

ALERT

Illinois to Require Lobbyist Employers to Have Written Sexual Harassment Policy by January 1; Lobbyists Must Undergo Individual Training

December 12, 2017

In mid-November, Illinois Governor Bruce Rauner signed a government ethics bill (Public Act 100-554) that creates sexual harassment training and policy requirements for registrants under Illinois's Lobbyist Registration Act (the Act). In short, the new law requires lobbyist employers registered under the Act to adopt written sexual harassment policies no later than January 1, 2018, and requires individual lobbyists to undergo annual sexual harassment training within 30 days of registration or renewal. To comply with the law, an organization's sexual harassment policy must contain to the following:

- A prohibition on sexual harassment;
- Details on how an individual can report an allegation of sexual harassment, including options for making a confidential report;
- A prohibition on retaliation for reporting sexual harassment allegations, including whistleblower protections provided by state law; and
- The consequences of a violation of the prohibition on sexual harassment, and the consequences for knowingly making a false report.

Compliance Certification

Although the Illinois registration forms for 2018 are not yet available, under the new law the form will contain a section requiring the registrant to confirm that it has a sexual harassment policy that conforms to these statutory requirements. Registrants will also be

Authors

Carol A. Laham
Partner
202.719.7301
claham@wiley.law
D. Mark Renaud
Partner
202.719.7405
mrenaud@wiley.law

Practice Areas

Election Law & Government Ethics

asked to confirm that the policy will be made available to any individual within two business days upon written request; that any person may report allegations of sexual harassment to the registrant's authorized agent; and that the registrant recognizes that the Inspector General of the Illinois Secretary of State has jurisdiction to review any allegations of sexual harassment against the registrant or its lobbyists. The December 7 Advisory sent to registrants by the Illinois Secretary of State's Index Department can be read **here**.

Rules and Details on Training Requirement Yet to be Announced

We understand that administrative rules further implementing the new law are forthcoming, including implementation of the sexual harassment training component. We are actively monitoring these new requirements and will update you as we learn more. Until then, please contact us if you are a current or future lobbyist employer in Illinois and want to discuss whether your company's sexual harassment policy will comply with the Illinois requirements.