



STATE OF ILLINOIS SEXUAL HARASSMENT PREVENTION TRAINING



SEXUAL HARASSMENT IS PROHIBITED IN ILLINOIS

- The Illinois Human Rights Act makes it a civil rights violation “[f]or any employer, employee, agent of any employer, employment agency or labor organization to engage in sexual harassment.” 775 ILCS 5/2-102(D).
- The Illinois General Assembly finds that tolerance of sexual harassment has a detrimental influence in workplaces by creating a hostile environment for employees, reducing productivity, and increasing legal liability.
- The State of Illinois encourages employers to adopt and actively implement policies to ensure their workplaces are safe for employees to report concerns about sexual harassment without fear of retaliation, loss of status, or loss of promotional opportunities.



EMPLOYERS REQUIRED TO PROVIDE SEXUAL HARASSMENT PREVENTION TRAINING FOR ALL EMPLOYEES

- Every employer the State of Illinois is required to provide employees with sexual harassment prevention training that complies with sections 2-109 and 2-110 of the Illinois Human Rights Act (“IHRA”).
- All employees regardless of their status (i.e. short-term, part-time, or intern) must be trained.
- If an employer has an independent contractor working on-site with the employer’s staff, the independent contractor should receive sexual harassment prevention training.



WHAT INFORMATION WILL BE COVERED

- an explanation of sexual harassment consistent with the Illinois Human Rights Act;
- examples of conduct that may constitute unlawful sexual harassment;
- a summary of Federal and State statutory laws concerning sexual harassment including remedies available to victims; and
- a summary of employer responsibilities in the prevention, investigation, and corrective measures of sexual harassment.



WHAT IS SEXUAL HARASSMENT?

Under the Illinois Human Rights Act, “Sexual harassment” means any unwelcome sexual advances, requests for sexual favors, or any conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment,
- submission to or rejection of such conduct by an individual is used as the basis for 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.



TYPES OF UNLAWFUL SEXUAL HARASSMENT

- **Quid Pro Quo Sexual Harassment.** “You do something for me, and I’ll do something for you.” This means that a manager or supervisor may not tell an employee that in order to receive a promotion, raise, preferred assignment, or other type of job benefit – or to avoid something negative like discipline or an unpleasant assignment – the employee must do something sexual in return.
- **Hostile Work Environment Sexual Harassment.** “The air at work is full of sexual references and it is impacting me.” A hostile work environment may occur when unwelcome sexual advances, requests for sexual favors, or any conduct of a sexual nature has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.



UNWELCOME BEHAVIOR

- Sexual conduct becomes sexual harassment when the behavior is unwelcome. Behavior may be unwelcome in the sense that the victim did not solicit or invite it, or in the sense that the victim regarded the conduct as undesirable or offensive.
- Welcome behavior can quickly become unwelcome behavior. What starts off as welcome behavior (consensual joking) can cross a line and become unwelcome behavior.
- Also, consent can be revoked at any time. When someone experiencing sexual harassment behavior says, “stop talking to me like this” it must stop. The perpetrator cannot use as a defense “Well you started it.” or “You were ok with it at first.”



WORKING ENVIRONMENT

- An employee's "working environment" is not limited to the physical location where the employee is assigned. The "working environment" extends to other worksites including off-site, mobile or moving worksites/locations.
- For example, a "working environment" includes the courthouse for a lawyer, or an off-site event for a caterer.



GENDER IDENTITY & SEXUAL ORIENTATION

- A person can be the victim of sexual harassment regardless of the victim's gender identity or the perpetrator's gender identity.
- A person can be the victim of sexual harassment regardless of the victim's sexual orientation or the perpetrator's sexual orientation.



EMPLOYEES AND NONEMPLOYEES AS VICTIMS OF SEXUAL HARASSMENT

- The Illinois Human Rights Act protects Employees and now Nonemployees from sexual harassment.
- Employees include co-workers, supervisors and managers.
- Nonemployees include persons who are not employees, but are directly performing services for an employer, such as contractors or consultants (independent contractors or gig workers).



CONTINUED- EMPLOYEES AND NONEMPLOYEES AS VICTIMS OF SEXUAL HARASSMENT

- Victims of sexual harassment can include Employees and Nonemployees when sexually harassed by other Employees or Nonemployees.
- Victims of sexual harassment can include not only the target of the sexual harassment, but also those Employees or Nonemployees who are Bystanders or Witnesses to the sexual harassment.



EMPLOYEES AND NONEMPLOYEES AS PERPETRATORS OF SEXUAL HARASSMENT

- The Illinois Human Rights Act prohibits Employees and Nonemployees from engaging in sexual harassment.
 - Employees include co-workers, supervisors and managers.
 - Nonemployees include persons who are not employees, but are directly performing services for an employer, such as contractors or consultants (independent contractors or gig workers).
- Employers are responsible for sexual harassment perpetrated by their Employees and Nonemployees against other Employees and Nonemployees.
- Employers are also responsible for sexual harassment perpetrated by their Employees and Nonemployees against customers/patrons.



CUSTOMERS/PATRONS AS VICTIMS OF SEXUAL HARASSMENT

- The Illinois Human Rights Act protects Customers/Patrons from sexual harassment in “places of public accommodation,” such as stores, hotels, restaurants, theaters, museums, health clubs and hospitals.
- Employers that are also “places of public accommodation” are responsible for sexual harassment of Customers/Patrons when perpetrated by their Employees or Nonemployees.



CUSTOMERS/ PATRONS AND THIRD PARTIES AS PERPETRATORS OF SEXUAL HARASSMENT

- The Illinois Human Rights Act prohibits sexual harassment of Employees and Nonemployees by Customers/Patrons and Third Parties.
 - Employers are responsible for sexual harassment of their Employees and Nonemployees by Customers/Patrons.
 - Employers are also responsible for sexual harassment of their Employees and Nonemployees by Third Parties such as sales representatives, vendors, and/or delivery persons.



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WHAT ARE EXAMPLES OF INAPPROPRIATE CONDUCT?

Sexual harassment includes unwelcome conduct of a sexual nature (sexual advances and requests for sexual favors). Examples include:

- Pressure for sexual favors or to go out on a date
- Deliberate touching, leaning over, or cornering another person
- Sexual looks or gestures or whistling at someone



CONTINUED- WHAT ARE EXAMPLES OF INAPPROPRIATE CONDUCT?

Sexual harassment includes unwelcome conduct of a sexual nature (sexual advances and requests for sexual favors). Examples include:

- Sending letters, telephone calls, e-mails, texts, or other materials of a sexual nature
- Sexual teasing, jokes, remarks, or questions
- Referring to another as a “girl,” “hunk,” “doll,” “babe,” “honey,” “tootsie”, etc.
- Actual or attempted rape or sexual assault



CONTINUED - EXAMPLES OF INAPPROPRIATE CONDUCT

More examples of conduct that may constitute sexual harassment include:

- Turning work discussions to sexual topics
- Asking about sexual fantasies, preferences, or history
- Sexual comments, sexual innuendos, or sexual stories
- Touching another employee such as their clothing, hair, or body



CONTINUED - EXAMPLES OF INAPPROPRIATE CONDUCT

More examples of conduct that may constitute sexual harassment include:

- Sexual comments about a person's clothing, body, or looks
- Kissing sounds, howling and smacking lips
- Telling lies or spreading rumors about a person's sex life
- Massaging neck, shoulders, etc.



SEXUAL HARASSMENT IN ONLINE ENVIRONMENTS

- Our conduct online and through social media can constitute sexual harassment even when it occurs “off the clock”, “off-site”, or even “out of state”.
- Online sexual harassment includes using e-mail, cell phone texts, internet posting, online comments, blog posts, and social media (such as Facebook, Twitter, LinkedIn, Instagram, YouTube, and Snapchat) to send communications of a sexual nature.



CONTINUED- SEXUAL HARASSMENT IN ONLINE ENVIRONMENTS

Examples include:

- Flirting and requests or demands to go on a date or have sex
- Sending inappropriate pictures or videos including sexually graphic material
- Using sexual language or comments including sexually offensive language
- Cyber stalking



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WHAT CAN I DO IF I EXPERIENCE, WITNESS, OR BECOME AWARE OF UNWELCOME SEXUAL CONDUCT?

If you experience, witness or become aware of unwelcome sexual conduct, know that:

- You have the right to tell the person to stop. The initiating and participating persons must stop the unwelcome behavior upon request. If they continue the behavior or retaliate against you because you asked them to stop, they can be found to have violated the law by engaging in sexual harassment or retaliation.



CONTINUED- WHAT CAN I DO IF I EXPERIENCE, WITNESS, OR BECOME AWARE OF UNWELCOME SEXUAL CONDUCT?

If you experience, witness or become aware of unwelcome sexual conduct, know that:

- You have the right to report the sexual harassment. Several reporting options are available. The option you choose may depend on the nature and severity of the unwelcome conduct of a sexual nature. Persons who report sexual harassment or participate in investigations are protected from retaliation.



REPORTING SEXUAL HARASSMENT – SEVERAL OPTIONS

The choice of how to report an allegation of sexual harassment is a personal one, and these options are not mutually exclusive. You may pursue one or more of the following reporting options:

1. [Call the State of Illinois Sexual Harassment & Discrimination Helpline](#)
2. Report the Incident to Your Employer
3. File a Charge with the Illinois Department of Human Rights (IDHR)
4. File a Charge with the U.S. Equal Employment Opportunity Commission (EEOC)



CALL THE STATE
OF ILLINOIS
SEXUAL
HARASSMENT
AND
DISCRIMINATION
HELPLINE

If you or someone you know has experienced or witnessed unwelcome conduct of a sexual nature in the workplace, please call the State of Illinois Sexual Harassment and Discrimination Helpline for assistance. Calls are confidential and can be made anonymously.

Call: 1-877-236-7703

Visit <http://www.illinois.gov/SexualHarassment>

Helpline representatives can help callers navigate their numerous reporting options and share additional information related to counseling, legal assistance, and frequently asked questions.



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REPORTING SEXUAL HARASSMENT TO AN EMPLOYER

Report the incident to one or more of the following employer representatives:

1. Your Supervisor or any member of management you trust. Supervisors and members of management are responsible for knowing the employer's internal complaint investigation and resolution process. Supervisors can help effect immediate positive change.
2. Human Resources Officers can work with management to investigate and resolve sexual harassment complaints. This option may be preferred, if the perpetrator of the sexual harassment is a supervisor or manager.



CONTINUED- REPORTING SEXUAL HARASSMENT TO AN EMPLOYER

Report the incident to one or more of the following employer representatives:

3. Designated Sexual Harassment Reporting Officers are often established by employers to specifically receive and investigate sexual harassment complaints. Consult your employer's sexual harassment policy for specific reporting contact information.



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4. File a Charge with the U.S. Equal Employment Opportunity Commission (EEOC)



REPORTING SEXUAL HARASSMENT TO THE ILLINOIS DEPARTMENT OF HUMAN RIGHTS (IDHR)

The Illinois Department of Human Rights (IDHR) is a state agency responsible for enforcing the Illinois Human Rights Act, the state law which makes it illegal to engage in sexual harassment or retaliation.

- Complainants (victims of sexual harassment) may file a charge at any time within 300 days of the incident(s).
- IDHR has jurisdiction (authority) to investigate employers who have 1 or more employees.
- To start the process, submit a Complainant Information Sheet to IDHR.



REMEDIES AVAILABLE UNDER THE ILLINOIS HUMAN RIGHTS ACT

- After IDHR completes its investigation, the Complainant (the employee):
 1. May file a lawsuit in civil court, or
 2. May file a complaint with the Illinois Human Rights Commission (HRC) if IDHR found “substantial evidence” of a violation.
- Complainants who prevail in the HRC or Court may receive an order awarding remedies allowed by the Illinois Human Rights Act to make the Complainant “whole.”
- Remedies may include: back pay, lost benefits, clearing of a personnel file, damages, hiring, promotion, reinstatement, front pay where reinstatement is not possible, and attorney’s fees and costs.



REPORTING SEXUAL HARASSMENT TO THE IDHR (CONTACT INFORMATION)

To file a charge, call IDHR or visit them online:

1-800-662-3942 | www.ILLINOIS.GOV/DHR

IDHR Offices Locations:

- Chicago. Office: 312-814-6200 | 866-740-3953 (TTY), 555 W. Monroe St., 7th Floor, Chicago, IL 60661
- Springfield. Office: 217-785- 5100 | 866-740-3953 (TTY), 524 S. 2nd St., Suite 300, Intake Unit, Springfield, IL 62702
- Marion. Office: 618-993-7463 | 217-740-3953 (TTY), 2309 W Main St, Marion, IL 62959



REPORTING SEXUAL HARASSMENT – SEVERAL OPTIONS

The choice of how to report an allegation of sexual harassment is a personal one, and these options are not mutually exclusive. You may pursue one or more of the following reporting options:

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2. Report the Incident to Your Employer
3. File a Charge with the Illinois Department of Human Rights (IDHR)
4. File a Charge with the U.S. Equal Employment Opportunity Commission (EEOC)



REPORTING SEXUAL HARASSMENT TO THE U.S. EEOC

The United States Equal Employment Opportunity Commission (EEOC) is responsible for enforcing Title VII of the Civil Rights Act of 1964, the federal law that make it illegal to engage in sexual harassment or retaliation.

- Complainants (victims of sexual harassment) may file a charge at any time within 300 days of the incident(s).
- The EEOC has jurisdiction (authority) to investigate employers who have 15 or more employees.
- To start the process, call the EEOC or visit their website.



REMEDIES AVAILABLE UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

After EEOC completes its investigation:

1. The Complainant (the employee) may file a lawsuit in federal court.
2. The EEOC may help parties reach a settlement through an informal process called “conciliation” if the EEOC finds “reasonable cause” to believe discrimination occurred.



CONTINUED- REMEDIES AVAILABLE UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

Complainants who prevail in federal court may receive an order awarding remedies allowed by Title VII to make the employee “whole.”

Remedies may include: back pay, lost benefits, clearing of a personnel file, damages, hiring, promotion, reinstatement, front pay where reinstatement is not possible, punitive damages, and attorney’s fees and costs.



REPORTING SEXUAL HARASSMENT TO THE U.S. EEOC (CONTACT INFORMATION)

To file a charge, call or visit online:

- 1-800-669-4000 | www.EEOC.GOV
- 1-800-669-6820 (TTY for Deaf/Hard of Hearing callers only)
- 1-844-234-5122 (ASL Video Phone for Deaf/Hard of Hearing callers only)

U.S. EEOC Offices Serving Illinois

Chicago District Office. JCK Federal Building, 230 S. Dearborn St., Chicago, IL 60604

St. Louis District Office. Robert A. Young Federal Building, 1222 Spruce St., Rm. 8.100, St. Louis, MO 63103



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IS MY EMPLOYER RESPONSIBLE FOR SEXUAL HARASSMENT?

Yes, employers are responsible for sexual harassment in two ways:

- **Manager/Supervisor Harassment.** Employers are strictly liable for sexual harassment perpetrated by its members of management regardless of whether the employer knew of the harassment.
- **Co-Worker & Nonemployee Harassment.** Employers are liable for sexual harassment perpetrated by an employee (co-worker) or nonemployees (vendors) only if the employer knew or reasonably should have known of the harassment and failed to take prompt corrective action.



EMPLOYER RESPONSIBILITIES

We will now discuss employer responsibilities and liabilities concerning incidents of sexual harassment in workplaces including their responsibilities to:

- Prevent the incidence of sexual harassment in their workplaces;
- Investigate incidents of sexual harassment in their workplaces; and
- Correct the incidence of sexual harassment in their workplaces.



EMPLOYER RESPONSIBILITY - PREVENTION

1. Develop, implement and regularly communicate the employer's sexual harassment policy.
2. Provide training for managers and employees on sexual harassment prevention.
3. Ensure clear communication on how to report incidents of sexual harassment or conduct of a sexual nature.



CONTINUED- EMPLOYER RESPONSIBILITY - PREVENTION

4. Managers and supervisors should monitor their work environment to ensure the workplace is free of sexual harassment – supervisors should be aware of the conduct within their supervision.
5. Managers and supervisors must lead by example and model appropriate conduct – refrain from engaging in conduct of a sexual nature.
6. Managers and supervisors should conduct a sexual harassment climate check throughout the year -discuss the topic at a team or staff meeting, in-service day or as part of structured communication such as division/unit newsletters.



EMPLOYER RESPONSIBILITY - INVESTIGATION

1. Immediately respond to a complaint of sexual harassment and initiate an inquiry or investigation.
2. Interview the complainant (victim) and take reasonable action to protect the victim from retaliation or experiencing further sexual harassment during the investigation.
3. Interview all relevant witnesses.



CONTINUED- EMPLOYER RESPONSIBILITY - INVESTIGATION

4. Interview the alleged perpetrator of the sexual harassment.
5. Document the investigation results and maintain the file as an employment record.
6. Take corrective action as appropriate.



EMPLOYER RESPONSIBILITY – CORRECTIVE MEASURES

1. Take appropriate corrective disciplinary action up to and including termination of employment where organizational policy has been violated.
2. In situations where the conduct in question did not rise to the level of sexual harassment or a violation of policy, but is concerning or may be considered grooming behavior, consider counseling, training and closer supervision of the employee.



CONTINUED- EMPLOYER RESPONSIBILITY – CORRECTIVE MEASURES

3. Take reasonable action within the organization to reduce the likelihood of future sexual harassment incidents by updating policies and communicating them to the workforce; providing supplemental or tailored sexual harassment training; or restructuring the working environment or reporting relationships.
4. Follow up with the complainant (victim) at regular intervals to ensure they and the workplace remains free from sexual harassment.



Definitions

What is Sexual Harassment?

Sexual Harassment

You have a right to be free of sexual harassment in the workplace, housing, educational or business environment.

Sexual harassment is unwanted, deliberate or repeated sexual behavior. Sexual harassment can include the display of sexually suggestive objects, signs, magazines, or pictures, or the sending of sexually suggestive emails or text messages to persons who do not want this attention.

Sexual harassment can also be a subtle or direct requirement that a sexual or social relationship is part of your job, your housing, or your educational performance. For example, making any part of your job (such as wages, promotions, references or working conditions), any part of your housing (such as your rent, your security deposit or lease renewal), or any part of your educational performance (such as grades, honors, course work, or scholarships) contingent on submission to the sexual behavior.

Sexual Harassment Instances

The Illinois Human Rights Act protects Illinois employees, tenants, students and others from sexual harassment.

In employment sexual harassment is any unwelcome sexual advances, requests for sexual favors, or any conduct of a sexual nature when:

1. submission to such conduct is either explicitly or implicitly made a term or condition of employment, and submission to or rejection of the

conduct is used as a basis for making decisions about your employment;
or

2. such conduct interferes with your job performance or creates an intimidating, hostile, or offensive working environment.

In education sexual harassment is any unwelcome sexual advances or requests for sexual favors made to a student by an executive, administrative staff or faculty member, or any conduct of a sexual nature that substantially interferes with the student's educational performance or creates an intimidating, hostile, or offensive educational environment.

In public accommodations sexual harassment is any unwelcome sexual advances or requests for sexual favors made by a place of public accommodation, such as persons who own or work at hotels, restaurants/bars, stores and gyms. Public officials are also considered places of public accommodation.

In housing sexual harassment is any unwelcome sexual advances or requests for sexual favors made by a landlord, property owner, housing provider, manager or staff, that results in a housing environment which is intimidating, hostile, offensive or significantly less desirable.

Retaliation for complaining about sexual harassment is also prohibited by the Illinois Human Rights Act. Retaliation is conduct intended to deter or dissuade a person from making a complaint or filing a report of sexual harassment, or participating in an investigation conducted by the Illinois Department of Human Rights or other similar agency

What is Sex Discrimination?

Sex Discrimination

Sex discrimination is an adverse action or harassment based on sex (the status of being male or female) which is not necessarily sexual in nature.

- A person may feel or believe they have been discriminated against based on sex because they have been harmed or disfavored while a person of another gender has been treated better in a similar situation.
- Sex discrimination includes harassment that is not sexual in nature but expresses a bias or hostility about a person's gender.
- Sex discrimination includes an adverse action that is pregnancy-related.

Sex Discrimination

The Illinois Human Rights Act protects Illinois employees, tenants, students and others from sex discrimination.

Sex discrimination is an adverse action or harassment based on sex (the status of being male or female) that is not necessarily sexual in nature. Sex discrimination includes an adverse action that is pregnancy-related.

Examples of **sex discrimination in employment**:

- Judy and Ken are hired on the same date as accountants for XYZ Corp. They are equally qualified. XYZ pays Ken more than Judy because he is male.
- XYZ Corp only hires women to work at its front desk reception area and men to work in its manufacturing area.
- XYZ Corp posts a position for a management job. Judy and Ken apply. Judy is better qualified for the position. XYZ hires Ken because Judy is pregnant and nearing the time of her maternity leave.

Examples of **sex discrimination in housing**:

- Judy and Ken are friends who apply for one-bedroom apartments at XYZ Apartments. They are both leased apartments. However, Judy later learns that she was charged a higher security deposit fee than Ken for her apartment. The Leasing Coordinator charged her a higher fee because

she is a woman.

- Judy and Ken apply for apartments at XYZ Apartments. The Leasing Coordinator rents an apartment to Judy. The Leasing Coordinator does not rent an apartment to Ken believing men cause more trouble than women.
- Judy and Ken are potential home buyers. They go to a realtor at XYZ Realty Corp. The realtor fails to inform Judy about the available listings in her price range and desired living area, but does so for Ken because he is a man.

Examples of **sex discrimination in public accommodations:**

- Judy and Ken go to XYZ Theater to see a movie. Upon entry, Ken is subjected to a security search, however Judy is not. Later, Ken finds out the theater only searches men as potential threats to security.

Examples of **sex discrimination in financial credit:**

- Judy, who is married to Ken, goes to buy a car. Judy needs a loan to purchase the car. Judy is gainfully employed and capable of paying her auto loan by herself. However, XYZ Auto Dealers will not finance her unless Ken co-signs her auto loan.

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FAQs

Common Questions

What is the State of Illinois Sexual Harassment and Discrimination Helpline and Website?

What happens if I report sexual harassment or discrimination?

What is the process for investigating a complaint of sexual harassment or discrimination at the Illinois Department of Human Rights?

How long will it take if I file a charge with IDHR?

How long will it take if IDHR finds substantial evidence of discrimination and I file a complaint with the Human Rights Commission or in Circuit Court?

How do I know which inspector general's office has jurisdiction over my government employer?

What is the State of Illinois Sexual Harassment and Discrimination Helpline and Website?

The State of Illinois Sexual Harassment and Discrimination ("SHD") Helpline and Website were established pursuant to Public Acts [100-0554](#) (November 2017) and [100-0588](#) (June 2018) and are administered by the Illinois Department of Human Rights ("IDHR"). Calls to the Helpline ([877-236-7703](#)) are answered by The Chicago Lighthouse pursuant to a contract with the IDHR.

The Helpline and Website were established by the Illinois legislature to

provide a centralized resource for all Illinoisans to obtain necessary information and assistance in the filing of sexual harassment and discrimination complaints. Information provided to the SHD Helpline and Website is confidential and not subject to disclosure through the Freedom of Information Act ("FOIA").

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What happens if I report sexual harassment or discrimination?

Outcomes for victims who report sexual harassment or discrimination depend on what happened and where they report.

For example:

- Victims may be able to stop unwelcome sexual conduct by telling the harasser to stop.
- Reporting to the employer may result in training, sanctions, discipline and/or discharge for the perpetrator.
- Filing a charge at the Illinois Department of Human Rights could result in an investigation and a finding of substantial evidence. Through the Illinois Human Rights Commission or Circuit Court, a victim may receive make-whole damages, including emotional distress damages and attorney fees and costs.
- Public employees can also report sexual harassment and inappropriate conduct to the Office of Inspector General with jurisdiction over their agency. The Inspector General can investigate and the harasser/wrongdoer may be subject to a fine of up to \$5,000, discipline/termination, and/or other remedial action.
- Criminal matters such as rape and assault can be addressed through the judicial/court systems.

What is the process for investigating a complaint of sexual harassment or discrimination at the Illinois Department of Human Rights?

The Illinois Department of Human Rights administers the Illinois Human Rights Act ("Act"), which prohibits sexual harassment and discrimination in Illinois with respect to employment, real estate transactions (housing), public accommodations (public places and officials), financial credit, and sexual harassment in education. A discrimination charge can be initiated by calling, writing or appearing in person at IDHR's Chicago or Springfield office within 300 days of the date the alleged discrimination took place (180 days for harms prior to 6/8/2018). For housing discrimination, there is a one-year filing deadline.

For employment and housing charges, IDHR offers mediation services to provide an opportunity for the parties to resolve the allegations and related circumstances as quickly as possible, in lieu of an investigation. The charge may also be resolved during the investigation through a voluntary settlement agreement negotiated by the parties. A charge resolution may include policy changes, training, posting requirements, monetary damages, and more.

During the investigation, IDHR may obtain relevant documentation and speak with witnesses. After the investigation, IDHR prepares a written report with a recommendation on whether there is "substantial evidence" of a violation of the Act. Such a finding means there is enough evidence to take the case before an administrative law judge at the Illinois Human Rights Commission, a separate state agency that conducts public hearings.

How long will it take if I file a charge with IDHR?

The average processing time for a discrimination charge is less than one year. Under the Act, IDHR has up to 365 days to conduct an investigation, unless the parties agree to extend that time.

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How long will it take if IDHR finds substantial evidence of discrimination and I file a complaint with the Human Rights Commission or in Circuit Court?

The adjudicatory process at the Human Rights Commission or in Circuit Court may take several years, unless the parties agree to resolve the complaint through a voluntary settlement.

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How do I know which inspector general's office has jurisdiction over my government employer?

- **[The Office of Executive Inspector General \(OEIG\)](#)** is authorized to investigate allegations of misconduct made against a State of Illinois official or employee who is under the jurisdiction of the governor, lieutenant governor, or a state public university, or a regional transit board (the RTA, CTA, Metra, or Pace), as well as others doing business with these entities. OEIG complaints may be filed at this [online complaint link](#). More information about filing a complaint is available on the [OEIG website](#) or by contacting your agency's Ethics Officer (to identify the Ethics Officer for a particular entity, see this list).
- **[The Office of the Legislative Inspector General \(OLIG\)](#)** receives and investigates complaints of violations of any law, rule, or regulation or abuse of authority or other forms of misconduct by members of the General Assembly and all state employees whose ultimate jurisdictional authority is

a legislative leader, the Senate Operations Commission or the Joint Committee on Legislative Support Services. [A form for filing a complaint with the OLIG is here.](#)

- [The Office of the Inspector General for the Illinois Attorney General](#) is separate and independent from the Office of the Illinois Attorney General. The Inspector General investigates matters including misconduct and violations of the law involving individuals employed by or doing business with the Attorney General's Office. [Complaints can be filed using this form.](#)
 - [The Office of the Executive Inspector General of the Illinois Comptroller](#) investigates matters involving employees, officials and vendors of the Office of the Illinois Comptroller. [A complaint form for the Illinois Comptroller is available here.](#)
 - [The Office of the Executive Inspector General for the Illinois State Treasurer](#) acts as an independent agency of government whose function is to investigate fraud and abuse, including violations of the Ethics Act and other forms of misconduct by the Treasurer, the appointees and employees of the Office. [A complaint form for the Illinois State Treasurer is available here.](#)
 - [The Office of the Inspector General for the Secretary of State](#) has the authority to investigate complaints concerning the operations of the Illinois Secretary of State's office or concerning compliance with the Lobbyist Registration Act. Information for filing a complaint is available here.
 - For employees of municipalities and other local governments, each municipality or other local government entity is required to have a policy prohibiting sexual harassment. The policy should provide details on how an individual can report an allegation of sexual harassment, including options for making a confidential report to a supervisor, ethics officer, Inspector General, or the [Illinois Department of Human Rights.](#)
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Legal Protections

The Illinois Department of Human Rights enforces the protections of the Illinois Human Rights Act. State agencies, municipalities and employers who are public contractors and bidders are required to have a written policy which prohibits sexual harassment. The policy should include the legal definition of sexual harassment, a description of sexual harassment (including examples), internal procedures for investigating complaints, and any penalties for violating the policy.

What to do if you are sexually harassed...

- **Object.** Let the harasser know right away that you are offended by this conduct and want it to stop. Inappropriate behavior may escalate, so it's important to speak out.
- **Document.** Write down what happened to you, when it happened, who was there and what was said by all the parties involved. Keep records of subtle or overt job or educational related promises or threats.
- **Identify witnesses.** Speak with peers whom you trust. Often, the person harassing you may be bothering others as well. Witnesses may be willing to speak out on your behalf.
- **Notify Management.** It is a good idea to report the incident to your supervisor or academic advisor. If the supervisor or academic advisor is the harasser, see his or her supervisor, and also report the incident to the affirmative action officer and/or human resources.
- **Call Police.** If the sexual harassment conduct is criminal in nature, report the incident to law enforcement authorities immediately.

- Report the incident to governmental authorities. For more information visit the section entitled "Reporting" below.

What you should know...

- Persons of any gender can be victims of sexual harassment.
- Harassers can be any gender, and can harass people with the same or different sexual orientation or gender identity as theirs.
- Sexual harassment in the work place can be perpetrated by a supervisor, coworker, or someone at the workplace at the invitation of the employer, such as a vendor or contractor.
- Sexual harassment in educational institutions can be perpetrated by any representative of the institution, such as an executive, faculty or administrative staff member, or teaching assistant.
- Sexual harassment is not limited to any level of employment or education.

Charges of sexual harassment can be filed with the [Illinois Department of Human Rights](#) against the individual harasser as well as the employer or educational institution. Both parties can be found liable.

Notice to Employees

Under the Illinois Human Rights Act, all workers have the right to employment free from sexual harassment or unlawful discrimination. In Illinois, it is a civil rights violation under the Act for an employer to fail to include in a posting on the premises, AND in an employee handbook, information concerning the rights of employees to:

1. Be free from unlawful discrimination or sexual harassment in the workplace;
2. File a charge of discrimination or sexual harassment; and

3. Obtain certain reasonable accommodations such as those based on pregnancy and disability.

The required [Notice to Employees poster](#) is available for download from the Illinois Department of Human Rights' website.

Everyone has a right to be free from unlawful discrimination and sexual harassment in the workplace and is protected from retaliation for reporting incidents of discrimination, participating in an investigation, or helping others exercise their rights.

More information about legal protections and filing a charge of discrimination is found on [IDHR's website](#).

Reporting



Illinois Sexual Harassment and Discrimination Helpline

Call the State of Illinois Sexual Harassment and Discrimination Helpline at 877-236-7703 *

Helpline calls are answered by The Chicago Lighthouse Call Center pursuant to a contract with the Illinois Department of Human Rights. Callers will learn their options for reporting sexual harassment and discrimination, can be transferred to or request a call-back from an agency, or can file an anonymous report. Callers are also offered assistance with finding necessary resources, including legal and counseling assistance. Information given to the call center is confidential and not subject to disclosure through the Freedom of Information Act ("FOIA").

Monday through Friday, 8:30 a.m. to 5:00 p.m.

State of Illinois Sexual Harassment and Discrimination Helpline:

877-236-7703 *

* TTY users call the Helpline via 711.

You can report the instance of sexual harassment or discrimination and file a complaint with governmental entities.

Persons who have experienced sexual harassment or discrimination have several reporting options. Where a person can report will depend on where the harassment or discrimination occurred. In some instances, a victim can report an incident to multiple governmental entities. Governmental entities have differing jurisdictions and authorities to address sexual harassment and discrimination. Below is an overview of the Illinois governmental entities that can be contacted to report such incidents.

In the Private or Public Sector

- **Contact a Human Resources Department, Manager or Supervisor.** Many employers and agencies have specific policies and processes in place to complain about and report sexual harassment and discriminatory treatment.
- **Contact the Illinois Department of Human Rights (IDHR).** Reports (charges) of sexual harassment and discrimination can be made to the Illinois Department of Human Rights. IDHR has jurisdiction over complaints of sexual harassment and discrimination in employment, housing, public accommodations and education. To learn more, read about IDHR in the section below.

Illinois Department of Human Rights ("IDHR")

(To report sexual harassment and discrimination in public and private employment, housing, public accommodations and education)

The jurisdiction of the Illinois Department of Human Rights extends to investigating claims of discrimination, including sexual harassment, with respect to employment, real estate transactions, financial credit, public accommodations and educational institutions. The Illinois Department of Human Rights has jurisdiction over private and public employers, vendors and others doing business with the State of Illinois, employment agencies, labor organizations, property owners and managers, real estate brokers or agents, landlords, financial institutions, businesses open to the public, and publicly or privately-operated schools, colleges or universities.

The Department of Human Rights is obligated to keep the contents of the Department's investigation confidential during the investigation of the charge. Additionally, the Department may hold the identity of any witness as confidential upon the request of the party or witness. IDHR's statutory authority is found in the Illinois Human Rights Act. 775 ILCS 5/1 et seq.

A discrimination charge can be initiated by calling, emailing, faxing, mailing or appearing in person at the IDHR's Chicago or Springfield office within 300 days of the date the alleged discrimination took place (180 days for harms occurring before June 8, 2018). There is a one-year filing deadline for housing discrimination.

Looking to file a complaint with IDHR? Visit IDHR Online.

For more information or to file a complaint (charge) with the Illinois Department of Human Rights:

Website: dhr.illinois.gov

Contact information:

Illinois Department of Human Rights

Chicago Office: Intake Unit

555 W Monroe, Suite 700
Chicago, IL 60661

[NOTE: During the COVID-19 pandemic, IDHR is unable to receive visitors on site. Please contact the Department via email or phone, if not submitting content via mail.]

Tel: [312-814-6200](tel:312-814-6200)

TTY: [866-740-3953](tel:866-740-3953)

Fax: [312-814-6251](tel:312-814-6251)

Email: IDHR.ReportSH@illinois.gov or IDHR.Intake@illinois.gov

Springfield Office: Intake Unit

524 S. 2nd Street, 3rd Floor
Springfield, IL 62701

[NOTE: During the COVID-19 pandemic, IDHR is unable to receive visitors on site. Please contact the Department via email or phone, if not submitting content via mail.]

Tel: [217-785-5100](tel:217-785-5100)

TTY: [866-740-3953](tel:866-740-3953)

Fax: [217-785-5106](tel:217-785-5106)

E-mail: IDHR.ReportSH@illinois.gov or IDHR.Intake@illinois.gov

Complete, sign and submit a [Complainant Information Sheet \(CIS\)](#) to the Illinois Department of Human Rights.

In the Public Sector Only (Government Offices)

In addition to contacting the **Illinois Department of Human Rights**, persons

who experience sexual harassment and discrimination in the public sector can report the incident in one or more of the following ways. An investigation by IDHR is separate, apart and independent of any investigation conducted by an Ethics Officer, OEIG or the OLIG.

- **Contact the agency's assigned Ethics Officer (EO).** State of Illinois agencies of the Illinois Governor each have a designated Ethics Officer who is available to discuss any concerns about sexual harassment and discrimination. An EO can assist a State employee in making a report of sexual harassment. This is an internal process that is managed within the agency in which the incident occurred. To learn more, read about agency EOs in the section below.
- **Contact Office of the Executive Inspector General (OEIG).** The OEIG is empowered to investigate instances of sexual harassment, discrimination and other misconduct that occurs in agencies under the Illinois Governor. This is an external process that is initiated outside of the agency where the incident occurred. To learn more, read about the OEIG in the section below.
- **Contact the Office of the Legislative Inspector General (OLIG).** The OLIG is empowered to investigate instances of sexual harassment, discrimination and other misconduct that occurs in entities within the Illinois legislature. This is an external process that is conducted outside of the legislative entity where the incident occurred. To learn more, read about the OLIG in the section below.

Ethics Officers ("EO's") for Agencies of the Illinois Governor

(To report sexual harassment, discrimination or other misconduct by officers, employees, vendors and others doing business with executive branch state agencies)

The head of each State agency designates an Ethics Officer, who provides guidance to State employees in the interpretation and implementation of the

State Officials and Employees Ethics Act. An Ethics Officer is available to discuss any concerns about ethics violations, including an allegation of sexual harassment or discrimination, and can assist a State employee in making a report of sexual harassment to the appropriate supervisor, member of management, or outside entity such as the OEIG or IDHR. In some agencies and in some circumstances, the Ethics Officer may be responsible for investigating the allegation.

An Ethics Officer should strive to keep confidential information that a State employee requests to remain confidential, and should share information only as required by law or in order to effect necessary action to address an allegation.

For more information, or to report sexual harassment or other ethics violations to an Ethics Officer assigned to a State of Illinois Agency of the Governor:

- A list of Agency Ethics Officers is also maintained on the OEIG Website: [Agency Ethics Officers list](#)

Office of the Executive Inspector General ("OEIG")

(To report misconduct, including sexual harassment or discrimination, by officers, employees, vendors and others doing business with executive branch state agencies, boards and commissions under the Illinois Governor)

The jurisdiction of the Office of Executive Inspector General for the Agencies of the Illinois Governor ("OEIG") extends to the governor, the lieutenant governor, and all officers and employees of, and vendors and others doing business with, executive branch state agencies, except for those that fall under the jurisdiction of those executive inspector generals who have jurisdiction for state agencies under the attorney general, the secretary of state, the comptroller or the treasurer.

This jurisdiction encompasses, for example, the Illinois Department of Human

Services, the Illinois Department of Corrections, and the Illinois Toll Highway Authority. The OEIG's jurisdiction also includes approximately 300 state boards and commissions, including for example, the Illinois Commerce Commission, the Illinois State Board of Education, and the Illinois State Police Merit Board. The OEIG's jurisdiction also extends to the nine state public universities, and the four regional transit boards (the Regional Transportation Authority, The Chicago Transit Authority, Metra, and Pace).

Certain complaints received by the OEIG may, as appropriate, require the involvement of other investigative or prosecutorial entities. Criminal matters, for example, may require the participation of, or referral to, other prosecuting or law enforcement authorities. In addition, the investigation of certain complaints may be referred to, or require the participation of, other inspector generals who serve specific public entities.

The OEIG is obligated to maintain the confidentiality of individuals reporting any possible or alleged misconduct. The OEIG's statutory authority is found in the State Officials and Employees Ethics Act. 5 ILCS 430/1 et seq.

For more information or to file a complaint with the OEIG:

Website: <https://www.illinois.gov/oeig>

Case Initiation Form:

<https://www.illinois.gov/oeig/complaints/Pages/process.aspx>

Contact Information:

Office of the Executive Inspector General
for the Agencies of the Illinois Governor

69 West Washington Street, Suite 3400
Chicago, IL 60602

Tel: [312-814-5600](tel:312-814-5600)

Fax: [312-814-5479](tel:312-814-5479)

TTY: [888-261-2734](tel:888-261-2734)

Email: OEIG.ReportSH@illinois.gov

Office of the Legislative Inspector General ("OLIG")

(To report misconduct, including sexual harassment, by members of the General Assembly and all state employees whose ultimate jurisdictional authority is a legislative leader, the Senate Operations Commission or the Joint Committee on Legislative Support Services, officials and employees of the Illinois legislature)

The Office of the Legislative Inspector General ("OLIG") receives and investigates complaints of violations of any law, rule or regulation or abuse of authority or other forms of misconduct by members of the General Assembly and all state employees whose ultimate jurisdictional authority is a legislative leader, the Senate Operations Commission or the Joint Committee on Legislative Support Services.

The OLIG recognizes that the vast majority of state employees and officials are hardworking and honest individuals. However, when evidence of actual or apparent impropriety exists in state government, it must be effectively and objectively addressed either administratively or through the court system. The OLIG's goal is to heighten the trust of the citizens of Illinois in the functions of their state government.

The Office of the Legislative Inspector General is obligated to maintain the confidentiality of individuals reporting any possible or alleged misconduct. The OLIG's statutory authority is found in the State Officials and Employees Ethics Act. 5 ILCS 430/1 et seq.

For more information or to file a complaint with the Office of the Legislative Inspector General:

Website: <http://ilga.gov/commission/lig/default.asp>

Case Initiation Form:

<http://ilga.gov/commission/lig/CaseInitiationForm.asp>

Contact Information:

Office of the Legislative Inspector General

1010 Davis Street
Evanston, IL 60201

Tel: [217-558-1560](tel:217-558-1560)

Fax: [217-724-8353](tel:217-724-8353)

Email: JulieP@ilga.gov