

Chicago Sexual Harassment Training Checklist

In April 2022, Chicago revised its sexual harassment laws to make them stronger and to uphold zero tolerance of violence and harassment in the workplace. Here's a checklist to help you implement the changes.

Definition

- Ensure any definition of sexual harassment provided is the enhanced definition (Section 6-010-020) which now includes sexual misconduct:

“Sexual harassment” means any (i) unwelcome sexual advances or unwelcome conduct of a sexual nature; (ii) requests for sexual favors or 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;, or (2) submission to or rejection of such conduct by an individual is used as the basis for any employment decision affecting the 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; 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.

Statute of Limitations and Penalties

- Where applicable, update any verbiage associated with the statute of limitations. Chicago sexual harassment law now states that victims will have 365 days (instead of 300 days) to report all forms of discrimination, including sexual harassment.
- Where applicable, update any verbiage associated with penalties. Chicago has increased penalties for all forms of discrimination from the previous \$500 - \$1,000 per violation, to \$5,000 - \$10,000.

Written Policy

- Create or update your organization's written policy on sexual harassment to include at least the following:
 - A statement that sexual harassment is illegal in Chicago.
 - The definition of sexual harassment as defined in Section 6-010-020 (see above)
 - A requirement that all employees participate in one hour of sexual harassment prevention training annually and that anyone who supervises or manages employees participates in a minimum of two hours of sexual harassment prevention training annually.
 - A requirement that all employees participate in one hour of bystander training annually
 - Examples of prohibited conduct that constitute sexual harassment
 - Details on how an individual can report an allegation of sexual harassment, including, as appropriate, instructions on how to make a confidential report, with an internal complaint form, to a manager, employer's corporate headquarters or human resources department, or other internal reporting mechanism; and legal services, including governmental, available to employees who may be victims of sexual harassment.
 - A statement that retaliation for reporting sexual harassment is illegal in Chicago.

Resources

- Ensure you are able to provide employees with the written sexual harassment policy in their primary language and within the first calendar week of them starting employment.
- Display where employees can see it a poster advising of the prohibition on sexual harassment.

Training

- Ensure that you are able to provide-- no later than July 1, 2023, and then annually thereafter-- the following sexual harassment prevention training:

- 1 hour of sexual harassment prevention training for all employees (2 hours for supervisors/managers)
- 1 hour of bystander training for all employees



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