**Section 560.235 Prohibition on Sexual Harassment**

a) *All persons have the right to work in an environment free from sexual harassment. All persons subject to the Act shall refrain from sexual harassment of any person.*

b) Sexual Harrassment Defined

1) *For purposes of the Act, "sexual harassment" means any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:*

A) *submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;*

B) *submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or*

C) *that conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.*

2) *For the purposes of this definition, the phrase "working environment" is not limited to a physical location where an employee is assigned to perform his or her duties and does not require an employment relationship.* [5 ILCS 430/5-65]

c) *No later than January 1, 2018, each natural person and any entity required to register under the Act shall have a written sexual harassment policy that shall include, at a minimum:*

1) *a prohibition on sexual harassment;*

2) *details on how an individual can report an allegation of sexual harassment, including options for making a confidential report to a supervisor, ethics officer, Inspector General, or the Department of Human Rights* and that reports made to any of the above persons will be confidential to the extent practicable*;*

3) *a prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the State Officials and Employee Ethics Act, the Whistleblower Act* [740 ILCS 174]*, and the Illinois Human Rights Act* [775 ILCS 5]*; and*

4) *the consequences of a violation of the prohibition on sexual harassment and the consequences for knowingly making a false report.* [25 ILCS 170/4.7(c)]

(Source: Added at 43 Ill. Reg. 751, effective December 20, 2018)