

Memorandum

To: Township Officials
From: Bryan E. Smith, Executive Director
Re: Model Sexual Harassment Policy

Public Act 100-554 requires that by January 15, 2018 all local governments, including townships, shall adopt an ordinance establishing a policy to prohibit sexual harassment.

TOI's Attorneys prepared TOI's Model Policy and Model Ordinance that you may obtain and download from our website at www.toi.org.

TOI recommends that a separate policy be adopted individually by the Township, Road District and Assessor.

TOI strongly suggest that if you have questions regarding a sexual harassment policy for your township that you consult your township attorney.

A webinar is scheduled for January 10, 2018 to discuss the new mandatory policy adoption. You can register for the webinar at <https://tgen.toi.org/index.cfm?pg=semwebCatalog>.

ORDINANCE NO. 18-01

**A ORDINANCE ESTABLISHING A POLICY TO PROHIBIT SEXUAL HARASSMENT
IN THE TOWNSHIP OF ELGIN, ILLINOIS**

WHEREAS, Elgin Township, Kane County, Illinois is a non-home rule unit of local government pursuant to Article VII, § 8 of the 1970 Illinois Constitution; and

WHEREAS, the Illinois General Assembly enacted Public Act 100-554 (the "Act"), effective November 16, 2017, which is a comprehensive revision of State statutes regulating policies prohibiting sexual harassment; and

WHEREAS, the Act requires that, no later than 60 days after the effective date of this amendatory Act of the 100th General Assembly, November 16, 2017, each governmental unit shall adopt an Ordinance establishing a policy to prohibit sexual harassment; and

WHEREAS, the Board of Trustees has determined that, as a governmental unit, it must comply with the Act by passage of this Ordinance.

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF ELGIN TOWNSHIP, KANE COUNTY, ILLINOIS, THAT THE FOLLOWING ORDINANCE ESTABLISHING A POLICY TO PROHIBIT SEXUAL HARASSMENT BE AND HEREBY IS ADOPTED:

SECTION I: Adoption of Policy Prohibiting Sexual Harassment.

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

SECTION II: Existing Policies.

All prior existing sexual harassment policies of Elgin Township that conflict with the policy contained in Exhibit A hereto shall be superseded by the Policy Prohibiting Sexual Harassment adopted by this Ordinance;

SECTION III. Severability.

It is the intention of the Board of Trustees that this Ordinance and every provision thereof shall be considered separable, and the invalidity of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION IV: Effective Date.

This Ordinance shall be in full force and effect from and after its passage.

ADOPTED this 8th day of January, 2018 pursuant to a roll call vote by the Board of Trustees of Elgin Township, Kane County, Illinois.

BOARD OF TRUSTEES

AYE NAY ABSENT

Town Clerk

Chairman