

Sexual Harassment

The Illegality Of Sexual Harassment

It is a violation of the policies of the Zion-Benton Public Library District for any person to engage in sexual harassment. The Library shall be responsible for sexual harassment of a person only if the library becomes aware of the conduct and fails to take reasonable corrective measures.

The Definition Of Sexual Harassment Under State Law

Sexual harassment means any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of 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.

A Description Of Sexual Harassment, Utilizing Examples

Examples of conduct which could be considered sexual harassment include:

- Persistent unwelcome flirting, pressure for dates, sexual comments or touching;
- Sexually suggestive jokes or gestures directed toward another or sexually oriented comments about another;
- Preferential treatment of an employee, or a promise of preferential treatment to an employee, in exchange for dates or sexual conduct, or the denial or employment benefits or advancement for refusal to consent to sexual advances;
- The open display of sexually oriented pictures, posters, or other material offensive to others;
- Retaliation against an individual for reporting or complaining about sexually harassing conduct.

The Library's Internal Complaint Process Including Penalties

If an employee believes that he or she has been sexually harassed at work by an employee or some other person who either represents the library or is doing business with the library the employee shall immediately notify his or her supervisor of the harassment. The supervisor shall notify the Library Director using a confidential report form. While the Library Director is investigating the complaint the complainant may be assigned to an area where he or she will have not contact with the alleged perpetrator. Investigations shall be conducted with discretion in an effort to protect the privacy of the individuals involved. If the complaint is found to be valid, appropriate disciplinary action will be taken against the perpetrator.

The Legal Recourse, Investigative And Complaint Process Available Through The Illinois Department Of Human Rights And The Illinois Human Rights Commission

A complaint must be filed within 180 days of the date the employee claims the harassment took place.

Employees are protected in their right to make a claim or cooperate with and investigation.

The Department of Human Rights is responsible for making an investigation and should either dismiss the charge or file a complaint with the Illinois Human Rights Commission.

If the Department of Human Rights neither dismisses the claim or files a complaint with the Illinois Human Rights Commission within 300 days of filing, the employee may seek a public hearing from the Human Rights Commission. The employee must do so within 30 days after the 300th day expires.

A charge filed with the Illinois Department of Human Rights is also filed with the Federal Equal Employment Opportunity Commission.

Complaints filed with the Illinois Human Rights Commission are assigned to an Administrative Law Judge.

Following a hearing, the Administrative Law Judge will recommend a finding to a three-member panel of the Human Rights Commission.

The Human Rights Commission may order the respondent to cease and desist, pay damages, hire, reinstate, promote, pay back-pay, pay fringe benefits, and pay Attorney's fees and costs in order to remedy a finding in favor of the complainant.

The Human Rights Commission's order may be appealed by either party to the Illinois Appellate Court within 35 days of the order.

Orders of the Human Rights Commission are enforceable in Illinois courts.

Directions On How To Contact The Department And Commission

The employee may contact the State or Federal government as follows:

ILLINOIS DEPARTMENT OF HUMAN RIGHTS

- 100 West Randolph Street, Suite 10-100, Chicago, Illinois 60601 (312) 814-6200
- 222 South College, Room 101A, Springfield, Illinois 62701 (217) 785-5100

ILLINOIS HUMAN RIGHTS COMMISSION

- 100 West Randolph Street, Suite 5-100, Chicago, Illinois 60601 (312) 814-6269
- Stratton Office Building, Suite 404, Springfield, Illinois 62701 (217) 785-4350

FEDERAL EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

- 500 West Madison Street, 28th Floor, Chicago, Illinois 60661 (312) 353-2713

Protection Against Retaliation As Provided By Section 5/6-101 Of The Illinois Human Rights Act

It is unlawful to retaliate in any way against anyone who has complained about sexual harassment or discrimination.

Adopted 01/2/97