

State of Illinois) SS  
Belvidere, Illinois)

BELVIDERE CITY COUNCIL  
REGULAR MEETING  
AGENDA

January 2, 2018

Convened in the Council Chambers, 401 Whitney Blvd, Belvidere IL at 7:00 p.m.  
Mayor Chamberlain presiding.

- (1) Roll Call:
- (2) Pledge of Allegiance:  
Invocation: Mayor Chamberlain.
- (3) Public Comment: (Please register with the City Clerk):
- (4) Approval of minutes of the regular meeting of the Belvidere City Council of December 18, 2017; as presented.
- (5) Public Hearing:
- (6) Special Messages and Proclamations:
- (7) Approval of Expenditures: None.
- (8) Committee Reports and Minutes of City Officers:
  - (A) Belvidere Police Department Overtime Report of December 5, 2017 through December 18, 2017.
  - (B) Belvidere Fire Department Overtime Report of December 6, 2017 through December 19, 2017.
- (9) Unfinished Business:
  - (A) Ord. #383H – 2<sup>nd</sup> Reading: An Ordinance Granting a Zoning District Change from I, Institutional District to GI, General Industrial District (1230 South Appleton Road).
  - (B) Ord. #384H – 2<sup>nd</sup> Reading: An Ordinance Granting a Zoning District Change from SR-6, Single-Family Residential-6 District to CB, Central Business District (128 West Hurlbut Avenue).
  - (C) Ord. #385H – 2<sup>nd</sup> Reading: An Ordinance Repealing Division 6, Oversize Vehicle Parking of Article IV, of Chapter 110 of the City of Belvidere Municipal Code.
- (10) New Business:
  - (A) Res. #2067-2018: A Resolution Adopting a Revised Sexual Harassment Policy as Required by Public Act 100-0554.
- (11) Adjournment:

State of Illinois SS  
Belvidere, Illinois

**Belvidere City Council  
Regular Session  
Minutes**

Date: December 18, 2017

Convened in the Belvidere City Council Chambers, 401 Whitney Blvd, Belvidere Illinois at 7 p.m.

Mayor Chamberlain presiding:

- (1) Roll Call: Present: M. Borowicz, G. Crawford, W. Frank, M. Freeman,  
T. Porter, T. Ratcliffe, M. Sanderson, D. Snow and C. Stevens.  
Absent: R. Brooks.

Other staff members in attendance:

Finance Director Becky Tobin, Public Works Director Brent Anderson, Community Development Planner Gina DelRose Fire Chief Hyser, Deputy Chief Wallace, Deputy Chief Woody, City Attorney Drella and City Clerk Arco.

- (2) Pledge of Allegiance:  
Invocation: Mayor Chamberlain:

(3) Public Comment:

(4) Approval of Minutes:

- (A) Approval of minutes of the regular meeting of the Belvidere City Council of December 4, 2017; as presented.

Motion by Ald. Frank, 2<sup>nd</sup> by Ald. Crawford to approve the minutes of the regular meeting of the Belvidere City Council of December 4, 2017. Roll Call Vote: 8/0/1 in favor. Ayes: Borowicz, Crawford, Frank, Freeman, Porter, Ratcliffe, Snow and Stevens. Nays: None. Abstain: Sanderson. Motion carried.

(5) Public Hearing: Proposed Property Tax Levy Increase for City of Belvidere.

Mayor Chamberlain opened the public hearing at 7:02 p.m. and read the publication published in the Belvidere Daily Republican on December 3, 2017. Debbie Bloom, Executive Director of the Ida Public Library spoke on behalf of the library portion of the levy. There being no one else to address the public hearing, it closed at 7:07 p.m.

(6) Special Messages and Proclamations: Mayor Chamberlain thanked the council for decisions made during this calendar year.

(7) Approval of Expenditures: General & Special Fund Expenditures: \$1,653,473.61  
Water & Sewer Fund Expenditures: \$ 453,257.98

Motion by Ald. Borowicz, 2<sup>nd</sup> by Ald. Ratcliffe to approve the General & Special Fund Expenditures in the amount of \$1,653,473.61. Roll Call Vote: 9/0 in favor. Ayes: Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson, Snow, Stevens and Borowicz. Nays: None. Motion carried.

Motion by Ald. Frank, 2<sup>nd</sup> by Ald. Crawford to approve the Water & Sewer Fund Expenditures in the amount of \$453,257.98. Roll Call Vote: 9/0 in favor. Ayes: Frank, Freeman, Porter, Ratcliffe, Sanderson, Snow, Stevens, Borowicz and Crawford. Nays: None. Motion carried.

(8) Committee Reports & Minutes of City Officers:

- (A) Belvidere Police Department Overtime Report of November 21 2017 through December 5, 2017.
- (B) Belvidere Fire Department Overtime Reports of November 22, 2017 through December 5, 2017 and December 1, 2017.
- (C) Monthly Building Department Revenues for November 2017.
- (D) Minutes of Planning and Zoning Commission of December 12, 2017.
- (E) Monthly Treasurer's Report for November 2017.
- (F) Monthly General Fund Report for November 2017.
- (G) Monthly Water/Sewer Report for November 2017.

Let the record show these reports and minutes were placed on file.

- (H) Minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of December 11, 2017.

Motion by Ald. Crawford, 2<sup>nd</sup> by Ald. Borowicz to approve the minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of December 11, 2017. Roll Call Vote: 9/0 in favor. Ayes: Freeman, Porter, Ratcliffe, Sanderson, Snow, Stevens, Borowicz, Crawford and Frank. Nays: None. Motion carried.

(9) Unfinished Business:

- (A) Ord. #379H – 2<sup>nd</sup> Reading: An Ordinance Levying Taxes for all Corporate Purposes for the City of Belvidere, Boone County, Illinois for the fiscal year beginning May 1, 2017 and ending April 30, 2018.

Motion by Ald. Crawford, 2<sup>nd</sup> by Ald. Borowicz to pass Ord. #379H. Roll Call Vote: 8/1 in favor. Ayes: Porter, Ratcliffe, Sanderson, Snow, Borowicz, Crawford, Frank and Freeman. Nays: Stevens. Motion carried.

(B) Ord. #380H – 2<sup>nd</sup> Reading: An Ordinance making a levy and providing for a Special Service Area #2 Tax in the City of Belvidere, Boone County, Illinois for the fiscal year beginning May 1, 2017 and ending April 30, 2018.

Motion by Ald. Crawford, 2<sup>nd</sup> by Ald. Porter to pass Ord. #380H. Roll Call Vote: 9/0 in favor. Ayes: Ratcliffe, Sanderson, Snow, Stevens, Borowicz, Crawford, Frank, Freeman and Porter. Nays: None. Motion carried.

(C) Ord. #381H – 2<sup>nd</sup> Reading: An Ordinance making a levy and providing for a Special Service Area #3 Tax in the City of Belvidere, Boone County, Illinois for the fiscal year beginning May 1, 2017 and ending April 30, 2018.

Motion by Ald. Sanderson, 2<sup>nd</sup> by Ald. Crawford to pass Ord. #381H. Roll Call Vote: 9/0 in favor. Ayes: Sanderson, Snow, Stevens, Borowicz, Crawford, Frank, Freeman, Porter and Ratcliffe. Nays: None. Motion carried.

(D) Ord. #382H – 2<sup>nd</sup> Reading: An Ordinance Authorizing the Purchase of New Equipment from Axon Enterprises Inc.

Motion by Ald. Frank, 2<sup>nd</sup> by Ald. Porter to pass Ord. #382H. Roll Call Vote: 9/0 in favor. Ayes: Snow, Stevens, Borowicz, Crawford, Frank, Freeman, Porter, Ratcliffe and Sanderson. Nays: None. Motion carried.

(10) New Business:

(A) Ord. #383H – 1<sup>st</sup> Reading: An Ordinance Granting a Zoning District Change from I, Institutional District to GI, General Industrial District (1230 South Appleton Road).

(B) Ord. #384H – 1<sup>st</sup> Reading: An Ordinance Granting a Zoning District Change from SR-6, Single-Family Residential-6 District to CB, Central Business District (128 West Hurlbut Avenue).

(C) Ord. #385H – 1<sup>st</sup> Reading: An Ordinance Repealing Division 6, Oversize Vehicle Parking of Article IV, of Chapter 110 of the City of Belvidere Municipal Code.

Let the record show Ordinances #383H, #384H and #385H were placed on file for first reading.

Motions forwarded from Building, Planning and Zoning and Public Works of December 11, 2017.

- (A) Motion to approve the low bid from Engel Electric in the amount of \$216,323 to furnish and install a generator at Well #8. The cost of this work will be paid for from the Water Depreciation Account. Roll Call Vote: 9/0 in favor. Ayes: Stevens, Borowicz, Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson and Snow. Nays: None. Motion carried.
- (B) Motion to approve the proposal from Suburban Laboratories, in the amount of \$10,080 for the UCMR4 annual sampling. This work will be paid for from line item #61-5-810-6812 Lab Expense. Roll Call Vote: 9/0 in favor. Ayes: Borowicz, Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson, Snow and Stevens. Nays: None. Motion carried.
- (C) Motion to approve the low bid from Landscape Material & Firewood Sales, Inc. in the amount of \$9,000 for grinding of the city's branch pile. This work will be paid for from line item #01-5-310-6826. Roll Call Vote: 9/0 in favor. Ayes: Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson, Snow, Stevens and Borowicz. Nays: None. Motion carried.
- (D) Motion to approve the tax levy request from Belvidere Police Pension Fund 2017. Roll Call Vote: 9/0 in favor. Ayes: Frank, Freeman, Porter, Ratcliffe, Sanderson, Snow, Stevens, Borowicz and Crawford. Nays: None. Motion carried.
- (E) Motion to approve the tax levy request from the Belvidere Fire Pension Fund 2017. Roll Call Vote: 9/0 in favor. Ayes: Freeman, Porter, Ratcliffe, Sanderson, Snow, Stevens, Borowicz, Crawford and Frank. Nays: None. Motion carried.

(11) Adjournment:

Motion by Ald. Sanderson, 2<sup>nd</sup> by Ald. Crawford to adjourn the meeting at 7:29 p.m. Aye voice vote carried. Motion carried.

\_\_\_\_\_ Mayor

Attest: \_\_\_\_\_ City Clerk

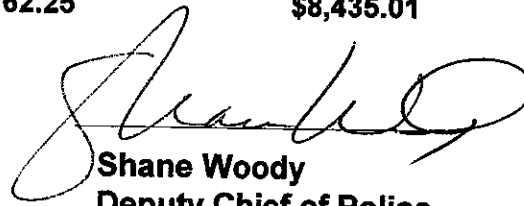
# Belvidere Police Department Payroll Report

Dept: 1790

12/19/2017

For Overtime Incurred between 12/5/17 and 12/18/17

Last Name:	Employee ID:	Total Hours:	Total Overtime Pay:
Ball	00739	11.5	\$627.90
Bell	00813	9.5	\$518.70
Bird	00793	9	\$491.40
Blankenship	00729	9	\$491.40
Dammon	00657	4	\$244.62
Danielak	00996	1	\$35.94
Delavan	00848	2	\$101.19
Derry	00816	16.75	\$914.55
Garcia	00988	1.5	\$60.23
Jones	00772	4	\$218.40
Kaplan	00858	3.5	\$177.08
King	00868	8	\$404.76
Korn	00989	6.5	\$261.01
Kozlowski	00846	18	\$910.71
Lane	00949	4	\$165.00
Parker,B	00686	25.5	\$1,392.30
PoInow	00886	12	\$607.14
Reese	00979	4	\$160.62
Smaha	00659	4.5	\$275.20
Wilgus	00783	2	\$109.20
Zapf	00934	6	\$267.66
<b>Totals:</b>		<b>162.25</b>	<b>\$8,435.01</b>

  
**Shane Woody**  
**Deputy Chief of Police**

**BELVIDERE FIRE DEPT**

**Overtime Report**

**Date Between {12/06/2017} And {12/19/2017}**

Date	Time	Incident	Pay Type	Activity Type	Hours Wkd	Hrs Paid	Pay
<b>00866 Beck, Mark E</b>							
12/16/2017	08:00		OT	CPRI C.P.R. Instruction	2.00	2.00	75.64
12/18/2017	07:00		OT	IN Inspection Bureau	6.50	6.50	245.83
<b>Staff Member Totals:</b>					<b>8.50</b>	<b>8.50</b>	<b>321.47</b>
<b>00754 Burdick, David J</b>							
12/07/2017	10:00		OT	TRE EMS Training	2.00	2.00	87.42
12/19/2017	07:00		OT	MEE EMS Meeting	1.50	1.50	65.56
12/19/2017	08:30		OT	SPE EMS Drug Exchange or	1.00	1.00	43.71
12/19/2017	09:30		OT	SPE EMS Drug Exchange or	1.50	1.50	65.56
<b>Staff Member Totals:</b>					<b>6.00</b>	<b>6.00</b>	<b>262.26</b>
<b>00966 Ellwanger, Adam A</b>							
12/07/2017	07:00		OT	CRO Shift Carry Over	0.25	0.25	7.29
12/07/2017	07:30		OT	TREP Initial Paramedic	10.50	2.50	72.90
12/13/2017	07:30		OT	TREP Initial Paramedic	11.25	11.25	328.05
12/19/2017	07:30		OT	TREP Initial Paramedic	10.50	2.50	72.90
<b>Staff Member Totals:</b>					<b>32.50</b>	<b>16.50</b>	<b>481.14</b>
<b>00640 Harbison, Brian A</b>							
12/13/2017	19:00		OT	MEM Mabas Div. 8 Meeting	2.00	2.00	91.22
<b>Staff Member Totals:</b>					<b>2.00</b>	<b>2.00</b>	<b>91.22</b>
<b>00971 Heiser, Bradley Donald</b>							
12/13/2017	18:00		OT	TRTM TEMS Training	3.00	3.00	87.48
<b>Staff Member Totals:</b>					<b>3.00</b>	<b>3.00</b>	<b>87.48</b>
<b>00981 Herman, Ronald David</b>							
12/07/2017	07:00		OT	SCS Shift Coverage for Sick	24.00	24.00	668.64
<b>Staff Member Totals:</b>					<b>24.00</b>	<b>24.00</b>	<b>668.64</b>
<b>00755 Oates, Joshua A</b>							
12/09/2017	07:00		OT	TRTM TEMS Training	5.00	5.00	188.15
<b>Staff Member Totals:</b>					<b>5.00</b>	<b>5.00</b>	<b>188.15</b>
<b>00958 Pavlatos, Gregory R</b>							
12/09/2017	07:00		OT	TRTM TEMS Training	5.00	5.00	156.35
12/13/2017	18:00		OT	TRTM TEMS Training	3.00	3.00	93.81
12/19/2017	07:00		OT	SCS Shift Coverage for Sick	10.00	10.00	312.70
<b>Staff Member Totals:</b>					<b>18.00</b>	<b>18.00</b>	<b>562.86</b>
<b>00759 Rotolo, Charles A</b>							
12/10/2017	07:00		OT	SCS Shift Coverage for Sick	24.00	24.00	898.80
<b>Staff Member Totals:</b>					<b>24.00</b>	<b>24.00</b>	<b>898.80</b>
<b>00852 Schadle, Shawn W</b>							
12/12/2017	09:30		OT	ADD Administrative Duties	3.75	3.75	163.91
12/17/2017	07:00		OT	SCS Shift Coverage for Sick	24.00	24.00	1049.04
12/18/2017	16:00		OT	ADD Administrative Duties	2.00	2.00	87.42
12/20/2017	09:58						

BELVIDERE FIRE DEPT

Overtime Report

Date Between {12/06/2017} And {12/19/2017}

Date	Time	Incident	Pay Type	Activity Type	Hours Wkd	Hrs Paid	Pay
00852		Schadle, Shawn W					
				Staff Member Totals:	29.75	29.75	1300.37
00781		Swanson, Jason A					
12/19/2017	07:00		OT	SCS Shift Coverage for Sick	2.00	2.00	75.64
				Staff Member Totals:	2.00	2.00	75.64
00969		Tangye, Travis N					
12/08/2017	07:00		OT	IN Inspection Bureau	2.00	2.00	58.32
12/18/2017	07:00		OT	IN Inspection Bureau	6.50	6.50	189.54
				Staff Member Totals:	8.50	8.50	247.86
00556		Wilcox, Craig A					
12/15/2017	09:30		OT	INR Reimbursable Plan	5.50	5.50	240.40
				Staff Member Totals:	5.50	5.50	240.40
				All Staff Member Totals:	168.75	152.75	5,426.29

Types: F=Fire, M=EMS/Medical, R=Rescue, O=Other



# MEMO

To: Mayor and City Council

From: Mike Drella

Date: 12/27/2017

Re: Public Act 100-0554

The General Assembly recently enacted Public Act 100-0554 requiring all units of local government to adopt a sexual harassment policy that complies with the Act. Of course, the City has maintained such a policy in its personnel manual for more than a decade. However, that policy does not reference certain other statutes as now required by the Act.

Attached is a resolution adopting a new sexual harassment policy that meets the basics of the Act. It is based on a model policy prepared by the IML. In the future, I may suggest tweaking the policy to specify more specific consequences for engaging in harassment. However, the Act requires the City to adopt a policy within sixty days of its adoption which is January 15, 2018. While there does not appear to be a consequence if that date is missed, it is wise to adopt the policy expeditiously.

The proposed resolution and policy are independent of the Personnel Policy because that policy does not currently apply to employees who are covered by a collective bargaining agreement. The Act specifically requires it to apply to all employees.

**RECOMMENDATION:** Adopt Resolution #2067-2018 creating a new sexual harassment policy for the City of Belvidere.

RESOLUTION # 2067-2018:  
A RESOLUTION ADOPTING A REVISED SEXUAL HARASSMENT  
POLICY AS REQUIRED BY  
PUBLIC ACT 100-0554.

IT IS THEREFORE RESOLVED, by the Mayor and City Council of the City of Belvidere as follows:

- 1) The Corporate Authorities adopt the Sexual Harassment Policy attached hereto and incorporated herein as Exhibit A which shall apply to all officials and employees of the City of Belvidere.
- 2) Section 19 of the City of Belvidere Personnel Manual adopted January 21, 2003, (and as amended) is repealed.

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Ayes:

Nays:

Absent:

Date Approved:

EXHIBIT A  
NO HARASSMENT POLICY

I. General

It is unlawful to engage in sexual harassment as defined below. All persons have a right to work in an environment free from sexual harassment. Sexual harassment of any person by any municipal official, agent, employee, agency or office on the basis of sex or gender is prohibited regardless of any employment relationship or lack thereof. An employer who violates this Article shall be disciplined up to and including termination. All investigations and discipline shall comply with relevant state statutes and collective bargaining agreements. This Article shall apply to all officials and employees of the City regardless of their status under a relevant collective bargaining agreement.

II. Definition of Sexual Harassment

- a) Sexual harassment is a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended. According to the Illinois Human Rights Act, sexual harassment is defined as: Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:
- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
  - (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
  - (3) 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) Conduct which may constitute sexual harassment includes:
- (1) Verbal – sexual innuendoes, suggestive comments, insults, humor and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements of a sexual nature about other employees who are not present.
  - (2) Non-Verbal – suggestive or insulting sounds, whistling, leering, obscene gestures, sexually suggestive bodily gestures, "catcalls", "smacking" or "kissing" noises.
  - (3) Visual – posters, signs, pin-ups or slogans of a sexual nature.
  - (4) Physical – touching, unwelcome hugging or kissing, pinching, brushing the body, coerced sexual intercourse, or actual assault.

(5) 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 (e-mail, text/picture/video messages, intranet/on-line postings, blogs, instant messages and social network websites like Facebook and Twitter).

c) The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle and depends to some extent on individual perception and interpretation. Sexual harassment is assessed and determined by a standard of what would offend a "reasonable person".

### III. Responsibility of Employees

- a) Each individual employee has the responsibility to refrain from Sexual Harassment, or any harassment.
- b) An individual employee who sexually harasses a fellow worker is, of course, liable for his or her individual conduct. The harassing employee will be subject to disciplinary action up to and including discharge in accordance with City policy or a relevant collective bargaining agreement, as appropriate.

### IV. Responsibility of Supervisory Personnel

- a) Each supervisor is responsible for maintaining a workplace free of sexual harassment. This is accomplished by promoting a professional environment and by dealing immediately with sexual harassment as with all other forms of employee misconduct.
- b) Supervisors shall act quickly and responsibly to investigate reports of sexual harassment, report it, end it, implement appropriate disciplinary action, and observe strict confidentiality upon any complaint of sexual harassment. This also applies to cases in which an employee tells the supervisor about behavior considered sexual harassment but does not want to make a formal complaint. Investigations of employees subject to the jurisdiction of the Board of Fire & Police Commission shall comply with all relevant statutes.
- c) In addition, supervisors must ensure that no retaliation will result against an employee making a sexual harassment complaint.

### V. Procedure for Reporting Sexual Harassment:

- a) An employee who either observes sexual harassment or believes herself/himself to be the object of sexual harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to the offending employee, and her/his immediate supervisor. It is not necessary for sexual harassment to be directed at the person making the report.

b) Any employee may report conduct which is believed to be sexual harassment, including the following:

- (1) *Electronic/Direct Communication.* If there is sexual harassing behavior in the workplace, or outside the workplace, the harassed employee should directly and clearly express her/his objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.
- (2) *Contact with Supervisory Personnel.* At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor of the person making the report, a department head, a director of human resources, an ethics officer, the city manager or administrator, or the chief executive officer of the municipality.

The employee experiencing what he or she believes to be sexual harassment must not assume that the employer is aware of the conduct. If there are no witnesses and the victim fails to notify a supervisor or other responsible officer, the municipality will not be presumed to have knowledge of the harassment.

- (3) *Resolution Outside Municipality.* The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every report and incident so that problems can be identified and remedied by the municipality. However, all municipal employees have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) for information regarding filing a formal complaint with those entities. 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.
- c) Documentation of any incident may be submitted with any report (what was said or done, the date, the time and the place), including, but not limited to, written records such as letters, notes, memos and telephone messages.

All allegations, including anonymous reports, will be accepted and investigated regardless of how the matter comes to the attention of the municipality. However, because of the serious implications of sexual harassment charges and the difficulties associated with their investigation and the questions of credibility involved, the claimant's willing cooperation is a vital component of an effective inquiry and an appropriate outcome.

## VI. Prohibitions on Retaliation for Reporting Sexual Harassment Allegations

- a) No municipal official, municipal agency, municipal employee shall take any retaliatory action against any municipal employee due to a municipal employee's:
  - (1) Disclosure or threatened disclosure of any violation of this policy,
  - (2) The provision of information related to or testimony before any public body conducting an investigation, hearing or inquiry into any violation of this policy, or
  - (3) Assistance or participation in a proceeding to enforce the provisions of this policy.
- b) For the purposes of this policy, retaliatory action means the reprimand, discharge, suspension, demotion, denial of promotion or transfer, or change in the terms or conditions of employment of any municipal employee that is taken in retaliation for a municipal employee's involvement in protected activity pursuant to this policy.
- c) No individual making a report will be retaliated against even if a report made in good faith is not substantiated. In addition, any witness will be protected from retaliation. Similar to the prohibition against retaliation contained herein, the State Officials and Employees Ethics Act (5 ILCS 430/15-10) provides whistleblower protection from retaliatory action such as reprimand, discharge, suspension, demotion, or denial of promotion or transfer that occurs in retaliation for an employee who does any of the following:
  - (1) Discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of any officer, member, State agency, or other State employee that the State employee reasonably believes is in violation of a law, rule, or regulation,
  - (2) Provides information to or testifies before any public body conducting an investigation, hearing, or inquiry into any violation of a law, rule, or regulation by any officer, member, State agency or other State employee, or
  - (3) Assists or participates in a proceeding to enforce the provisions of the State Officials and Employees Ethics Act.
- d) Pursuant to the Whistleblower Act (740 ILCS 174/15(a)), an employer may not retaliate against an employee who discloses information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. In addition, an employer may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. (740 ILCS 174/15(b)).
- e) According to the Illinois Human Rights Act (775 ILCS 5/6-101), it is a civil rights violation for a person, or for two or more people to conspire, to retaliate against a person because he/she has opposed that which he/she reasonably and in good faith believes to be sexual harassment in employment, because he/she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under the Illinois Human Rights Act.

- f) An employee, who is suddenly transferred to a lower paying job or passed over for a promotion after filing a complaint with IDHR or EEOC, may file a retaliation charge – due within 180 days (IDHR) or 300 days (EEOC) of the alleged retaliation.

## VII. Consequences for Knowingly Making a False Report

A false report is a report of sexual harassment made by an accuser using the sexual harassment report to accomplish some end other than stopping sexual harassment or retaliation for reporting sexual harassment. A false report is not a report made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false or frivolous report is a severe offense that can itself result in disciplinary action. Any person who intentionally makes a false report alleging a violation of any provision of this policy shall be subject to discipline or discharge pursuant to applicable municipal policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreements.

In addition, any person who intentionally makes a false report alleging a violation of any provision of the State Officials and Employees Ethics Act to an ethics commission, an inspector general, the State Police, a State's Attorney, the Attorney General, or any other law enforcement official is guilty of a Class A misdemeanor. An ethics commission may levy an administrative fine of up to \$5,000 against any person who intentionally makes a false, frivolous or bad faith allegation.