

RESOLUTION NO. 20-1

RESOLUTION APPROVING AND ADOPTING A
SEXUAL HARASSMENT POLICY
TO CONFORM TO ILLINOIS PUBLIC ACT 101-0221

WHEREAS, Illinois General Assembly recently enacted Public Act 101-0221, which requires all governmental units to adopt by ordinance or resolution a policy prohibiting sexual harassment and requires certain other mandated employee-protective policy requirements; and

WHEREAS, the Administrative Council of PRAIRIECAT have determined that it is in the best interest of PRAIRIECAT, its officials, employees, and patrons to adopt the Sexual Harassment Policy as set forth in attached Exhibit "A", in order to comply with Public Act 101-0221.

NOW, THEREFORE, BE IT RESOLVED by the Administrative Council of PRAIRIECAT as follows:

SECTION 1: Each of the Whereas clauses above are incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

SECTION 2: The Administrative Council of PRAIRIECAT approve and adopt the Sexual Harassment Policy, attached hereto as Exhibit "A" and incorporate said Policy herein by reference as if it were fully set forth herein.

SECTION 3: The Sexual Harassment Policy (Exhibit "A") supersedes all prior personnel and/or employee policies related to the same topic and regulations approved by the Administrative Council of PRAIRIECAT.

SECTION 4: The Sexual Harassment Policy (Exhibit "A") shall remain in full force and effect until such time as it is further revised or amended by the Administrative Council of PRAIRIECAT.

SECTION 5: The Administrative Council of PRAIRIECAT direct the PRAIRIECAT Director, or his/her designee, to provide written notice to all PRAIRIECAT employees of the attached, Sexual Harassment Policy (Exhibit "A") and to issue copies of the Sexual Harassment Policy to each PRAIRIECAT employee.

SECTION 6: That this Resolution shall be in full force and effect from and after its adoption, approval and publication as provided by law.

PASSED this 7th day of February, 2020, pursuant to a roll call vote as follows:
AYES: 9
NAYS: 0
ABSENT: 2

APPROVED this 7th day of February, 2020, by the Chair of PRAIRIECAT, and attested by the Secretary, on the same day.

APPROVED:

Jeffrey T. Munson
Name: Jeffrey T. Munson
Chair

ATTEST:

[Signature]
Name: Laura Honey
Secretary

Date: 2/7/2020

EXHIBIT "A"

1. "Sexual harassment" consists of unwelcome sexual advances; requests for sexual favors; and other verbal or physical conduct of a sexual nature when made by any employee to another employee where:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment;
 - Submission to or rejection of such conduct is used as the basis for any employment decisions affecting such individual; or
 - 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.

2. Sexual harassment, as defined above, may include, but is not limited to:
 - Uninvited sex-oriented verbal "kidding" or demeaning sexual innuendoes, leers, gestures, teasing, sexually explicit or obscene jokes, remarks or questions of a sexual nature;
 - Graphic or suggestive comments about an individual's dress or body;
 - Displaying sexually explicit objects, photographs or drawings;
 - Unwelcome touching, such as patting, pinching or constant brushing against another's body; or
 - Suggesting or demanding sexual involvement of another employee whether or not such suggestion or demand is accompanied by implicit or explicit threats concerning one's employment status or similar personal concerns.
 - Even if two or more employees are engaging in consensual conduct, such conduct could constitute harassment of or discrimination against another employee who witnesses or overhears the conduct.

3. Sexual harassment is illegal and will not be tolerated. An employee who believes that he or she has been subjected to sexual harassment or who has witnessed any kind of harassment or discrimination should immediately submit a complaint to the Director. The complaint may also be submitted to the Chair of the PRAIRIECAT Administrative Council if the alleged harasser is the Director. If a manager or supervisor receives a complaint of harassment or discrimination directly from an employee, or becomes aware of such conduct, the complaint or conduct shall be immediately reported to the Director. All complaints shall be investigated in accordance with the procedures contained herein. For purposes of this policy, the term working environment is not limited to a physical location an employee is assigned to perform his or her duties.

4. PRAIRIECAT shall promptly and thoroughly investigate all complaints and make all reasonable efforts to resolve the matter informally. These efforts may include, but are not limited to, convening conferences with the complainant and/or the accused harasser/discriminator to discuss the complaint and the results of the investigation. If the complainant or the accused is not satisfied with the disposition of the investigation, he or she may submit in writing an appeal to the Chair of the PRAIRIECAT Administrative Council or his/her designee, who will review the investigation report and

make a final decision. At the Chair's option, he/she or his/her designee may conduct further investigation, if necessary.

5. Staff reporting incidents of harassment are protected by the Whistleblower's Act and the Illinois Human Rights Act. Reporting harassment or discrimination or participating in an investigation will not reflect adversely upon an individual's status or affect future employment. Any employee who retaliates against another for exercising their rights under this policy shall be subject to discipline up to and including discharge. The rights to confidentiality, both of the complainant and of the accused, will be respected consistent with PRAIRIECAT's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.
6. A substantiated charge against an employee will subject the employee to disciplinary action up to and including discharge. Likewise, an employee knowingly making a false report of sexual harassment will be subject to disciplinary action up to and including discharge.
7. 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. A complaint must be filed within 300 days of the alleged incident(s)

Contact Information:

Illinois Department of Human Rights (IDHR)

- Chicago: 312-814-6200 or 800-662-3942; TTY: 866-740-3953
- Springfield: 217-785-5100; TTY: 866-740-3953
- Marion: 618-993-7463; TTY: 866-740-3953

Illinois Human Rights Commission (IHRC)

- Chicago: 312-814-6269; TTY: 312-814-4760
- Springfield: 217-785-4350; TTY: 217-557-1500

United States Equal Employment Opportunity Commission (EEOC)

- Chicago: 800-669-4000; TTY: 800-869-8001

8. If an allegation of sexual harassment is made against an elected official, by another elected official of a governmental unit, it shall be reported to the Director and investigated by an independent investigator selected by PRAIRIECAT's attorneys.
9. PRAIRIECAT shall provide sexual harassment prevention training to all employees on an annual basis as required by law. The training shall include (1) an explanation of sexual harassment, (2) examples of conduct that constitutes sexual harassment, (3) a summary of applicable law, including remedies available to victims of sexual harassment, and (4) a summary of responsibilities of employers in the prevention, investigation and corrective measures of sexual harassment.

SECRETARY'S CERTIFICATE

I, Laura Honey the duly qualified and acting Secretary of the Administrative Council of PRAIRIECAT, do hereby certify that attached hereto is a true and correct copy of a Resolution entitled:

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which Resolution was duly adopted by said Administrative Council of PRAIRIECAT at a meeting held on the 7th day of February, 2020.

I further certify that a quorum of said Administrative Council of PRAIRIECAT was present at said meeting and that the Administrative Council of PRAIRIECAT complied with all the requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of February, 2020.


Secretary