

# NOW & NEXT

## Labor & Employment Alert

JUNE 29, 2022

### New Anti-Sexual Harassment requirements for Chicago employers go into effect July 1

By Brian V. Alcalá and Kamau Coar

As of July 1, Chicago employers are required to have a written policy document on sexual harassment.



#### What's the Impact

- / All employers in the city of Chicago must have a written policy on sexual harassment.
- / The written policy must be available in the employee's primary language within the first calendar week of starting employment.
- / Employers will be required to display a poster advising of the prohibition on sexual harassment where employees can see it.

In mid-May 2022, the Chicago City Council passed an ordinance imposing new anti-sexual harassment requirements for employers located in Chicago. The new requirements go into effect July 1. Below is a summary of the requirements.

As of July 1, 2022, all employers in the city of Chicago must have a written policy on sexual harassment. The written policy document shall include at least the following:

- / A statement that sexual harassment is illegal in Chicago

- / A requirement that all employees participate in sexual harassment prevention training annually
- / Employees shall participate in a minimum of one hour of sexual harassment prevention training annually. Anyone who supervises or manages employees shall participate in a minimum of two hours of sexual harassment prevention training annually and all employees must participate in one hour of bystander training annually.
- / Examples of prohibited conduct that constitute sexual harassment
- / Details on:
  - how an individual can report an allegation of sexual harassment, including, as appropriate, instructions on how to make a confidential report, with an internal complaint form, to a manager, employer's corporate headquarters or human resources department, or other internal reporting mechanism; and
  - legal services, including governmental, available to employees who may be victims of sexual harassment.
- / A statement that retaliation for reporting sexual harassment is illegal in Chicago
- / The definition of "Sexual Harassment" as: any (i) unwelcome sexual advances or unwelcome conduct of a sexual nature; (ii) requests for sexual favors or 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; or (2) submission to or rejection of such conduct by an individual is used as the basis for any employment decision affecting the 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; or (iii) sexual misconduct, which means any behavior of a sexual nature that also involves coercion, abuse of authority, or misuse of an individual's employment position.

The written policy must be available in the employee's primary language within the first calendar week of starting employment. Additionally, employers will be required to display a poster advising of the prohibition on sexual harassment where employees can see it. The poster can be found [here](#).

For more information on the content of this alert, please contact your Nixon Peabody attorney or:

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