

DIVISION 5

EQUAL EMPLOYMENT POLICY, NON DISCRIMINATION  
AND SEXUAL HARASSMENT POLICY

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**2-5-1: ADVOCATE LAWS:** The Village of Sheffield hereby declares to uphold all laws related to Equal Employment Opportunity including, but not limited to, the following:

A. **Title VI of the Civil Rights Act of 1964** which prohibits discrimination in the participation in or benefits of programs or activities receiving federal financial assistance on the basis of race, color, or national origin.

B. **Title VII of the Civil Rights Act of 1964** which prohibits discrimination because of race, color, religion, sex or national origin in all employment practices including hiring, firing, promotions, compensation, and other terms, privileges and conditions of employment.

C. **Title IX of the Education Amendments of 1972** which prohibits discrimination in federally assisted education programs.

D. **The Equal Pay Act of 1963** which covers all employees who are covered by the Fair Labor Standards Act. The Act forbids pay differentials on the basis of sex.

E. **The Age Discrimination Act of 1967** which prohibits discrimination because of age against anyone between the ages of 40 and 65.

F. **Federal Executive Order 11246** which requires every contract with federal financial assistance to contain a clause against discrimination because of race, color, religion, sex, or national origin.

G. **Section 504 of the Rehabilitation Act of 1973 and DOL Implementing Regulations at 29 CFR 32** which prohibits any discrimination based on handicap.

H. **Section 167 of JTPA and the U.S. DOL Regulations at 29 CFR Parts 31 and 32** which provides that no person in the United States shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination on the basis of race, color, or national origin, under any program or activity receiving Federal financial assistance from the Department of Labor.

I. **Chapter 68, Article I, Section 17-19 of the Illinois Constitution** which prohibits discrimination based on race, color, creed, national ancestry, handicap, and sex in the hiring and promotion practices of any employer.

J. **Article 2 of the Illinois Human Rights Act (775 ILCS 5/2 1994 State Bar Edition)**

K. **Americans with Disabilities Act (42 U.S.C. 12101 et. seq.)** and the regulations thereunder (28CFR35.130) (ADA) which prohibits discrimination against persons with disabilities in the provision of any aid benefit or service.

**2-5-2: SEXUAL HARASSMENT:**

The Village of Sheffield shall uphold all laws related to sexual harassment.

A. **"Sexual Harassment"** means any unwelcome sexual advances or requests for sexual favors or any 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;

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such 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.

B. Sexual harassment may involve individuals of the same or different gender. Sexual harassment is most frequently associated with those situations in which a power differential exists between persons involved; however, it also may occur between individuals of the same status.

Examples of conduct which may, if continued or repeated, constitute sexual harassment are:

- unnecessary touching, patting, hugging, or brushing against a person's body
- staring, ogling, leering, whistling
- sexually explicit statements, comments, questions, jokes, or anecdotes
- graphic comments about a person's clothing or body
- sexually suggestive objects or pictures in the work place
- harassing use of the electronic mail or telephone communication system
- other physical or verbal conduct of a sexual nature

Such conduct, whether intended or not, constitutes sexual harassment and is illegal under both State and Federal law. Violations of this policy will not be permitted.

C. Procedure for the Resolution of Sexual Harassment Complaints.

(1) The Village encourages anyone who feels that he/she has been a victim of sexual harassment to report such incidents to the Village President or Village Board Member. Complainants are urged to report sexual harassment incidents as soon as possible, since a delay in reporting may make it difficult to gather appropriate information and documentation. It is not necessary for sexual harassment to be directed at the person making the complaint.

The following steps may also be taken: document or record each incident (what was said or done, the date, the time and the place). Documentation can be strengthened by written records such as letters, notes, memos and telephone messages.

(2) Complaints will be kept in confidence to the extent practicable and appropriate under the circumstances.

(3) The Village President with approval of the Board shall appoint a committee of at least three people, one of which shall be the attorney for the Village. The role of the committee will be to hear and consider testimony and other relevant reliable evidence, to make findings of fact, to determine whether the Village's policy on sexual harassment has been violated, and if so, to recommend appropriate relief and disciplinary action (s). A copy of the written decision shall be promptly furnished to the employee making the complaint.

(4) The employee will be able to have a representative present at any discussion between the employee and the Village Board or committee.

D. The employee making the complaint may elect to file a written complaint with the Illinois Department of Human Rights or the Illinois Human Rights Commission. The alternative complaint avenues are available if the employee would prefer to use them instead of the internal procedures.

(1) Illinois Department of Human Rights 312-814-6245

(2) Illinois Human Rights Commission 217-785-4350

E. The employee is protected by the Illinois Human Rights Act (775ILCS 5/6-101 1994 State Bar Edition) from retaliation because he or she has opposed that which he or she reasonably and in good faith believes to be unlawful sexual harassment in employment or because he or she has made a charge, filed a complaint, testified, assisted, or participated in an investigation under this act.

**2-5-3: NON-DISCRIMINATORY RECRUITMENT:**

The Village of Sheffield will assure non-discriminatory employment practices in recruitment, recruitment advertising, employment, placement, layoff or termination, promotion, demotion or transfer, rate of pay or other forms of compensation and use of facilities.

**2-5-4: CONTRACTS:**

The Village of Sheffield will not contract with other agencies, banks, businesses, vendors, etc., who practice or establish a pattern of discrimination based on sex, color, race, religion, age, developmentally disabled / handicap, national origin, political affiliation or belief.

**2-5-5: NON-DISCRIMINATORY OUTREACH:**

The Village of Sheffield assures that it will actively provide non-discriminatory out-reach, selection, and service to all individuals.

**2-5-6: MINORITIES:**

Efforts will be made to hire minority individuals for all job categories so that minority employment in all categories of the work force will represent a proportionate share of minority populations in the Village of Sheffield as well as surrounding areas.

**2-5-7: HANDICAP ACCOMMODATIONS:**

The Village of Sheffield will provide accommodations to the best of its ability for developmentally disabled / handicapped employees contingent on budget and structural limitations.

**2-5-8: EMPLOYEES WILL ADHERE TO POLICY:**

All Village of Sheffield employees are expected to adhere to the above policy and to work actively for its implementation both internally and in carrying out Village program activities.

**2-5-9: PRESIDENT & BOARD WILL CARRY OUT POLICY:**

The Village of Sheffield designates the Village President and Village Board to carry out the EEO / AA plan.

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