



Anti-Discrimination and Harassment Policy

Policy Number: 041

Supersedes Policy #5/1/02, 3/14/5, 3/7; #1 - 9/11; #41 - 11/15/15

Approved: 1/27/2021

Authorized by: Board of Trustees

Effective: 2/1/2021 - 3/31/2026

Review Date: 1/31/2026

1) Purpose:

To ensure a workplace free from discrimination and unlawful harassment.

2) Scope:

This policy applies to all TRL employees and volunteers.

3) Background:

TRL is committed to providing a professional working environment in which all individuals are treated with respect and dignity. As part of that commitment and to comply with applicable laws, TRL has developed this policy to ensure that all employees work in an environment free from unlawful harassment and discrimination.

4) Definitions:

A. Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person's protected status, such as sex, race, marital status, military or honorably discharged veteran status, age, national origin, sexual orientation, gender identity, color, creed, ancestry, disability, genetic information status as a victim of domestic violence or sexual assault or stalking, citizenship status, or any other basis as protected by federal, state or local laws. TRL will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile or offensive work environment.

Conduct that could be considered harassment includes epithets, slurs, negative stereotypes, denigrating jokes or propositions; threatening, intimidating, or hostile acts; unwanted physical contact; interference with an individual's normal work movements; assault; suggestive objects, pictures or graphic commentaries; derogatory posters, cartoons, drawings or emails; and threats of reprisal as a result of negative responses to harassing behaviors.

B. Sexual Harassment: Sexual harassment is one form of unlawful harassment that will not be tolerated. Sexual harassment may include unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct based on sex when:

1. Submission to such conduct is made (explicitly or implicitly) a term or condition of employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for an employment decision; or

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment may occur between members of the same or different sexes and can include a range of behaviors such as explicit sexual propositions, sexual jokes and innuendos, suggestive comments, sexually-oriented 'kidding,' 'teasing,' or practical jokes, verbal abuse of a sexual nature, jokes about gender-specific traits, commentary about an individual's body, sexual prowess or sexual deficiencies, leering, whistling, displaying foul or obscene materials (physical or printed), and physical contact with (e.g.: patting, pinching or intentionally brushing against) another person's body.

- C. **Racial Harassment:** Racial harassment is another form of unlawful harassment that will not be tolerated. Racial harassment may include harassment based on a person's race or skin color, or that of their relatives, friends and associates when it affects tangible job benefits, interferes unreasonably with the employee's work performance, or is so frequent or severe that it creates an intimidating, hostile or offensive work environment.

Racial harassment can occur when the victim and the harasser are the same race or color, and can include a range of behaviors including racial slurs, offensive or derogatory remarks about a person's race or color, and the display of racially offensive symbols. Racial harassment can be based upon personal characteristics associated with race (such as hair texture, skin color, or certain facial features).

- D. **Cyberbullying:** Cyberbullying may include offensive emails, phone calls, voice messages, text or instant messages, social network posts and/or comments, and mass communications that are circulated within the workplace that can humiliate, denigrate or show hostility or aversion towards an individual or group of people. Cyberbullying occurs both during and outside of the workday, and as outlined in section 5(j) of TRL's Social Media Policy, staff and volunteers are expected to conduct themselves respectfully due to their professional affiliation with TRL.

5) **Policy:**

- A. TRL is committed to provide a work environment free from discrimination and unlawful harassment. In keeping with this commitment, TRL will not tolerate discrimination or harassment by employees or of employees by anyone, including any co-worker, contractor, vendor, member of the public, volunteer, appointed official, or other third party.
- B. **Complaint Procedure:** Any employee who feels they are being subjected to discrimination or harassment, or who becomes aware of such conduct being directed at someone else, should promptly notify a supervisor, Human Resources, or any other TRL administrator, preferably in writing. TRL encourages employees to use this complaint procedure for discrimination or harassment caused by anyone with whom employees come into contact with as part of their job, including co-workers, contractors, vendors, suppliers, members of the public, volunteer, appointed officials, or any other third party. All complaints shall be

investigated thoroughly and promptly. To the extent possible, complaints will be handled confidentially.

- C. TRL prohibits retaliation or adverse action against employees because of their good faith report of discrimination or harassment or participation in an investigation under this Policy. Any employee who feels they have been retaliated against should immediately report their concern to Human Resources. Reports of retaliation will be investigated.
- D. Any employee engaged in discrimination, harassment or retaliation in violation of this Policy shall be subject to appropriate disciplinary action for major misconduct, up to and including termination.

6) References:

- A. TRL Equal Employment Opportunity Policy
- B. TRL Disruptive Patron Policy
- C. TRL Social Media Policy

7) Citations:

- A. *RCW 49.60.*
- B. *42 U.S.C. 2000e- 3(a) (Title VII)*
- C. *29 U.S.C. 623(d) (ADEA)*
- D. *42 U.S.C. 12203(a) and (b) (ADA)*
- E. *RCW 49.76.115*

By the enactment of this policy the Board of Trustees of Timberland Regional Library is concurrently rescinding any prior policy or procedure within TRL that is either in conflict with or expansive of the matters addressed in this policy.

