



Partners in Employment Management

Monthly Minute Memo: *October 21, 2020 - Sexual Harassment Prevention Training Time is Running Out - Only 71 Days Left to Complete the Training for All Employees!*

As of January 1, 2020, Illinois law mandates that all employers complete sexual harassment prevention training for all of their employees by December 31, 2020, and annually each year after. Despite the COVID-19 closures and restrictions, it appears that this deadline has not been extended by the Illinois Department of Human Rights (“IDHR”) as of the date of this memo. Failure to provide this training could result in civil penalties against the employer.

Please be aware this training may also apply to employers which are based outside of Illinois. For example, if a supervisor works for a company based outside of Illinois and supervises employees who work in Illinois, this supervisor must receive sexual harassment prevention training in accordance with Illinois law. Training must also be provided to an employee who works for a company outside of Illinois but temporarily works with employees located in Illinois.

In order to be compliant with the law, the sexual harassment prevention training must include the following: (1) an explanation of sexual harassment consistent with the Illinois Human Rights Act; (2) examples of conduct that constitutes unlawful sexual harassment; (3) summary of relevant federal and state statutory provisions concerning sexual harassment, including remedies available to victims of sexual harassment; and (4) a summary of employer responsibilities in the prevention, investigation, and corrective measures of sexual harassment.

Also, the statute necessitates additional requirements for sexual harassment prevention training for any restaurant and/or bar employers. These additional requirements for restaurant and/or bar employers are: (1) specific conduct, activities, or videos related to the restaurant or bar industry; (2) an explanation of manager liability and responsibility under the law; and (3) English and Spanish language options.

The IDHR issued guidance regarding questions relating to the sexual harassment prevention training, which is available on its website.

Since our last newsletter, while in-person training is generally preferred, we have provided several client training sessions utilizing video conferencing due to the COVID-19 restrictions. This video conferencing allows for screen sharing of the materials, which includes the employer’s written anti-harassment policy, and allows employees to ask questions.

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