



HARRISBURG TOWNSHIP PARK DISTRICT HARASSMENT AND OTHER INAPPROPRIATE BEHAVIOR

It is the policy of the Harrisburg Township Park District to provide a workplace where each employee feels respected, valued and comfortable. To preserve this atmosphere, the District will not tolerate harassment or other abusive behavior by anyone – including employees, vendors, and customers.

I. DEFINITIONS

The following words shall have the following meanings when used in this Policy.

“District” means HARRISBURG TOWNSHIP PARK DISTRICT.

“Board” means the Board of Commissioners of the District.

“Policy” means this Harassment and Other Inappropriate Behavior Policy.

II. ADMINISTRATION OF THE POLICY

This Policy applies to conduct on the District’s premises and in the course of District business, as well as off-premises conduct that affects any employee in the workplace or that creates a hostile, intimidating or offensive working environment. For purposes of this Policy, the phrase “working environment” is not limited to a physical location an employee is assigned to perform his or her duties and the prohibition of harassment does not require an employment relationship.

III. DEFINITIONS

For purposes of this policy, “harassment” means unwelcome conduct, whether verbal, physical, or visual, that is based upon or derisive of a person’s actual or perceived race, color, ancestry, religion, sex, national origin, age, disability, military status, marital status, sexual orientation, genetic information, gender identity, parental status, ancestry, or other legally protected characteristics or conduct, where the unwelcome conduct affects tangible job benefits, unreasonably interferes with an individual’s work performance, or creates an intimidating, hostile, or offensive working environment. All employees have a responsibility to keep the workplace free of any such harassment.

This policy also specifically prohibits sexual harassment. "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, sexually-motivated physical contact, or other verbal or physical conduct or communication of sexual nature where:

- Submission to that conduct or communication is made a term or condition of employment, either explicitly or implicitly; or
- Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or
- Such conduct or communication unreasonably interferes with an individual's job performance, or creates an intimidating, hostile, or offensive working environment.

Sexual harassment may also include "sexting" (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication (e-mail, text/picture/video messages, intranet/on-line postings, blogs, instant messages and social network websites like Facebook, Twitter, and Instagram).

No representative of the District has the authority to request or require an employee or applicant to submit to sexual harassment as a condition of receiving any job benefit (such as a raise or a promotion) or avoiding any job detriment (such as a pay cut or demotion).

Depending upon the circumstances, sexual harassment may include explicit sexual propositions; suggestive comments; sexually oriented "kidding" or "teasing"; "practical jokes" about gender-specific traits; foul or obscene language or gestures; displays of pornography or other inappropriate printed or visual material; and physical contact, such as patting, pinching, or brushing against another's body.

IV. PROCEDURES

All employees and officials who become aware of harassment of any kind prohibited by this policy are strongly encouraged to immediately report the harassment. Reports of harassment are to be promptly directed either verbally or in writing to the employee's immediate supervisor. In the event the report involves the employee's immediate supervisor, or if the employee for any reason is uncomfortable in dealing with his or her supervisor, the employee may report such conduct to any other supervisor or manager or the Executive Director. The District respects the confidentiality and privacy of all its employees. Accordingly, the District will take appropriate steps to protect the confidentiality of employees involved in a claim of harassment to the extent that the investigation process permits. Confidentiality will be maintained throughout the investigatory process to the extent consistent with reasonable investigation practices and the application of corrective action. The District may need to disclose certain information when necessary to protect the interests of the District, its employees, and the public.

The District will initiate an investigation promptly after receipt of a report of harassment. The scope of the investigation will depend upon the specific circumstances, but will generally include an interview with the person making the report of harassment and the person who reportedly engaged in the harassing conduct. The investigation may also include interviews of other witnesses and review of documents that the investigator determines may be relevant to the report.

Written statements may be required of all employees interviewed in relation to the alleged harassment.

Option 1: Malicious, false, or misleading statements or accusations made by an employee relative to the investigation or report of harassment will be treated as misconduct and will result in disciplinary action up to and including termination.

Option 2: False and frivolous charges refer to cases where the accuser is using a harassment complaint to accomplish some end other than stopping harassment. It does not refer to charges made in good faith which cannot be proven. Given the seriousness of the consequence for the accused, a false and frivolous charge is a server offense that can itself result in disciplinary action.

Employees who engage in harassment in the workplace can expect disciplinary action, up to and including immediate termination. Each case will be reviewed on an individual basis.

Resolution Outside District: The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, 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. 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. In addition, an appeal process is available through the Illinois Human Rights Commission, (IHRC) after IDHR has completed its investigation of the complaint. 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.

ADMINISTRATIVE CONTACTS

Illinois Department of Human Rights (IDHR)

Chicago: 312-814-6200 or 800-662-3942

Chicago TTY: 866-740-3953

Springfield: 217-785-5100

Springfield TTY: 866-740-3953

Marion: 618-993-7463

Marion TTY: 866-740-3953

Illinois Human Rights Commission (IHRC)

Chicago: 312-814-6269

Chicago TTY: 312-814-4760

Springfield: 217-785-4350

Springfield TTY: 217-557-1500

United States Equal Employment Opportunity Commission (EEOC)

Chicago: 800-669-4000

Chicago TTY: 800-869-8001

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.

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.

V. RETALIATION

Retaliation for reporting harassment or providing truthful information as part of an investigation under this policy is prohibited. Employees who report harassment or provide truthful information as part of an investigation under this policy are protected from retaliation by this policy and by the Illinois Human Rights Act, the Illinois Whistleblower Act, and the State Officials and Employees Ethics Act. Any employee of the District who retaliates against another employee in violation of this policy will be subject to discipline, up to and including termination. If an employee becomes aware of retaliation against anyone for reporting harassment or providing truthful information as part of an investigation under this policy, the employee must immediately report such conduct using the reporting procedures set forth above.

VI. STATE REGULATIONS

The District approves incorporating Senate Bill 0402 Public Act 100-0554 and Senate Bill 75 Public Act 101-0221 in its Harassment Policy.

The District will require employees to receive sexual harassment training (from the Department of Human Rights sexual harassment training program) at least once a year.

The District will require employees to complete annual training on harassment and discrimination prevention in addition to sexual harassment.

VII. BOARD OF COMMISSIONERS PROCEDURES

Alleged harassment by a Board member against another Board member can be reported to the Board President. If the Board President is the reporting person or is implicated in the allegation, the report can be made to any other Board member who is not involved. If all three Board members are involved, the report can be made to the Executive Director of the District. Any report under this section must be referred to the District's legal counsel, who then must appoint a qualified independent attorney or consultant to review and investigate the allegations.

VIII. AMENDMENTS

This Policy may be amended by the District at any time. If the Policy is amended, the District shall file a written copy of the Policy, as amended, with the Board and shall also advise all District employees of the existence of the amended Policy.

IX. EFFECTIVE DATE

This Policy becomes effective DECEMBER 20, 2019.

Richard Rumsey
Richard Rumsey, President

Doug Emery
Doug Emery, Vice President

12/20/19
Date Signed

ATTEST:

Michael Williams
Michael Williams, Secretary / Treasurer