

Illinois Society of Eye Physicians & Surgeons

POLICY STATEMENT

Sexual Harassment

Policy:

The Illinois Society of Eye Physicians & Surgeons (“ISEPS” or “the Society”) is committed to providing an environment that is free from forms of discrimination, including sexual harassment. The behavior of any officer, employee or contractor that fits the definition of sexual harassment is a form of misconduct which may result in disciplinary action up to and including dismissal. Each officer, employee and contractor of the Society must refrain from engaging in sexual harassment at meetings of the Society, in the workplace, or in representing the Society in performance of their duties. No individual – male or female – should be subjected to unsolicited or unwelcome sexual overtures, comments or conduct in the context of any activity associated with or sponsored by ISEPS.

It is the intent of the Society, in adopting this policy, to comply with applicable federal and state laws, including the Illinois Lobbyist Registration Act (25 ILCS 170).

Background:

The Illinois General Assembly adopted, and the Governor approved, Public Act 100-554 which amends multiple statutes including the Lobbyist Registration Act. Beginning January 1, 2018, each lobbying entity in the state is required to have in place a sexual harassment policy addressing the prevention, prohibition and investigation of sexual harassment and retaliation, including how to report allegations of harassment, and the consequences for committing sexual harassment or retaliation against a complainant. The law also provides, among other things, that all employees required to register as a lobbyist be given a copy of the sexual harassment policy, as well as to provide a copy of the policy within two business days to any individual who makes a written request.

To comply with the Lobbyist Registration Act, the policy must include a prohibition of sexual harassment; give details on how an individual can report an allegation (including confidentiality); prohibit retaliation for reporting an allegation; and state the consequences of a violation, including the consequences for making a false report.

ISEPS Sexual Harassment Policy Requirements and Guidelines:

1. Definition – Sexual harassment is defined as any unwelcome sexual advance, requests for sexual favors or conduct of a sexual nature when:
 - a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment or is associated with an activity or program of the Society;
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual or an activity of the Society; or
 - c. Such conduct has the purpose or effect of substantially interfering with the performance of an individual’s tasks or creating an intimidating, hostile or offensive working environment.
 - d. Other conduct which may constitute a violation of this policy includes:
 - i. Verbal - Sexual innuendo, suggestive comments, insults, humor and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other individuals of a sexual nature, even outside of their presence;
 - ii. Non-verbal - Suggestive or insulting sounds, leering, obscene gestures, or sexually suggestive bodily gestures.
 - iii. Visual - Posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites in the workplace or within an environment controlled by the Society.

- iv. Physical - Inappropriate touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act, or actual assault.
 - v. Textual/Electronic - “Sexting” (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication.
2. Reporting – Allegations of a violation of the ISEPS sexual harassment policy must be made in writing to either the Executive Director or the Secretary of the Society.
- a. The procedure for reporting an infraction shall be posted on the Society’s website.
 - b. Reports of an alleged violation of this policy shall be taken seriously and will be investigated. ISEPS will handle all reports of alleged violations in a confidential matter in consultation with the Society’s legal counsel.
 - c. Anonymous complaints will not be processed. A complainant’s identity will not be made public nor will it be disclosed to parties other than the ISEPS Executive Committee and the subject of the allegation, except as required by law.
 - d. Retaliation against an individual who submits a complaint pursuant to this policy is absolutely prohibited. An individual who is found to have retaliated against a person who files a complaint shall be dismissed from their position and may be subject to further consequences as permitted by law.
 - e. Knowingly submitting a false report alleging a violation of this policy may subject the complainant to action as may be permitted by law.
3. Enforcement
- a. Enforcement of this policy shall be the responsibility of the ISEPS Executive Committee pursuant to due process.
 - i. The Executive Committee shall review carefully the allegation contained in the complaint, as well as any evidence provided by the complainant.
 - ii. The accused individual shall have the right to receive a complete copy of the complaint and all relevant information associated with the allegation.
 - iii. The accused individual shall have the right to a hearing before the ISEPS Executive Committee, the right to be represented by legal counsel, reasonable time to prepare a defense, and to provide evidence disputing the allegation.
 - b. The Executive Committee may assess the following actions or penalties if it finds the allegation is found to be true:
 - i. Dismissal from the position held by the officer, employee, or a contractor working on behalf of or representing the Society in an official capacity;
 - ii. Counseling for the purpose of understanding why the behavior is a violation of this policy and to avoid similar behavior in the future;
 - iii. A letter of reprimand stating the nature of the complaint and how the behavior in question may be considered a violation of the ISEPS sexual harassment policy.

Adopted by the Board of Directors: December 22, 2017

Reports of alleged violations of this policy may be submitted to:

Illinois Society of Eye Physicians & Surgeons
10 W. Phillip Rd., Suite 120
Vernon Hills, IL 60061-1730

Attention: Executive Director or Secretary

Resolution outside of the ISEPS

An officer, employee or contractor has the right to contact the Illinois Department of Human Rights (IDHR) or the US Equal Employment Opportunity Commission (EEOC) about filing a formal complaint. An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days. In addition, an appeal process is available through the Illinois Human Rights Commission, (IHRC) after IDHR has completed its investigation of the complaint. Where the entity has an effective sexual harassment policy in place and the complaining individual fails to take advantage of that policy and allow the employer an opportunity to address the problem, such an individual may, in certain cases, lose the right to further pursue the claim against the entity (IDS).

ADMINISTRATIVE CONTACTS

Illinois Department of Human Rights (IDHR)

Chicago: 312-814-6200 or 800-662-3942

Chicago TTY: 866-740-3953

Springfield: 217-785-5100

Springfield TTY: 866-740-3953

Illinois Human Rights Commission (IHRC)

Chicago: 312-814-6269

Chicago TTY: 312-814-4760

Springfield: 217-785-4350

Springfield TTY: 217-557-1500

United States Equal Employment Opportunity Commission (EEOC)

Chicago: 800-669-4000

Chicago TTY: 800-869-8001