



PUEBLO CITY-COUNTY Library District

Employment Practices

02.02.02 — Anti-Harassment EEO Harassment

PCCLD strives to maintain a work environment free of unlawful harassment. ~~In doing so, PCCLD prohibits unlawful harassment because of age 40 and over, race, sex, color, religion, national origin, disability, military status, genetic information, or any other status protected by applicable state or local law.~~

Unlawful harassment includes **any unwelcome** verbal or physical conduct **or any written, pictorial, or visual communication directed at an individual (or group) because of that individual (or group's) membership in, or perceived membership in, a protected class, that is subjectively offensive to the individual alleging harassment, and is objectively offensive to a reasonable individual who is a member of the same protected class.** Harassment does not need to be in-person and can occur over electronic media, such as Zoom or other electronic platforms.

~~that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Actions based on an individual's age 40 and over, race, sex, color, religion, national origin, disability, military status, genetic information, or any other applicable status protected by state or local law will not be tolerated.~~

Prohibited behavior may include but is not limited to the following:

- Written form such as cartoons, e-mails, posters, drawings, or photographs.
- Verbal conduct such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault, or blocking an individual's movements.

This policy applies to all employees including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

02.02.02.01 Sexual Harassment

PCCLD does not tolerate sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Offering employment benefits in exchange for sexual favors.
- Unwanted sexual advances
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.

- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of employment;
2. submission or rejection of the conduct is used as a basis for making employment decisions; or,
3. The conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

02.02.02.02 Reporting Harassment

If you believe there has been a violation of the EEO policy or harassment based on a protected class, including sexual harassment, please use the following complaint procedure. PCCLD has established a program designed to prevent harassment, deter future harassers, and protect employees from harassment. PCCLD takes prompt action to investigate and/or address alleged discriminatory or unfair employment practices. PCCLD also takes prompt remedial actions, when warranted, in response to complaints of discriminatory or unfair employment practices. PCCLD, therefore, expects employees to make a timely complaint to enable the Library District to investigate and correct any behavior that may be in violation of this policy.

Report the incident to the Director of Human Resources, Human Resources Manager, the Associate Director of Public Services and/or the Executive Director who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable. If you prefer not to go to any of these individuals with your complaint, you should report the incident to any member of the management team or follow [02.03.05_P1 Problem Solving Procedure](#) outlined in the Employment Guidelines. You can raise concerns in good faith and make bona fide reports of misconduct without fear of reprisal or retaliation.

PCCLD prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or participating in the investigation, please follow the complaint procedure outlined above. The situation will be investigated.

If PCCLD determines that an employee's behavior violates this policy, disciplinary action will be taken, up to and including termination of employment.

~~If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your Manager, if the Manager is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Human Resources Manager, Chief Operating Officer, any member of the Management team or follow the [02.03.05.P1 Problem Solving Procedure](#) outlined in the Employment Guidelines. You can raise concerns in good faith and make bona fide reports of misconduct without fear of reprisal or retaliation.~~

~~All allegations of sexual harassment will be quickly and discreetly investigated. To the extent practical to do so without impeding the investigative process, your confidentiality and that of any witnesses and the alleged harasser are protected against unnecessary disclosure. You are informed when the investigation is complete.~~

Any Manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Human Resources Manager Director or the Associate Director of Public Services Chief Operating Officer so it can be investigated in a timely and confidential manner. Anyone found to have violated this policy will be

subject to the performance improvement process, up to and including termination of employment.

PGCLD prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or for your participation in an investigation, please report it immediately to the Human Resources Manager, Chief Operating Officer, any member of the Management team or follow the [02.03.05.P1 Problem Solving Procedure](#). The situation will be promptly investigated.

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PCCLD Employee Guidelines: Employment Practices

Effective Date: 05/23/2024

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