

# Chicago Employers: New Policy Requirements and Expanded Sexual Harassment and Bystander Training Obligations Begin July 1, 2022

## Labor & Employment Law Update

By Sara Zorich on May 26, 2022

Mayor Lori Lightfoot and the Commission on Human Relations (the “Commission”) recently amended and expanded the sexual harassment prohibitions set forth by the City of Chicago. The Ordinance provides for many changes—it (i) expands the definition of “sexual harassment;” (ii) expands the requirement for written policy documents; (iii) increases the statute of limitations for reporting discrimination; (iv) increases the monetary penalty for discrimination; and (v) has caused additional “safety measures” to be implemented by employers. Such “safety measures” include requiring all Chicago employers to provide extra annual training to employees and management and supervisory personnel. In other words, this training must be conducted **in addition** to the current one hour sexual harassment prevention training already required by the State of Illinois for Illinois employees. **Thus, effective July 1, 2022, Chicago employers must provide the following training on a yearly basis for Chicago employees:**

- Chicago Non-Management or Supervisory Employee: one (1) hour of sexual harassment prevention training and one (1) hour of bystander training.
- Chicago Management or Supervisory Employee: two (2) hours of sexual harassment prevention training and one (1) hour of bystander training.

Under the Ordinance, Chicago employers must also provide a written sexual harassment policy to all employees in their primary language, within the first calendar week of their employment. The sexual harassment policies must include the following:

- A statement that sexual harassment is illegal in Chicago;
- The definition of sexual harassment as set forth in the Ordinance;

- A requirement that all employees participate in (i) one hour of sexual harassment prevention training, annually; and (ii) one hour of bystander training, annually;
- A requirement that all management and supervisory personnel participate in (i) two hours of sexual harassment prevention training, annually; and (ii) one hour of bystander training, annually;
- Examples of prohibited conduct;
- Details on: (i) reporting allegations of sexual harassment and instructions on how to make a confidential report; and (ii) legal services available to employees; and
- A statement that retaliation for reporting sexual harassment is illegal in Chicago.

Chicago employers must maintain a record of all written policy documents given to any employee for a minimum of five years, and any other records necessary to demonstrate compliance with the Ordinance. Finally, employers must conspicuously display all Commission notices and posters about sexual harassment prohibitions, in English and in Spanish, throughout the workplace.

Employers who violate the Ordinance will be subject to a fine of up to \$1,000 for each separate offense—and each employee who does not receive additional training, a copy of the employer's sexual harassment policy, and so on is a separate offense. As such, Chicago employers are encouraged to review and amend their existing sexual harassment prohibition policies and begin incorporating additional training programs for all Chicago personnel.

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