



Restaurants and Bars Must Establish a Sexual Harassment Policy and Provide a Copy to Employees

Every restaurant and bar, as defined under Section 2-110 of the Illinois Human Rights Act (“IHRA”), is required to establish a written sexual harassment prevention policy and provide a copy to all employees.

Minimum Standards for Sexual Harassment Prevention Policy for Restaurants and Bars

Section 2-110(B) requires that every restaurant and bar have a sexual harassment prevention policy that includes:

- a prohibition on sexual harassment;
- the definition of sexual harassment under the IHRA and Title VII of the Civil Rights Act of 1964;
- details on how an individual can report an allegation of sexual harassment internally, including options for making a confidential report to a manager, owner, corporate headquarters, human resources department, or other internal reporting mechanism that may be available;
- an explanation of the internal complaint process available to employees;
- how to contact and file a charge with the Illinois Department of Human Rights (“IDHR”) and United States Equal Employment Opportunity Commission (“EEOC”);
- a prohibition on retaliation for reporting sexual harassment allegations; and
- a requirement that all employees participate in sexual harassment prevention training.

Additional Compliance Information

- **Multiple Languages.** The policy must be made available in English and Spanish.
- **Copy to Employees.** Restaurants and bars are required to provide employees with a written copy of their sexual harassment prevention policy within the first calendar week of the employee's employment.
- **Sexual Harassment Prevention Training Required.** In addition to establishing a sexual harassment prevention policy, restaurants and bars must also provide their employees with sexual harassment prevention training in compliance with Sections 2-109 and 2-110 of the IHRA. For more information about these requirements, visit IDHR’s website at www.illinois.gov/dhr and download handouts SHP-TR01 and SHP-TR02. Restaurants and bars are required to train their employees by December 31, 2020 and annually thereafter.
- **Civil Penalty.** Any restaurant or bar that is in violation of Section 2-109 and/or 2-110 will receive a notice to show cause from IDHR giving the employer 30 days to comply. Failure to comply within 30 days will result in IDHR petitioning the Illinois Human Rights Commission for entry of an order imposing a civil penalty on the employer.



Definitions

- **"Restaurant"** is defined as any business that is primarily engaged in the sale of ready-to-eat food for immediate consumption, including, but not limited to, restaurants, coffee shops, cafeterias, and sandwich stands that give or offer for sale food to the public, guests, or employees, and kitchen or catering facilities in which food is prepared on the premises for serving elsewhere.
- **"Bar"** is defined as an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and that derives no more than 10% of its gross revenue from the sale of food consumed on the premises, including, but not limited to, taverns, nightclubs, cocktail lounges, adult entertainment facilities, and cabarets.

For more information please visit IDHR's website at www.illinois.gov/dhr/training. View Section 2-109 and Section 2-110 of the [Illinois Human Rights Act](#).