

## **Sexual Harassment Policy**

- A. The Cutchogue New Suffolk Free Library recognizes its responsibility to provide employees with a work environment that is free from any form of sexual harassment. Sexual harassment undermines morale and interferes with the productivity of its employees. Sexual harassment constitutes employee misconduct and will not be tolerated.
  
- B. Sexual harassment is prohibited by Title VII of the 1964 federal Civil Rights Act and the New York State Human Rights Law. In addition to pursuing a complaint under the Library's Policy, employees may file complaints with the New York State Human Rights Division, The United States Equal Employment Opportunity Commission, Suffolk County District Attorney and any agency in accordance with any applicable local laws. If the harassment involves sexual contact, sexual conduct, forcible touching, sexual misconduct, coerced physical confinement or coerced sex acts, the conduct may constitute a crime.
  
- C. Sexual harassment may be verbal, non-verbal, visual and/or physical in person or by electronic means. It includes but is not limited to:
  - 1. Sexually offensive remarks or jokes
  - 2. Unwanted touching or groping
  - 3. Coerced sex acts
  - 4. Requests for sexual favors of a sexually suggestive nature (e.g., asking employee to dig coins out of a supervisor's pants pocket)
  - 5. Displaying pornographic images
  - 6. Comments (either complimentary or derogatory) about a person's gender or sexual preferences
  - 7. Sexually suggestive gestures (e.g., pantomiming sex acts)
  - 8. Coercing the performance of or acquiescence to sexual acts by making references to a subordinate's employment status or conditions of employment which serve to create a hostile, intimidating or uncomfortable environment
  - 9. Repeatedly standing too close to or brushing up against a person
  - 10. Giving gifts or leaving objects that are sexually suggestive
  - 11. Sexting, the use of sexually explicit language, harassment, cyber stalking and threats using any form of electronic communication (email, text messages, social media, etc.)
  
- D. Employees or volunteers who feel they have been the object of sexual harassment may file a written grievance in accordance with these procedures. Employees may also file complaints against supervisory or managerial personnel whom they believe knowingly allowed such behavior to continue unreported.
  - 1. Grievances involving employees, volunteers or members of the Board should be submitted to the Director
  
  - 2. If the accused is the Director, a grievance should be submitted to the President of the Board
  
  - 3. A grievance should be in writing and contain all of the following:

- a. The name and position of the grievant
- b. The date(s) the incident(s) took place
- c. The name(s) of the accused
- d. The name(s) of witnesses, if any
- e. A clear and concise statement of the grievance
- f. The signature of the grievant and the date

4. The Library Director or Board President will acknowledge receipt of the grievance setting forth the actual or suspected violation within 10 business days to the person filing the grievance.

5. All grievances will be treated respectfully, seriously, and investigated fully and promptly. Interviews will be conducted privately with the accuser, the accused and any witnesses made known. Documents and tangible evidence will be reviewed. Reports of grievances and interviews will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. There are certain circumstances in which the Library may be required to disclose the identity of the parties involved, for example, to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal right to prepare and present a defense.

6. The Director or Board President will notify the parties involved of the outcome of the investigation.

- a. If the allegations are substantiated the decision may result in probation, suspension or termination of the accused.
- b. If the allegations are not substantiated, the grievance will be sealed and stricken from the accused personnel file.
- c. If the allegations are not substantiated and if, in the assessment of the Library Director or Board President, an employee or volunteer intentionally filed a false grievance the employee will be subject to disciplinary action which may include termination from employment.

7. If an accused or an accuser disagrees with the outcome of the investigation a written appeal may be filed with the Board of Trustees within 30 days. The Board will review the written appeal and the Director's decision within 30 days and decide a course of action.

- E. If an employee or volunteer witness's sexual harassment a grievance alleging a hostile work environment may be filed using the Sexual Harassment Grievance Form on Page 57 of the Library Operations Handbook.
- F. The Library will not retaliate against employees or volunteers who in good faith have filed a grievance to the Library Director or Board President.

- G. It is the responsibility of the Library Director to administer this policy and to report to the Board of Trustees any grievances received and the manner in which they were resolved.
- H. It is the responsibility of the Library Director to distribute a copy of this policy to all Trustees, employees and volunteers who provide substantial services to the Library, and provide training to employees and volunteers annually. Employees will be asked to acknowledge that they have received and read this policy.

**Cutchogue New Suffolk Free Library  
Sexual Harassment Grievance Form**

**Grievant Information**

**Name:** \_\_\_\_\_

**Home Address:** \_\_\_\_\_ **Home Phone:** \_\_\_\_\_

**Job Title:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Preferred Communication Method:** \_\_\_\_\_

**Supervisory Information**

**Immediate Supervisor's Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Grievance Information**

1. Your complaint of Sexual Harassment is made against:

**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

Relationship to you  **Supervisor**  **Subordinate**  **Co-Worker**  **Other**

2. Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct is sexual harassment. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Date sexual harassment occurred: \_\_\_\_\_

4. Is this sexual harassment ongoing  **Yes**  **No**

5. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint:

**Name:** \_\_\_\_\_ **Name:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_ **Phone Number:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_