

**ADDISON FIRE PROTECTION DISTRICT #1
RESOLUTION NO. 2017-06**

**A RESOLUTION ADOPTING A POLICY
PROHIBITING SEXUAL HARASSMENT**

WHEREAS, the Addison Fire Protection District No. 1 ("the District") is a fire protection district duly organized under the laws of the State of Illinois (70 ILCS 705/1 *et seq.*); and

WHEREAS, the Board of Trustees of the District ("the Board") has full power to pass all necessary ordinances and rules and regulations for the proper management and conduct of the business of the Board of Trustees and for carrying into effect the objects for which the District was formed pursuant to Section 6 of the Fire Protection District Act (70 ILCS 705/6); and

WHEREAS, the Illinois General Assembly has recently enacted Public Act 100-0554, an Act concerning government, which became effective immediately, dated November 16, 2017; and

WHEREAS, pursuant to the Act, each governmental unit shall adopt an ordinance or resolution establishing a policy to prohibit sexual harassment; and

WHEREAS, all prior existing sexual harassment policies of the Addison Fire Protection District #1 shall be superseded by the Policy Prohibiting Sexual Harassment adopted by this Resolution; and

WHEREAS, should any section or provision of this Ordinance or the adopted Policy Prohibiting Sexual Harassment be declared to be invalid, that decision shall not affect the validity of this Resolution or adopted Policy Prohibiting Sexual Harassment as a whole or any part thereof, other than the part so declared to be invalid; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Addison Fire Protection District No. 1, that the following:

Section 1. The Policy Prohibiting Sexual Harassment, included as Exhibit A to this Ordinance, is hereby adopted.

Section 2. This Resolution shall be in full force and effect on December 6th, 2017.

ADOPTED this 6th day of December, 2017, by a roll call vote as follows:

AYES: 3
NAYS: Ø
ABSENT: Ø



Michael J. Super
President, Board of Trustees
Addison Fire Protection District No. 1

ATTEST:
Chal Sneya
Secretary, Board of Trustees
Addison Fire Protection District No. 1

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE) SS

SECRETARY'S CERTIFICATE

I, CHARLES BAXA, JR., the duly qualified and acting Secretary of the Board of Trustees of the Addison Fire Protection District No. 1, DuPage County, Illinois, do hereby certify that attached hereto is a true and correct copy of a Resolution entitled:

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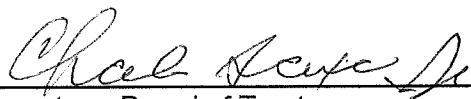
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which Resolution was duly adopted by said Board of Trustees at a meeting held on the 6th day of December, 2017.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board of Trustees complied with all the requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of December, 2017.





Secretary, Board of Trustees
Addison Fire Protection District No. 1

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CHAPTER ONE - GENERAL PROVISIONS

1.12 SEXUAL HARASSMENT POLICY

1. Generally

It is the policy of the Addison Fire Protection District to strictly prohibit sexual harassment in the work place. No employee shall be harassed by another employee or supervisor on the basis of sex. No action shall be taken affecting an employee (either favorably or unfavorably) on the basis of conduct that is not related to work performance. Any officer or employee who is found, after appropriate investigation, to have engaged in sexual harassment of another employee will be subject to appropriate disciplinary action, depending upon circumstances, up to and including termination.

2. Definition of Sexual Harassment

A. In the case of sexual harassment of any employee by another employee, sexual harassment means any:

- i. Unwelcome sexual advances;
- ii. Request for sexual favors; or
- iii. Any conduct of a sexual nature when (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (iii) 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.

B. Sexual harassment prohibited by this policy includes verbal or physical conduct. The terms intimidating, hostile or offensive as used above include conduct that has the effect of humiliation, embarrassment or discomfort. Even conduct that is intended to be "innocent" may still constitute sexual harassment if it falls within the terms of this policy. If anyone expresses concern that your behavior may have violated this policy, please respect his or her concerns. Regardless of your intent, how others interpret your behavior is important. This policy is not meant to interfere with or discourage friendships among employees. However, employees must be sensitive to acts or conduct that may be considered offensive by other employees.

C. The following are examples of sexual harassment:

- i. Verbal: sexual innuendo, suggestive comments, insults, threats, and jokes about gender-specific traits or sexual propositions;

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- ii. Nonverbal: making suggestive or insulting noises, leering, whistling, giving letters, gifts, and/or materials of a sexual nature or making obscene gestures;
- iii. Physical: touching, pinching, brushing the body, coercing sexual intercourse, exposing oneself or assault.

D. Employees are strongly discouraged from seeking a romantic or amorous relationship with another employee. Under no circumstances may an employee repeatedly ask another employee to date, apply pressure to have a relationship, or retaliate in any way due to an employee's decision not to date or have a relationship.

3. Complaints

You are not required to directly confront the person who is the source of your report, question or complaint before notifying any of those individuals listed. Nevertheless, you are required to make a reasonable effort to make wrongdoing or conflict known should it exist.

Complaints alleging a violation of this policy are encouraged and must be brought to the attention of the appropriate District officials as soon as possible after the alleged incident of sexual harassment. If you are aware of workplace conflict or wrongdoing taking place, you must immediately discuss your questions, problems, complaints or reports with your direct supervisor. If you feel uncomfortable doing so or if your direct supervisor is the source of the problem, condones the problem, or ignores the problem, immediately report to your supervisor's supervisor. If neither of these alternatives is satisfactory to you, then you can immediately direct your questions, problems, complaints or reports to the Fire Chief.

The Fire Chief shall establish a complaint procedure pursuant to this policy. However, employees may choose to file a charge with the Illinois Department of Human Rights/Illinois Human Rights Commission, 100 W. Randolph St., Suite 10-100, Chicago, Illinois 60601, 312-814-6200, or with the federal Equal Employment Opportunity Commission, 500 W. Madison St., 28th Floor, Chicago, Illinois 60661, 312-353-2713. The District will make every effort to ensure that those named in the report or who are too closely associated with those involved in the report will not be part of the investigative team. The District reserves the right and hereby provides notice that third parties may be used to investigate sexual harassment claims.

Complainants are entitled to confidentiality and respect during the investigation process and shall not be subjected to harassment or retaliation as a result of having filed a complaint or appealed a decision. The District prohibits retaliation made against any member who alleges a good faith complaint of sexual harassment, or who participates in any related investigation. Anyone who violates this rule is subject to disciplinary action, up to and including termination.

Caution must be exercised, however, to accurately state the facts giving rise to the complaint and to avoid groundless complaints. Grossly inaccurate or groundless complaints made in bad faith may subject the complainant to disciplinary action.

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4. **Harassment Prevention Training**

The District shall train and educate members regarding its intention to prevent harassment and discipline those found to have committed it. This District shall document:

- A. Who conducted the training;
- B. A list of trainees;
- C. Signed acknowledgment forms from the attendees indicating their comprehension of the information;
- D. How often members are trained; and
- E. Materials distributed and utilized in training sessions.

LEGAL REF.: 42 U.S.C. 2000e-2; 29 C.F.R. 1604.11; 775 ILCS 5/2-101(E), 2-102(D) and 2-105

ADOPTED: FEBRUARY 4, 2015