



Illinois Department of Commerce & Economic Opportunity

Sexual Harassment Policy Requirements

Summary

The uniform grant agreement used by the Department of Commerce and Economic Opportunity requires all Grantees to have a Sexual Harassment policy in place. The following are key requirements for Sexual Harassment policy compliance.

The Uniform Grant Agreement describes the required tenets of a Sexual Harassment policy. The Illinois Department of Human Rights has an example policy statement for reference, which can be found at [SexualHarassmentModelPolicyStatement.pdf \(illinois.gov\)](#).

Sexual Harassment. The Grantee certifies that it has written sexual harassment policies that shall include, at a minimum, the following information:

- i. The illegality of sexual harassment.
- ii. The definition of sexual harassment under State law.
 - a. Any unwelcome sexual advances, requests for sexual favors or any conduct of a sexual nature when:
 - i. The submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.
 - ii. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
 - iii. 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.
- iii. A description of sexual harassment, utilizing examples.
- iv. The Grantee's internal complaint process including penalties.
- v. The legal recourse, investigative and complaint process available through the Department of Human Rights and the Human Rights Commission.
 - a. An employee has the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) about filing a formal complaint.
 - b. An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense.
 - c. A complaint with the EEOC must be filed within 300 days.
 - d. An appeal process is available through the Illinois Human Rights Commission (IHRC), after IDHR has completed its investigation of the complaint.
 - e. Where the employing entity has an effective sexual harassment policy in place and the complaining employee fails to take advantage of that policy and allow the employer an opportunity to address the problem, such an employee

may, in certain cases, lose the right to further pursue the claim against the employer.

- vi. Directions on how to contact the Department of Human Rights and the Human Rights Commission.
 - a. **Illinois Department of Human Rights (IDHR) Chicago:** 312-814-6200 or 800-662-3942. **Chicago TTY:** 866-740-3953.
 - b. **Illinois Department of Human Rights (IDHR) Springfield:** 217-785-5100. **Springfield TTY:** 866-740-3953.
 - c. **Illinois Department of Human Rights (IDHR) Marion:** 618-993-7463. **Marion TTY:** 866-740-3953.
 - d. **Illinois Human Rights Commission (IHRC) Chicago:** 312-814-6269. **Chicago TTY:** 312-814-4760.
 - e. **Illinois Human Rights Commission (IHRC) Springfield:** 217-785-4350. **Springfield TTY:** 217-557-1500.
 - f. **United States Equal Employment Opportunity Commission (EEOC) Chicago:** 800-669-4000. **Chicago TTY:** 800-869-8001.
- vii. Protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act (775 ILCS 5/2-105(a)(4)).
 - a. An employee, who is suddenly transferred to a lower paying job or passed over for promotion after filing a complaint with IDHR or EEOC, may file a retaliation charge, also due within 180 days (IDHR) or 300 days (EEOC) of the alleged retaliation.
 - b. An employee who has been physically harassed or threatened while on the job may also have grounds for criminal charges, such as assault or battery.