

# HARASSMENT

The most productive and satisfying work environment is one in which work is accomplished in a spirit of mutual trust and respect. Harassment is a form of discrimination that is offensive, impairs morale, undermines the integrity of employment relationships and causes serious harm to the productivity, efficiency and stability of our organization. All employees have a right to work in an environment free from discrimination and harassing conduct, including sexual harassment. Harassment on the basis of an employee's race, color, religion, ancestry, national origin, age, disability, gender, arrest or conviction record, marital status, sexual orientation, membership in the military reserve or use or nonuse of lawful products away from work is expressly prohibited under this policy. A disability is considered to be as defined by the Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008. Harassment on any of these bases is also illegal under Wis. Stats. § 111.31-111.39.

This policy will be issued to all current employees and during orientation of new employees.

## Harassment Definitions

In general, harassment means persistent and unwelcome conduct or actions on any of the bases outlined above. Sexual harassment is one type of harassment and includes unwelcome sexual advances, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature.

Unwelcome verbal or physical conduct of a sexual nature includes, but is not limited to:

- The repeated making of unsolicited, inappropriate gestures or comments;
- The display of offensive sexually graphic materials not necessary for our work;

Harassment on any basis, including race, religion, age, disability, gender, or sexual orientation exists whenever:

- Submission to harassing conduct is made a term or condition of an individual's employment, either explicitly or implicitly.
- Submission to or rejection of such conduct is used as the basis for an employment decision affecting an individual.
- The conduct interferes with an employee's work or creates an intimidating, hostile or offensive work environment.

## Recognizing Harassment

Harassment may be subtle, manipulative and is not always evident. It does not refer to occasional compliments of a socially acceptable nature or to simple teasing. It refers to behavior that is not welcome and is personally offensive to the extent that it creates an unsafe or hostile work environment for the individual target. All forms of gender harassment are covered: men can harass other men; women can harass other women. Offenders can be managers, supervisors, co-workers, or non-employees such as customers or vendors.

## HARASSMENT – page 2

Some examples of verbal harassment include:

- Jokes, insults and innuendoes based on race, religion, age, disability, gender, sexual orientation, etc.
- Degrading sexual remarks, such as referring to someone as a stud, hunk or babe
- Whistling or cat calls
- Comments about a person's sex life, body or age
- Pressuring a person for sexual favors

Some examples of non-verbal harassment include:

- Gestures
- Staring
- Unwanted touching, including hugging and patting
- Blocking a person's movement
- Invading an individual's personal space or brushing against a person's body in an intentional manner
- Display of sexually suggestive or degrading pictures
- Display of cartoons or drawings that are derogatory to a race, religion, age, disability, gender, sexual orientation, etc.

### **Recognizing Workplace Bullying**

Workplace Bullying is repeated, intentional mistreatment that singles out individuals and takes one or more of the following forms:

- Verbal abuse
- Conduct which is threatening, humiliating or intimidating
- Work interference or sabotage which prevents work from getting done
- Exploitation of a known psychological or physical vulnerability

Workplace bullying:

- Is driven by perpetrators' need to control the targeted individual(s)
- Is initiated by bullies who consciously choose their targets, timing, location, and methods
- Escalates to involve others who side with the bully, either voluntarily or through coercion
- Undermines legitimate business interests when bullies' personal agendas take precedence over work itself
- Is akin to domestic violence at work, which, if left unaddressed, makes the employer complicit in the abuse

Workplace bullying is *not* incivility, simple rudeness, or the routine exercise of acceptable managerial prerogative, nor is it conflict between two equally-powered individuals who simply disagree over intellectual ideas. Workplace bullying is as insidious and harmful as other forms of harassment and will be treated with the same gravity.

## HARASSMENT – page 3

Some examples of workplace bullying include:

- spreading malicious rumors, gossip, or innuendo that is not true
- excluding or isolating someone socially
- undermining or deliberately impeding a person's work
- removing areas of responsibilities without cause
- arbitrarily and constantly changing work guidelines
- purposefully establishing impossible deadlines that will set up the individual to fail
- withholding necessary information or purposefully giving the wrong information
- intruding on a person's privacy by pestering, spying or stalking
- assigning unreasonable duties or workload with the intent to create unnecessary pressure for an individual
- maliciously underutilizing a person in a way that creates a feeling of uselessness
- yelling or using profanity
- criticizing a person persistently or constantly
- belittling a person's opinions
- tampering with a person's personal belongings or work equipment

### **Reporting Procedure**

Any employee who believes he or she is being harassed, or any employee who becomes aware of harassment, should promptly notify his or her immediate supervisor. If the employee believes that the immediate supervisor is the harasser, or if the employee is uncomfortable discussing harassment with his or her immediate supervisor, he or she should notify the Library Supervisor responsible for his or her branch or department or the Library Operations Manager. Information on your right to file a state or federal harassment complaint is also available from the Brown County Human Resources Department.

Upon notification of a harassment complaint, the Library Operations Manager or Library Director will promptly commence a confidential and impartial investigation which will include direct interviews with involved parties and, where necessary, with employees who may be witnesses or have knowledge of matters relating to the complaint. To the extent possible, complaints of harassment will be investigated with particular care and will remain confidential. The parties of the complaint will be notified of the findings of the investigation and their options for further action.

### **Non-retaliation**

This policy also expressly prohibits retaliation of any kind against any employee bringing a complaint or assisting in the investigation of a complaint. Such employees may not be adversely affected in any manner related to their employment. Such retaliation is also illegal under Wis. Stats. § 111.322(2)(m).

11-15-12	POL	N-15
HARASSMENT		

## HARASSMENT – page 4

### **Disciplinary Action**

The Library views harassment and retaliation to be among the most serious breaches of work place behavior. Consequently, appropriate disciplinary or corrective action, ranging from a warning to termination, can be expected.

### **For more information:**

State Of Wisconsin  
Department Of Workforce Development  
Equal Rights Division  
Civil Rights Bureau

201 E Washington Ave  
Room A300  
PO Box 8928  
Madison, WI 53708

Telephone Number: (608) 266-6860  
TTY Number: (608) 264-8752

Or

819 N 6th ST  
Room 723  
Milwaukee, WI 53203

Telephone Number: (414) 227-4384  
TTY Number: (414) 227-4081

<http://dwd.wisconsin.gov>