

Barrington Hills Park District  
P.O. Box 1393,  
Barrington, IL 60011  
847-783-6773 ~ office@bhillsparkd.org

**BARRINGTON HILLS PARK DISTRICT  
ORDINANCE NO. 1-08-2018-02**

**AN ORDINANCE ADOPTING A POLICY PROHIBITING DISCRIMINATION,  
HARASSMENT AND RETALIATION**

**WHEREAS**, the Illinois General Assembly recently enacted Public Act 100-0554, an Act concerning government, which took effect 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**, the Act establishes certain provisions that must be included in any policy prohibiting sexual harassment; and

**WHEREAS**, the Barrington Hills Park District, a governmental unit as that term is defined under the Act, desires to adopt the Policy entitled "Policy Prohibiting Discrimination, Harassment and Retaliation" attached hereto as Exhibit "A" in order to comply with the requirements of P.A. 100-0554.

**NOW, THEREFORE** be it and it is hereby ordained by the Board of Park Commissioners of the Barrington Hills Park District, Cook County, Illinois, as follows:

Section 1: The Park Board hereby finds that all of the recitals contained in the preamble to this Ordinance are true and correct and hereby incorporates said preambles in this Ordinance as if fully set forth herein.

Section 2: The Policy Prohibiting Discrimination, Harassment and Retaliation attached hereto as Exhibit A is hereby adopted.

Section 3: All prior existing sexual harassment policies of Barrington Hills Park District shall be superseded by the Policy Prohibiting Discrimination, Harassment and Retaliation adopted by this Ordinance.

Section 4: This Ordinance shall be in full force and effect from and after its passage, as provided by law.

Section 5: All prior ordinances, resolutions, motions, orders in conflict herewith are hereby repealed to the extent of the conflict.

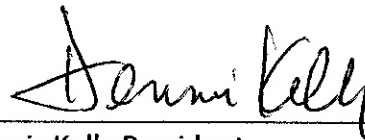
Passed this 8<sup>th</sup> day of January, 2018, upon roll call vote as follows:

Ayes: Allen, Kelly, Underwood, Iacovelli

Nays: -

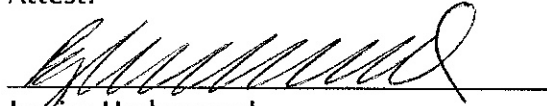
Absent: Reene

Abstain: -



Dennis Kelly President,  
Board of Park Commissioners  
Barrington Hills Park District

Attest:



Jessica Underwood  
Secretary, Board of Park Commissioners  
Barrington Hills Park District

**EXHIBIT A**

**AN ORDINANCE ADOPTING A POLICY PROHIBITING DISCRIMINATION,  
HARASSMENT AND RETALIATION**

## BARRINGTON HILLS PARK DISTRICT

### POLICY PROHIBITING DISCRIMINATION, HARASSMENT AND RETALIATION

The Park District strictly prohibits and will not tolerate discrimination by or against any Park District official, officer, employee, intern, volunteer or agent based on the individual's race; color; national origin; religion; sex, sexual orientation and gender identity or expression; age; pregnancy, childbirth or a medical or common condition related to pregnancy or childbirth; disabilities; marital or civil union status; order of protection status; military, discharge or veteran status; citizenship status; or any other protected characteristic established by federal, state or local laws, regulations or ordinances. Harassment is a discriminatory practice that is also strictly prohibited by the Park District.

Sexual harassment is defined as any harassment based on an individual's sex, sexual orientation and gender identity or expression. Sexual harassment includes harassment that is not sexual in nature. For example, offensive remarks about an individual's sexual orientation may constitute unlawful sexual harassment. Sexual harassment may also occur through unwelcome sexual advances; requests for sexual favors; or any other verbal, physical or visual conduct of a sexual nature when any of the following conditions occur:

- a. Submission to the advance, request or conduct is made either implicitly or explicitly a term or condition of the individual's employment;
- b. Submission to or rejection of the advance, request or conduct is used as the basis for an employment decision affecting the individual; or
- c. Such advances, requests or conduct have the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different sex, sexual orientation or gender. Depending on the circumstances, these behaviors may include, but are not limited to, the following: unwanted sexual advances or requests for sexual favors; sexual jokes, epithets, slurs and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering; catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures; sexually inappropriate online behavior through texting, e-mail or any social media platforms; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Such harassment is of a similar form to sexual harassment yet based on the protected characteristic and may include, but not be limited to, the following behaviors: verbal epithets, derogatory statements or gestures, slurs or jokes; physical touching, assault or other inappropriate contact; visual displays of derogatory posters, cartoons, drawings or gestures; or online derogatory statements or postings through texts, emails or any social media platform.

The above examples of discrimination and harassment are illustrative and not exhaustive.

Discrimination and harassment is prohibited at the work place, on Park District property and at employer-sponsored or -related events.

Any employee engaging in practices or conduct constituting discrimination or harassment of any kind shall be subject to disciplinary action, up to and including termination of employment.

If an employee believes he or she is being discriminated against or harassed by a non-employee or third party, then he or she should avail himself or herself of the reporting procedure described below or his or her rights by law.

## **RETALIATION**

The Park District prohibits retaliation against any individual who reports discrimination or harassment, participates in an investigation of such reports, or files a charge of discrimination or harassment. Retaliation against an individual for reporting harassment or discrimination, for participating in an investigation of a claim of harassment or discrimination, or for filing a charge of discrimination or harassment is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action, up to and including termination of employment.

## **REPORTING PROCEDURE**

If you are subjected to any conduct that you believe violates this policy or witness any such conduct, you must promptly communicate your claims—whether verbally or in writing—to your immediate supervisor or Human Resources. If you are uncomfortable communicating with your immediate supervisor or Human Resources, then you must promptly communicate your claims to the Director. An employee may also report allegations of harassment directly to the President of the Board of Park Commissioners. Any employee who knowingly submits a false report may be subject to discipline, up to and including termination of employment. The Park District will ensure that a prompt and thorough investigation is conducted into the allegations and that appropriate corrective action is implemented if warranted. The Park District will exercise its best efforts to maintain the confidentiality of the investigation.

## **LEGAL REMEDIES**

This policy and procedure do not preclude an individual from exercising his or her rights or invoking his or her protections afforded by the Illinois Human Rights Act, State Officials and Employees Ethics Act, Whistleblower Act or any other applicable law.

State of Illinois            )  
County of Cook, Lake    )       ss.  
and McHenry            )

**SECRETARY'S CERTIFICATE**

I, the undersigned, do hereby certify that I am Secretary of the Board of Park Commissioners of the Barrington Hills Park District, Cook County, Illinois, and as such official, I am keeper of the records, ordinances, files and seal of said Park District.

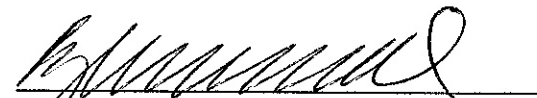
I further certify that the foregoing is a full, true and complete copy of Ordinance No. 1-08-2018-02 titled,

**AN ORDINANCE ADOPTING A POLICY PROHIBITING DISCRIMINATION,  
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adopted at a duly called Regular Meeting of the Board of Park Commissioners of the Barrington Hills Park District, held at Barrington Hills, Illinois, in said District at 7 p.m. on the 8th day of January, 2018.

I do further certify that the deliberations of the Board on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location at which said meeting was held and at the principal office of the Board at least 48 hours in advance of the holding of said meeting, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Park District Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

in witness whereof, I hereunto affix my official signature and the seal of said Barrington Hills Park District, Illinois, this 8th day of January, 2018.



Jessica Underwood  
Secretary, Board of Park Commissioners  
Barrington Hills Park District