

(775 ILCS 5/2-109 new)

Sec. 2-109. Sexual harassment prevention training.

(A) The General Assembly finds that the organizational tolerance of sexual harassment has a detrimental influence in workplaces by creating a hostile environment for employees, reducing productivity, and increasing legal liability. It is the General Assembly's intent to encourage employers to adopt and actively implement policies to ensure their workplaces are safe for employees to report concerns about sexual harassment without fear of retaliation, loss of status, or loss of promotional opportunities.

(B) The Department shall produce a model sexual harassment prevention training program aimed at the prevention of sexual harassment in the workplace. The model program shall be made available to employers and to the public online at no cost. This model program shall include, at a minimum, the following:

- (1) an explanation of sexual harassment consistent with this Act;
- (2) examples of conduct that constitutes unlawful sexual harassment;
- (3) a summary of relevant federal and State statutory provisions concerning sexual harassment, including remedies available to victims of sexual harassment; and
- (4) a summary of responsibilities of employers in the prevention, investigation, and corrective measures of sexual harassment.

(C) Except for those employers subject to the requirements of Section 5-10.5 of the State Officials and Employees Ethics Act, every employer with employees working in this State shall use the model sexual harassment prevention training program created by the Department or establish its own sexual harassment prevention training program that equals or exceeds the minimum standards in subsection (B). The sexual harassment prevention training shall be provided at least once a year to all employees. For the purposes of satisfying the requirements under this Section, the Department's model sexual harassment prevention training program may be used to supplement any existing program an employer is utilizing or develops.

(D) If an employer violates this Section, the Department shall issue a notice to show cause giving the employer 30 days to comply. If the employer does not comply within 30 days, the Department shall petition the Human Rights Commission for entry of an order imposing a civil penalty against the employer

pursuant to Section 8-109.1. The civil penalty shall be paid into the Department of Human Rights Training and Development Fund.