



**Title:**  
**NON-DISCRIMINATION & HARASSMENT POLICY**

<b>Subject:</b> <b>HUMAN RESOURCES &amp; LEGAL AFFAIRS</b>	<b>Page:</b> 1 of 6	<b>Policy Number:</b> 06.30.00
<b>Category:</b> <b>DISTRICTWIDE POLICY</b>	<b>Approval Date:</b> 07/06/2015	<b>Last Revised Date:</b> 09/30/2021

**POLICY STATEMENT:**

The Forest Preserve District of Cook County (*the "District"*) is an equal opportunity employer and the District does not discriminate on the basis of a person's race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, pregnancy, military discharge status, source of income, housing status, or gender identity, and other classifications protected by law.

The District is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The District will not tolerate discrimination in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The District will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The non-discrimination policies of the District may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a District employee to discipline.

Nothing in this policy is intended to, nor shall be construed to, create a private right of action against the District or any of its employees. Furthermore, no part of this policy is intended to, nor shall be construed to, create contractual or other rights or expectations.

Nothing herein is intended to affect the right of any person to:

- File a charge of discrimination at the Cook County Commission on Human Rights or any local, state or federal agency with jurisdiction over such claims;
- Raise a grievance under a collective bargaining agreement, where applicable; or
- Consult a private attorney.

A determination that this policy has been violated is not a determination of discrimination, harassment or retaliation under federal, state, or local law. Conduct that may not be considered unlawful under applicable federal, state, or local laws may nevertheless violate this policy, and result in disciplinary action, up to and including discharge in accordance with Rule 8 of the Cook County Personnel Rules and any applicable collective bargaining agreement.

**PURPOSE:**

This policy is intended to prevent District employees, volunteers, stewards, community service workers, partners, and District guests/visiting public from being subjected to discrimination or sexual harassment.

**AFFECTED AREAS:**

All District employees shall comply with all the District's policies and procedures, including but not limited to, the Workplace Violence Policy, the Domestic/Sexual Violence and Harassment Policy, and the Cook County Personnel Rules, as applicable.

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All District volunteers, stewards, community service workers, partners, and District guests/visiting public shall comply with this policy.

**DEFINITIONS:**

N/A

**PROCEDURE/PROCESS:**

- 1) **Discrimination Prohibited:** The District prohibits all forms of discrimination, including any employment-related action that adversely affects an individual based on race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, pregnancy, military discharge status, source of income, housing status, or gender identity, and other classifications protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual’s protected class. It has the effect of interfering with an individual’s work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments, crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures; pictures, cartoons, posters or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to this policy and to the District’s commitment to a discrimination free work environment.

- 2) **Retaliation:** Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.
- 3) **Sexual Harassment:** The District prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an individual because of that person’s sex. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature when:
  - a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
  - b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions.
  - c) Such conduct has the purpose or effect of substantially interfering with a individual work performance, and/or creating an intimidating, hostile or offensive environment.
- 4) **Additional Considerations:** Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:
  - a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and Illinois Department of Human Rights guidelines.
  - b) Bona fide requests or demands by a supervisor that an employee improve his/her work quality or output, that the employee report to the job site on time, that the employee comply with County or

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departmental rules or regulations, or any other appropriate work-related communication between supervisor and employee.

- 5) **Reporting An Incident:** Any District employees, volunteer, steward, community service worker, partner, and/or District visitor that believes they have been discriminated against, and/or harassed, on the basis of race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, pregnancy, military discharge status, source of income, housing status, or gender identity may file a complaint, via email, alleging discrimination, and/or harassment, with the Forest Preserve District of Cook County’s Director of Human Resources and/or Director of Compliance and/or the Assistant to the General Superintendent for Labor Matters or may file a complaint with any or all of the following agencies: the Office of the Independent Inspector General, the Illinois Department of Human Rights, the Cook County Commission on Human Rights, and/or the Equal Employment Opportunity Commission.

**Forest Preserve District of Cook County:**

1. The Director of Human Resources
2. The Assistant to the General Superintendent for Labor Matters
3. The Director of Compliance

You may reach any of the three contacts listed above by emailing:

[FPDCC.SpecialReviewCommittee@cookcountyil.gov](mailto:FPDCC.SpecialReviewCommittee@cookcountyil.gov)

**Additional Agencies:**

1. **Office of the Independent Inspector General:** <https://apps.cookcountyil.gov/oiiig/>  
69 W. Washington, Suite 1160, Chicago, IL 60602  
Office Phone: 312-603-0350
2. **Illinois Department of Human Rights:** <http://www2.illinois.gov/dhr/Pages/default.aspx>
3. **Commission on Human Rights:** [human.rights@cookcountyil.gov](mailto:human.rights@cookcountyil.gov)  
69 W. Washington, Suite 3040, Chicago, Illinois 60602  
Office Phone: (312) 603-1100
4. **Equal Employment Opportunity Commission:** <http://www.eeoc.gov/>  
500 W Madison St #2000, Chicago, IL 60661  
Office Phone: (312) 353-2713

- 6) **Confidentiality:** The District recognizes the importance of confidentiality and understands that some individuals filing complaints of harassment/discrimination or who are otherwise involved in an investigation may want their identity to remain anonymous and/or confidential. Issues of confidentiality should be balanced against the District need to investigate and take appropriate action.

- 7) **Investigation of Complaints:** During the pendency of any investigation, the supervisor of the involved employee shall take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the District that all complaints of discrimination or harassment shall be fully documented, and promptly and thoroughly investigated. Such investigations may include receiving oral and written complaints, gathering witness statements and other relevant documentation, and conferring with the Director of Human Resources, Director of Compliance or the Assistant to the

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General Superintendent for Labor Matters. The participating or opposing employee shall be protected against retaliation, and the complaint and related investigation shall be kept confidential to the extent possible.

- 8) **Formal Investigation:** If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation shall be conducted.

The person assigned to investigate the complaint, which may include the Director of Human Resources, the Director of Compliance, and the Assistant to the General Superintendent for Labor Matters, will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any individuals involved. No influence will be used to suppress any complaint and no individual will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in any investigation.

Formal investigation of the complaint shall be confidential to the extent possible and shall include, but not be limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Any claims of discrimination, harassment, or retaliation will be investigated promptly.

- 9) **Alternative Complaint Process:** No provision of this policy shall be construed to prevent any individual from seeking legal redress outside the District. Individuals who believe that they have been harassed, discriminated, or retaliated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations may apply to the filing of such charges. Individuals are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.
- 10) **Notification of Disposition:** The complainant and/or victim will be notified in writing of the disposition of the investigation and the action taken to remedy or address the circumstances giving rise to the complaint.
- 11) **Documentation of Complaints:** All complaints or allegations shall be thoroughly documented.
- 12) **Questions or Clarification:** Individuals with questions regarding what constitutes discrimination, sexual harassment or retaliation should contact a supervisor, the Human Resources Department and/or the Director of Compliance for further information, direction, or clarification.

**RESPONSIBILITY:**

- 1) **The Legal Department:** The Legal Department may investigate incidents/reports of discrimination on-behalf of the District.
- 2) **Director of Compliance:** The Director of Compliance may investigate incidents/reports of discrimination on-behalf of the District.
- 3) **Human Resources Department:** The Human Resources Department may investigate incidents/reports of discrimination on behalf of the District.

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- 4) **District Employees:** All District employees shall (a) comply with this policy; (b) follow the intent of these guidelines in a manner that reflects District’s mission, vision, and values; (c) promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy; (d) report violations of this policy to his/her immediate supervisor/the chain of command, and/or the other avenues as described in this policy-“Reporting of Incidents” section; (e) report, in good faith, if you believe you have been discriminated against, harassed, subjected to retaliation; and, (f) promptly report if you have observed harassment or discrimination.
  
- 5) **Supervisors:** All District supervisors shall: (a) continually monitor the work environment and strive to ensure that it is free from all types of unlawful discrimination, including sexual harassment or retaliation; (b) take prompt, appropriate action within their assigned area to avoid and minimize the incidence of any form of discrimination, harassment or retaliation; (c) ensure their subordinates understand their responsibilities under this policy; (d) ensure that employees who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible; and, (e) notify the Director of Human Resources and/or the Director of Compliance in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment or retaliation no later than the next business day.

**Supervisors and managers shall also be aware of the following considerations:** (a) behavior of supervisors and managers should represent the values of the District; (b) false or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent employees; (c) supervisors and managers must act promptly and responsibly in the resolution of such situations and notify the Director of Human Resources and/or Director of Compliance as soon as practicable; and (d) any supervisor or manager becomes aware of conduct that may be considered discriminatory, harassing or retaliatory, as stated in this policy, but fails to report such conduct, may be subject to discipline.

**Note:** Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating, or counseling employees or issuing discipline, in a manner that is consistent with established procedures.

**TRAINING REQUIREMENTS:**

- 1) All District employees will be trained on this policy annually.

**COMMUNICATION PLAN:**

- 1) This policy should be distributed to all District staff, stewards, community service workers, and other individuals identified by the District.
  
- 2) This policy should be added to the District shared drive, intranet, and website.

**REFERENCES:**

**Code of Ordinances of Cook County, IL**  
 Part I- General Ordinances  
 Chapter 42 – Human Relations  
 Article II. – Human Rights

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**Cook County Commission on Human Rights**

<http://www.cookcountyil.gov/appointments/cook-county-commission-on-human-rights/human-rights-commission-on/>

**The Forest Preserve District of Cook County**

[Employment Plan](#)

County of Cook Personnel Rules

<https://www.cookcountyil.gov/sites/default/files/service/cook-county-personnel-rules.pdf>

**Forest Preserve District of Cook County**

Chapter 10, Policy of Nondiscrimination

**POLICY LEAD:**

Michelle Gage  
Director of Human Resources

**APPROVAL:**

Arnold Randall  
General Superintendent

**POLICY HISTORY:**

**Approved:** 07/06/2015

**Revised:** 04/15/2016

**Revised:** 06/13/2018

**Revised:** 09/30/2021

**If you have questions concerning this District policy, please contact:**

**Forest Preserve District of Cook County**  
The Human Resources Department  
Phone: (708) 771-1561  
Email: [FPD.HumanResources@cookcountyil.gov](mailto:FPD.HumanResources@cookcountyil.gov)