advances, requests for sexual favors and any other unwelcome, unbecoming verbal or physical conduct will not be tolerated. Employees who believe they have been subjected to or observe unwelcome sexual advances or any harassing conduct should inform the offender (preferably at the time of the unwelcome advance) of the specific behavior that is unwelcome, and request the offender to stop. Of course, employees have the option of presenting the situation directly to any manager or an Assistant Director at any time or at any stage of the unwelcomed advance or harassment.

If an employee becomes aware that a vendor, visitor, or customer feels they have been harassed, the employee should advise the visitor to contact an Assistant Director.

SMRLD is also committed to maintaining a safe and healthy work environment and takes all appropriate health and safety precautions consistent with current medical knowledge. Accordingly, employees may not refuse to work with, cooperate with, withhold services from, or otherwise harass, intimidate, demean, or isolate a co-worker because of a known or suspected disability or disease.

All employees are expected to act responsibly regarding sexual and other forms of harassment. False or unfounded accusations of harassment can have a serious effect on innocent individuals, just as true harassment can be damaging to innocent individuals. You are encouraged to ask questions of your manager concerning on-the-job harassment.

Violation of this policy by any employee will subject that employee to disciplinary action, up to and including dismissal. If you feel that you have been a victim of harassment by a co-worker, member of management, vendor, visitor, or customer of SMRLD, or if you become aware of such behavior around you, please contact your manager or any member of management with whom you feel comfortable discussing your concern. If an employee becomes aware of any vendor, visitor, or customer who feels they have been harassed, that vendor, visitor, or customer should be advised to contact an Assistant Director or a manager.

Every manager is responsible for preventing and reporting unlawful harassment. Failure to take action to stop unlawful harassment may be grounds for disciplinary action. Special care must be exercised by managers whose actions or remarks may be mistakenly perceived as unlawful harassment. Also note that unlawful harassment is not limited to employees of different rank.

The subordinate should not be made to feel inhibited and should be encouraged to disclose unwelcome actions or remarks.

COMPLAINT PROCEDURES:

To ensure that employees understand the importance of adhering to this Policy, the following shall be the procedure to follow with respect to harassment complaints:

1. Direct Communication: If there is unlawful harassing behavior at SMRLD, and if the

harassed person feels comfortable, the harassed person or the employee who observed the harassment should directly and clearly express her/his objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are required, such messages should be in writing.

2. Documentation: The harassed person who observed any harassment should record all incidents (who, what was said or done, and when).
3. Communication with Manager: At the same time direct communication is undertaken, or in the event the harassed person feels threatened or intimidated by the situation, the problem must be promptly reported to a manager. If the harasser is the manager, the problem should be reported to an Assistant Director or to the Executive Director, if necessary.
4. Formal Written Complaint: A harassed person must submit a formal written complaint regarding incidents of unlawful harassment within 30 working days of such conduct. Such complaints should be forwarded to a Manager. The Manager should immediately contact the Executive Director. If the harasser is the Manager, the problem should be reported to an Assistant Director. When appropriate, the Manager will counsel the reporting person and be available to assist with filing a formal complaint. The complaint filed should include the following information:
 - The name of the complainant
 - The name of the charged party
 - The nature and circumstances, in detail, of the alleged harassment, including but not limited to the injuries or consequences suffered by the complainant, the names of any witnesses to such actions and the duration of the actions questioned
 - Whether such harassment has been previously reported to a manager or other person, and if so, when and to whom
 - Other information or documents believed to be essential to the fair settlement of the case
5. Formal Investigation: If a complaint is made orally, an Assistant Director will detail the complaint in a written document. If an individual is uncomfortable making a written complaint, SMRLD will proceed with its investigation without a formal written complaint.

An Assistant Director will fully investigate the complaint and submit a report to the Executive Director within 20 working days. The report must contain information on the allegation, a summary of the investigation (including any documentation), the recommended results of the investigation, and a recommended course of action.

The Executive Director must review and approve any final recommendation and course of action. After the approval, an Assistant Director will advise the complainant and the alleged harasser of the results of the investigation. Results of the investigation and any recommended course of action must be conveyed within 60 working days of notification of the formal written complaint.

6. Resolution Outside SMRLD: It is hoped that most discrimination or complaints of illegal harassment or incidents can be resolved within SMRLD. However, employees have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) about filing a formal complaint.

An IDHR complaint must be filed within 2 years of the alleged incident(s) (unless it is a continuing offense) in person or in writing by contacting:

Illinois Department of Human Rights
524 S. 2nd Street, Suite 300 –Springfield, IL 62701
217-785-5100

<https://dhr.illinois.gov/filing-a-charge.html>

OR calling the Illinois Sexual Harassment and Discrimination Helpline at 877-236-7703

An employee can also contact the local EEOC office by telephone, in writing, or in person. The contact must be made within 300 days of the alleged incident. The contact information is:

Equal Employment Opportunity Commission
St. Louis District Office, Robert Young Federal Building, 1222 Spruce Street, St. Louis, MO 63103314-798-1960

Based on experience, the EEOC highly encourages discussing concerns with an EEOC staff member first in an interview as the best way to assess how to best address any concerns about employment discrimination to determine whether filing a charge of discrimination is the appropriate path. Scheduling an appointment or having an online assessment can be completed on the EEOC public portal at <https://publicportal.eeoc.gov/Portal/login.aspx>.

7. Potential Outcomes: Once a complaint has been registered or a harassment situation has become known to SMRLD, a prompt, fair and thorough investigation will be conducted to determine the meritorious character of the complaint.

If SMRLD determines that unlawful harassment has occurred in violation of this Policy, the individual who engaged in such harassing conduct shall face immediate and appropriate disciplinary action based upon the severity of the complaint and any prior history of past charges made against the individual and disciplinary action involving the individual. For employees, disciplinary action

may include being suspended without pay, a written warning, training, suspension, demotion, or termination of employment. Vendors, visitors, or customers could be asked to leave or be banned from the library.

PRIVACY: SMRLD encourages victims of harassment to bring their complaints to management by ensuring that no reprisals or retaliation will result against such complaining individual as a result of the good faith reporting of harassment. In addition, anyone who assists in the filing of a complaint or in the investigation of a claim of harassment will be protected from reprisals and retaliation. Reprisal or retaliation may be the basis of a separate complaint, even if the complaint of harassment may be found to be without merit.

To the fullest extent possible, and so long as it does not inhibit the conducting of an investigation, all persons involved with a harassment complaint will be given the utmost protection of privacy.

Any employee with questions regarding SMRLD's Harassment Policy may contact an Assistant Director.

Approved by SMRLD Board action
May 10, 2016

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