

Village of Virgil

5N939 Meredith Road, Suite 2
Virgil, IL 60151
Phone: (630) 365-6677 Fax: (630) 365-6489

Email: clerk@villageofvirgil.net
Website: villageofvirgil.net

*President: Jamie LeBlanc
Treasurer: Darlene Hanks
Clerk: Daniela LeBlanc
Trustees: Penny Dyer
Cheryl Hackbarth
David Kosarek
Karen Kosarek
Robert Neisendorf
Debbie Washburn
Zoning Enforcement: Mike Stoffa*

Board Meeting May 14, 2020 - 7:00 p.m. via ZOOM

CALL TO ORDER:

The meeting was called to order by President LeBlanc at 7:02 PM.

PLEDGE OF ALLEGIANCE:

President LeBlanc led the Pledge of Allegiance.

ROLL CALL:

President Jamie LeBlanc	Present	Trustee Karen Kosarek	Present
Trustee Penny Dyer	Present	Trustee Robert Neisendorf	Present
Trustee Cheryl Hackbarth	Present	Trustee Debbie Washburn	Present 7:10pm
Trustee David Kosarek	Present	Treasurer Darlene Hanks	Present
Treasurer Darlene Hanks	Present	Clerk Daniela LeBlanc	Present
Zoning Enforcement Officer Mike Stoffa	Present		

All those answering "present" were physically present at the meeting.

Present also: Alex McTavish (Village Attorney), Deputy Matt Humm

APPROVAL OF AGENDA:

President LeBlanc requested that the Board approve the May 14, 2020, agenda as stated.

MOTION: Trustee D Kosarek-to approve the agenda
SECOND: Trustee Hackbarth
AYES: Trustees D Kosarek, Hackbarth, Dyer, Neisendorf, K Kosarek
NAYS: None
ABSENT: Washburn
Motion Carried: 5:0:1

APPROVAL OF MINUTES:

President LeBlanc requested that the Board approve the April 9, 2020 Board minutes as stated.

MOTION: Trustee Neisendorf-to approve the minutes.
SECOND: Trustee Dyer
AYES: Trustees D Kosarek, Hackbarth, Dyer, Neisendorf, K Kosarek
NAYS: None
ABSENT: Washburn
Motion Carried: 5:0:1

PUBLIC COMMENT: None.

SHERIFF'S REPORT:

- Kane County Sheriff does not have immunity or authority to enforce Stay At Home Order
- Deputy Humm implored everyone to act responsibly
- The sheriff's dept will not take any criminal action if Chuck's opens (Mike Stoffa inquired), they would only document
- If the IL legislature would pass laws, then the sheriff's dept would enforce them
- Burglaries are up, so please keep your doors and cars locked
- Virgil/Virgil Township are relatively quiet compared to Elgin and Aurora, 1-5am are especially quiet times
- Most incidents stem from domestic situations, burglaries and suspicious vehicles

VILLAGE ENGINEER:

Per the President: no bids were received for the Virgil View street/ditch project. President LeBlanc instructed the engineering firm to split the contract/bid to encourage bids

RESOLUTIONS AND ORDINANCES: None

PRESIDENT'S REPORT:

See note for Village Engineer

We have a \$30,000 grant which we have to use by the end of the year.

The Internet project is currently on hold due to the Covid19 pandemic.

ATTORNEY'S REPORT: NONE

CLERK'S REPORT: see attached report

FINANCE COMMITTEE:

Treasurer Hankes presented the April bills for approval as follows:

<u>April</u>	
Baxter & Woodman	\$720.00
Foote, Mielke, Chavez & O'Neil	\$201.50
Notary Stamp (D LeBlanc) Notary Public	\$23.59
<u>Pre-Approved Bills</u>	
St. Peter & Paul Church	\$300.00
AT&T	\$188.81
Fox Valley Internet	\$24.95
Jason Kralka Consulting Services	\$125.00
Total	<u>\$1,583.85</u>

MOTION: Trustee Neisendorf to approve the bills.

SECOND: Trustee K Kosarek

AYES: Trustees D Kosarek, Hackbarth, Dyer, Neisendorf, Washburn, K Kosarek

NAYS: None

ABSENT: None

Motion Carried: 6:0:0 per roll call

ZONING ENFORCEMENT OFFICER:

Another complaint was called by a former employee of Bryant Construction regarding repair of equipment. ZO Stoffa investigated and determined it to be invalid.

He also asked about renewing his training regarding the West Nile Virus – there had been only (3) incidents in Kane County and all stemming from swimming pools in the Dundee area. President LeBlanc instructed ZO Stoffa to inquire with Kane County on their plans for this training due to the Covid19 pandemic.

ZONING BOARD OF APPEALS: None

COMMITTEE OF THE WHOLE: None

COMP. PLAN COMMITTEE: None

FINANCE COMMITTEE: None

NEW BUSINESS: None

OLD BUSINESS: None

PUBLIC COMMENT: NONE

ADJOURN: at 7:35pm

MOTION: Trustee D Kosarek
SECOND: Trustee Dyer
AYES: Trustees D Kosarek, Hackbarth, Dyer, Neisendorf, Washburn, K Kosarek
NAYS: None
ABSENT: None
Motion Carried: 6:0:0

Respectfully Submitted,

Daniela LeBlanc
Clerk of the Village of Virgil

Village of Virgil

5N939 Meredith Road, Suite 2
Virgil, IL 60151
Phone: (630) 365-6677 Fax: (630) 365-6489

Email: clerk@villageofvirgil.net
Website: villageofvirgil.net

*President: Jamie LeBlanc
Clerk: Daniela LeBlanc
Treasurer: Darlene Hanks
Trustees: Penny Dyer
Cheryl Hackbarth
David Kosarek
Karen Kosarek
Robert Neisendorf
Debbie Washburn*

Board Meeting – Clerk Report May 14, 2020 7:00 p.m.

- ComEd advised that tree/vegetation trimming is planned over the next couple months. The trimming will be performed by Asplundh Tree Experts. Residents impacted by this were or will be contacted by ComEd. I have attached the ComEd notice for you as well as a copy of the map they sent and the postcard they plan on using.
- As noted last month, we have a new mandate for sexual harassment prevention training – Public Act 101-0221, signed into law on 8/9/2019. The IL Dept of Human Rights developed a model training program and I have attached a copy of it for each one of you. There are fines for non-compliance and the training must be completed by 12/31/2020.
- This training must be done every year.
- The act as stated above also requires us to adopt an ordinance or resolution amending our current sexual harassment policy. I have provided a copy of the training to Alex, our village attorney to assist with this step.

Daniela LeBlanc
Village Clerk

Re: Notification Required under 220 ILCS 5/8-505.1

To Whom It May Concern:

ComEd intends to perform vegetation management activities on distribution circuits in your area within the next few months. The vegetation management activities are a key component of ComEd's maintenance program to ensure system electrical reliability, as vegetation contact with ComEd equipment is a leading cause of outages.

In accordance with applicable statutory requirements, ComEd is required to provide each affected municipality a map (see attached) or common addresses of the area affected by the vegetation management activities.

Please be aware that ComEd has notified any affected customers and property owners with (i) a statement of the vegetation management activities planned, (ii) the address of a website and a toll free telephone number at which a written disclosure of all dispute resolution opportunities and processes, rights, and remedies provided by the electric public utility may be obtained, (iii) a statement that the customer and the property owner may appeal the planned vegetation management activities through the electric public utility and the Illinois Commerce Commission, (iv) a toll-free telephone number through which communication may be had with a representative of the electric public utility regarding the vegetation management activities, and (v) the telephone number of the Consumer Affairs Officer of the Illinois Commerce Commission. The notice also stated that circuit maps or common addresses of the area to be affected by the vegetation management activities are on file with the local municipal or county office.

We recognize that our vegetation management activities sometimes create concern by your residents because trees near our electrical wires are significantly trimmed or sometimes require removal. Qualified line-clearance workers contracted by ComEd will be performing the tree pruning work. Supervisors and General Foremen will be in close contact with the crews, ensuring that the work is performed properly. Additionally, we are strong advocates of proactive efforts to ensure that only appropriate vegetation is planted near our facilities, and our easement and leases usually specify vegetation restrictions. Trees that grow greater than 20 feet, for example maple, elm, and blue spruce, should never be planted under or near distribution power lines. At full height, these trees could contact lines and cause a power outage or create a safety issue. On the other hand, trees and bushes that grow to heights less than 20 feet, for example dogwoods or crabapples, can often be planted near distribution power lines.

For more information about vegetation maintenance along power lines and ComEd's "Right Tree, Right Place" program, please visit: <http://www.ComEd.com/Trees>

Please direct any resident with questions or concerns to contact us at 1 (800) Edison-1

Sincerely,

Katie Runyan
Sr. Vegetation Management Project Manager
Vegetation Management Department

See the attached map of the following circuit with upcoming vegetation activities: B906

IMPORTANT



TREE TRIMMING SCHEDULED IN YOUR AREA



Arborists performing vegetation management for ComEd will be working in your neighborhood within the next 3 months.

**This is a courtesy notification.
No response is necessary.**



© 2014 Commonwealth Edison Company
Printed on 100% post consumer waste recycled paper.

TREE TRIMMING TO BEGIN SOON

rees and branches that interfere with power lines in create safety hazards and cause power outages. reventative tree maintenance helps avoid power itages.

Within the next 3 months we will trim trees, branches and vines that interfere or have the potential to interfere with power lines.

In some cases, tree removal may be required. The remaining tree stumps are treated with an approved herbicide to prevent future regrowth. Herbicide will be applied by state-licensed applicators.

All work is performed by trained, qualified arborists.

IR MORE INFORMATION
it ComEd.com/Trees or call us at **800-Edison-1 (800-334-7661)**

RAMÁS INFORMACIÓN
ite ComEd.com/Arboles o llámenos al **800-95-LUCES (800-955-8237)**

ou have any questions regarding the tree trimming process, call Edison-1 (800-334-7661) and ask to speak with a Vegetation management representative, or visit our web site at ComEd.com/Trees. You y also request a written copy of the dispute resolution process. Property ners may appeal planned vegetation management activities through nEd or the Illinois Commerce Commission. To contact a Consumer Affairs cer of the Illinois Commerce Commission call 800-524-0795. Maps of the icted areas are on file at your local municipal or county office.

PM0214



An Exelon Company

P.O. Box 805379
Chicago, IL 60680-5379

INDICIA

Sample A. Sample
1234 Main Street
Apt. 123
Your Town, IL 12345-6789





JB Pritzker, Governor
James L. Bennett, Director

For Immediate Release

Tuesday, April 28, 2020

Contact

Mo Green

Mo.Green@Illinois.Gov

Illinois Department of Human Rights Releases Model Sexual Harassment Prevention Training Program

(Chicago) Today, the Illinois Department of Human Rights (IDHR) released its [model Sexual Harassment Prevention Training program](#) for Illinois employers in compliance with Public Act 101-0221 (commonly referred to as the Workplace Transparency Act).

“We cannot combat rampant sexual harassment in the workplace without substantive and accessible education,” said **IDHR Director Jim Bennett**. “The release of IDHR’s model sexual harassment prevention training is a major step in ensuring that every working person in Illinois understands the seriousness of sexual harassment. I urge all Illinois employers – small businesses and major corporations alike – to use this resource.”

Formerly Senate Bill 75, Public Act 101-0221 was signed into law by Governor Pritzker in August 2019. Under this Act, Illinois employers are required to train employees on sexual harassment prevention by December 31, 2020, and on an annual basis thereafter. This requirement applies to all employers with employees working in this State. Employers must either develop their own sexual harassment prevention training program that equals or exceeds the minimum standards for sexual harassment prevention training outlined in [Section 2-109\(B\)](#) of the Illinois Human Rights Act (IHRA), or they may use the [model training](#) provided by the IDHR.

In addition to providing the sexual harassment prevention training described above, restaurants and bars are required to provide supplemental sexual harassment prevention training that complies with [Section 2-110](#) of the IHRA. Illinois restaurants and bars must either develop their own supplemental training or utilize the model training provided by the IDHR. The IDHR’s supplemental training model for restaurants and bars is forthcoming.

To download the model Sexual Harassment Prevention Training program or for more information, please visit IDHR's Training Institute at www.illinois.gov/dhr/training.

The IDHR enforces the Illinois Human Rights Act, which prohibits discrimination in the contexts of employment, housing, financial credit, public accommodations, and sexual harassment in education. For more information, visit the [IDHR homepage](#), [Facebook.com/IllinoisDHR](https://www.facebook.com/IllinoisDHR), Instagram [@Illinois_DHR](#) or Twitter [@Illinois_DHR](#).

###

State of Illinois Sexual Harassment Prevention Training

APRIL 2020



State of Illinois
Department of Human Rights

www.Illinois.gov/DHR/Training

Helpin
www.Illinois.gov

Sexual Harassment Is Prohibited in Illinois

- The Illinois Human Rights Act makes it a civil rights violation “[f]or any employer, agent of any employer, employment agency or labor organization engage in sexual harassment.” 775 ILCS 5/2-102(D).
- The Illinois General Assembly finds that tolerance of sexual harassment has detrimental influence in workplaces by creating a hostile environment for employees, reducing productivity, and increasing legal liability.
- The State of Illinois encourages employers to adopt and actively implement policies to ensure their workplaces are safe for employees to report concerns about harassment without fear of retaliation, loss of status, or loss of promotional opportunities.



Employers Required to Provide Sexual Harassment Prevention Training for All Employees

- Every employer in the State of Illinois is required to provide employees sexual harassment prevention training that complies with section 2-109 Illinois Human Rights Act (“IHRA”).
- All employees regardless of their status (i.e. short-term, part-time, or in must be trained.
- If an employer has an independent contractor working on-site with the employer’s staff, the independent contractor should receive sexual harassment prevention training.



What Information Will Be Covered

- I. an **explanation of sexual harassment** consistent with the Illinois Human Rights Act;
- II. **examples of conduct** that may constitute unlawful sexual harassment;
- III. a **summary of Federal and State statutory laws** concerning sexual harassment, including remedies available to victims; and
- IV. a **summary of employer responsibilities** in the prevention, investigation, and corrective measures of sexual harassment.



I. What is Sexual Harassment?

Under the Illinois Human Rights Act, “Sexual harassment” means any unlawful sexual advances, requests for sexual favors, or any conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment,
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.



I. Types of Unlawful Sexual Harassment

- 1. Quid Pro Quo Sexual Harassment.** *“You do something for me, and I’ll do so for you.”* This means that a manager or supervisor may not tell an employee that they will receive a promotion, raise, preferred assignment, or other type of benefit – or to avoid something negative like discipline or an unpleasant assignment – the employee must do something sexual in return.
- 2. Hostile Work Environment Sexual Harassment.** *“The air at work is full of references and it is impacting me.”* A hostile work environment may occur when an employee’s work environment is so unwelcoming for sexual favors, or any conduct of a sexual nature has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment.



I. Unwelcome Behavior

- Sexual conduct becomes sexual harassment when the behavior is unwelcome. Behavior may be unwelcome in the sense that the victim did not solicit or invite the behavior in the sense that the victim regarded the conduct as undesirable or offensive.
- Welcome behavior can quickly become unwelcome behavior. What starts as welcome behavior (consensual joking) can cross a line and become unwelcome behavior.
- Also, consent can be revoked at any time. When someone experiencing sexual harassment behavior says, “stop talking to me like this” **it must stop**. The perpetrator cannot use as a defense “Well you started it.” or “You were okay first.”



I. Working Environment & Nonemployees

- An employee’s “working environment” is not limited to the physical location where the employee is assigned. The “working environment” extends to work sites including off-site, mobile or moving work sites/locations.
- The prohibition that supervisors and co-workers not engage in sexual harassment now applies to nonemployees such as patrons, vendors, and providers. Nonemployees can be victims of sexual harassment and/or perpetrators of sexual harassment.



I. Gender Identity, Sexual Orientation, and Third Parties (Bystanders)

- All persons can be victims of sexual harassment regardless of the victim **identity** or the perpetrator's gender identity.
- All persons can be victims of sexual harassment regardless of the victim **orientation** or the perpetrator's sexual orientation.
- Victims of sexual harassment can include not only the target of the sexual harassment, but also **third parties or bystanders**.



What Information Will Be Covered

- I. an explanation of sexual harassment consistent with the Illinois Human Rights Act;
- II. **examples of conduct that may constitute unlawful sexual harassment**
- III. a summary of Federal and State statutory laws concerning sexual harassment, including remedies available to victims; and
- IV. a summary of employer responsibilities in the prevention, investigation, and corrective measures of sexual harassment.



II. What are Examples of Inappropriate Conduct?

Sexual harassment includes unwelcome conduct of a sexual nature (sexual advances or requests for sexual favors). Examples include:

- Pressure for sexual favors or to go out on a date
- Deliberate touching, leaning over, or cornering another person
- Sexual looks or gestures or whistling at someone
- Sending letters, telephone calls, e-mails, texts, or other materials of a sexual nature
- Sexual teasing, jokes, remarks, or questions
- Referring to another as a “girl,” “hunk,” “doll,” “babe,” “honey,” “tootsie” or other terms of endearment
- Actual or attempted rape or sexual assault



II. continued - Examples of Inappropriate Cor

More examples of conduct that may constitute sexual harassment inclu

- Turning work discussions to sexual topics
- Asking about sexual fantasies, preferences, or history
- Sexual comments, sexual innuendos, or sexual stories
- Sexual comments about a person's clothing, body, or looks
- Kissing sounds, howling and smacking lips
- Telling lies or spreading rumors about a person's sex life
- Massaging neck, shoulders, etc.
- Touching another employee such as their clothing, hair, or body



II. Sexual Harassment in Online Environment

- Our conduct online and through social media can constitute sexual harassment when it occurs “off the clock”, “off-site”, or even “out of state”.
- Online sexual harassment includes using e-mail, cell phone texts, internet posts, comments, blog posts, and social media (such as Facebook, Twitter, LinkedIn, YouTube, and Snapchat) to send communications of a sexual nature. Examples
 - Flirting and requests or demands to go on a date or have sex
 - Sending inappropriate pictures or videos including sexually graphic material
 - Using sexual language or comments including sexually offensive language
 - Cyber stalking



What Information Will Be Covered

- I. an explanation of sexual harassment consistent with the Illinois Human Rights Act;
- II. examples of conduct that may constitute unlawful sexual harassment;
- III. a **summary of Federal and State statutory laws concerning sexual harassment**, including remedies available to victims; and
- IV. a **summary of employer responsibilities** in the prevention, investigation, and corrective measures of sexual harassment.



III. What can I do if I experience, witness, or become aware of unwelcome sexual conduct?

If you experience, witness or become aware of unwelcome sexual conduct, know

1. You have the **right to tell the person to stop**. The initiating and participating must stop the unwelcome behavior upon request. If they continue the behavior retaliate against you because you asked them to stop, they can be found to have the law by engaging in sexual harassment or retaliation.
2. You have the **right to report the sexual harassment**. Several reporting options are available. The option you choose may depend on the nature and severity of the unwelcome conduct of a sexual nature. Persons who report sexual harassment participate in investigations are protected from retaliation.



III. Reporting Sexual Harassment – Several Options

The choice of how to report an allegation of sexual harassment is a personal one and these options are not mutually exclusive. You may pursue one or more of the following reporting options:

1. **Call the State of Illinois Sexual Harassment & Discrimination Helpline**
2. Report the Incident to Your Employer
3. File a Charge with the Illinois Department of Human Rights (IDHR)
4. File a Charge with the U.S. Equal Employment Opportunity Commission



III. Call the State of Illinois Sexual Harassment Discrimination Helpline

If you or someone you know has experienced or witnessed unwelcome conduct of nature in the workplace, please call the *State of Illinois Sexual Harassment and Discrimination Helpline* for assistance. Calls are confidential and can be made anonymously.

Call: 1-877-236-7703

Visit www.Illinois.gov/SexualHarassment

Helpline representatives can help callers navigate their numerous reporting options and share additional information related to counseling, legal assistance and frequently asked questions.



III. Reporting Sexual Harassment – Several Options

The choice of how to report an allegation of sexual harassment is a personal one and these options are not mutually exclusive. You may pursue one or more of the following reporting options:

1. Call the State of Illinois Sexual Harassment & Discrimination Helpline
2. **Report the Incident to Your Employer**
3. File a Charge with the Illinois Department of Human Rights (IDHR)
4. File a Charge with the U.S. Equal Employment Opportunity Commission



III. Reporting Sexual Harassment to an Employee

Report the incident to one or more of the following employer representatives:

- 1. Your Supervisor** or any member of management you trust. Supervisors and management are responsible for knowing the employer's internal complaint investigation and resolution process. Supervisors can help effect immediate positive change.
- 2. Human Resources Officers** can work with management to investigate and resolve harassment complaints. This option may be preferred, if the perpetrator of the sexual harassment is a supervisor or manager.
- 3. Designated Sexual Harassment Reporting Officers** are often established by employers specifically to receive and investigate sexual harassment complaints. Consult your employer's sexual harassment policy for specific reporting contact information.



III. Reporting Sexual Harassment – Several Options

The choice of how to report an allegation of sexual harassment is a personal one and these options are not mutually exclusive. You may pursue one or more of the following reporting options:

1. Call the State of Illinois Sexual Harassment & Discrimination Helpline
2. Report the Incident to Your Employer
3. **File a Charge with the Illinois Department of Human Rights (IDHR)**
4. File a Charge with the U.S. Equal Employment Opportunity Commission



III. Reporting Sexual Harassment to the Illinois Department of Human Rights (IDHR)

The Illinois Department of Human Rights (IDHR) is a state agency responsible for enforcing the Illinois Human Rights Act, the state law which makes it illegal to engage in sexual harassment or retaliation.

- Complainants (victims of sexual harassment) may file a charge at any time within 300 days of the incident(s).
- IDHR has jurisdiction (authority) to investigate employers who have 15 or more employees.
- To start the process, submit a Complainant Information Sheet to IDHR.



III. Remedies Available Under The Illinois Human Rights Act

- After IDHR completes its investigation, the Complainant (the employee)
 1. May file a lawsuit in civil court, or
 2. May file a complaint with the Illinois Human Rights Commission (IHRC). If the IHRC found “substantial evidence” of a violation.
- Complainants who prevail in the HRC or Court may receive an **order awarding remedies** allowed by the Illinois Human Rights Act to make the Complainant “whole.”
- **Remedies** may include: back pay, lost benefits, clearing of a personnel file, hiring, promotion, reinstatement, front pay where reinstatement is not possible, attorney’s fees and costs.



III. Reporting Sexual Harassment to the IDHR (Contact Information)

To file a charge, call IDHR or visit them online:

1-800-662-3942 | www.ILLINOIS.GOV/DHR

IDHR Offices Locations:

- **Chicago.** Office: 312-814-6200 | 866-740-3953 (TTY), 100 W Randolph St, Suite 1 Chicago, IL 60601
- **Springfield.** Office: 217-785- 5100 | 866-740-3953 (TTY), 535 W. Jefferson, 1st Flc Unit, Springfield, IL 62702
- **Marion.** Office: 618-993-7463 | 217-740-3953 (TTY), 2309 W Main St, Marion, IL



III. Reporting Sexual Harassment – Several Options

The choice of how to report an allegation of sexual harassment is a personal one and these options are not mutually exclusive. You may pursue one or more of the following reporting options:

1. Call the State of Illinois Sexual Harassment & Discrimination Helpline
2. Report the Incident to Your Employer
3. File a Charge with the Illinois Department of Human Rights (IDHR)
4. **File a Charge with the U.S. Equal Employment Opportunity Commission**



III. Reporting Sexual Harassment to the U.S. E

The United States Equal Employment Opportunity Commission (EEOC) is responsible for enforcing Title VII of the Civil Rights Act of 1964, the federal law that makes it illegal to engage in sexual harassment or retaliation.

- Complainants (victims of sexual harassment) may file a charge at any time within 300 days of the incident(s).
- The EEOC has jurisdiction (authority) to investigate employers who harass more employees.
- To start the process, call the EEOC or visit their website.



III. Remedies Available Under Title VII of the Rights Act of 1964

- After EEOC completes its investigation:
 1. The Complainant (the employee) may file a lawsuit in federal court.
 2. The EEOC may help parties reach a settlement through an informal process called “conciliation” if the EEOC finds “reasonable cause” to believe discrimination occurred.
- Complainants who prevail in federal court may receive an **order awarding** allowed by Title VII to make the employee “whole.”
- **Remedies** may include: back pay, lost benefits, clearing of a personnel file, hiring, promotion, reinstatement, front pay where reinstatement is not possible, punitive damages, and attorney’s fees and costs.



III. Reporting Sexual Harassment to the U.S. EEOC (Contact Information)

To file a charge, call or visit online:

1-800-669-4000 | www.EEOC.GOV

1-800-669-6820 (TTY for Deaf/Hard of Hearing callers only)

1-844-234-5122 (ASL Video Phone for Deaf/Hard of Hearing callers only)

U.S. EEOC Offices Serving Illinois

- **Chicago District Office.** JCK Federal Building, 230 S. Dearborn St., Chicago, IL 60611
- **St. Louis District Office.** Robert A. Young Federal Building, 1222 Spruce St., Rm. 8. Louis, MO 63103



What Information Will Be Covered

- I. an explanation of sexual harassment consistent with the Illinois Human Rights Act;
- II. examples of conduct that may constitute unlawful sexual harassment;
- III. a summary of Federal and State statutory laws concerning sexual harassment, including remedies available to victims; and
- IV. a **summary of employer responsibilities in the prevention, investigation, and corrective measures of sexual harassment.**



IV. Is my Employer Responsible for Sexual Harassment?

Yes, employers are responsible for sexual harassment in two ways:

- **Manager/Supervisor Harassment.** Employers are *strictly liable* for sexual harassment perpetrated by its members of management *regardless* of whether the employer knew of the harassment.
- **Co-Worker & Nonemployee Harassment.** Employers are *liable* for sexual harassment perpetrated by an employee (co-worker) or nonemployees *only if* the employer knew or reasonably should have known of the harassment and failed to take prompt corrective action.



IV. Employer Responsibilities

We will now discuss employer responsibilities and liabilities concerning incidents of sexual harassment in workplaces including their responsibilities to:

- **Prevent** the incidence of sexual harassment in their workplaces;
- **Investigate** incidents of sexual harassment in their workplaces; and
- **Correct** the incidence of sexual harassment in their workplaces.



IV. Employer Responsibility - Prevention

1. Develop, implement and regularly communicate the employer's sexual harassment policy.
2. Provide training for managers and employees on sexual harassment prevention.
3. Ensure clear communication on how to report incidents of sexual harassment or conduct of a sexual nature.
4. Managers and supervisors should monitor their work environment to ensure the work environment is free of sexual harassment – supervisors should be aware of the conduct within their supervisory jurisdiction.
5. Managers and supervisors must lead by example and model appropriate conduct – refrain from engaging in conduct of a sexual nature.
6. Managers and supervisors should conduct a sexual harassment climate check through surveys, focus groups, or other methods – discuss the topic at a team or staff meeting, in-service day or as part of structured communication such as division/unit newsletters.



VI. Employer Responsibility - Investigation

1. Immediately respond to a complaint of sexual harassment and initiate an investigation.
2. Interview the complainant (victim) and take reasonable action to protect the from retaliation or experiencing further sexual harassment during the investigation.
3. Interview all relevant witnesses.
4. Interview the alleged perpetrator of the sexual harassment.
5. Document the investigation results and maintain the file as an employment record.
6. Take corrective action as appropriate.



IV. Employer Responsibility – Corrective Measures

1. Take appropriate corrective disciplinary action up to and including termination of employment where organizational policy has been violated.
2. In situations where the conduct in question did not rise to the level of sexual harassment or a violation of policy, but is concerning or may be considered gross behavior, consider counseling, training and closer supervision of the employee.
3. Take reasonable action within the organization to reduce the likelihood of future harassment incidents by updating policies and communicating them to the workforce; providing supplemental or tailored sexual harassment training; or restructuring working environment or reporting relationships.
4. Follow up with the complainant (victim) at regular intervals to ensure they are safe and their workplace remains free from sexual harassment.



Completion & Certification

Thank you for completing the

2020 Annual Sexual Harassment Prevention Training

Please take the following actions:

1. Print and sign the “Certificate of Participation” provided.
2. Return the Certificate to your employer representative.



Certificate of Participation 2020 Sexual Harassment Prevention Training

I certify that I have carefully read and reviewed the content of, and completed, the 2020 Sexual Harassment Prevention Training pursuant to the Illinois Human Rights Act, 775 ILCS 23/0-0.

Training Participant Information:

(Printed Name - First, Middle Initial, Last)

(Signature)

(Birth Month and Day)

Training Date/Location:

(Company Name/Work Location)

(Training Date)

(Training Method)

