

RESOLUTION NO. 2017-04

**ORDINANCE CONFIRMING PREVIOUS APPROVAL OF POLICIES
PROHIBITING HARASSMENT,
DISCRIMINATION, AND RETALIATION**

(and procedures for reporting and investigating complaints)

WHEREAS, the Blue Island Public Library is a unit of local government which operates a Public Library; and

WHEREAS, by P.A. 100-0554 effective November 16, 2017, the Illinois General Assembly amended the State Officials and Employees Ethics Act (Ethics Act), 5 ILCS 430/1-1 et seq.; and

WHEREAS, the provisions of P.A. 100-0554 relevant to the Library (5 ILCS 430/70-5) are the following:

No later than 60 days after the effective date of this amendatory Act of the 100th General Assembly, each governmental unit shall adopt an ordinance or resolution establishing a policy to prohibit sexual harassment. The policy shall include, at a minimum: (i) a prohibition on sexual harassment; (ii) 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 Department of Human Rights; (iii) a prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under this Act, the Whistleblower Act, and the Illinois Human Rights Act; and (iv) the consequences of a violation of the prohibition on sexual harassment and the consequences for knowingly making a false report.

WHEREAS, the attached Policies previously approved by the Library are believed by the Library to comply with the requirements of the Ethics Act, as amended by P.A. 100-0554.

NOW, THEREFORE, IT IS ORDAINED by the Board of Library Trustees as follows:

1. The attached Policies previously approved by the Library are confirmed and ratified.

2. This Ordinance is effective immediately.

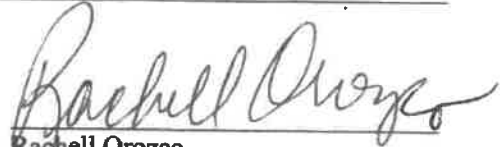
Passed this 20th day of December, 2017.

AYES: 6

NAYES: 0

ABSENT: 2

ABSTAIN: 0



Rachell Orozco
President, Board of Library Trustees
Blue Island Public Library



Leo Castillo
Secretary, Board of Library Trustees
Blue Island Public Library

350 Sexual and Other Harassment

As confirmed by Resolution No. 2017-04 passed December 20, 2017, this Policy is believed to comply and is intended to comply with P.A. 100-0554 enacted by the General Assembly effective November 16, 2017.

The Blue Island Public Library is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments by an employee, patron or other visitor to the Library based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated.

The conduct forbidden by this policy specifically includes, but is not limited to: (a) epithets, slurs, negative stereotypes or intimidating acts that are based on a person's protected status; and (b) written or graphic material circulated within or posted within the workplace that shows hostility toward a person because of protected status.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances
- Offering employment benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters
- Verbal conduct that includes making or using derogatory comments, epithets, or jokes
- Verbal sexual advances or propositions
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it

would be inappropriate to contact that person, you should immediately contact the Director, President of the Library Board, or any other member of the Board or management. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual or other forms of harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. Reporting harassment 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.

Any member of the staff or Board who becomes aware of possible sexual or other unlawful harassment must immediately advise the Director or President of the Library Board so the matter can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

If an employee wants further information on harassment in the workplace, he or she can contact: Illinois Department of Human Rights 100 West Randolph Street, Suite 10-100 Chicago, Illinois 60601 312-814-6245

Equal Employment Opportunity Commission (EEOC) 500 West Madison Street, Suite 2800 Chicago, Illinois 60601 312-353-2713

355 Whistleblower Procedures

As confirmed by Resolution No. 2017-04 passed December 20, 2017, this Policy is believed to comply and is intended to comply with P.A. 100-0554 enacted by the General Assembly effective November 16, 2017.

A whistleblower as defined by this policy is an employee of Blue Island Public Library who reports an activity that he/she considers to be illegal or dishonest to one or more of the parties specified in this policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

An example of an illegal or dishonest activity is a violation of federal, state or local laws or financial wrongdoing. If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact the Library Director or the Board of Trustees. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas -- confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. The Library will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Library Director immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities will be promptly submitted to the Library Director who is responsible for investigating and coordinating corrective action, or her designee, in the event she is the accused.

Employees with any questions regarding this policy should contact the Library Director.