

Does Your Sexual Harassment Policy and Training Program Comply with Chicago's New Requirements?

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Amendments to Chicago's Human Rights Ordinance go into effect on July 1, 2022. The amendments require both substantive changes to sexual harassment policies and new training requirements for employers in Chicago.

The amendments require all employers in Chicago to maintain a written sexual harassment policy that must include, at a minimum:

1. the specific definition of sexual harassment contained in the Ordinance;
2. examples of prohibited conduct that constitute sexual harassment;
3. a detailed reporting procedure;
4. information where victims of sexual harassment can obtain legal services;
5. statements that sexual harassment and retaliation are illegal in Chicago; and
6. a requirement that employees and supervisors attend annual sexual harassment prevention training and bystander training.

The amendments expand the traditional definition of sexual harassment under federal and most state laws to include "sexual misconduct," which is defined as "any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's employment position." The policy must be translated into the employee's primary language and new

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hires must receive it within one week of starting employment.

The amendments also provide for new training requirements. Employers must conduct two types of training annually: sexual harassment prevention and bystander training to focus on how witnesses to sexual harassment can intervene. Sexual harassment prevention training for non-supervisory employees must be at least one hour, and at least two hours for supervisors and managers. Bystander training for all employees, supervisors and managers must be at least one hour. Training records and an employer's sexual harassment policy must be maintained for at least five years or longer if there is a pending investigation or lawsuit. The City will make available on its website a model sexual harassment policy and a required poster in English, Spanish, Polish, Chinese, Arabic and Hindi.

More information regarding these important changes is on the City of Chicago's **website**.