

CLEVELAND PUBLIC LIBRARY

Human Resources Committee Report

November 20, 2008

PROPOSED REVISION TO THE HUMAN RESOURCES MANUAL

In accordance with Section 121.2 of the Human Resources Manual which reads, "No changes may be made in the provisions of this Manual without the approval of the Board of Trustees," the following recommendations are submitted for approval:

Section 400: Staff Welfare and Economic Benefits**Add New 480: Policy Against Workplace Violence and Bullying**

Cleveland Public Library is committed to protecting the safety and well being of its employees, patrons, visitors and vendors. It is the Library's intent to promote a work environment that is free from intimidation, hostility, threats and violence. We have provided examples of the types of behaviors that are prohibited below.

In addition, the Library intends to provide a workplace that is civil and respectful and free from bullying and intimidation. And although federal, state or local law does not prohibit workplace bullying if it is not covered by anti-discrimination, harassment or other employment or labor laws covering certain protected classes, CPL prohibits bullying of its employees. Because there is sometimes a lack of understanding of what constitutes bullying or intimidation, an explanation is set forth below.

Prohibited Conduct: Workplace Violence and Threats

CPL will not tolerate violence or threats against employees, patrons, visitors or vendors. Prohibited actions under this policy include, but are not limited to:

1. Threatening physical harm or violence against employees, patrons, visitors or vendors.
2. Threatening to damage property or equipment belonging to CPL or its employees, patrons, visitors or vendors.
3. Committing intentional physical harm or violence against employees, patrons, visitors or vendors.
4. Intentionally or recklessly damaging property or equipment belonging to CPL or its employees, patrons, visitors or vendors.
5. Using CPL facilities, property or equipment to convey or carry out a threat of violence, physical harm or damage to property or equipment belonging to CPL or its employees, patrons, visitors or vendors.

Prohibited Conduct: Workplace Bullying or Intimidation

1. Physical bullying can include hitting, slapping, punching, biting or physical harm to employees, patrons, visitors or vendors or their property.
2. Verbal bullying can include repeated teasing, name calling, derogatory remarks, rumors, jokes, slurs, innuendos, demeaning comments, insults or epithets of employees, patrons, visitors or vendors.

3. Emotional bullying includes intimidation through gestures, drawing of cartoons, pranks, gestures, social exclusion or sabotaging or undermining of a person's work performance.

Bullying includes behaviors in addition to those prohibited by the Library's Policy Against Discrimination Including Sexual and Racial Harassment (Policy 460) that an employee may consider threatening, intimidating or humiliating.

A single act typically does not constitute workplace bullying or intimidation, unless it is especially severe and egregious.

Scope of Policy

All employees are responsible for respecting the rights of their co-workers and others and for complying with this policy. Further, each manager or supervisor is responsible for maintaining an atmosphere free of violence and bullying, as defined above.

This policy is intended to prevent situations from arising that may lead to allegations of unlawful or inappropriate behavior in the workplace. Therefore, the prohibitions of this policy are broader in scope than the legal prohibitions of state, federal or other laws prohibiting discrimination, harassment or retaliation. It is possible for an individual to violate this policy without violating the law. A determination that this policy has been violated is not equivalent to a violation of law. Everyone is expected to avoid behavior that could reasonably be interpreted as prohibited violence, threats, bullying or intimidation.

Under normal workplace circumstances, however, personality conflicts, routine differences of opinion or differences in work styles do not rise to the level of conduct that violates this policy. In addition, appropriate supervisory conduct including, but not limited to, discipline, follow-up or monitoring of performance, is not a violation of this policy.

Reporting Workplace Violence or Threats of Violence

If you are a victim of or become aware of any violence or threats against employees, patrons, visitors or vendors including, but not limited to, the prohibited actions listed above, you must immediately contact your supervisor, Security, or Human Resources.

Reporting Bullying and Intimidation Complaints

An employee who believes that he or she has been bullied or intimidated as defined in this policy must immediately report the complaint as follows. Employees are encouraged to follow the steps below, but an employee may make a report directly to the Human Resources Department, the Deputy Director or the Director at any time.

1. Whenever possible, CPL encourages the employee to convey directly to the person engaging in the inappropriate conduct that the behavior is unwelcome and unacceptable.
2. If the employee feels uncomfortable approaching the other employee directly or if the matter has not been resolved to the employee's satisfaction, then the employee should promptly report the incident to his or her supervisor and/or follow the procedure below.
3. An employee who believes that he or she has been bullied or intimidated in violation of this policy should promptly report the incident in writing to the Human Resources Administrator or the Assistant Human Resources Administrator. Under ordinary circumstances, "promptly report" will mean a report within seven days of the alleged discriminatory act; however,

employees are encouraged to report violations of this policy at any time. If the employee feels uncomfortable making a written report, he or she should contact the Human Resources Department for assistance in preparing a written report.

4. If the employee feels uncomfortable reporting the incident to a Human Resources representative, he or she may report the issue, in writing, to the Deputy Director or Director. If the employee feels uncomfortable making a written report, he or she should contact the Deputy Director or Director for assistance in preparing a written report.
5. A Human Resources representative, the Deputy Director, the Director or their designee will promptly investigate the allegations and notify the complainant of the results of the investigation. A Human Resources representative will notify the complainant in writing if the investigation will take more than fifteen days to complete.

Confidentiality and Employee Cooperation

Confidentiality will be maintained throughout the investigation to the extent practical and appropriate under the circumstances.

Employees are expected to cooperate in the investigation of any complaint made pursuant to this policy and must comply with the Library's or its investigator's request for confidentiality.

Consequences of Violations

Any employee violating this Policy will be subject to corrective action, up to and including discharge.

False Accusations

Knowingly making a false report is also a violation of this policy. This is not meant to discourage individuals from making good faith reports. Employees should not be reluctant to report information because they are uncertain of who will be believed and whether the allegation can be proved. The Library recognizes that possible outcomes of investigations include: (1) that a violation occurred; (2) that no violation occurred; or (3) that the Library cannot conclude whether a violation occurred. If a complaint is made in good faith, but no violation is found to have occurred, this does not mean that a complaint or report is a false accusation. However, if the Library determines that an employee knowingly made a false report, the employee may be subject to discipline, up to and including discharge

Be it resolved that the proposed revision to the Human Resources Manual be approved by the Library Board of Trustees, to become effective immediately.