

Racial Bias, Discrimination, and Harassment Omnibus

HB 2547 amends the State Officials and Employees Ethics Act. It establishes that all persons have a right to work in an environment free from racial discrimination and harassment. All persons subject to the Act are prohibited from racially discriminating against or harassing any person, regardless of any employment relationship or lack thereof. Any person who violates the prohibition on racial discrimination and harassment is subject to a fine of up to \$5,000 per offense and is subject to discipline or discharge by the appropriate ultimate jurisdictional authority. Each violation is a separate offense.

HB 2547 requires each officer, member, and employee to complete, at least annually, beginning in 2020, a racial bias, discrimination, and harassment training program. A person who fills a vacancy in an elective or appointed position must complete his or her initial racial bias, discrimination, and harassment training program within 30 days after commencement of his or her office or employment. The training must include, at a minimum, the following: (1) the definitions and descriptions of racial bias, discrimination, and harassment utilizing examples; (2) details on how an individual can report an allegation of racial discrimination or harassment, including options for making a confidential report to a supervisor, ethics officer, inspector general, or the Department of Human Rights; (3) the definition and description of retaliation for reporting racial discrimination and harassment allegations utilizing examples, including the availability of whistleblower protections under the Act, the Whistleblower Act, and the Illinois Human Rights Act; and (4) the consequences of a violation of the prohibition on racial discrimination or harassment and the consequences for knowingly making a false report. Proof of completion of the racial bias, discrimination, and harassment training must be submitted to the applicable ethics officer. Each ultimate jurisdictional authority must submit to the applicable Ethics Commission, at least annually, or more frequently as required by that Commission, a report that summarizes the racial bias, discrimination, and harassment training program that was completed during the previous year, and lays out the plan for the training program in the coming year. The report must include the names of individuals that failed to complete the required training program.

HB 2547 requires personnel policies to be updated within 30 days of the effective date of the legislation to include at a minimum: (1) a prohibition on racial discrimination and harassment; (2) details on how an individual can report an allegation of racial discrimination and harassment, including options for making a confidential report to a supervisor, ethics officer, inspector general, or the Department of Human Rights; (3) a prohibition on retaliation for reporting racial discrimination and harassment allegations, including the availability of whistleblower protections under the Act, the Whistleblower Act, and the Illinois Human Rights Act; and (4) the consequences of a violation of the prohibition on racial discrimination and harassment and the consequences for knowingly making a false report.

HB 2547 amends the Lobbyist Registration Act. It establishes that all persons have the right to work in an environment free from racial discrimination and harassment. All persons subject to the Act must refrain from racial discrimination and harassment of any person. Beginning January 1, 2020, each natural person required to register as a lobbyist must complete, at least

annually, a racial bias, discrimination, and harassment training program provided by the secretary of state. A natural person registered under the Act must complete the training program no later than 30 days after registration or renewal. By January 1, 2020, each natural person and entity must have a written racial discrimination and harassment policy that must include, at a minimum: (1) a prohibition on racial discrimination and harassment; (2) details on how an individual can report an allegation of racial discrimination and harassment, including options for making a confidential report to a supervisor, ethics officer, inspector general; or the Department of Human Rights; (3) a prohibition on retaliation for reporting racial discrimination and harassment allegations, including the availability of whistleblower protections under the State Officials and Employee Ethics Act, the Whistleblower Act, and the Illinois Human Rights Act; and (4) the consequences of a violation of the prohibition on racial discrimination and harassment and the consequences for knowingly making a false report. A registrant must confirm that it has a racial discrimination and harassment policy, that such policy must be made available to any individual within two business days upon written request (including electronic requests), that any person may contact the authorized agent of the registrant to report allegations of racial discrimination and harassment, and that the registrant recognized that the inspector general has jurisdiction to review any allegations of racial discrimination and harassment alleged against the registrant or lobbyists hired by the registrant. Any natural person or lobbying entity who intentionally violates the prohibition on racial discrimination and harassment and these requirements is guilty of a business offense and subject to a fine of up to \$5,000.

HB 2547 amends the Illinois Human Rights Act to create a hotline to report racial discrimination and harassment. It also makes other changes.

HB 2547 takes effect immediately upon becoming law.

HB 2547 is identical to HB 2101 and SB 1485 of the 101st General Assembly.

Sponsor:

Representative Camille Y. Lilly

Bill Link:

<http://ilga.gov/legislation/BillStatus.asp?DocNum=2547&GAID=15&DocTypeID...> [1]

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