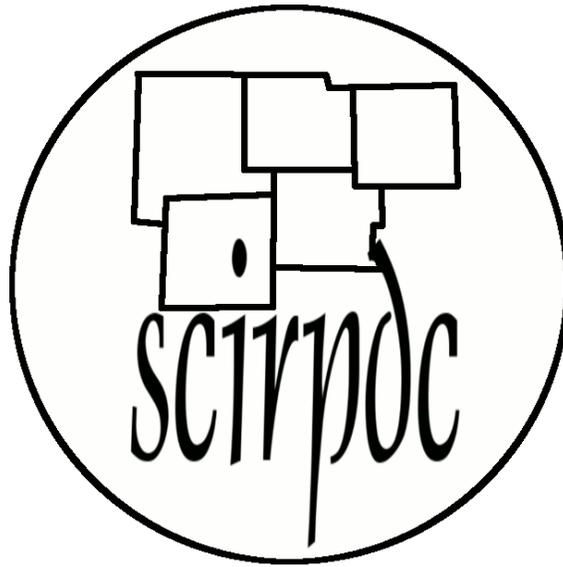


FEBRUARY 13, 2025



SEXUAL HARASSMENT POLICY

SOUTH CENTRAL ILLINOIS REGIONAL PLANNING & DEVELOPMENT COMMISSION
120 SOUTH DELMAR AVENUE, SUITE A SALEM, ILLINOIS 62881

SCIRPDC SEXUAL HARASSMENT POLICY

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Attachments:

SCIRPDC Harassment Complaint Form (Under Separate Cover)

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Introduction

The South Central Illinois Regional Planning and Development Commission (SCIRPDC) is committed to providing a workplace that is free from all forms of discrimination, including sexual harassment. Anyone can be a victim of sexual harassment regardless of their gender, gender identity, sexual orientation, race, age, or other factors. It can occur inside or outside the workplace, between supervisors and their staff, coworkers, customers, and others. Therefore, SCIRPDC will take every measure within its power to prevent and address acts of sexual harassment.

Illinois law requires all parties to a public contract to have a written sexual harassment policy covering their employees and applicants for employment. According to the Illinois Human Rights Commission:

The purposes and goals of this policy are to:

1. Provide notice to all employees that sexual harassment will not be tolerated, is illegal and considered a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended, and that violators will be held accountable;
2. Create and enforce policies and procedures to assist employees who are impacted by sexual harassment, including providing training on this policy for employees and management;
3. Support a workplace education and training program to prevent sexual harassment and promote a safe workplace for all employees; and
4. Provide immediate assistance and support to victims of sexual harassment – such as information and referrals to community resources – to help ensure safety and support for victims and fellow employees.

Sexual Harassment

According to the Illinois Human Rights act, sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors or any conduct of a sexual nature when:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
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 environment. Sexual harassment can occur in many ways. It may involve unwelcome romantic or sexual advances, requests for sexual favors, visual materials, social media posts, verbal comments, and/or physical contact of a sexual nature, regardless of gender or gender identity. Involved parties, either victim or harasser, could be a co-worker, subordinate, manager/supervisor, contractor, or even a customer. Such conduct is a violation of this policy, even in instances where the offending employee believed they were acting jokingly. Such communications, comments, actions of a sexual nature, or unwelcome advances are prohibited at SCIRPDC whether or not other employees were offended.

Examples of conduct which may constitute sexual harassment include:

1. **Verbal** – Sexual innuendos, suggestive comments, insults, humor, and jokes about sex, anatomy or gender specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside of their presence, of a sexual nature.
2. **Non-Verbal** – Suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, “catcalls”, “smacking” or “kissing” noises.
3. **Visual** – Posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.
4. **Physical** – Touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act, or actual assault.
5. **Textual/Electronic** – “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 and Twitter).

Employees should also understand that sexual harassment can occur in the workplace which includes but is not limited to the SCIRPDC office building, external work sites, vehicles, and equipment, or while on work-related travel. However, sexual harassment can also occur outside of the workplace and even outside of work hours, such as at a social event (including but not limited to a co-worker's wedding, or at a bar or restaurant after the workday).

Persons Covered by this Policy

Persons covered by this policy include full and part-time employees, interns, contractors, vendors, volunteers, or temporary workers hired by SCIRPDC.

Responsibility of Executive Director

The SCIRPDC Executive Director is responsible for maintaining the workplace free of sexual harassment. This is accomplished by promoting a professional environment and by dealing with sexual harassment as with all other forms of employee misconduct.

Reporting Sexual Harassment

Employees should report allegations of sexual harassment using the Workplace Harassment guideline and steps outlined in Section 4 of the SCIRPDC Personnel Policy Manual. Allegations should be reported to the Executive Director, or if the Executive Director is the accused, the SCIRPDC Governing Board Chairperson, as soon as reasonably possible after the conduct occurs to help ensure an effective investigation. SCIRPDC's Harassment Complaint Form is included as an attachment to this policy. SCIRPDC will investigate any incident of sexual harassment reported under this policy. Accordingly, it is imperative that employees give SCIRPDC the opportunity to investigate and resolve any reported concerns.

Following a thorough and objective investigation of the complaint, if SCIRPDC determines that conduct occurred in violation of this policy, SCIRPDC will take prompt, remedial action commensurate with the circumstance, up to and including termination of employment against those who engaged in violations of this policy. The SCIRPDC Executive Director shall provide community referrals and resources to employees to assist employees with their concerns or experiences regarding sexual harassment.

Duty to Cooperate

Every employee shall have a duty to cooperate with the investigation. Failure to do so may result in disciplinary action. Additionally, every employee has the duty to be truthful and must disclose all information known to the employee when requested to do so by an appropriate person in the organization or the person designated by the organization to investigate an alleged incident of violence. Any employee who fails to be completely truthful or who withholds information shall be subject to disciplinary action.

Retaliation

SCIRPDC prohibits any retaliation against any employee who complains of sexual harassment or who participates in an investigation. Retaliation includes, but is not limited to, taking disciplinary action against the employee, reassigning their duties or workspace, denying requests for leave, demotions, etc. Allegations of retaliation will be investigated, and appropriate remedial action will be taken. Any individual engaging in retaliatory behavior will be subject to disciplinary action,

which may include termination of employment. For any suspected retaliation concerns, contact either the SCIRPDC Executive Director or SCIRPDC Governing Board Chairperson.

Witnessing Sexual Harassment

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 the SCIRPDC Executive Director or SCIRPDC Governing Board Chairperson. SCIRPDC will not retaliate against, terminate, or discipline any employee for reporting information about alleged incidents of sexual harassment, as defined in this policy 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 the SCIRPDC Governing Board Chairperson.

Statement of Confidentiality

SCIRPDC recognizes and respects an employee's right to privacy and the need for confidentiality and the freedom to make their own decisions. SCIRPDC shall maintain the confidentiality of an employee's disclosure regarding sexual harassment to the extent allowed by law, and unless to do so would result in physical harm to any person, and/or jeopardize safety within the workplace.

External Resolution

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 external 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 any 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 a promotion after filing a complaint with IDHR or EEOC, may file a retaliation charge, also due within 180 days (IHDR) or 300 days (EEOC) o 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.

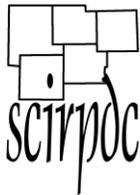
False and Frivolous Complaints

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

**SCIRPDC
2025**

Created: November 2024

Approved by Board of Commissioners:



South Central Illinois Regional Planning & Development Commission

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SCIRPDC Harassment Complaint Form

Date: _____/_____/_____

Employee Name: _____

Employee Job Title: _____

Name(s) of Accused: _____

Is the Accused a SCIRPDC Employee? Yes No

If No, please list the Organization Affiliation and Job Title of the Accused, if applicable:

Please describe your relationship to the Accused: _____

Name of Witnesses (if any): _____

Date/Time of Incident: _____

Location of Incident: _____

(continued on following page)

Incident Description: _____

Have there been similar past incidents involving the Accused? Please describe, if any:

I, _____, certify that the information I have given on the report is true.

Signature

_____/_____/_____
Date

Updated: August 2024