

SB1877



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1877

Introduced 2/15/2019, by Sen. John F. Curran - Jil Tracy - Dale A. Righter - Sue Rezin

SYNOPSIS AS INTRODUCED:

New Act

Creates the Sexual Harassment Victim Representation Act. Prohibits unions from designating the same union representative to represent both a victim of sexual harassment and the alleged perpetrator in any disciplinary proceeding.

LRB101 09465 JLS 54563 b

A BILL FOR

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Sexual
5 Harassment Victim Representation Act.

6 Section 5. Definitions. In this Act:

7 "Perpetrator" means an individual who commits or is alleged
8 to have committed an act or threat of sexual harassment.

9 "Sexual harassment" means any unwelcome sexual advances or
10 requests for sexual favors or any conduct of a sexual nature
11 when: (i) submission to such conduct is made either explicitly
12 or implicitly a term or condition of an individual's
13 employment; (ii) submission to or rejection of such conduct by
14 an individual is used as the basis for employment decisions
15 affecting such individual; or (iii) such conduct has the
16 purpose or effect of substantially interfering with an
17 individual's work performance or creating an intimidating,
18 hostile, or offensive working environment.

19 "Union" means any organization defined as a "labor
20 organization" under Section 2 of the National Labor Relations
21 Act (29 U.S.C. 152).

22 "Union representative" means a person designated by a union
23 to represent a member of the union in any disciplinary

1 proceeding.

2 "Victim" means a victim of sexual harassment.

3 Section 10. Dual representation prohibited.

4 (a) In any proceeding in which a victim who is a member of
5 a union has accused a perpetrator who is a member of the same
6 union, the victim and the perpetrator may not be represented in
7 the proceeding by the same union representative.

8 (b) The union must designate separate union
9 representatives to represent the parties to the proceeding.