



# CITY OF CHICAGO ANTI-HARASSMENT POLICY

## Purpose

The purpose of this document is to inform employees of Kelly Services ("Kelly") of Kelly's City of Chicago Anti-Harassment Policy. Kelly has a strict zero tolerance policy against all forms of sexual harassment. This policy was created as part of our commitment to a safer and more supportive workplace to prevent and reduce sexual harassment. Anyone can be a victim of sexual harassment regardless of their gender, gender identity, sexual orientation, race, age, or other factors. It can occur inside or outside the workplace, between supervisors and their staff, coworkers, customers, and others. Therefore, Kelly will take every measure within its power to prevent and address acts of sexual harassment. The purposes and goals of this policy are to:

- Provide notice to all employees that sexual harassment will not be tolerated, and that violators will be held accountable;
- Create and enforce policies and procedures to assist employees who are impacted by sexual harassment, including providing training on this policy for employees and management;
- Support a thorough workplace education and training program to prevent sexual harassment and promote a safe workplace for all employees;
- Provide immediate assistance and support to victims of sexual harassment – such as information and referrals to community resources – to help ensure safety and support for victims and fellow employees.

## Persons Affected

This policy applies to all Covered Individuals, as set forth below:

- All Kelly employees, customers, and suppliers
- Any other persons or third parties with whom Kelly employees have contact through their employment, including applicants and independent contractors

## Sexual Harassment

Sexual harassment can occur in many ways. It may involve unwelcome romantic or sexual advances, requests for sexual favors, visual materials, social media posts, verbal comments, and/or physical contact of a sexual nature, regardless of gender or gender identity. Involved parties, either victim or harasser, could be a co-worker, subordinate, manager/supervisor, contractor, or even a customer.

Such conduct is a violation of this policy, even in instances where the offending employee believed they were acting jokingly. Such communications, comments, actions of a sexual nature, or unwelcome advances are prohibited at Kelly whether or not other employees were offended.

The most obvious examples of sexual harassment involve physical behavior or physical contact. The following is a non-exhaustive list of physical behaviors that may be considered offensive:

- Touching an individual by massaging their back, neck or shoulders, hugging, kissing, patting, pinching, fondling, or touching/pulling an individual's clothing or hair.
- Physical gestures that imply a sexual act or sexual anatomy, touching oneself in a sexual manner.
- Brushing up against another person, standing too close, or lingering.

However, sexually harassing behavior does not always involve physical contact. The following is a non-exhaustive list of examples of verbal and non-verbal/visual behavior that may be considered offensive:

- Suggestive behavior such as "elevator eyes" (looking a person up and down), leering, staring, sexual gestures, whistling, catcalls, winking, throwing kisses, making kissing sounds, howling, groaning, or smacking/licking lips.
- Sexual comments or innuendoes about clothing, anatomy, appearance, or sexual jokes or stories, or playing or singing sexually suggestive songs.
- Discussions or inquiries about sexual fantasy, preferences, history, or sex life about self or others.

- Displaying pictures, objects, reading materials, or other materials that are sexually suggestive or demeaning. This includes any sexual materials on personal devices including a smart phone or tablet, or company-owned computers or devices shared in the workplace.
- Repeated invitations and/or pressuring/coercion for dates or sexual favors; harassing phone calls, emails, texts, social media posts, or other communication.
- Giving personal gifts that imply an intimate relationship.
- Sending sexually suggestive communications (such as e-mails, texts, instant messages, notes, etc.); displaying or transmitting suggestive visual materials (such as pictures, calendars, and posters).
- Stalking, following, or blocking an individual's path.

In addition, it is a violation of this policy, and the law, for any employee to ever state, imply, or suggest that dating or engaging in sexual conduct with another employee could result in a workplace benefit such as a promotion, a raise, or better terms and conditions of employment – or that a refusal to date or engage in sexual conduct will negatively affect a person's career or conditions of employment.

Finally, employees should understand that sexual harassment can occur in the workplace which includes but is not limited to Kelly's facilities, work sites, vehicles, and equipment, or while on work-related travel. However, sexual harassment can also occur outside of the workplace and even outside of work hours, such as at a social event (including but not limited to a co-worker's wedding, or at a bar or restaurant after the workday).

## Internal Complaint Procedure

Any Kelly employee (i.e., full-time, part-time, leased, managed service, or on assignment with a Kelly customer) who believes that they have been harassed by a Kelly employee or non-employee, or who have witnessed harassment of or by another Kelly employee or non-employee, or witnessed discrimination, should report the alleged misconduct to one of the following:

- The **immediate Kelly manager** (i.e., an officer, director, supervisor, or Kelly Representative) of the employee who is reporting the alleged misconduct.
- The Kelly Human Resource Knowledge Center at 1-877-301-8469 or [HRknowledgecenter@kellyservices.com](mailto:HRknowledgecenter@kellyservices.com).
- The **Kelly Services' Business Conduct & Ethics Reporting Program at 1-877-978-0049** or <https://secure.ethicspoint.com/domain/media/en/gui/82243/index.html>. This program is administered by a third party.

There is no formal chain of command when it comes to reporting any issues, concerns or formal complaints regarding discrimination or harassment, and individuals may bypass their manager or anyone in their chain of command without fear of retaliation.

Reporting must be as soon after the event occurs as possible. Should the alleged harassment occur at a time other than normal business hours, the complaint should be voiced as early as practicable on the first business day following the alleged incident.

Complaints may be made verbally or in writing. A Complaint Form for submission of a written complaint is attached here, and you are encouraged to use this Complaint Form to report potential discrimination, harassment and/or retaliation.

You are also encouraged (though not required) to inform the alleged harasser that the behavior is unwelcome. In many instances, a person may be unaware that his or her conduct is unwelcome or offensive and when so advised, can easily and willingly correct the conduct so that it does not re-occur.

If Kelly determines that an employee has engaged in conduct in violation of this policy, Kelly shall take prompt, remedial action commensurate with the circumstance, up to and including termination of employment, against those who engaged in violations of this policy.

Kelly's designated employee shall provide community referrals and resources to employees to assist employees with their concerns or experiences regarding sexual harassment.

## Duty to Cooperate

Every employee shall have a duty to cooperate with the investigation. Failure to do so may result in disciplinary action. Additionally, every employee has the duty to be truthful and must disclose all information known to the employee when requested to do so by an appropriate person in the organization or the person designated by the organization to investigate an alleged incident of violence. Any employee who fails to be completely truthful or who withholds information shall be subject to disciplinary action.

## Retaliation

Kelly prohibits any retaliation against any employee who complains of sexual harassment or who participates in an investigation. Retaliation includes, but is not limited to, taking disciplinary action against the employee, reassigning their duties or workspace, denying requests for leave, demotions, etc. Allegations of retaliation will be investigated, and appropriate remedial action will be taken. Any individual engaging in retaliatory behavior will be subject to disciplinary action, which may include termination of employment. For any suspected retaliation concerns, contact a supervisor, any manager, or the Kelly Human Resource Knowledge Center at 1-877-301-8469 or [HRknowledgecenter@kellyservices.com](mailto:HRknowledgecenter@kellyservices.com).

Kelly will not retaliate against a victim of sexual harassment for requesting leave or a reasonable accommodation (see Section 5(A)), regardless of whether the request was granted.

## Witnessing Sexual Harassment

In addition to having a duty to cooperate with an investigation of sexual harassment, employees who have information about or who witness an act of sexual harassment against an employee, are required to report all information to the designated employee at Kelly.

Kelly will not retaliate against, terminate, or discipline any employee for reporting information about alleged incidents of sexual harassment, as defined in this policy that may have been committed by any other employee, including a member of management. Any employee who believes they have been subjected to adverse action as a result of making a report pursuant to this policy should contact the Kelly Human Resource Knowledge Center at 1-877-301-8469 or [HRknowledgecenter@kellyservices.com](mailto:HRknowledgecenter@kellyservices.com).

## Investigation Procedures

If Kelly receives information that alleges or suggests that an employee has committed an act of sexual harassment, then the matter shall be referred to the designated executive for the purpose of investigating the information or allegation. Kelly shall conduct an immediate investigation of the information or allegation as soon as reasonably possible.

At the conclusion of the investigation conducted by Kelly, the investigator will report their findings to the designated official. If the investigator concludes that there is significant evidence that the employee has engaged in sexual harassment, as defined in this policy, then that employee shall be subject to disciplinary action up to and including termination. The employee might also be required to participate in counseling or other remedial measures.

The Human Resource Officer, or other official designated by Kelly will provide written notice to the employee who filed the complaint and the accused employee informing them of the outcome of the investigation. The notification will not include the recommended discipline in cases where a violation of this policy was found.

## Statement of Confidentiality

Kelly recognizes and respects an employee's right to privacy and the need for confidentiality and the freedom to make their own decisions. Kelly shall maintain the confidentiality of an employee's disclosure regarding sexual harassment to the extent allowed by law, and unless to do so would result in physical harm to any person, and/or jeopardize safety within the workplace.

When information must be disclosed to protect the safety of individuals within the workplace, Kelly shall limit what information is disclosed as necessary to protect the safety of the disclosing employee and others, and to comply with the law.

Kelly shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere. Kelly shall also provide the employee with the name and title of the person to whom Kelly intends to share the employee's statements and shall explain why the information must be disclosed.

## Leave Requests

Kelly recognizes that victims of sexual harassment may need time off to obtain or attempt to obtain a protection or restraining order or any other legal assistance to help ensure their health, and safety. Kelly will work in collaboration with the employee to provide reasonable and flexible leave options when an employee is a victim of sexual harassment.

Kelly will work with employee to provide paid leave first before requiring an employee to utilize unpaid leave. An employee must provide reasonable advance notice to the employer of the need to take time off unless advance notice is not feasible.

To request leave, employee should contact **the immediate Kelly manager** (i.e., an officer, director, supervisor, or Kelly Representative) or contact the Kelly Human Resource Knowledge Center at 1-877-301-8469 or [HRknowledgecenter@kellyservices.com](mailto:HRknowledgecenter@kellyservices.com). Kelly will maintain the confidentiality of a person who requests leave under this policy, to the extent allowed by law.

Kelly will also provide reasonable accommodations for a victim of sexual harassment who requests an accommodation for the safety of the victim or to maintain their work performance while at work. Reasonable accommodations may include the implementation of safety measures, including a transfer, reassignment, modified schedule, changed work telephone, changed workstation, installed lock, assistance in documenting the sexual harassment that occurs in the workplace, an implemented safety procedure, another adjustment to a job structure, workplace facility, or work requirement in response to the sexual harassment, or referral to a sexual harassment counseling service.

Kelly will assist an employee to enforce his or her protection order, if applicable.

## **Additional Resources for Filing Sexual Harassment Complaints**

In addition to internal Kelly reporting methods, employees have the right to file charges of sexual harassment with the government agencies listed below. All external charges of discrimination in which Kelly is identified as a Respondent, should be immediately directed to the Kelly Human Resource Knowledge Center at 1-877-301-8469 or [HRknowledgecenter@kellyservices.com](mailto:HRknowledgecenter@kellyservices.com).

### **Chicago Commission on Human Relations**

740 N. Sedgwick, 4<sup>th</sup> Floor  
Chicago, IL 60654 312-744-4111  
[cchr@cityofchicago.org](mailto:cchr@cityofchicago.org)

### **U.S. Equal Employment Opportunity Commission (EEOC)**

Chicago District Office  
230 South Dearborn St., Suite 1866  
Chicago, Illinois 60604  
321-872-9744  
866-740-3953 (TTY)  
<https://publicportal.eeoc.gov/Portal/Login.aspx>

### **Illinois Department of Human Rights**

555 W. Monroe Street, Suite 700  
Chicago, IL 60601  
312-814-6200  
312-740-3953 (TTY)

# HARASSMENT COMPLAINANT STATEMENT

Date, time, and location of statement:

Assignment information:

## Complainant Information

Name:

Position:

Status:  Full-time  Part-time  Temporary  Leased  Managed Service

Kelly manager/supervisor name and position:

Start date on assignment:

PLEASE DETAIL YOUR STATEMENT OF WHAT OCCURRED:

Where did the incident(s) take place? *Inquire about incidents that may have occurred outside, as well as inside, the workplace. Ask the complainant to be specific.*

Were you physically touched or was any physical contact made while in the workplace?

Yes  No

If yes, how many times were you touched and where?

Did anyone see this?  Yes  No

*If yes, please describe who and the exact physical contact or confinement.*

Were you threatened in any way?  Yes  No

If yes, what was the threat?

Were you exposed to offensive or explicit materials, such as cartoons, photographs, or e-mail messages?

Yes  No

If yes, what was the material?

Were you subjected to lewd or offensive comments, or tell sexually explicit jokes or stories while in the workplace or by coworkers?  Yes  No

If yes, what was said?

Were there any witnesses to the incident(s)?  Yes  No

Is yes, who were the witnesses (names and positions)? Did they witness the entire incident(s)?

How did you feel about the incident at the time it occurred?

How did you respond to the incident?

Did you directly ask, tell, or warn the alleged harasser to stop the behavior or activity?

Yes  No

If yes, how did you communicate the message (e.g., face-to-face, phone, e-mail)? What specifically did you say?

Are you aware of any others who have been subjected to similar behavior?

Yes  No

If yes, who (names and positions) and when? How do you know of the similar behavior (heard about it, witnessed it, etc.)?

What was your relationship with the alleged harasser prior to the incident(s)? Did you work together in the past, socialize outside of work, etc.? *Ask the complainant to be specific.*

Since the time of the alleged incident(s), what has the relationship been between you and the person you are raising concerns about in the statement?

Did you tell anyone else about the incident represented in this statement: superiors, co-workers, employees of the customer, family, friends, counselor/therapist, attorneys, and/or police?

Yes  No

If yes, who and when? What was the result?

Do you have any tangible evidence or records related to the information in your statement: notes, letters, or electronic messages from the harasser; calendar or diary entries you made; tape recordings; formal complaints made to outside agencies?

Yes  No

If yes, what?

Are there any workplace issues resulting from the information you provided in your statement, such as an effect on your behavior or job performance, or the behavior or job performance of others?

Yes  No

If yes, what are the issues?

Are you experiencing any personal issues outside of the workplace as a result of the issues you are now alleging?

Yes  No

If yes, what are the issues?

Do you feel comfortable returning to the workplace or assignment?

Yes  No

Is there any additional information that Kelly should know?

Complainant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_