

RESOLUTION NO. 1-2020

**A RESOLUTION OF THE VILLAGE OF EVERGREEN PARK
ADOPTING AN ANTI-HARASSMENT POLICY FOR ELECTED
OFFICIALS**

WHEREAS, the Illinois General Assembly enacted Public Act 101-0221 on August 9, 2019 (“Act”); and

WHEREAS, pursuant to the Act, each governmental unit shall adopt an ordinance or resolution establishing a policy to prohibit and provide a mechanism for reporting and independent review of allegations of sexual harassment made against an elected official by another elected official;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Evergreen Park, Cook County, Illinois, as follows:

SECTION 1

The Anti-Harassment Policy for Elected Officials (“Policy”), in substantially the same form as attached hereto, is hereby approved and adopted.

SECTION 2

Should any section, paragraph, sentence, clause or phrase of this Policy, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of the Policy or its application to other elected officials or circumstances.

SECTION 3

This resolution was adopted and deposited in the office of the Village Clerk of the Village of Evergreen Park this 21st day of January, 2020.



Catherine T. Aparo

CATHERINE T. APARO, Village Clerk

Approved by me this 21st day
of January, 2020.

James J. Sexton

JAMES J. SEXTON, Mayor

ANTI-HARASSMENT POLICY FOR ELECTED OFFICIALS

Sexual harassment by an elected official of the Village of Evergreen Park ("Village") against another elected official is strictly prohibited. Elected officials of the Village are entitled, like employees of the Village, to conduct Village business in an environment that is free from sexual harassment. This policy provides procedures for reporting and investigation of allegations of sexual harassment made against an elected official of the Village by another elected official of the Village.

Definition of Sexual Harassment

Sexual Harassment may occur whenever there are unwelcome sexual advances, requests for sexual favors, or any other verbal, physical, or visual conduct of a sexual nature. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering; catcalling or touching; insulting or obscene comments or gestures; display or circulation of sexually suggestive objects or pictures (including through email); and other physical, verbal, or visual conduct of a sexual nature.

Retaliation Prohibited

The Village prohibits retaliation against any individual who reports harassment, participates in an investigation of such report, or files a charge alleging harassment. Retaliation against an individual for reporting harassment, for participating in an investigation of a claim of harassment or discrimination, or for filing a charge of harassment is a serious violation of this policy.

Reporting Procedure

The Village strongly urges the reporting of all incidents of harassment or retaliation, regardless of the offender's identity or position. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, the Village strongly urges the prompt reporting of complaints or concerns so that rapid and appropriate action can be taken.

The availability of this reporting procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

If you experience or witness harassment, you should deal with the incident(s) as directly and firmly as possible by clearly communicating your position to the offending person, the Mayor, or the Village Clerk. You should also document or record each incident (what was said or done, by

whom, the date, time and place, and any witnesses to the incident). Written records such as letters, notes, memos, emails, and telephone messages can strengthen documentation. It is not necessary that the harassment be directed at you to make a complaint.

-Direct Communication with Offender: If you believe that you are being sexually harassed by another elected official or you witness sexual harassment, you should directly and clearly express your objection to the offending person(s) regardless of whether the behavior is directed at you. If you are the harassed elected official, you should clearly state that the conduct is unwelcome and the offending behavior must stop. However, you are not required to directly confront the person who is the source of your report, question, or complaint before notifying any of those individuals listed below. The initial message may be oral or written, but documentation of the notice should be made. If subsequent messages are needed, they should be put in writing.

-Report to the Mayor or the Village Clerk: At the same time direct communication is undertaken, or in the event you feel threatened or intimidated by the offending person, you should promptly report the offending behavior to the Mayor. If you feel uncomfortable doing so, or if the Mayor is the source of the problem, condones the problem or ignores the problem, report to the Village Clerk.

All allegations will be accepted and investigated regardless of how the matter comes to the attention of the Village. However, because of the serious implications of sexual harassment charges and the difficulties associated with their investigation and the questions of credibility involved, the claimant's willing cooperation is a vital component of an effective inquiry and an appropriate outcome.

Investigation of Complaint

Any reported allegations of harassment or retaliation will be investigated promptly. The Village will make every reasonable effort to conduct an investigation in a responsible and confidential manner. *However, it is impossible to guarantee absolute confidentiality.* The investigation may include individual interviews with the parties involved, and where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. The Village reserves the right and hereby provides notice that third parties may be used to investigate claims of harassment. A conclusion of the investigation concerning the validity of the complaint should in most cases be reached within 30 days of the receipt of the complaint.

Responsive Action

The Village will determine what constitutes harassment or retaliation based on a review of the facts and circumstances of each situation. Misconduct constituting harassment or retaliation will be dealt with appropriately.