

STATE HARASSMENT PREVENTION TRAINING REQUIREMENTS

Effective Date: January 1, 2020

Covered Employers	All employers in Illinois must provide annual employee training on workplace sexual harassment prevention. In addition to the training required for all employers, restaurants and bars are also required to provide supplemental sexual harassment prevention training.
Covered Employees	All employees
Notice/Policy	<p>The State of Illinois Department of Human Rights (IDHR) has developed a Frequently Asked Questions (FAQ) on Sexual Harassment Prevention that all employers can distribute to their employees.</p> <p>Effective January 1, 2020, every restaurant and bar that operates in Illinois must:</p> <ul style="list-style-type: none"> • Establish a written sexual harassment prevention policy; • Provide a written copy of its policy to each employee within the first calendar week of hire; • Post a copy of its policy in the workplace; and • Make the policy available in English and Spanish. <p>Effective July 1, 2020, every hotel and casino operating in the state must:</p> <ul style="list-style-type: none"> • Provide a safety or notification device to each employee who is assigned to work in a guest room, restroom, or on the casino floor under circumstances where no other employee is present; • Develop, maintain, and comply with a written anti-sexual harassment policy to protect employees against sexual assault and sexual harassment by guests; and • Provide to all employees and post a current copy of its policy in both English and Spanish (and make a good-faith effort to provide it in any other language spoken by a predominant portion of its employees).
Timing/Frequency	Every employee must receive the training at least once every year. Training for all employees must be conducted by December 31, 2020 , and annually after that.
Type of Training	The new laws direct the Illinois Department of Human Rights (IDHR) to produce a model sexual harassment prevention training program and make it available to employers and the public online at no cost. Every employer that has employees working in Illinois must either adopt it as its own or use the model policy that was released to meet or exceed the model's minimum standards and present it to each of its employees.
Training Content	<p>At minimum, the law requires an employer's training program to include:</p> <ul style="list-style-type: none"> • An explanation of sexual harassment under Illinois law; • Examples of conduct that constitutes unlawful sexual harassment; • A summary of relevant federal and state statutory provisions concerning sexual harassment, including remedies available to victims of sexual harassment; and • A summary of responsibilities of employers in the prevention and investigation of, and corrective measures for, sexual harassment. <p>Effective January 1, 2020, every restaurant and bar that operates in Illinois must provide additional annual training on sexual harassment prevention, as a supplement to the required training described above, to every employee, regardless of employment classification. Illinois restaurants and bars must either develop their own supplemental training or utilize the model training provided by the IDHR. The IDHR's supplemental training model for restaurants and bars is forthcoming.</p>
Record-Keeping	Every employer shall require and maintain training for its employees, for a period of not less than three years. The IDHR encourages employers to train all new employees, even if the employee received training at a prior employer. Employers are required to keep records that show that all employees received sexual harassment training. Beginning July 1, 2020 , and by each July 1 thereafter, every employer in the state that had an adverse judgment or administrative ruling against it in the preceding calendar year must file a report with the IDHR.
Additional Resources	For more information about the protections against workplace sexual harassment in Illinois, please visit the Illinois Department of Human Rights (IDHR) website . To learn more about HR Knowledge's Turn-Key Sexual Harassment Prevention Solution, please contact us at info@hrknowledge.com.