

ANTI-HARASSMENT POLICY

The City of Aurora recognizes and advocates the inherent equality of all people, and therefore values human dignity, equality of opportunity and respect for all individual differences as reflected in racial, cultural and ethnic backgrounds, gender, age, economic conditions and other diversities. Motivated by these values and in accordance with federal, state and local laws and regulations, the City is committed to maintaining a work environment that is free of discrimination.

The City will not tolerate harassment of City employees by anyone, including any supervisor, co-worker, vendor, customer or any third party. The City will not tolerate harassing conduct that interferes with an individual's work performance, affects tangible job benefits, or creates an intimidating, hostile or offensive working environment. Harassment includes, but is not limited to, sexual harassment as prohibited by the Civil Rights Act of 1964, as amended in 1991, and the Illinois Human Rights Act.

DEFINITIONS

Harassment

Harassment consists of unwelcome conduct or contact (verbal, physical or visual) that is based upon a person's protected status, such as age, color, sex, race, religious practices, national origin, marital status, citizenship status, unfavorable discharge from the military, physical or mental disability, gender, sexual orientation or any legally other protected group status. —Such harassment may include, for example, comments, verbal jokes, printed jokes, kidding, teasing or practical jokes directed at a person, based on his/her protected status.

Sexual Harassment

“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.

Examples of sexual harassment include, but are not limited to:

- Verbal: Sexual innuendo, suggestive comments, insults, threats, jokes about gender-specific traits, or sexual propositions;
- Non-verbal: Making suggestive or insulting noises, leering, whistling or obscene gestures, posters, cartoons, calendars;
- Physical: Touching, pinching, brushing the body, coercing sexual intercourse or assault.

SUPERVISOR/DEPARTMENT HEAD RESPONSIBILITY

All City of Aurora department heads, division directors, and supervisors are expected to do the following:

Make themselves familiar with the contents of this policy and abide by the requirements established.

Monitor the workplace environment for signs that harassment may be occurring.

Advise all employees of the types of behavior prohibited and the City's procedures for reporting and resolving complaints of harassment.

Stop any observed acts that may be considered harassment and take appropriate steps to intervene.

Notify the Director of Human Resources immediately of the initial receipt of any complaint or evidence of any harassment. This applies to cases where an employee informs the supervisor of behavior that constitutes harassment but does not want to make a formal complaint.

EMPLOYEE RESPONSIBILITY

All City of Aurora employees are expected to do the following:

Refrain from participation in, or encouragement of, actions that could be perceived as harassment as established by this policy.

Encourage any employee who confides that he/she is being harassed to immediately report the harassment.

Immediately report any actions personally observed that could be perceived as harassment, as established by this policy. Failure to report may lead to disciplinary action.

FILING A COMPLAINT

If an employee feels that he/she has experienced or witnessed harassment, the employee is to immediately report the act of harassment to his/her Immediate Supervisor, Division ~~Director~~Head, Department Head, Corporation Counsel or Director of Human Resources.

~~Police Department employees are covered by the City of Aurora Police Department Harassment Policy as outlined in General Order Number 6.9.~~

CORRECTIVE ACTION

All reports describing conduct that is inconsistent with this policy will be promptly and thoroughly investigated.

Complaints of harassment shall be investigated and handled as confidentially as possible.

Updated 01/05/18

All harassment is considered misconduct, subject to disciplinary action by the City of Aurora. During the investigation of complaints, under this policy, the City may impose discipline for inappropriate conduct without regard to whether the conduct constitutes a violation of the law and even if the conduct does not rise to the level of violating this policy.

Corrective action, up to and including termination of employment, will be implemented in those situations determined to require such action.

Upon completion of the investigation, the results will be communicated to the complainant, the complainant's line management and individuals involved in the investigation, as appropriate. Resolutions that are not accepted by the complainant as completely satisfactory will be reviewed by the Mayor.

FALSE COMPLAINTS

Employees found to have filed false complaints of harassment will be subject to disciplinary action up to and including termination.

OUTSIDE AGENCIES

An employee may file a complaint with either of the following agencies:

Illinois Department of Human Rights
100 West Randolph
Chicago, Illinois
60601

Equal Employment Opportunity Commission
500 West Madison
Chicago, Illinois
60661

RETALIATION PROTECTION

The City, the State Officials and Employees Ethics Act, the Whistleblower Act and the Illinois Human Rights Act ~~policy~~ prohibits reprisal or retaliation against an employee for reporting in good faith, harassment, filing complaints of harassment, or for supporting or assisting another employee in pursuing a complaint, or for participating in an investigation. Employees wishing to file a retaliation complaint are to be referred to the Director of Human Resources.