

2020 SAMPLE POLICY & NOTICES Illinois EEO and Anti-Harassment



EQUAL EMPLOYMENT OPPORTUNITY

COMPANY is an equal opportunity employer. Qualifications for employment and promotion are based upon ability to perform the job. Equal employment opportunities are provided to all applicants and employees without regard to perceived or actual age, sex, color, race, national origin, religion, creed, marital status, citizenship status, disability (physical or mental), genetic information, pregnancy (including childbirth and medical conditions related to pregnancy and childbirth), ancestry, sexual orientation, gender, gender identity including gender expression and/or transitioning, veteran status, military status/service, arrest record not resulting in conviction, sealed or expunged criminal conviction records or any other legally protected status under local, state and federal law. Furthermore, no person will be discriminated against due to a mental or physical disability which does not prevent the individual from performing the essential functions of the job, with or without reasonable accommodation. Everyone will be given equal opportunity commensurate with their abilities. We earnestly seek the cooperation of all employees in helping to maintain this policy. Throughout this Handbook, the interchangeable use of masculine and feminine pronouns is in no way intended to exclude members of the opposite sex.

f you have any questions regarding this policy, please contact	
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DISABILITY ACCOMMODATION

COMPANY is committed to complying fully with the Americans with Disabilities Act (ADA) and applicable local or state laws, and to ensure equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures are designed to provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the essential job functions of the position.

Reasonable accommodations for qualified individuals with known disabilities will be explored in good-faith. Reasonable accommodations will be provided unless to do so would be an undue hardship. All employment decisions are based on the unique circumstances at issue, not the disability of the individual.

COMPANY is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. **COMPANY** will follow any applicable state or local law that provides individuals with disabilities greater protection than the ADA.





All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of themselves or other individuals, which threat cannot be eliminated or reduced below a direct threat through reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of themselves or other individuals will be placed on appropriate leave until an organizational decision has been made in regard to the employee's immediate employment situation.

necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

The Company's ______ is responsible for implementing this policy, including resolution of reasonable accommodation, safety, and undue hardship issues. Individuals who believe that they have a disability or would like to request a reasonable accommodation must contact

This policy is neither exhaustive nor exclusive. COMPANY is committed to taking all other actions

ANTI-HARASSMENT/SEXUAL HARASSMENT

COMPANY is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's actual or perceived age, sex, color, race, national origin, religion, creed, marital status, citizenship status, disability (physical or mental), genetic information, pregnancy (including childbirth and medical conditions related to pregnancy and childbirth), ancestry, sexual orientation, gender, gender identity including gender expression and/or transitioning, veteran status, military status/service, arrest record not resulting in conviction, sealed or expunged criminal conviction records or any other legally protected status under local, state and federal law will not be tolerated.

Harassment includes (but is not limited to) name-calling, letters, jokes, e-mail, cartoons, graffiti, pictures, posters, gestures, ethnic slurs, racial epithets, and other conduct, which is aimed at a particular employee or group of employees.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (I) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making



employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

The following is a partial list of sexual harassment examples:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.
- Sharing material that is sexually graphic via email or phone.
- Sharing information without consent of a sexual nature.

Harassment applies to the conduct of a supervisor toward a subordinate, an employee toward another employee, a non-employee toward an employee, an employee toward an applicant for employment, or an employee toward a third party or independent contractor. Harassment can apply to conduct outside the workplace as well as on a work site or in the workplace.

Complaint Procedure

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact ______ or any other member of management. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of harassment or sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise ______ so it can be investigated in a timely manner. Upon completion of the investigation, if necessary, corrective measures will be taken. These measures may include, but are not limited to: training, counseling, warning, suspension, or immediate dismissal.

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Anyone, regardless of position or title, found through investigation to have engaged in improper harassment will be subject to discipline, up to and including, discharge.

Protection Against Retaliation

Any employee who, in good faith, reports an alleged incident of harassment or discrimination will under no circumstances be subject to reprisal or retaliation of any kind. Anyone who, in good faith, participates in any investigation into harassment or discrimination, will under no circumstances be subject to reprisal or retaliation of any kind. Any employee who feels he or she has been subjected to such adverse actions should report those actions to his or her supervisor, or to _______. Any employee, however, who is found to have knowingly made a false accusation or statement relating to harassment, discrimination or retaliation, may be subject to appropriate disciplinary action, up to and including, separation from employment.

For more information about Job Discrimination or Workplace Harassment, please review the following publication by the Illinois Department of Human Rights:





YOU HAVE THE RIGHT TO BE FREE FROM JOB DISCRIMINATION AND SEXUAL HARASSMENT.



The Illinois Human Rights Act states that you have **the right to be free from unlawful discrimination and sexual harassment**. This means that employers may not treat people differently based on race, age, gender, pregnancy, disability, sexual orientation or any other protected class named in the Act. This applies to all employer actions, including hiring, promotion, discipline and discharge.

REASONABLE ACCOMMODATIONS

You also have the right to reasonable accommodations based on pregnancy and disability. This means you can ask for reasonable changes to your job if needed because you are pregnant or disabled.



It is also unlawful for employers to treat people differently because they have reported discrimination, participated in an investigation, or helped others exercise their right to complain about discrimination.



REPORT DISCRIMINATION

To report discrimination, you may:

- 1. Contact your employer's human resources or personnel department.
- Contact the Illinois Department of Human Rights (IDHR) to file a charge.
- Call the Illinois Sexual Harassment and Discrimination Helpline at 1-877-236-7703 to talk to someone about your concerns.

Chicago: James R. Thompson Center 100 West Randolph Street, Suite 10-100 Chicago, IL 60601 (312) 814-6200 (866) 740-3953 (TTY) (312) 814-6251 (Fax) Springfield: 535 W. Jefferson Street 1st Floor Springfield, IL 62702 (217) 785-5100 (866) 740-3953 (TTY)

(217) 785-5106 (Fax)

Website: www.illinois.gov/dhr Email: IDHR.Intake@illinois.gov

Employers shall make this poster available and display it where employees can readily see it.

This notice is available for download at: www.illinois.gov/dhr

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All Rights Reserved 2020 SmithAmundsen LLC. This document is merely a sample form for educational purposes only and should not be construed as legal advice. Employers should partner with credible and reliable third parties before implementing any employment related policy or training program.



ANTI-BULLYING POLICY

As with harassment and discrimination, COMPANY prohibits acts of bullying. COMPANY has determined that a safe and civil environment is necessary for employees to be successful and productive. Bullying, like other disruptive or violent behaviors, is conduct that disrupts both an employee's ability to positively contribute to COMPANY on a day-to-day basis and COMPANY's ability to successfully run its business. Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of all supervisors, co-workers, vendors, customers, contractors, and other regular visitors of COMPANY.

"Bullying" is conduct that meets all of the following criteria:

- Is directed at one or more employees;
- Substantially interferes with work/prevents work from being accomplished; and
- Adversely affects the ability of an employee to contribute in a positive manner in the workplace by placing the employee in reasonable fear of physical harm and/or by causing emotional distress.

Examples of bullying behavior may include but are not limited to:

- Spreading malicious rumors, gossip, or innuendo
- Excluding or isolating someone socially
- Undermining or deliberately impeding a person's work
- Removing areas of responsibilities without a cause
- Constantly changing work guidelines
- Yelling or using profanity
- Criticizing a person persistently or constantly
- Belittling a person's opinions
- Tampering with a person's personal belongings or work equipment

An employee who believes that he or she has experienced or witnessed bullying is er	scouraged to report
the incident as soon as possible to his or her supervisor or	. A supervisor who
receives a report under this policy must immediately inform	unless the
complaint involves that person, in which case the supervisor should inform	

A prompt, thorough, and complete investigation of each alleged incident will be conducted. **COMPANY** prohibits reprisal or retaliation against any person who reports an act of bullying. **COMPANY** prohibits any person from falsely accusing another as a means of bullying. An employee found to have violated this policy may be disciplined, up to and including, termination of employment.



PREGNANCY ACCOMMODATION

The Illinois Human Rights Act requires employers to reasonably accommodate qualified individuals who are pregnant or have related medical or common conditions related to pregnancy. It is the COMPANY's policy to comply with all Federal and state laws concerning the employment of those who are pregnant, including in relation to their pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth.

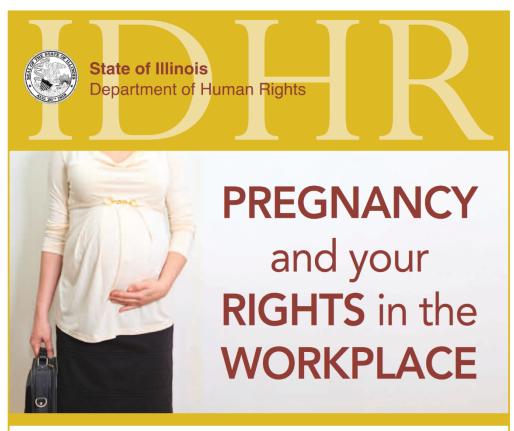
It is **COMPANY**'s policy not to discriminate against qualified individuals who are pregnant in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

An individual who can be reasonably accommodated for a job, without undue hardship, will be given the same consideration for that position as any other applicant. COMPANY will also reasonably accommodate qualified individuals who are pregnant so that they can perform the essential functions of their job if such can be provided without undue hardship to COMPANY.

Individuals	who	are	pregnant	and	would	like	to	request	a	reasonable	acco	mmod	ation	because	of
pregnancy	(inclu	ding	pregnanc	y, chi	ildbirth,	or I	med	lical or o	on	nmon condit	ions	related	d to p	regnancy	or
childbirth)	must c	conta	act												

Please see the Pregnancy and Your Rights in the Workplace Poster below, published by the Illinois Department of Human Rights. To the extent COMPANY's Pregnancy Accommodation Policy conflicts with the IDHR requirements, the IDHR requirements will control.





Are you pregnant, recovering from childbirth, or do you have a medical or common condition related to pregnancy?

If so, you have the right to:

- Ask your employer for a reasonable accommodation for your pregnancy, such as more frequent bathroom breaks, assistance with heavy work, a private space for expressing milk, or time off to recover from your pregnancy.
- Reject an unsolicited accommodation offered by your employer for your pregnancy.
- Continue working during your pregnancy if a reasonable accommodation is available which would allow you to continue performing your job.

Your employer cannot:

- Discriminate against you because of your pregnancy.
- Retaliate against you because you requested a reasonable accommodation.



PREGNANCY and your RIGHTS in the WORKPLACE

It is illegal for your employer to fire you, refuse to hire you or to refuse to provide you with a reasonable accommodation because of your pregnancy. For more information regarding your rights, download the Illinois Department of Human Rights' fact sheet from our website at www.illinois.gov/dhr

Es ilegal que su empleador la despida, se niegue a contratarla o a proporcionarle una adaptación razonable a causa de su embarazo. Para obtener información sobre el embarazo y sus derechos en el lugar de trabajo en español, visite: www.illinois.gov/dhr



For immediate help or if you have questions regarding your rights.

Call (312) 814-6200 or (217) 785-5100 or (866) 740-3953 (TTY)

CHICAGO OFFICE

100 West Randolph Street, 10th Floor Intake Unit Chicago, IL 60601 (312) 814-6200

SPRINGFIELD OFFICE

222 South College St., Room 101-A Intake Unit Springfield, IL 62704 (217) 785-5100

The charge process may be initiated by completing the form at: http://www.illinois.gov/dhr

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www.saLAWus.com www.LaborAndEmploymentLawUpdate.com

