

**POLICY 901  
SEXUAL HARASSMENT**

**A. Purpose and Scope**

It shall be the policy of the Lisle Library District (LLD) that, in accordance with the Illinois Human Rights Act, and the State Officials and Employees Ethics Act, it is illegal for any person to engage in sexual harassment at the workplace.

The LLD prohibits and will not tolerate sexual harassment, sex discrimination, or any other sexual misconduct (including sexual assault) of or by employees, Trustees or patrons/visitors at the Library. This prohibition applies when employees and/or Trustees officially represent LLD or conduct LLD business offsite.

- Employees of the LLD are prohibited from sexually harassing other employees, Trustees or patrons/visitors.
- Trustees are prohibited from sexually harassing employees, other Trustees, or patrons/visitors.
- Patrons/Visitors are prohibited from sexually harassing employees, Trustees or other patrons/visitors.

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

1. Submission to such conduct is made explicitly or implicitly a term or condition of employment; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working or business environment and/or Library experience.

Examples of conduct that could be considered sexual harassment include, but are not limited to:

- a. Unwelcome flirting, pressuring someone for dates, sexual conversation, sending inappropriate suggestive letters, notes or electronic communications or inappropriately touching/gesturing or blocking a person's physical movement or intentionally brushing up against another person or whistling/staring in a sexually suggestive manner;

Telling sexually suggestive jokes, sharing sexual anecdotes, making sexual innuendos or inquiring about someone's sexual history/sexual orientation/gender identity or sexual comments about someone's clothing/body;

- b. Preferential treatment, or a promise of preferential treatment, in exchange for dates or sexual conduct, or the denial or threat of denial of benefits, interests/advantages or advancement for refusal to consent to sexual advances;
- c. The open display of sexually oriented photos/images, objects or other offensive material;
- d. Retaliation against an individual for reporting or complaining about sexually harassing conduct. Retaliation for reporting sexual harassment is prohibited. Whistleblower protections and remedies are available under the Whistleblower Act, 740 ILCS 174/1 et seq., the State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq., and the Illinois Human Rights Act 775 ILCS 5/1-101 et seq.

## **B. Proper Action**

If an individual believes that he or she has been sexually harassed while doing Library work or business by a patron/visitor, an employee, Trustee, or someone who does business with the LLD, the individual shall immediately notify the appropriate authority about the harassment:

- 1. If an employee believes that he or she has been sexually harassed, the employee shall immediately notify his or her Department Director about the harassment.
- 2. If the alleged harasser is the employee's Department Director, then the employee shall notify the Library Director.
- 3. If the Library Director is the alleged harasser, the individual shall bring the matter to the Chair of the LLD Personnel & Policy Committee and an investigation shall be conducted by the Chair and may be subject to a Board hearing.
- 4. If the alleged harasser is a Trustee, the individual shall bring the matter to the President of the LLD Board or via the Library Director to the President if the individual is an employee. The investigation shall be conducted by the President and may be subject to a Board hearing and/or advanced to State officials.

Should a Trustee allege harassment by an employee, the Trustee shall bring the matter to the Library Director and the President of the Board to conduct an investigation.

- 5. If the alleged harasser is the President of the Board, the individual shall bring the matter to the Vice President of the Board or via the Library Director to the Vice President if the

individual is an employee. The Vice President shall appoint a Special Committee to investigate and/or advance to State officials.

6. Should an allegation of harassment be brought to the attention of staff and is between patrons/visitors, staff shall take appropriate action pursuant to Policy 610: Patron Code of Conduct.
7. Should an allegation of harassment by a patron/visitor be brought to the attention of staff and the alleged harasser is another employee, the staff person notified shall bring the matter to the relevant Department Director and/or consult with the person in charge if necessary.

### **C. Documentation and Investigation**

1. The notified authority will document the specific facts and/or perceived wrongful act/s (e.g., locations, names, dates, times) to be investigated. Every effort will be made to ensure that conversations and documentation will be kept confidential. The complaint shall be promptly investigated. All reasonable efforts will be made to resolve the matter informally.

To properly facilitate an investigation, harassment complaints should be made as soon as possible, but not later than one year of the date of the alleged harassment.

While the investigation is being conducted, the complainant and/or the alleged perpetrator may be re-assigned to an area where he or she will have no contact with the other. Investigations shall be conducted with discretion in an effort to protect the privacy of the individuals involved.

In the event the complaint cannot be resolved informally, the complainant will be advised of his/her rights in accordance with established LLD grievance procedures and/or advancing their complaint to State authorities.

Reporting and/or participating in an investigation of alleged sexual harassment will not reflect adversely upon an individual's status or affect future work assignments.

The filing of a complaint under the procedures described shall not limit, extend, replace, or delay the right of any person to file a similar complaint or charge with any appropriate local, state, or federal agency or court.

Those who believe they have been harassed or discriminated against may file a charge with the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC).

The Illinois Department of Human Rights is responsible for conducting an investigation and may either dismiss the charge or file a complaint with the Illinois Human Rights Commission. The Illinois Human Rights Commission (IHRC) will hear the complaint pursuant to its rules and procedures.

An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days.

Contact Information:

- Illinois Department of Human Rights (IDHR)  
Chicago: 312-814-6200 or 800-662-3942  
Springfield: 217-785-5100
- Illinois Human Rights Commission (IHRC)  
Chicago: 312-814-6269  
Springfield: 217-785-4350
- United States Equal Employment Opportunity Commission (EEOC)  
Chicago: 800-669-4000

2. A substantiated complaint against an employee or Trustee will subject the individual to disciplinary/corrective action, up to and including termination/discharge. If an investigation results in a finding that the complainant falsely accused another of harassment or discrimination knowingly or in a malicious manner, the complainant will be subject to appropriate disciplinary/corrective action, up to and including termination/discharge.

**D. Training**

Lisle Library District employees and Trustees are required to participate in annual sexual harassment training. The Library Director shall facilitate employee training and shall recommend like training for Trustees.

Adopted 12/13/17

**ORDINANCE NO. 17-08**

**ORDINANCE ADOPTING POLICY PROHIBITING SEXUAL HARASSMENT,  
DISCRIMINATION, AND RETALIATION - Policy 901: Sexual Harassment**

WHEREAS, the Lisle Library District (the Library) is a unit of local government which operates a Public Library; and

WHEREAS, by P.A. 100-0554 effective November 16, 2017, the Illinois General Assembly amended the State Officials and Employees Ethics Act (Ethics Act), 5 ILCS 430/1-1 et seq.; and

WHEREAS, the provisions of P.A. 100-0554 relevant to the Library (5 ILCS 430/70-5) are the following:

No later than 60 days after the effective date of this amendatory Act of the 100<sup>th</sup> General Assembly, each governmental unit shall adopt an ordinance or resolution establishing a policy to prohibit sexual harassment. The policy shall include, at a minimum: (i) a prohibition on sexual harassment; (ii) details on how an individual can report an allegation of sexual harassment, including options for making a confidential report to a supervisor, ethics officer, Inspector General, or the Department of Human Rights; (iii) a prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under this Act, the Whistleblower Act, and the Illinois Human Rights Act; and (iv) the consequences of a violation of the prohibition on sexual harassment and the consequences for knowingly making a false report.

WHEREAS, the attached Policy 901: Sexual Harassment is intended to comply with the requirements of the Ethics Act, as amended by P.A. 100-0554.

NOW, THEREFORE, IT IS ORDAINED by the Board of Lisle Library District Trustees as follows:

1. The attached Policy 901: Sexual Harassment be and is adopted.
2. This Ordinance and the attached Policy 901: Sexual Harassment supersede Ordinances and Policies, if any, which conflict with this Ordinance and the attached Policy 901: Sexual Harassment.

3. This Ordinance is effective immediately.

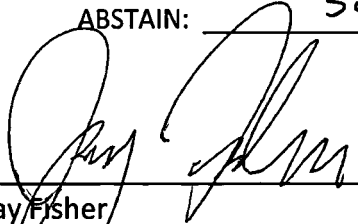
Passed this 13 day of December, 2017.

AYES: Flint, Hummel, Swistak, Wang, Bartelli

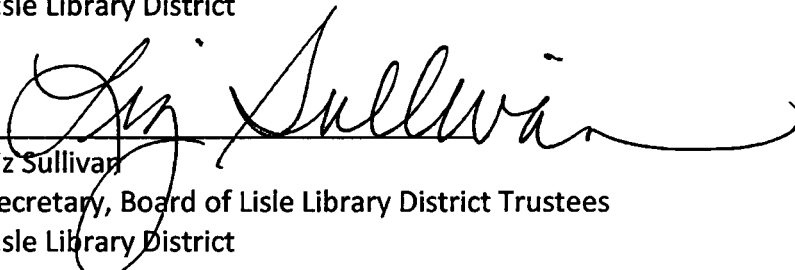
NAYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: Sullivan

  
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Jay Fisher  
President, Board of Lisle Library District Trustees  
Lisle Library District

  
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Liz Sullivan  
Secretary, Board of Lisle Library District Trustees  
Lisle Library District