

## **Policy On Sexual Harassment**

The policies in this Appendix apply to all employees of ALA. This Appendix serves as a supplement for, not as a replacement of, ALA's Harassment Policy. Where policies in this Appendix vary from ALA's Harassment Policy, the policies in this Appendix will govern.

Anyone can be a victim of sexual harassment regardless of their gender, gender identity, sexual orientation, race, age, or other factors. Sexual harassment can occur inside or outside the workplace, between supervisors and their staff, and between employees and coworkers, customers, vendors, volunteers or others. **Sexual harassment is illegal in the City of Chicago.** ALA has a zero tolerance policy against all forms of sexual harassment.

### **Definition of Sexual Harassment**

"Sexual harassment" is defined as any:

- i. unwelcome sexual advances or unwelcome conduct of a sexual nature; or
- ii. requests for sexual favors or conduct of a sexual nature when
  - a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
  - b. submission to or rejection of such conduct by an individual is used as the basis for any employment decision affecting the individual, or
  - c. 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;or
- iii. "sexual misconduct," which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's employment position."

### **Examples of Prohibited Conduct**

Unwelcomed conduct and communications of a sexual nature are prohibited. Examples of conduct that may be considered sexual harassment include:

- Touching such as massaging, hugging, kissing, patting, pinching, fondling, brushing up against another or grabbing
- Touching oneself in a sexual manner
- Displaying or communicating sexually suggestive emails, pictures, songs, texts or other forms of communications
- Sexual behaviors such as leering, staring, stalking, following, blocking another's path or sexual gestures
- Sexual comments or innuendos about clothing, anatomy, appearance, sexual jokes or stories
- Requests for sexual favors in exchange for an employment benefit such as a raise or promotion
- Giving personal gifts that imply an intimate relationship
- Subtle or direct threats that a sexual or personal relationship is required for employment, promotion, or other favorable treatment in the workplace

## **Annual Training**

ALA requires all employees working in the City of Chicago to participate in sexual harassment prevention training each year. All employees must participate in at least one hour of sexual harassment prevention training (two hours for all employees serving in management or supervisory roles). In addition, all employees must participate in at least one hour of “bystander training.” ALA will provide and facilitate training that complies with this requirement.

## **Reporting a violation**

**ALA requires the reporting of all incidents of discrimination, harassment, or retaliation, regardless of the offender’s identity or position.** If you experience or observe conduct that you believe is contrary to ALA’s policies, or you have concerns about such matters, you are strongly encouraged to report such behavior to your direct supervisor or to Paula C. Goedert, Barnes & Thornburg LLP, One North Wacker Drive, Suite 4400, Chicago, Illinois 60606, (312) 357-1313, paula.goedert@btlaw.com

Reports of discrimination or harassment may be made orally or in writing. All reports will be kept confidential to the extent allowed by law, and unless doing so would result in physical harm to any person, and/or jeopardize safety within the workplace. Consistent with its obligations to investigate harassing and other inappropriate conduct, ALA will, to the extent possible, keep information confidential. Additionally, to the extent possible, ALA will keep the underlying complaints and the terms of their resolution confidential, with the understanding that allegations will need to be addressed, harassment stopped, and in many cases, the results reported to appropriate individuals.

In addition to having a duty to cooperate with an investigation of sexual harassment, employees who have information about or who witness an act of sexual harassment against an employee, are required to report all information to their direct supervisor or to Paula C. Goedert. ALA will not retaliate against, terminate, or discipline any employee for reporting information about alleged incidents of sexual harassment that may have been committed by any other employee, including a member of management. Any employee who believes they have been subjected to adverse action as a result of making a report pursuant to this policy should contact one of the above listed individuals.

In addition to internal reporting methods, employees may file a charge of sexual harassment with an administrative entity. Within Chicago, employees have three options to file a charge:

- The Equal Employment Opportunity Commission (EEOC) located at 230 S Dearborn Street, Suite 1866, Chicago, IL 60604 – (800) 669-4000, (866) 740-3953 (TTY), <https://publicportal.eeoc.gov/Portal/Login.aspx>
- The Illinois Department of Human Rights (IDHR) located at 100 W Randolph St Ste 10-100, Chicago, IL 60601 – (312) 814-6200, (312) 740-3953 (TTY)
- The Chicago Commission on Human Rights (CCHR) located at 740 N Sedgwick St, Chicago, IL 60654, telephone (312) 744-4111, email [cchr@cityofchicago.org](mailto:cchr@cityofchicago.org)

**Retaliation Prohibited**

Retaliation for reporting sexual harassment is illegal in the City of Chicago. Any retaliation against an employee for reporting, opposing, or preventing sexual harassment in any way is expressly prohibited. Any employee who retaliates against another employee for reporting or otherwise opposing sexual harassment will be disciplined, up to and including termination.