

ILLINOIS STATE POLICE DIRECTIVE PER-032, DISCRIMINATION AND HARASSMENT

RESCINDS: PER-032, 2022-165, revised 03-28-2022.	REVISED: 09-28-2022 2022-195
RELATED DOCUMENTS: PER-009, PER-030, PER-033, PER-103	RELATED CALEA STANDARDS (6th Edition): 26.1.3, 26.1.4, 26.1.5, 26.1.8, 26.2.1, 26.2.2, 26.2.3, 26.3.1, 26.3.2, 26.3.3, 26.3.4, 26.3.5, 31.2.3

I. POLICY

- I.A. The Illinois State Police (ISP) prohibits discrimination in all forms, including, but not limited to, harassment and retaliation. Such acts are unlawful and will serve as the basis for disciplinary action up to, and including, termination.
- I.B. The ISP has determined the most effective way to limit harassing conduct is to treat it as misconduct, even if it does not rise to the level of harassment actionable under federal or state law. The ISP will act before the harassing conduct becomes so pervasive and offensive as to constitute unlawful harassment.
- I.C. The ISP reaffirms its commitment to eliminate discrimination, harassment, and retaliation in employment situations by:
 - I.C.1. Empowering employees to resolve their concerns through the internal intake inquiry, alternative dispute resolution (ADR), and limited review provided by the ISP Office of Equal Employment Opportunity (EEO).
 - I.C.2. Making employees, supervisors, and managers aware of their rights and responsibilities under the ISP's EEO policies and procedures (see also ISP Directives PER-009, "Equal Employment Opportunity," and PER-033, "Sexual Harassment").
- I.D. To ensure appropriate corrective measures are implemented where policy violations are identified, allegations of harassing conduct, discrimination, harassment, retaliation, or other violations of EEO policy will be addressed in accordance with the provisions of this directive regardless of whether an employee wants to sign a Complaint Against Department Member form (CADMF), ISP 323, available in the ISP Document Library or via the internet at <http://www.isp.state.il.us/services/citizencomplaint.cfm>.

NOTE: This policy does not prohibit the ISP from making lawful employment decisions to treat employees differently from one another for legitimate business reasons. Management reserves the right to address performance-based issues in order to maintain efficient operations within the Department.

II. AUTHORITY

- II.A. 775 ILCS 5/1, et seq., "Illinois Human Rights Act"
- II.B. 42 U.S.C. 12101 et seq., "Americans with Disabilities Act"
- II.C. 29 U.S.C. 626 et seq., "Age Discrimination in Employment Act"
- II.D. 42 U.S.C. 2000e et seq., "Civil Rights Act of 1964"
- II.E. Title 56, Illinois Administrative Code, Part 2520 et seq., "Procedures of the Department of Human Rights"
- II.F. Illinois Executive Order 2018-02, "Strengthening the State's Ethics Laws and Compliance"

III. DEFINITIONS

- III.A. Adverse Employment Action - any action resulting in material harm, a tangible negative effect, or an unfavorable employment decision; or any action that would reasonably discourage an employee from reporting harassing conduct, discrimination, harassment, or retaliation in the future.

- III.B. Aggrieved Party – a person who has completed a Dispute Intake and Resolution Form, ISP 1-36 (available from an EEO counselor), or otherwise made an allegation related to harassing conduct, discrimination, harassment, or retaliation.
- III.C. Allegation – a report of information related to a potential act of harassing conduct, discrimination, harassment, or retaliation in the workplace provided either in writing or orally to any supervisor or manager of the ISP, or to the EEO, but not including those reports made on a CADMF.
- III.D. Alternative Dispute Resolution (ADR) – a voluntary process by which an allegation or complaint of harassing conduct, discrimination, harassment, or retaliation may be resolved, preferably prior to any formal internal or external complaint, investigative, or disciplinary processes. ADR includes, but is not limited to, Mediation.
- NOTE:** For the purposes of this policy, ADR is not an investigation or part of the Misconduct Allegation Settlement Agreement (MASA) process and is not subject to the requirements of ISP Directive PER-030, “Complaint and Disciplinary Investigations.”
- III.E. Complaint – a report of harassing conduct, discrimination, harassment, or retaliation made on a CADMF.
- III.F. Complainant – a person who has made a formal complaint of harassing conduct, discrimination, harassment, or retaliation on a CADMF.
- III.G. Discrimination – an adverse employment action based on unlawful discrimination.
- III.H. Dispute Intake and Resolution Form – a form, ISP 136, that documents an initial EEO allegation, the response of the respondent, and any suggested resolutions.
- III.I. EEO Compliance Manager – a representative of the EEO Office responsible for ensuring all ISP personnel are made aware of their rights and responsibilities under the ISP’s EEO policies and procedures, as well as coordinating the ADR process.
- III.J. EEO Intake Counselor – a representative of the EEO Office responsible for handling the intake inquiry and limited review process.
- III.K. EEO Office – the ISP Office of Equal Employment Opportunity that falls under the Office of the Director.
- III.L. EEO Officer – an ISP employee, appointed by the Director pursuant to the Illinois Human Rights Act (IHRA), approved by the Illinois Department of Human Rights (IDHR), and assigned full-time to fulfill the obligations of the position as outlined in law and ISP policy; also referred to as the Chief of the Office of the EEO or the EEO Program Manager.
- III.M. EEOC – the Equal Employment Opportunity Commission is an office of the federal government that administers federal statutes prohibiting discrimination in employment.
- III.N. False or Frivolous Allegations or Complaints – allegations or complaints in which the accuser is either being intentionally dishonest, misleading, or using an EEO process to accomplish some end other than ending harassing conduct, discrimination, harassment, or retaliation. It does not refer to allegations or complaints made in good faith that cannot be proven.
- III.O. Genetic Information - information about an individual’s genetic tests and the genetic tests of an individual’s family members, as well as information about any disease, disorder, or condition of an individual’s family members (i.e. an individual’s family medical history).
- III.P. Harassing Conduct – any conduct that may reasonably cause another person to feel offended, humiliated, intimidated, insulted, or ridiculed based on unlawful discrimination which does not rise to the level of harassment (as defined in this directive).
- III.Q. Harassment – a form of discrimination that is unlawful under Title VII of the U.S. Civil Rights Act and the IHRA, which includes:

- III.Q.1. Sexual Harassment - any unwelcome sexual conduct, advances, or requests for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
 - III.Q.1.a. Quid Pro Quo Sexual Harassment
 - III.Q.1.a.1) Submission to such conduct is, either explicitly or implicitly, a condition for receiving job benefits
 - III.Q.1.a.2) Rejection of such conduct results in an adverse employment action.
 - III.Q.1.b. Hostile Work Environment
 - III.Q.1.b.1) Such unwelcome and uninvited conduct that is unreciprocated is personally directed at a specific individual and is so severe or pervasive that it has the purpose or effect of unreasonably interfering with that individual's work performance or creates an intimidating, hostile, abusive, or offensive working environment.
 - III.Q.1.b.2) Such unwelcome and uninvited conduct that is unreciprocated is not personally directed at anyone but is witnessed by employees within the workplace and is so severe or pervasive based upon such exposure that it has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, abusive, or offensive working environment.
- III.Q.2. Third Party Harassment – created when an individual who is not an employee of the Department harasses an employee or an employee witnesses the harassment.
- III.Q.3. The effect that conduct has on the work environment depends upon its pervasiveness over a period of time; however, a single incident of unwanted conduct may be sufficiently severe to be discrimination or harassment.
- III.R. Illinois Department of Human Rights (IDHR) - an office of state government that enforces the IHRA prohibiting discrimination in employment.
- III.S. Intake Inquiry– an examination conducted by the EEO in an attempt to facilitate a prompt resolution to an allegation.
 - III.S.1. An intake inquiry includes, but is not limited to, obtaining information, identifying the issues in dispute, ascertaining the positions of the parties, and exploring the possibility of a resolution.
 - III.S.2. An intake inquiry generally will be the first step for resolving allegations of EEO policy violations. For the purposes of this policy, an intake inquiry is not an investigation and is not subject to the requirements of ISP Directive PER-030, “Complaint and Disciplinary Investigations.”
- III.T. Limited Review – an examination conducted at the discretion of the Director by EEO Investigative Personnel regarding concerns about harassing conduct, discrimination, harassment, or retaliation. For the purposes of this policy, a limited review is not an investigation and is not subject to the requirements of ISP Directive PER-030, “Complaint and Disciplinary Investigations.”
- III.U. Mediation – a voluntary process facilitated by persons unrelated to the issue whereby the aggrieved party and the respondent meet in an attempt to resolve certain discrimination, harassment, or retaliation allegations or complaints. Mediation is a form of ADR and is coordinated and/or facilitated by the EEO Office.

- III.V. Order of Protection Status – a person's status as being a person protected under an order of protection issued pursuant to the Illinois Domestic Violence Act of 1986, Article 112A of the Code of Criminal Procedure of 1963, the Stalking No Contact Order Act, or the Civil No Contact Order Act, or the court of another state, but does not include those who are listed as a respondent to the order.
 - III.W. Protected Activity – includes, but is not limited to, having:
 - III.W.1. Requested a reasonable accommodation pursuant to the Americans with Disabilities Act (ADA).
 - III.W.2. Reported harassing conduct, discrimination, harassment, or retaliation to the ISP, IDHR, EEOC, or any other appropriate governmental agency.
 - III.W.3. Otherwise participated in the reasonable accommodation, intake inquiry, limited review, ADR, or investigation process.
 - III.W.4. Otherwise opposed discriminatory practices when done lawfully and in accordance with ISP Policy.
 - III.X. Respondent - any person named in an allegation or otherwise determined to be a focus of an allegation.
 - III.Y. Retaliation – any adverse employment action, reprisal, coercion, or intimidation (directly or indirectly) against a person who has previously or currently engaged in a protected activity when the action and protected activity are causally linked. Retaliation is a form of discrimination unlawful under Title VII of the U.S. Civil Rights Act and the IHRA and may include actions without legitimate business reason that would reasonably dissuade a person from making or supporting an EEO complaint or otherwise opposing discrimination.
 - III.Z. Sexual Conduct – physical conduct, or verbal, non-verbal, or electronic communication based on the characteristics of gender, marital or parental status, pregnancy, or family responsibilities (for example – indicating a casual, dating, romantic, or sexual interest towards another by way of conversation, body language, or brief physical contact regardless of whether such conduct is one-sided, reciprocated, or encouraged); or any sexual advances or requests for sexual favors.
 - III.AA. Subject – any person named in a complaint or otherwise determined to be a focus of an Investigation.
 - III.BB. Unlawful Discrimination – race, color, religion, sex, sexual orientation, national origin, ancestry, citizenship status, disability, age, order of protection status, marital status, pregnancy, arrest record, conviction record, military status, and unfavorable discharge from military service.
 - III.CC. Unwelcome Conduct – behavior that, in the totality of circumstances, an employee does not solicit, but rather regards as undesirable or offensive, whether or not the employee has expressed objection to the behavior.
 - III.DD. Workplace – any location where employees are engaged in work-related activities or are present as a condition or because of their employment. The workplace includes ISP occupied locations and may include other locations when events at that location have an impact on the work environment of an employee.
- IV. RESPONSIBILITIES
- IV.A. Employees
 - IV.A.1. Employees are encouraged to act promptly when they perceive harassing conduct, discrimination, harassment, or retaliation in the workplace. Employees desiring information, referrals, or clarification concerning issues of harassing conduct, discrimination, harassment, or retaliation are encouraged to call the confidential ISP EEO Hotline at (800) 952-1217. Employees can also contact the IDHR Sexual Harassment and Discrimination Helpline at (877) 236-7703, Monday through Friday, 8:30 a.m. to 5:00 p.m. TTY users call 7-1-1. (<https://www2.illinois.gov/sites/sexualharassment/Pages/default.aspx>)

- IV.A.2. Employees who believe they are the victims of harassing conduct, discrimination, harassment, or retaliation are encouraged to tell the initiating party that his/her actions are unwelcome and offensive. Where this is not practical, the employee shall notify his/her immediate supervisor.
 - IV.A.2.a. If the alleged discriminator, harasser, or retaliator is the employee's immediate supervisor, the employee shall bypass the supervisor and notify the next level of management.
 - IV.A.2.b. If the employee is not comfortable reporting the harassing conduct, discrimination or harassment to his/her management, fears retaliation, or is not satisfied with the actions taken by his/her management, the employee shall notify the EEO Office.
- IV.A.3. Employees may make reports of harassing conduct, discrimination, harassment, or retaliation verbally or in writing. Employees should make such reports to the EEO Office within 300 calendar-days of the date of the last alleged act purported to be a violation.
- IV.A.4. All employees will cooperate fully with the EEO Office or any other personnel conducting an intake inquiry, limited review, or investigation, and will promptly provide all relevant information. "Cooperation" includes, but is not limited to, telling the truth and not intentionally omitting information.
 - IV.A.4.a. Interviews of employees who are the subject of an investigation or a complaint that could result in discipline will be conducted in accordance with applicable policy and collective bargaining agreements.
 - IV.A.4.b. Prior to any interview conducted during the limited review process, employees shall be provided with a written document with a written admonishment not make false or misleading statements, nor withhold relevant information. In addition, employees will be warned that evidence of untruthfulness during the EEO process(es) must be reported to the Division of Internal Investigation (DII) and is subject to disclosure pursuant to *Giglio v. United States*, 405 U.S. 150 [1972].)
 - IV.A.4.c. Due to the nature of harassing conduct, discrimination, harassment, and retaliation, in addition to direct observations, employees must report relevant second-hand information, as well as beliefs and perceptions, but must distinguish between these types of knowledge.
 - IV.A.4.d. As part of an investigation, limited review, or intake inquiry process, employees may be required to document their knowledge of relevant issues surrounding an allegation or complaint. Any request for documentation from an employee must meet the requirements established for initial (fact-finding) memorandums as established in the relevant Collective Bargaining Agreement.
- IV.A.5. Employees aware or in possession of objects or documentation related to behavior which may reasonably be considered to be harassing conduct, discrimination, harassment, or retaliation, or a potential violation of EEO policy, will immediately report and forward such objects or documents to the EEO Office.
- IV.A.6. An employee who receives information, documents, or materials related to an external charge of discrimination by or against an ISP employee will immediately notify the EEO Office and Legal Office. Only the ISP Legal office will respond to requests for information from the ISP related to an external complaint.
- IV.A.7. Failure of an aggrieved party to cooperate with the EEO office or any other personnel conducting an intake inquiry, limited review, or investigation may result in the case being closed without further action. In such instance, the EEO Office will notify the aggrieved party.
- IV.A.8. An employee who makes an allegation or complaint of harassing conduct, discrimination, harassment, or retaliation, and who perceives a conflict of interest by persons involved in the Department's response to an allegation or complaint shall immediately disclose this information in writing to the EEO Office.

- IV.A.9. Making or filing a false or frivolous allegation or complaint can result in disciplinary action up to, and including, termination (see ISP Directives ROC-002, "Rules of Conduct," and PER-103, "Code Employee Disciplinary Rules").
- IV.A.10. All employees will comply with the confidentiality requirements of this directive (see paragraph V.J. below).
- IV.B. Supervisors and managers:
 - IV.B.1. Will set the standard for acceptable behavior in the workplace. They will ensure their actions are not reasonably offensive based on unlawful discrimination regardless of whether an allegation or complaint is received regarding such conduct and will refuse to tolerate any form of harassing conduct, discrimination, harassment, or retaliation.
 - IV.B.2. Who become aware of information regarding behavior which may reasonably be considered harassing conduct, discrimination, harassment, or retaliation must report the actions in accordance with this directive regardless of how such information is obtained or whether an employee wants to make an allegation or formal complaint. Supervisors and/or managers must notify:
 - IV.B.2.a. The appropriate Deputy Director, the Division of Internal Investigation (DII) Area Commander, and the EEO Office within 24 hours of becoming aware of information regarding behavior that may reasonably be considered sexual harassment.
 - IV.B.2.b. The appropriate Deputy Director and the EEO Office within 48 hours of becoming aware of information regarding behavior which may reasonably be considered harassing conduct, discrimination, harassment (*other* than sexual harassment), or retaliation.
 - IV.B.3. Will consult with the EEO Office prior to taking any action (other than the notifications described above) in response to allegations of harassing conduct, discrimination, harassment, or retaliation.
 - IV.B.4. May complete a CADMF regarding allegations of harassing conduct, discrimination, harassment, or retaliation when they cannot be resolved through the intake or ADR processes, the aggrieved party refuses to do so, and such supervisor or manager has sufficient independent corroborative evidence to warrant their signature on a CADMF.
 - IV.B.5. Will not counsel or discipline any employee alleged to have engaged in behavior that could reasonably be considered harassing conduct, discrimination, harassment, or retaliation, until and unless the EEO Office has reviewed the matter.
 - IV.B.6. Will consult with the EEO Office prior to taking any adverse employment action against an aggrieved party, complainant, or witness while the allegation or complaint is pending. Notifications to and consultation with the EEO office may be made by calling the ISP EEO Hotline at (800) 952-1217.
 - IV.B.7. Will also comply with other applicable requirements of this directive. Failure to comply with the reporting and other procedures established in this directive may be considered in performance evaluations as well as other personnel actions as determined by the Director.
- IV.C. EEO Office
 - IV.C.1. Pursuant to the requirements of the IHRA, the EEO Office will engage in multiple functions that include, but are not limited to, compliance, intake, and ADR.
 - IV.C.1.a. Compliance - The EEO Office will conduct research, develop policies, provide training, and respond to requests for information and clarification of EEO policies (however, supervisors and managers retain authority and responsibility for personnel actions).

IV.C.1.b. Intake - The EEO Office will respond to all reports of discrimination, harassment, and retaliation. Where possible, and in the best interests of the aggrieved party and the ISP, the EEO Office will facilitate the resolution of allegations and complaints promptly and outside the investigative and disciplinary process.

IV.C.2. At any time where there is a matter pending with the EEO Office, such office may make recommendations regarding the need to temporarily transfer or change the supervisory assignment of the respondent/subject and/or aggrieved party while an intake inquiry, limited review, or ADR is in progress. In any event, no temporary transfer or change in supervisory assignment will be punitive.

IV.C.3. If the EEO Office is advised of potential violations of department policy unrelated to EEO Policies, the EEO Office will refer such allegations to the DII and/or the Division to which the respondent/subject is assigned for review and appropriate action. EEO will refer other potentially improper acts that fall outside the jurisdiction of the ISP to the appropriate agency or entity within five calendar-days.

V. PROCEDURES

NOTE: Employees are encouraged to utilize the options set forth in this directive to resolve issues related to harassing conduct, discrimination, harassment, and retaliation (described below, and in Addendum 1). However, nothing in this directive prevents an employee from asserting their right to pursue a claim through other legally available means, including the IDHR, the EEOC, or any other appropriate government agency. (See Addendum 2 for contact information for these agencies.)

V.A. These procedures apply to harassing conduct, discrimination, harassment, or retaliation allegations arising because of unlawful discrimination or prior protected activity.

V.B. Timeframes noted should be maintained unless special circumstances warrant an extension.

V.B.1. During the initial reporting and screening of allegations, the EEO Office may grant extensions to the 300 days set out in section IV.A.3 of this directive, but under no circumstances will the EEO Office extend the timeframes beyond the statutory deadlines for externally filing such allegations.

V.B.2. During the intake inquiry and ADR processes, the EEO Office, through mutual agreement of the aggrieved party and the respondent, may grant extensions to the timeframes.

V.B.3. During the limited review and investigative processes, the Director may grant extensions to the timeframes.

V.C. Initial reporting and screening of allegations

V.C.1. All employees reporting allegations of harassing conduct, discrimination, harassment, or retaliation, and who desire a response from the ISP, must communicate with EEO personnel. An EEO Intake Counselor will make contact with the employee reporting such allegation(s) within five calendar-days of receiving the report and document the employee's allegation(s).

V.C.2. EEO will review all allegations for initial timeliness pursuant to the timeframes noted herein, as well as validity and thoroughness of the information provided.

V.C.2.a. If information obtained in the screening of an allegation is insufficient to suggest the alleged actions constitute harassing conduct, discrimination, harassment, or retaliation; or shows the alleged actions fall outside the authority of the ISP, the EEO will notify the aggrieved party in writing. Employees may request that the EEO reconsider the decision by submitting his/her request in writing through the EEO Office to the Director or his/her designee along with any documentation to support his/her request.

V.C.2.b. If the information obtained in the screening of an allegation shows the alleged actions may constitute harassing conduct, discrimination, harassment, or retaliation, the EEO Office may remind the respondent of the need to refrain from

conduct that may reasonably be considered discriminatory, harassing, and retaliatory; and complete an intake inquiry.

V.D. Intake Inquiry

V.D.1. Upon determining a reported allegation may constitute harassing conduct, discrimination, harassment, or retaliation, where appropriate, an EEO Intake Counselor will:

V.D.1.a. Communicate with the aggrieved party to document a brief explanation of his/her allegation(s) and requested resolution

V.D.1.b. Communicate with the respondent to document any response to the allegation(s) and proposed resolution he/she has to offer

V.D.1.c. Gather additional information as needed and document the EEO Office's suggested resolution

V.D.1.d. Communicate with and document any additional information obtained during the respondent party's division's review of the matter as well as their suggested resolution

V.D.2. Where possible, the intake inquiry process will be completed within 30 days of receipt of the allegation.

V.E. ADR

If the intake inquiry does not result in resolution of the allegation and the EEO Office determines it is appropriate to do so, the aggrieved party and respondent will be afforded the opportunity to participate in ADR.

V.E.1. Mediation

V.E.1.a. If the aggrieved party and respondent agree to participate, the EEO will coordinate/facilitate mediation.

V.E.1.a.1) Mediator(s) selected by the EEO Office will meet with the aggrieved party and respondent to encourage dialogue and attempt to facilitate a resolution.

V.E.1.a.2) When possible, the assigned mediator(s) should work in divisions other than the division(s) in which the aggrieved party and respondent work, and mediator(s) should include a code employee when either the aggrieved party or respondent is a code employee.

V.E.1.b. The mediation will be conducted in a confidential, collaborative, and non-adversarial atmosphere.

V.E.1.b.1) The mediator(s) will allow the aggrieved party to present an overview of the allegation and allow the respondent an opportunity to respond.

V.E.1.b.2) Mediator(s) will make no determination as to whether or not any actions were consistent with department policy.

V.E.1.b.3) The mediator(s) have no authority to impose a resolution upon the parties. Rather, the parties themselves, with the assistance of the mediator(s), will identify and come to agreement on a resolution.

V.E.2. Participating in ADR does not prevent an employee from further using the procedures outlined in this policy if resolution cannot be reached, or the discriminatory, harassing, or retaliatory conduct continues in the workplace.

V.E.3. Where possible, the ADR will be completed within 60 days of receipt of the allegation.

V.F. Limited Review

- V.F.1. The Department may assign EEO Investigative Personnel to conduct an examination of any ISP workplace activity regarding concerns about harassing conduct, discrimination, harassment, or retaliation.
 - V.F.2. These examinations will be conducted at the discretion of the Director and will not constitute an investigation.
 - V.F.3. The initiation of a limited review does not preclude the use of ADR.
 - V.F.4. Where possible, a limited review will be conducted within 60 days of receipt of an allegation.
 - V.F.5. If it is determined information obtained during a limited review warrants further investigation or may result in discipline, such information will be provided to the appropriate supervisor or manager so that he/she may determine whether a CADMF will be signed so that a formal investigation can be completed.
- V.G. Investigation
- V.G.1. Any time the aggrieved party wishes to proceed with an investigation in lieu of the intake inquiry or ADR processes, the aggrieved party may complete a CADMF and be notified of his/her right to pursue a formal complaint pursuant to ISP Directive PER-030, "Complaint and Disciplinary Investigations."

NOTE: This does not preclude EEO from conducting limited reviews of workplace activities when done at the request of the Director. Such inquiries do not constitute an investigation unless supported by a CADMF.
 - V.G.2. Investigations will be conducted in accordance with procedures as outlined in ISP Directive PER-030, "Complaint and Disciplinary Investigations." The scope of the investigation will be restricted to those acts noted in the CADMF but may be expanded if other potential violations are identified during the review or processing of the complaint.
 - V.G.3. The Chief of the EEO Office will review the information and recommendation.
- V.H. Withdrawal
- V.H.1. Upon submitting a verbal or written request, the complainant may withdraw an allegation or complaint, or any part thereof, during the intake inquiry and ADR.
 - V.H.2. However, the EEO Office may further an intake inquiry or limited review regarding such allegation or complaint when said action is deemed necessary to ensure compliance with the ISP's EEO policies and procedures.
- V.I. Complaints made outside of the internal EEO process
- V.I.1. Internal grievances
 - V.I.1.a. When any employee complains of employment discrimination (including harassment, sexual harassment, and retaliation) through a grievance under the state of Illinois Personnel Code, a collective bargaining agreement, or an internal agency grievance mechanism, the EEO Officer shall be notified of the grievance no later than the time it reaches the level of the Director.
 - V.I.1.b. The EEO Officer shall attend the grievance hearing at that level either as the hearing officer or as a consultant to the hearing officer. If serving as a consultant to the hearing officer, the EEO Officer shall provide a written recommendation to the hearing officer regarding the disposition of the grievance within the timeframe applicable under the grievance mechanism, and the hearing officer shall consider the recommendation in determining the merits of the grievance.
 - V.I.2. External charges or complaints

V.I.2.a. In some circumstances, individuals may decide to proceed with litigation or file a charge with a federal or state agency prior to the Department completing an intake inquiry, ADR, or releasing its decision.

V.I.2.b. If this occurs, a limited review may be completed.

The Chief of the EEO Office will:

V.I.2.b.1) Participate in any conference or hearing convened by an external agency with which the charge or complaint is filed.

V.I.2.b.2) Prepare a written recommendation for the Director.

V.I.2.b.3) Afford the Chief Legal Counsel and Chief of the Office of Labor Relations the opportunity to review and comment upon the written recommendation prior to its submission to the Director.

V.I.2.b.4) Suspend processing of the EEO allegation or complaint beyond that described in this section.

V.J. Confidentiality

V.J.1. All employees, with respect to harassing conduct, discrimination, harassment, or retaliation incidents and complaints, will observe strict confidentiality. The EEO Office will share information only with those who specifically need to have knowledge of the incident, allegation, or complaint to achieve the objectives of this directive.

V.J.2. The sharing of information related to an allegation, complaint, intake inquiry, limited review, or ADR (including information related to the existence of an allegation, complaint, or EEO process, as well as the scheduling or content of interviews or meetings), is prohibited. Any such disclosure or failure to maintain confidentiality may be considered in performance evaluations and/or result in disciplinary action or other personnel actions as determined by the Director.

V.J.3. A complainant who requests copies of his/her EEO file may only be given copies of any correspondence directed to the complainant and copies of the case summary, determination, and recommendation. When release of the case summary, determination, and recommendation would otherwise unnecessarily compromise a witness' right to confidentiality, the EEO Office will redact information, as needed, prior to release.

V.J.4. Sworn statements obtained and reports created as part of an intake inquiry, ADR, or limited review will not be released during the course of the intake inquiry, ADR, or limited review. A witness who provides a sworn statement may request a copy of the statement upon the closing of the case. Should such request be granted, the confidentiality requirements of this policy will apply to the statement and information contained therein.

V.J.5. Information obtained in the course of an intake inquiry, ADR, or limited review will be used consistent with this policy and will only be disclosed for other administrative or judicial proceedings as required by law or rule, or unless the aggrieved party/complainant and respondent/subject agree in writing that such disclosure be made.

V.J.6. No other dissemination of the content of EEO files is permissible unless required by law.

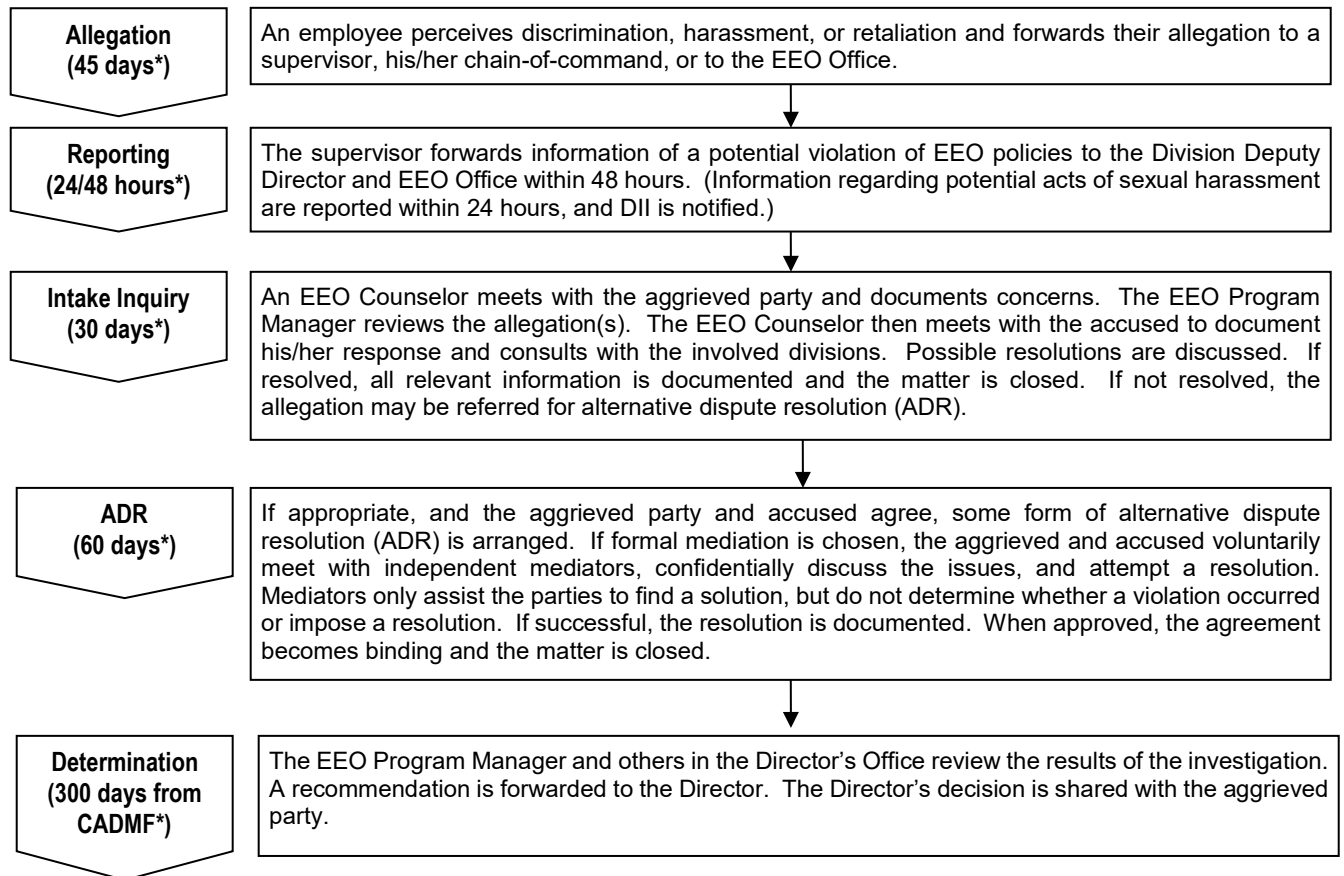
V.J.7. The EEO Office will provide annual statistical summaries of allegations and complaints to the ISP Public Information Officer for inclusion in the Department's annual report.

-End of Directive-

**ILLINOIS STATE POLICE DIRECTIVE
PER-032, DISCRIMINATION AND HARASSMENT
ADDENDUM 1, INTERNAL ALLEGATION AND COMPLAINT PROCESS**

RESCINDS: PER-032, Addendum 1, 2022-165, revised 03-28-2022.	REVISED: 09-28-2022 2022-195
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This chart shows an example of how an EEO allegation may typically be processed. Refer to the base directive for specific definitions, procedures, and responsibilities.



***NOTE:** Information regarding potential violations must be forwarded in accordance with ISP Directive PER-032, "Discrimination and Harassment," paragraph V. Other timeframes noted may be extended when warranted by special circumstances.

-End of Addendum-

**ILLINOIS STATE POLICE DIRECTIVE
PER-032, DISCRIMINATION AND HARASSMENT
ADDENDUM 2, STATE AND FEDERAL AGENCY CONTACT INFORMATION**

RESCINDS: PER-032, Addendum 2, 2022-165, revised 03-28-2022.	REVISED: 09-28-2022 2022-195
RELATED DOCUMENTS: PER-009, PER-032, PER-033	RELATED CALEA STANDARDS (6th Edition): 26.1.3, 26.1.4, 26.1.5, 26.1.8, 26.2.1, 26.2.2, 26.2.3, 26.3.1, 26.3.2, 26.3.3, 26.3.4, 26.3.5, 31.2.3

Equal Employment Opportunity (EEO) policies establish prompt, thorough, and effective procedures for responding to allegations and complaints of discrimination, harassment (including sexual harassment), and retaliation, so issues can be identified and, when necessary, remedied internally. However, nothing in these policies prevent an employee from contacting or reporting concerns to the Illinois Department of Human Rights (IDHR), the Equal Employment Opportunity Commission (EEOC), or any other appropriate governmental agency.

You may find information regarding the EEOC complaint process online at <http://www.eeoc.gov/>. You may find information regarding the IDHR complaint process online at <http://www.state.il.us/dhr/>. To file with the EEOC or IDHR, the complaint must be filed within 300 days from date of harm.

Contact information for these agencies:

Illinois Department of Human Rights
555 West Monroe Street, 7th Floor
Chicago, Illinois 60661
Telephone (312) 814-6200
TTY (866) 740-3953

Illinois Department of Human Rights
524 South 2nd Street, Suite 3000
Springfield, Illinois 62701
Telephone (217) 785-5100
TTY (866) 740-3953

Equal Employment Opportunity Commission
JCK Federal Building
230 South Dearborn Street
Suite 1866 (Enforcement, State and Local & Hearings)
Suite 2920 (Legal & ADR)
Chicago Illinois 60604
Telephone (312) 872-9744
Enforcement/File Disclosure Fax (312) 558-1200

Equal Employment Opportunity Commission
1222 Spruce Street, Room 8-100
St. Louis, Missouri 63103
Telephone (800) 669-4000
TTY (800) 669-6820

| Indicates new or revised items.

-End of Addendum-