



ALTUS LEGAL LLC
CONDO AND HOA LAW

LEGAL TIPS

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Sexual Harassment Prevention Training Compliance Required – December 30, 2020 Compliance Deadline

As most association managers and boards are aware, on January 1, 2020, the State of Illinois began requiring all employers to provide annual sexual harassment training to all of their employees. **The first deadline for such training is quickly approaching – December 31, 2020. Any associations that are non-compliant risk a fine issued by the Illinois Department of Human Rights.** Any community association with at least one (1) employee or that uses a vendor or management company contracted by an association is required to provide sexual harassment training. Employees include those who are full-time, part-time, and short-term. While providing sexual harassment training to independent contractors is not technically required, but the Illinois Human Rights Act (“IHRA”) contains wording that *strongly advises* they be trained as well.

Training must meet or exceed standards outlined in Sections 2-109 and 2-110 of the IHRA. Information about how to ensure training is compliant can be found on The Illinois Department of Human Rights (IDHR) website. Employers may use the guidelines to develop their own training or may opt to use a third-party provider **so long as the third-party provider meet the IHRA standards.** Requirements for compliant training include: an explanation and examples of sexual harassment, a summary of relevant state and federal laws, and a summary of an employers responsibility in preventing, investigating, and correcting sexual harassment.

Employers must maintain records of completed training and make those records available for inspection by the IDHR. Acceptable records include a completion of certificate, sign-in sheet, or an acknowledgment form signed by the employee. These records can be maintained electronically or on paper. **Failure to provide sexual harassment training may result in fines from the IDHR in the form of a \$500 penalty for organizations with 1-3 employees or \$1000 for those with 4 or more employees.** Subsequent violations can result in fines ranging between \$3000 to \$5000. If your association has not completed the mandatory training, we suggest you contact the association’s managing agent or Altus Legal to discuss further.