



AGENDA

County Operations Committee

Tuesday, October 27, 2020

@ 1:00 PM

Peoria County Courthouse, Room 403

1. **Call to Order**
2. **Approval of Minutes**
 - September 22, 2020
3. **Informational Items/Reports/Other Minutes/Updates**
 - Workforce Report
 - Furlough & Layoff Report
4. **Resolution**
 - Nondiscrimination, Anti-harassment, and Inappropriate Conduct Policy
5. **Executive Session**
 - Labor Relations
6. **Miscellaneous**
7. **Adjournment**

DRAFT
MINUTES
County Operations Committee
September 22, 2020
@ 1:0 p.m.

MEMBERS PRESENT:	Rob Reneau – Chairman, Jennifer Groves Allison – Vice Chairman; Linda Daley , Betty Duncan (<i>teleconference</i>), Kate Pastucha , Steven Rieker , William Watkins, Jr.
MEMBERS ABSENT:	
OTHERS PRESENT:	Scott Sorrel – County Administrator; Shauna Musselman – Assistant County Administrator, Jennie Cordis Boswell - State's Attorney's Office; Angela Loftus – Asst. Director of Human Resources; Gretchen Pearsall – Director of Strategic Communications; Becky Spencer – PCAPS; Monica Hendrickson – Health Department

Call to Order

Chairman Reneau called the meeting to order at 1:00 p.m.

A motion to allow the participation of Ms. Duncan via teleconference was made by Ms. Pastucha and seconded by Ms. Daley. The motion to approve carried unanimously (6-0).

Approval of Minutes

A motion to approve the executive session minutes of June 23, 2020 and July 28, 2020 and regular session minutes of August 13, 2020 and August 25, 2020 was made by Ms. Daley and seconded by Ms. Groves Allison. The motion to approve carried unanimously (7-0).

Informational

• **Workforce Report**

Mr. Sorrel advised that the current report covers applicants, demographics, new hires and separations for August 2020 and a comparison of August 2019 and August 2020 figures. He noted a significant decrease in year over year posted positions, with only 8 positions posted in August 2020 as compared to 21 in August 2019, with 17 total hires for the month. He noted that new hires consist of attorney positions in the State’s Attorney’s Office, correctional officers, and grant related positions within the Health Department.

Mr. Sorrel remarked that the appreciably higher August 2020 departmental separations as compared to one year ago are mostly due to final employee separations as a result of the closure of Heddington Oaks. He commented that with the closing of Heddington Oaks, the racial and ethnicity composition of the workforce is less reflective of the community and indicated that this issue be a topic of conversation moving forward. He also suggested a review and update of EEO (Equal Employment Opportunity) policies to reflect not only minority and ethnicity hiring but a recognition of the LGBTQ community as well.

• **Furlough & Layoff Report**

Mr. Sorrel advised that as of September 15, 2020, 194 layoffs, both permanent and temporary have been submitted to Human Resources. He stated that 4 employees are currently on furlough, 174 employees have taken a furlough, and 16 employees have been permanently laid off. He advised that the County has seen nearly 1,100 weeks of wage and pension savings via the temporary layoff process, and gross wage savings due to permanent and temporary layoffs of \$1.2 million.

A motion to go into executive session to discuss Labor Relations was made by Ms. Daley and seconded by Ms. Duncan. The motion carried unanimously (7-0).

EXECUTIVE SESSION

Regular session resumed upon a motion by Mr. Watkins and second by Ms. Groves Allison.

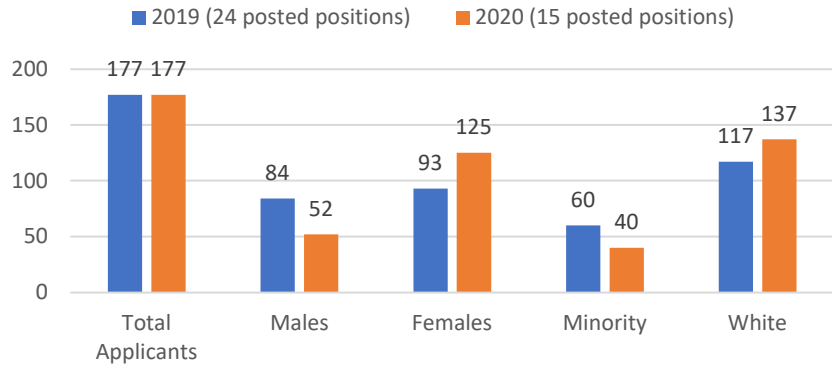
Adjournment

The meeting was adjourned by Chairman Reneau at 1:52 p.m.

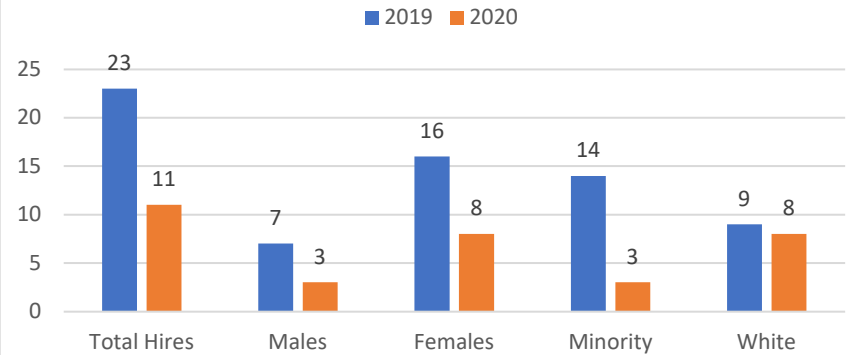
Recorded and Transcribed by: Jan Kleffman

County Operations - Workforce Dashboard - October 2020

September Applicants

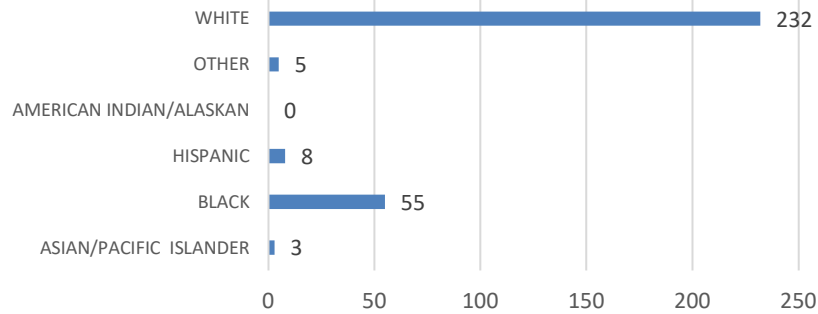


September New Hires



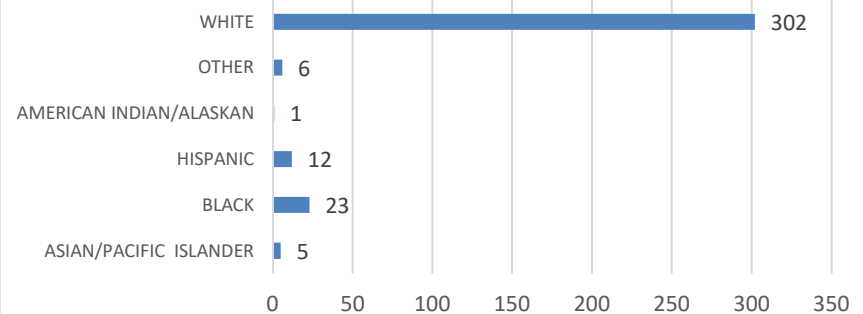
Female Employees Race/Ethnicity

(as of 9/30/20)

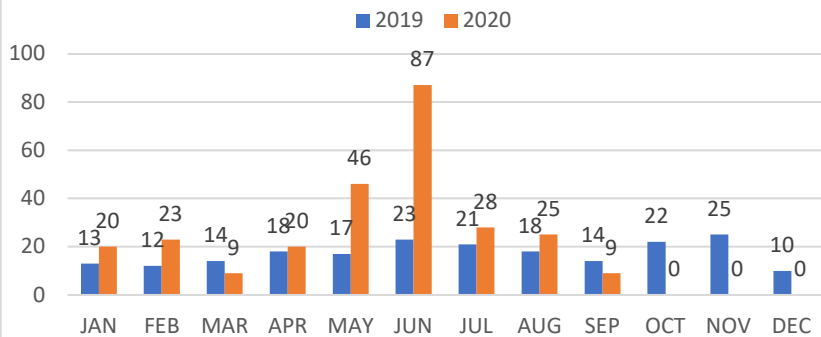


Male Employees Race/Ethnicity

(as of 9/30/20)



Employee Separations



Top Department Separations

September 2019		September 2020	
HO	4	JDC	3
Hwy	3	PCAPS	2
PCSO	3	PCSO	1

Layoffs (Permanent & Temporary)



As of 10/21/2020, 194 total layoffs (permanent & temporary) have been submitted to HR.

- ★ 4 EEs currently on furlough/temp layoff
- ★ 174 EEs have taken furlough/temp layoff
- ★ 16 permanent layoffs have been issued
- ★ 1,094 total weeks of furloughs/temp layoffs
- ★ \$1,190,034 gross wage savings due to perm/temp layoff

AGENDA BRIEFING

COMMITTEE: County Operations Committee
MEETING DATE: October 27, 2020

LINE ITEM:
AMOUNT:

ISSUE:
For **RESOLUTION:** Personnel Policy Revisions

The Peoria County Personnel Policy manual currently includes sections regarding Affirmative Action, EEO, Sexual Abuse, and Sexual Harassment. The Human Resources Department has researched best practices from other jurisdictions and professional HR organizations and determined that updates to our policies were warranted. These updates also include language addressing new hotline numbers and other legal updates. In addition, these four policies have been combined into a new Nondiscrimination, Anti-harassment, and Inappropriate Conduct Policy.

A red-lined version is attached for your review.

COUNTY BOARD GOALS:



HEALTHY VIBRANT COMMUNITIES

STAFF RECOMMENDATION:

To approve the revised Affirmative Action, EEO, Sexual Abuse, and Sexual Harassment policies that are now combined into a new Nondiscrimination, Anti-harassment, and Inappropriate Conduct policy.

COMMITTEE ACTION:

PREPARED BY: Shauna Musselman, Assistant County Administrator

DEPARTMENT: County Administration

DATE: October 15, 2020



COUNTY OF PEORIA

~~IV AFFIRMATIVE ACTION—EQUAL EMPLOYMENT~~ ~~OPPORTUNITY~~NONDISCRIMINATION, ANTI-HARASSMENT & INAPPROPRIATE CONDUCT POLICY

IV - 1: AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY

IV - 1A: AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY ~~STATEMENT OF POLICY~~ STATEMENT AND REAFFIRMATION

IV - 1A.1: This Nondiscrimination ~~and~~ Affirmative Action ~~Program Policy~~ has been developed as an expression of the County of Peoria's compliance with all laws, orders, rules, regulations, and ordinances covering County employees in the State of Illinois. The County reaffirms its belief and commitment in equal opportunities for all employees and applicants for employment in all terms and conditions of employment. The program is aimed at prevention of any practices of unlawful discrimination and the continuance of further development of employment practices that will facilitate full integration and inclusion of the County's ~~full~~ work force. It is the intent of the Peoria County Board that all County departments follow its Nondiscrimination and Affirmative Action Policy. Departments for which the Board can legally mandate action are required to follow the ~~Plan, Policy~~ and all other Departments are encouraged to voluntarily follow its provisions. All Departments are, of course, required to follow State and Federal law. The County Administrator's Office will monitor the Affirmative Action record of all departments and ~~periodically~~ routinely report its findings to the ~~Affirmative Action/EEO Committee of the~~ designated committee of the Peoria County Board.

IV - 1A.2: Peoria County is committed to the belief that our workforce best serves its residents if it reflects the profile of the community it serves. ~~—since its creation, has been a total product of its citizens and their desires. County Government is aware of its historical population and cultural changes.~~ Peoria County's Affirmative Action Program ~~is~~ an affirmative statement containing our Employment Policy and Procedures which the Equal Employment Opportunity ~~Officer-Designee~~ of the County will implement to ensure proper utilization of protected classes and to strive for an increase in their employment ~~whenever possible to~~ maximize diversity, and practice inclusion.

IV - 1A.3: The County of Peoria, Illinois, is an Equal Opportunity Employer; employment, the placement of employees and promotions are carried out in accordance with all laws, orders, ordinances, rules, and regulations pertaining to Illinois County Government, without regard to race, color, sex (including pregnancy, gender identity, and sexual orientation), ~~sexual orientation,~~ religion, national origin, ancestry, genetic information, marital status, age, physical or mental disability (unrelated to the essential functions of the position), or unfavorable discharge from military service (unless a State or Federal law provides

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otherwise). It is the policy goal of the Peoria County Board that the County's workforce be representative of the community's demographics. ~~employee population have no less female or minority group representation in the various job categories as specified by the Federal Equal Opportunity Commission in its State and local government (EEO-4) reports for the total Peoria County public and private work force.~~

IV - 1A.4: County Government is composed of many parts. The elected offices are filled by those qualified people elected by their peers, without regard to race, color, sex (including pregnancy, gender identity, and sexual orientation), ~~sexual orientation,~~ religion, age, national origin, ancestry, genetic information, marital status, age, or physical or mental disability. These individuals are the Directors of their departments. Certain management positions are appointive by the Illinois State Statutes, and those positions are appointed by the County Board or its designee.

IV - 1A.5: The County is complex, consisting of all the necessary law enforcement, judicial, legislative and administrative functions; highways, environmental quality, social services, and other services which permit a County to function. The County - believes that the quality of its service depends directly upon the quality and potential of its employees. It is the policy of Peoria County to recruit and hire people who can meet the requirements to fill the vacancies and have potential for greater growth and advancement.

IV - 1A.6: The relationship of the employee and all segments of County Government with the various offices of the County shall be based solely upon the individual's ability, attitude, effort, responsibility, and other work-related criteria. This policy shall be extended to practices regarding advertising, ~~recruiting~~ recruitment, hiring, access to training, promotion, transfer, rates of pay compensation, and all other terms, conditions, or privileges of employment.

IV - 1B: POLICY TO BE KNOWN: INTERNAL

IV - 1B.1: The County's policy of equal employment shall be made known to employees through appropriate accessible communications; all Elected or Appointed Officials shall have the County's goals made known to them to ensure the proper application and enforcement of the EEO laws. Each of these individuals shall be made aware of his or her responsibility for effective implementation. These individuals should further make their supervisory personnel aware of the Elected or Appointed Officials' responsibility. It is the intent of the County to address underutilization, underrepresentation and continuously strive toward inclusion, equality, equity and productivity in the workplace.

IV - 1B.2: ~~When working with the employee groups that the County deals with, such as the County Highway union affiliation and other employee advisory groups, the County shall comply with the County's policy concerning EEO in all discussions and agreements.~~ It shall be the responsibility of the County's representatives that all contractual language within the bargaining agreements will provide for non-discrimination, and all agreements between the County and employee groups shall include non-discrimination clauses and goals.

IV - 1B.3: It shall be the policy of the County to communicate to the employees and the public, electronically on the web page and with appropriate postings, ~~ers and other accessible notification devices,~~

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~~of~~ the County's obligation to comply with all civil rights laws, rules, and regulations. The County will inform applicants and employees of their rights, including their recourse, under the law, to notify appropriate agencies if they have reason to believe that an act of discrimination has occurred.

IV - 1C: POLICY TO BE KNOWN: EXTERNAL

IV - 1C.1: The County shall, in an effort to make its policy known, contact leaders of protected classes, community organizations, educational facilities, federal and state agencies, and all others interested in providing employees to the community. These sources shall also be used to provide protective classes' applicants for the positions that come open from time to time.

IV - 1C.2: The County will, as required by law, inform all the organizations that provide goods or services to the County of its policies and include, in all purchase orders, contracts, and other documents, an Equal Opportunity clause. The vendors of goods and services to the County must provide appropriate EEO action on their part. The Affirmative Action provisions of the Peoria County Purchasing Ordinance are incorporated in this policy by reference. The County and the providers of goods of services shall include a statement that the County or the Company is an Equal Opportunity Employer on all ~~help wanted~~
~~ads~~ recruitment material.

IV - 1D: RESPONSIBILITY FOR IMPLEMENTATION

IV - 1D.1: The County assigns the duties of the Equal Opportunity ~~Officer designee~~ (EEO designee) to the County Administrator. The County Administrator shall ensure that ~~periodic (routine)~~ reviews and updates take place, consistent with laws, rules, regulations, and ordinances, as they may be passed. In cooperation with the ~~Peoria County Affirmative Action/EEO Committee~~ designated committee of the Peoria County Board, the EEO Officer shall ~~provide leadership~~ be responsible for the monitoring and implementation of the Plan. Responsibilities shall be, but not be limited to:

- a. Provides educational resources including training to ~~Assisting~~ elected and appointed officials and the identification of their equal employment obligations;
- b. Assisting the elected and appointed officials in advertising, recruiting, hiring, transfers, promotions, and arriving at solutions to problems concerning employees;
- c. Providing expanded recruitment efforts for upper level positions or for types of positions that have been identified as problem areas;
- d. Ensuring the implementation and administration of the County's Affirmative Action Program Policy (AAP);
- e. Designing programs to achieve equal opportunity in all facets of employment;
- f. Implementing, monitoring, and updating non-discriminatory provisions in the County's purchasing ordinance;
- g. Implementing audit and reporting systems that will measure the results of County programs and departmental compliance with said programs;
- h. Serving as the liaison between County government and State and Federal governments, as

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- well as minority organizations and community action groups;
- i. Pursuing Equal Employment Opportunity/Affirmative Action provisions in any collective bargaining agreements into which the County may enter;
- j. Keeping the County Board fully informed of current progress developments in the areas of civil rights and equal employment opportunity;
- k. Assisting in the development and implementation of recruitment procedures working in conjunction with the ~~EEO/AA~~designated ~~C~~committee;
- l. Addressing County training needs and monitoring and promotion of the County's work force, including minority, female and disabled workers;
- m. Developing and updating County employment applications;
- ~~m.n.~~ Providing an internal complaint process to address allegations of discrimination and /or non-compliance with the EEO Policy and provide employees with an annual reminder of said process.-
- ~~n.o.~~ Receiving requests for accommodations from applicants or employees, assessing whether the requested accommodations are reasonable, assuring that all reasonable accommodations are made;
- ~~o.p.~~ Assessing the fundamental and marginal functions of each person within the County with the aid of the Personnel Department.-Reviewing the job descriptions of each position within the County on a routine basis.

IV - 1D.2: RESPONSIBILITIES OF ELECTED OR APPOINTED OFFICIALS

It shall be the responsibility of all County Elected or Appointed Officials and those involved in County-funded programs to:

- a. Assist in the identification and establishment of departmental goals and objectives for the identification of Affirmative Action problem areas and an action plan to attempt to meet these goals and objectives where underutilization is found departments will make good faith efforts to address these areas;
- b. Create active involvement within the community to forward the goals of Equal Employment Opportunity designed to increase utilization of protected classes;
- c. Conduct explanatory meetings within each department with the chief deputies, supervisors, and all employees upon hire/election and subsequently as needed, to be certain that County policies and procedures are being fully implemented;
- d. Forward suggestions to the County Administrator's Office regarding methods and sources to expand recruitment efforts;
- e. Insure there is no violation of applicable laws regarding the hiring, promotion, appraisal, or termination of employees;
- f. Comply with the County's Affirmative Action Plan-Policy procedures regarding recruitment, including timely notification of the EEO ~~Officer~~ designee when a job opening is to occur or has occurred.
- g. Periodically evaluate the performance of all the supervisory staff, taking into account the effort they have put forth and the results they have achieved in carrying the objectives of this AAP.

IV - 1E: IMPLEMENTATION

IV - 1E.1: The County government and all its funded agencies will, from time to time, require the employment of individuals to satisfy organizational work force needs. To actively provide the opportunity for protected classes, the following steps will be taken:

IV - 1E.2: Recruitment

All potential vacancies are to be reported to the County Administrator's Office. In addition to traditional recruitment methods, the Administrator's Office shall prepare ~~appropriate, accessible recruitment notices~~ job announcements for distribution to appropriate Federal and State agencies, community, civic and social agencies, universities, colleges, professional training institutions, and other organizations which may be able to refer qualified female, minority, or disabled applicants. Upon request, the Administrator's Office will assist in the ~~development and placement of classified advertisements~~ recruitment, interviewing and hiring for vacancies which occur. In no instances shall existing State or Federal laws regarding applicant qualifications be violated.

IV - 1 E.3: Integration of Facilities

County-sponsored educational, recreational, or other facilities will be made available to all employees without regard to race, creed, religion, sex (including pregnancy, gender identity, and sexual orientation), ~~sexual orientation~~, national origin, ancestry, genetic information, marital status, age, physical or mental disability (unrelated to the essential functions of the position), or unfavorable discharge from military service (unless a State or Federal law provides otherwise).

IV - 1 E.4: Identification of ~~Problem Areas~~ Areas for Improvement

IV - 1 E.4a: The County ~~Board's~~ EEO ~~Officer~~ designee shall be responsible for the identification of ~~problem areas~~ for improvement by department and job classification and shall be responsible for making analysis of all major job classifications corresponding to the categories listed on the EEO-4 Report. The purpose of this audit shall be to determine if or to what extent the protected classes are being under-utilized or inappropriately offered the benefits of the County as to wages, opportunity, and all rights of employment relating to the individual job category.

IV - 1 E.4b: If an audit indicates that under-utilization of ~~female or minority~~ protected class employees exists, then corrective action will be taken. Exit interviews or surveys will be initiated to determine why employees leave the County.

IV - 1 E.5: Objectives

~~IV - 1 E.5a: The County of Peoria has long made it an objective to employ a work force that represents the composition of the population within the County and of the labor force area. The County will continue to try to reflect the composition of the population, specifically by the adoption of the implementation procedures of this Affirmative Action Plan. The County will continue to provide equal opportunities to all people. The EEO Officer working with all County groups shall attempt engage in diversity recruitment efforts to increase the percentage of~~

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~~protected classes and professional, labor, office, clerical, and skilled among all county positions. Employment will be determined by prevailing needs. Employment openings will be through vacancies and growth requirements. Each and every new employee will be hired on a need only basis.~~

~~IV - 1 E.5b: All the goals and objectives mentioned above will be examined periodically by the EEO/AA Committee and the County Board to ascertain the effectiveness of this Affirmative Action Plan in attaining equal employment opportunity goals and requirements.~~

IV - 1 E.6: Reporting

IV - 1 E.6a: The County will continue to comply with the requirements of appropriate laws, rules, regulations, and executive orders issued by governing governmental bodies and report the compliance as required.

IV - 1 E.6b: The County will maintain a current Equal Opportunity/Affirmative Action ~~Program~~ Policy and ensure that employees are provided with physical copies of the program this policy. This policy will also be available in electronic format both internally and externally. ~~will be available at each work location for dissemination to those employees and other interested persons.~~

IV - 1F: SUMMARY

In summary, the County of Peoria will continue to ensure that the County’s policy toward equal employment for all is stated in a positive manner and is clearly understood by County personnel and by all its governmental bodies and other organizations and individuals outside the County.



COUNTY OF PEORIA

IV - 2: PREVENTION OF SEXUAL ABUSE POLICY

IV - 2A: STATEMENT

Peoria County is committed to providing an environment that will honor the rights of each of our clients and employees to be free from all forms of abuse including sexual abuse.

IV - 2B: PURPOSE

Peoria County will adhere to applicable laws prohibiting sexual or other abuse in the workplace. Peoria County prohibits and does not tolerate sexual abuse in the workplace or in any County related activity. Those served by Peoria County employees have the right to be free from sexual abuse. A Peoria County employee who commits sexual abuse in the workplace or in any County related activity is liable for his/her individual conduct. Each manager and/or director ~~is responsible for maintaining~~shall strive to create a work environment free of sexual abuse and shall address any such issues that may arise. Employees and clients are encouraged to report any sexual abuse whenever it occurs so that it can be promptly investigated and the appropriate action taken. Peoria County provides procedures to report sexual abuse. No employee/volunteer or other individual working on behalf of Peoria County has the authority to commit or allow sexual abuse.

IV - 2C: DEFINITION OF SEXUAL ABUSE

Sexual abuse is inappropriate sexual contact of criminal nature or interaction for gratification of the adult who is responsible for the child. Sexual abuse includes sexual molestation, sexual assault, sexual exploitation, or sexual injury, but does not include sexual harassment. Any incidents of sexual abuse reasonably believed to have occurred will be reportable to appropriate law enforcement agencies and regulatory agencies.

IV - 2D: RESPONSIBILITY OF INDIVIDUAL EMPLOYEES

~~The County of~~Peoria County considers sexual abuse to be a major offense. Each individual employee has the responsibility to refrain from sexual abuse in the workplace. An individual employee who commits sexual abuse in the workplace or in any County related activity of Peoria County is liable for his or her individual conduct. The employee will be subject to disciplinary action up to and including discharge.

IV - 2E: RESPONSIBILITY OF MANAGEMENT PERSONNEL

IV - 2E.1: Management personnel is responsible for maintaining the workplace free from sexual abuse. This is accomplished by promoting a professional environment and by dealing with sexual abuse as with all other forms of employee misconduct. Supervisors, managers, and department directors shall use all appropriate means to prevent sexual abuse. If any member of management is aware or is made aware of a sexual abusing behavior and fails to address it, he/she will be subject to disciplinary action up to and including discharge. This also applies in cases where an employee informs the manager about a sexually abusing behavior but does not want to make a formal complaint. Managers ~~must ensure that no retaliation will result~~ are prohibited from retaliating against an employee that files a sexual abuse complaint.

IV - 2E.2: Management must address each complaint or observed incident of sexual abuse with seriousness. Observing strict confidentiality, taking prompt action to investigate the complaint or incident, and taking appropriate disciplinary action are the responsibilities of management. A grievance also can be filed on complaints of retaliations under Peoria County policies.

IV - 2F: PROCEDURES FOR FILING INTERNAL SEXUAL ABUSE COMPLAINTS

IV - 2F.1: There shall be no retaliation against a person because he/she believes, in good faith, to have been sexually abused in the course of employment or receiving service through the ~~County of~~ Peoria County; or because he/she has in good faith filed a complaint, made a charge, testified, assisted or participated in an investigation, proceeding or hearing whether within Peoria County or before a State or Federal agency.

IV - 2F.2: If at anytime an employee of Peoria County or client feels he/she is being sexually abused, or is aware of or suspects sexual abuse taking place, that person must immediately report it to his/her manager, department head, Director of Human Resources or local law enforcement personnel. Other agencies that should be notified for suspected abuse include the local or state Child Abuse Agency (if a child is the victim) or the local or state Adult Protective Services Agency (if an adult is the victim). An individual is never required to file a complaint with the alleged abuser.

IV - 2F.3: Peoria County will take all allegations of sexual abuse seriously and will promptly and thoroughly investigate. The individual receiving the complaint must immediately contact his/her manager and/or the Human Resources Director. The local law enforcement agency will be contacted immediately. Peoria County will cooperate fully with any investigation conducted by law enforcement or other regulatory agencies. An internal investigation may also take place. It is Peoria County's objective to conduct a fair and impartial investigation. Peoria County reserves the right to place the accused on administrative leave pending the outcome of the investigation. After a thorough examination of the facts, if an investigation indicates that illegal sexual abuse has occurred, Peoria County will:

- a. Take the appropriate action to end the abuse, to the extent that is within the County's control.
- b. Take the appropriate disciplinary action to minimize the possibility of the abuse recurring.

IV - 2F: ANTI-RETALIATION/FALSE AND/OR FRIVOLOUS COMPLAINTS

The County of Peoria prohibits retaliation made against any employee or individual acting on the County's behalf who reports a good faith complaint of sexual abuse or who participates in good faith in any related investigation. False/frivolous charges refer to cases where the accuser is using a sexual abuse complaint to accomplish something other than stopping sexual abuse. It does not refer to charges made in good faith which cannot be proven. Given the seriousness of the potential consequences to the accused, a false/frivolous charge is a major offense that can result in disciplinary action up to and including discharge.



COUNTY OF PEORIA

IV - 3: SEXUAL/OTHER ILLEGAL HARASSMENT POLICY

IV - 3A: STATEMENT

Peoria County is committed to providing an environment that will honor each employee's right to be free from all forms of unlawful discrimination including sexual harassment.

IV - 3B: PURPOSE

Peoria County will adhere to applicable laws prohibiting sexual or other illegal harassment in the workplace. Peoria County employees have the right to be free from sexual harassment by fellow employees and/or non-employees, but also have a responsibility to refrain from sexual harassment. An individual employee who sexually harasses a fellow employee is liable for his/her individual conduct. Each manager and/or director ~~is responsible for maintaining~~ shall strive to create the a workplace free of sexual harassment and shall address any such issues that arise.

Employees are encouraged to report any unwelcome sexual conduct/behavior whenever it occurs so that it can be promptly investigated and the appropriate action taken.

IV - 3C: DEFINITION OF SEXUAL HARASSMENT

IV - 3C.1: According to the Illinois Human Rights Act, sexual harassment is defined as any unwelcome sexual advances or request for sexual favors and any conduct of a sexual nature when:

1. Submission of such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct by an individual is used as a basis of employment decisions affecting that individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance and/or creating an intimidating, hostile or offensive working environment.

IV - 3C.1a: The courts have determined that sexual harassment is a form of discrimination under Title VII of the United States Civil Rights Act of 1964 as amended in 1991.

IV - 3C.2: ~~Other e~~ Conduct commonly considered to be sexual harassment includes, but is not limited to:

1. Verbal: Sexual innuendo's, suggestive comments, insults, humor and jokes about sex, anatomy or gender specific traits, sexual propositions, threats, repeated requests for dates,

2. Non-verbal: Suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, 'catcalls', 'smacking', or 'kissing' noises;
3. Visual: Posters, signs or slogans of a sexual nature; or
4. Physical: Touching, unwelcome hugging or kissing, pinching, brushing the body, coerced sexual intercourse, or actual assault.

~~**IV - 3C.3:** Sexual harassment most frequently involves a male harassing a female. However, it can also involve a female harassing a male or harassment between members of the same gender.~~

~~**IV - 3C.4:** An example of the subtlest form of sexual harassment is the use of endearments. The use of terms such as "honey", "darling," and "sweetheart" are objectionable to many females who believe that these terms undermine their authority and their ability to deal with males on an equal and professional level.~~

IV - 3D: RESPONSIBILITY OF INDIVIDUAL EMPLOYEES

~~The County of Peoria County~~ considers sexual harassment to be a major offense. Each individual employee has the responsibility to refrain from sexual harassment in the workplace and at County events. The workplace is not limited to physical location where the employee is assigned. An individual employee who sexually harasses a fellow worker is, ~~of course,~~ liable for his or her individual conduct. The harassing employee will be subject to disciplinary action up to and including discharge.

IV - 3E: RESPONSIBILITY OF MANAGEMENT PERSONNEL

IV - 3E.1: Management personnel ~~are responsible for maintaining the~~ shall strive to create a workplace free from sexual harassment and shall address any such issues that arise. This is accomplished by promoting a professional environment and by dealing with sexual harassment as with all other forms of employee misconduct. Supervisors, managers, and department directors shall use all appropriate means to prevent illegal harassment. If any member of management is aware or is made aware of a sexual harassing behavior and fails to address it, he/she will be subject to disciplinary action. This also applies in cases where an employee informs the manager about a sexually harassing behavior but does not want to make a formal complaint. Managers ~~must ensure that no retaliation will result~~ are prohibited from retaliating against an employee that files a sexual harassment complaint.

IV - 3E.2: Management must address each complaint or observed incident of sexual harassment with seriousness. Observing strict confidentiality, taking prompt action to investigate the harassment, and taking appropriate disciplinary action are the responsibilities of management. A grievance also can be filed on complaints of retaliations under Peoria County policies.

~~**IV - 3E.3:** The County of Peoria as well as management personnel can be held liable for sexual harassment by a director, appointee, elected official, manager, employee, visitor or any third party (including any individual who is not an employee but does business with Peoria County as a contractor, customer, client).~~

IV - 3E.4: The Human Resources Director and the State's Attorney Office must be apprised of all Civil Rights/EEO grievances filed. Managers are encouraged to contact the Human Resources Director or the EEO Specialist-Designee regarding the proper procedures to follow-up Civil Rights complaints.

IV - 3F: PROCEDURES FOR FILING INTERNAL SEXUAL HARASSMENT COMPLAINTS

IV - 3F.1: There shall be no retaliation against a person because he/she believes, in good faith, to have been sexually harassed during employment; or because he/she has in good faith filed a complaint, made a charge, testified, assisted or participated in an investigation, proceeding or hearing whether within Peoria County or before a State or Federal agency.

IV - 3F.2: If at anytime an employee feels he/she is being sexually harassed, (a) that employee ~~should~~ may directly and clearly express to the harassing party his/her objection that the conduct is unwelcome and request that the offending behavior stop, (b) if the harassing behavior does not stop or the employee feels threatened or intimidated by the situation, the alleged act must be reported within ~~seven (7) calendar days, of the alleged incident~~ as promptly as possible, to the immediate manager, the Director of Human Resources or the Equal Employment Opportunity (EEO) ~~designee~~ Specialist (c) if the alleged harasser is the immediate manager, the problem can be reported to the next level of supervision, the Director of Human Resources or the EEO ~~Specialist~~ Designee (d) in the event the grievance concerns the employee's department head, it may be filed with the Director of Human Resources, the County Administrator or ~~his~~ the EEO designee. [Note: there is no hierarchy requirement in reporting sexual harassment. An individual can file a complaint with ~~either any~~ of the above parties he/she prefers. An individual is never required to file a complaint with the alleged harasser.]

IV - 3F.3: The manager, department head, Director of Human Resources, or EEO ~~Specialist~~ Designee (whichever applicable) will fully investigate the complaint and respond (or report progress) to the complainant and the alleged harasser within seven (7) calendar days after receipt of the complaint.

IV - 3F.4: If the issue is not resolved at the above level, the complaint may be submitted by the above management in writing to the County Administrator or his EEO designee within 15 calendar days of the initial receipt of the complaint for a formal internal investigation under Peoria County's Civil Rights/EEO Grievance Procedure.

IV - 3F.5: The County Administrator and/or his EEO designee will conduct a formal investigation and within fifteen (15) calendar days after receipt of the grievance, will meet with the complainant in an attempt to solve the grievance.

IV - 3F.6: The County Administrator and/or his EEO designee shall make a final response in writing to the complainant and the alleged harasser within ten (10) calendar days after the meeting.

IV - 3F.7: It is the intent of Peoria County to provide prompt and equitable settlement of problems or misunderstandings which may arise. To this end, the complainant, managers and department heads shall implicitly adhere to the time limits established herein. After a thorough examination of the facts, if an investigation indicates that illegal sexual harassment has occurred, Peoria County will:

1. Take the appropriate action to end the harassment, to the extent that is within the County's control.
2. Take the appropriate disciplinary action to minimize the possibility of the harassment re-occurring.
3. Notify the parties involved of what action has been taken.

IV - 3F.8: If an investigation indicates that no illegal sexual harassment has occurred, the manager, and/or Human Resources Director will inform the parties involved as well as reiterate Peoria County Policy against illegal sexual harassment and the prohibition of retaliation against a person for in good faith filing a charge, giving testimony, assisting or otherwise participating in an investigation involving sexual harassment.

IV - 3G: PROCEDURES FOR FILING EXTERNAL COMPLAINTS

IV - 3G.1: It is hoped that most sexual and/or other illegal harassment complaints can be resolved within Peoria County. However, an employee who has experienced or witnessed unwelcome conduct of a sexual nature in the workplace can make a confidential call to the State of Illinois Sexual Harassment and Discrimination Helpline for assistance. An employee also has the right to file a formal charge with the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC). A charge must be filed with IDHR within 180 days of the alleged incident(s), unless it is a continuing offense. A charge must be filed with EEOC within 300 days. Please see the appropriate postings or contact Personnel if additional assistance is needed in contacting either agency.

State of Illinois Sexual Harassment
and Discrimination Helpline
(877)236-7703
www.illinois.gov/sexualharassment

Equal Employment Opportunity
Commission (EEOC) ~~500 W.~~
~~Madison, Suite 2800~~
~~Chicago, IL 60661~~
~~(312) 353-2713 / (800) 669-3362 /~~
~~(800) 800-3302 TDD~~
www.EEOC.gov

Illinois Department of
Human Rights (IDHR) ~~222 S.~~
~~College, Room 101A~~
~~Springfield, IL 62704~~
~~(217) 785-5100 / (217) 785-~~
~~5125 TDD~~
~~(800)662-3942~~
www.illinois.gov/dhr

~~**IV - 3G.2:** An employee who suffers from retaliation after filing a complaint with Peoria County, IDHR, or EEOC may file an employee grievance with Peoria County. The employee may file a retaliation charge due within the time limits specified above. An employee who has been physically harassed or threatened while on the job, may have grounds for criminal charges for assault and battery.~~

IV - 3H: ANTI-RETALIATION/FALSE AND/OR FRIVOLOUS COMPLAINTS

IV - 3H.1: Peoria County prohibits retaliation against an employee who in good faith complains or reports any act of unlawful harassment. An employee who suffers from retaliation after filing a complaint in good faith with Peoria County, IDHR, or EEOC may file an employee grievance with Peoria County. The employee may file a retaliation charge due within the time limits specified above. ~~An employee who has been physically harassed or threatened while on the job may have ground for criminal charges for assault and battery.~~

False/frivolous charges refer to cases where the accuser is using a sexual harassment complaint to accomplish something other than stopping sexual harassment. It does not refer to charges made in good faith which cannot be proven. Given the seriousness of the potential consequences to the accused, a false/frivolous charge is a major offense that can result in disciplinary action.

IV - 3I: OTHER FORMS OF ILLEGAL HARASSMENT

IV - 3I.1: Harassment that is not of sexual nature but is on the basis of an individual's actual or perceived race, color, religion, gendersex (including pregnancy, gender identity, and, sexual orientation), genetic information, national origin, ancestry, age, marital status, citizen status, order of protection, and/or disability, or any other protected class, is a form of discrimination that is in violation of an individual's Civil Rights.

IV - 3I.2: Such harassment is illegal and is prohibited under Peoria County's policies. The responsibility of employees and management personnel is the same in this section as in the Sexual Harassment section of this policy. The same procedures apply for filing an INTERNAL complaint under this section as those in the Sexual Harassment complaint process. Peoria County's Civil Rights Grievance procedure is applicable to both represented and non-represented employees.

IV - 3I.3: The results of investigations of any illegal harassment will be documented and protected in a secure and confidential area until such time as that record is not needed for any further records retention purposes.

IV - 3I.4: Documentation pertaining to illegal harassment complaints will be retained by the Human Resources Department with the exception of the disciplinary action forms which will be placed in the employee's Personnel file. No documentation of unfounded illegal harassment will be retained in employee's file.

