



Agenda Item Summary

File #: RES 20-030, **Version:** 1

Submitted By

Kira Tchang, Assistant Village Manager/Human Resources Director

Reviewed By

LKS

Agenda Item Title

A Resolution Approving Amendments to Section XV ("Anti-Harassment and Anti-Discrimination, Including Sexual Harassment"), Appendix I ("Job Class and FLSA Status") and Appendix VII ("Appointee Pay Plan Schedule") of the Village of Oak Park Personnel Manual

Overview

In accordance with ILCS 430/70-5 which requires governmental units not subject to the jurisdiction of the State or local Inspector General to, by February 10, 2020, adopt an ordinance or resolution amending its sexual harassment policy to provide for a mechanism for reporting and independent review of allegation of sexual harassment made against an elected official of the governmental unit by another elected official of the governmental unit. Additional changes in accordance with recommended best practices were made at this time to the Anti-Harassment and Anti-Discrimination, Including Sexual Harassment Policy. Also, this item includes Adjustments were made to Appendix I ("Job Class and FLSA Status") and Appendix VII ("Appointee Pay Plan Schedule") to update the current positions that are authorized in the FY20 budget and to correct for prior errors.

Recommendation

Human Resources recommends the Village Board approve the policy and appendices as amended. The policy has been reviewed by legal counsel and is within the defined mandates of the State of Illinois and the position listing has been reviewed and updated in compliance with the Board-authorized positions for FY20.

Fiscal Impact

There is a correction to the Snow Call-Out Program. The May 2, 2016 authorization allowed for up to \$20,000 in budgetary appropriation. The funding level was incorrectly listed at \$15,000 in the personnel manual. This could result in an increase of up to \$5,000 in Snow Call-Out appropriations depending on the total number of snow events in 2020.

Background

On August 9, 2019, ILCS 430/70-5 (State Officials and Employees Ethics Act) was amended as a part of Illinois Public Act 101-0221. This amendment requires governmental units to adopt (within 6 months) an ordinance or resolution amending its sexual harassment policy to provide for a mechanism for reporting and independent review of allegations of sexual harassment made by an elected official against another elected official. Staff recommends that allegations of harassment, including sexual harassment, made against an elected official by

another elected official shall be reported to the Village Ethics Committee who would be responsible for designating an individual or group of individuals to investigate the allegation.

Additional changes to the Village's Anti-Harassment and Anti-Discrimination, Including Sexual Harassment Policy were made at this time in accordance with current best practices. These changes are reflective of national changes to workplace culture and policies.

New language was also added regarding consensual romantic or sexual relationships between supervisor and subordinate. This language is designed to reduce risk of conflict of interest, appearance of conflict of interest and/or other liabilities.

Updates were also made at this time to the Appendices that govern employee FLSA status and pay plans in accordance with the positions approved in the FY20 budget. Of significance are the following changes:

- (1) IT Coordinator was revised to Office Coordinator to encompass IT and Fire Department Office Coordinator roles;
- (2) Budget & Revenue Analyst was incorrectly placed in 6 - PM in 2019. Should be 8 - PM;
- (3) Assistant Public Works Director added to 15 - PM; and
- (4) Snow Call-Out funding corrected to reflect \$20,000 maximum as approved RES 16-161.

Alternatives

The Board could delay or request additional information but must adopt a resolution or ordinance addressing a mechanism for reporting allegations of sexual harassment made against an elected official by another elected official by February 10, 2020.

Previous Board Action

N/A

Citizen Advisory Commission Action

N/A

Anticipated Future Actions/Commitments

Should the Village Board approve the amended policy, Village employees will be required to sign receipts acknowledging they have been given the new policy.

Intergovernmental Cooperation Opportunities

N/A