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ARTICLE I. IN GENERAL

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Sec. 30-1. Village's intent to uphold equal employment opportunity laws.

The village hereby declares to uphold all laws related to equal employment opportunity including, but not limited to, the following:

- (1) Title VI of the Civil Rights Act of 1964, which prohibits discrimination in the participation in or benefits of programs or activities receiving federal financial assistance on the basis of race, color, or national origin.
- (2) Title VII of the Civil Rights Act of 1964, which prohibits discrimination because of race, color, religion, sex or national origin in all employment practices including hiring, firing, promotions, compensation, and other terms, privileges and conditions of employment.
- (3) Title IX of the Education Amendments of 1972, which prohibits discrimination in federally assisted education programs.

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- (4) The Equal Pay Act of 1963, which covers all employees who are covered by the Fair Labor Standards Act. The act forbids pay differentials on the basis of sex.
- (5) The Age Discrimination Act of 1967, which prohibits discrimination because of age against anyone between the ages of 40 and 65.
- (6) Federal Executive Order 11246, which requires every contract with federal financial assistance to contain a clause against discrimination because of race, color, religion, sex, or national origin.
- (7) Section 504 of the Rehabilitation Act of 1973 and DOL Implementing Regulations at 29 CFR 32, which prohibits any discrimination based on handicap.
- (8) Section 167 of JTPA and the U.S. DOL Regulations at 29 CFR 31 and 32, which provides that no person in the United States shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination on the basis of race, color, or national origin, under any program or activity receiving federal financial assistance from the Department of Labor.
- (9) Chapter 68, article I, section 17-19 of the state constitution, which prohibits discrimination based on race, color, creed, national ancestry, handicap, and sex in the hiring and promotion practices of any employer.
- (10) Article 2 of the Illinois Human Rights Act (775 ILCS 5/2-101 et seq.).
- (11) Americans with Disabilities Act (42 USC 12101 et seq.) and the regulations thereunder (28 CFR 35.130) (ADA) which prohibits discrimination against persons with disabilities in the provision of any aid benefit or service.

(Ord. No. 97-2, § I, 3-12-1997)

Sec. 30-2. Sexual harassment.

- (a) *Generally.* The village shall uphold all laws related to sexual harassment.
- (b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Sexual harassment means any unwelcome sexual 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.

State Law reference— Similar provisions, 775 ILCS 5/2-101(E).

- (c) *Gender; status.* Sexual harassment may involve individuals of the same or different gender. Sexual harassment is most frequently associated with those situations in which a power differential exists between persons involved; however, it also may occur between individuals of the same status.
- (d) *Enumeration of prohibited conduct.* Examples of conduct which may, if continued or repeated, constitute sexual harassment are as follows:
 - (1) Unnecessary touching, patting, hugging, or brushing against a person's body;

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- (2) Staring, ogling, leering, whistling;
- (3) Sexually explicit statements, comments, questions, jokes, or anecdotes;
- (4) Graphic comments about a person's clothing or body;
- (5) Sexually suggestive objects or pictures in the work place;
- (6) Harassing use of the electronic mail or telephone communication system;
- (7) Other physical or verbal conduct of a sexual nature.

Such conduct, whether intended or not, constitutes sexual harassment and is illegal under both state and federal law. Violations of this policy will not be permitted.

(e) *Procedure for the resolution of complaints.*

- (1) The village encourages anyone who feels that he or she has been a victim of sexual harassment to report such incidents to the village president or village board member. Complainants are urged to report sexual harassment incidents as soon as possible, since a delay in reporting may make it difficult to gather appropriate information and documentation. It is not necessary for sexual harassment to be directed at the person making the complaint. The following steps may also be taken: document or record each incident (what was said or done, the date, the time and the place). Documentation can be strengthened by written records such as letters, notes, memos and telephone messages.
- (2) Complaints will be kept in confidence to the extent practicable and appropriate under the circumstances.
- (3) The village president, with the approval of the board, shall appoint a committee of at least three people, one of which shall be the attorney for the village. The role of the committee will be to hear and consider testimony and other relevant reliable evidence, to make findings of fact, to determine whether the village's policy on sexual harassment has been violated, and if so, to recommend appropriate relief and disciplinary action. A copy of the written decision shall be promptly furnished to the employee making the complaint.
- (4) The employee will be able to have a representative present at any discussion between the employee and the village board or committee.

(f) *Written complaints; alternate avenues.* The employee making the complaint may elect to file a written complaint with the state department of human rights or the state human rights commission. The alternative complaint avenues are available if the employee would prefer to use them instead of the internal procedures.

- (1) State department of human rights: 312-814-6245.
- (2) State human rights commission: 217-785-4350.

(g) *Protection from retaliation.* The employee is protected by the Illinois Human Rights Act (775 ILCS 5/6-101, 1994 State Bar Edition) from retaliation because he or she has opposed that which he or she reasonably and in good faith believes to be unlawful sexual harassment in employment or because he or she has made a charge, filed a complaint, testified, assisted, or participated in an investigation under such act.

(Ord. No. 97-2, § II, 3-12-1997)

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Sec. 30-3. Ensuring nondiscriminatory employment practices.

The village will ensure nondiscriminatory employment practices in recruitment, recruitment advertising, employment, placement, layoff or termination, promotion, demotion or transfer, rate of pay or other forms of compensation and use of facilities.

(Ord. No. 97-2, § III, 3-12-1997)

Sec. 30-4. Contract policy.

The village will not contract with other agencies, banks, businesses, vendors, etc., who practice or establish a pattern of discrimination based on sex, color, race, religion, age, developmentally disabled/handicap, national origin, political affiliation or belief.

(Ord. No. 97-2, § IV, 3-12-1997)

Sec. 30-5. Outreach, selection and service.

The village ensures that it will actively provide nondiscriminatory outreach, selection, and service to all individuals.

(Ord. No. 97-2, § V, 3-12-1997)

Sec. 30-6. Hiring of minorities.

Efforts will be made to hire minority individuals for all job categories so that minority employment in all categories of the work force will represent a proportionate share of minority populations in the village as well as surrounding areas.

(Ord. No. 97-2, § VI, 3-12-1997)

Sec. 30-7. Accommodation of developmentally disabled/handicapped employees.

The village will provide accommodations to the best of its ability for developmentally disabled/handicapped employees contingent on budget and structural limitations.

(Ord. No. 97-2, § VII, 3-12-1997)

Sec. 30-8. Employee adherence to village policy.

All village employees are expected to adhere to the policy described in this article and to work actively for its implementation both internally and in carrying out village program activities.

(Ord. No. 97-2, § VIII, 3-12-1997)

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Secs. 30-9—30-40. Reserved.

ARTICLE II. DISCRIMINATORY HOUSING PRACTICES

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Sec. 30-41. Declaration of policy.

- (a) In furthering the policy of the state as expressed in its constitution and other laws; in order that the safety and general welfare, peace and health of all the inhabitants of the village may be ensured, it is hereby declared the policy of the village, to ensure equal opportunity to all residents, regardless of race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap, military status or unfavorable discharge from military service, or familial status to live in decent, sanitary, healthful, standard living quarters.
- (b) It is the policy of the village that no owner, lessee, sublessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent, lease (or otherwise control) any housing accommodation and/or real property within the village, or any agent of these shall refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap of such person or discriminate against any person because of race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap, military status or unfavorable discharge from military service, or familial status in the conditions, terms, privileges of the sale, rental or lease of any housing accommodation and/or real property or in the furnishing of facilities and/or services in connection therewith.
- (c) Relocation shall be carried out in a manner that will promote maximum choice within the community's total housing supply; lessen racial, ethnic, and economic concentrations; and facilitate desegregation and racially inclusive patterns of occupancy and use of public and private facilities.

(Ord. No. 97-1, § 1, 3-12-1997)

Sec. 30-42. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Decent, sanitary, healthful standard living quarters means housing which is in sound, clean, and weathertight condition in conformance with applicable local, state, and national codes.

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Discriminate and *discrimination* mean any difference expressed in any way toward a person in the terms of the sale, exchange, lease, rental or financing for housing accommodation and/or real property in regard to such sale, exchange, rental, lease or finance because of race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap, military status or unfavorable discharge from military service, or familial status of such person.

Financial institution means any bank, credit union, insurance company, mortgage banking company or savings and loan association which operates or has a place of business in this state.

Housing accommodation means any improved or unimproved real property, or part thereof, which is used or occupied, or is intended, arranged or designed to be used or occupied, as the home or residence of one or more individuals.

Owner means any person who holds legal or equitable title to, or owns any beneficial interest in any real property or who holds legal or equitable title to shares of, or holds any beneficial interest in any real estate cooperative which owns any real property and/or housing accommodations.

Real estate broker means a person, whether licensed or not, who, for or with the expectation of receiving a consideration, lists, sells, purchases, exchanges, rents, or leases real property, or who negotiates, or attempts to negotiate, any of these activities, or who holds himself out as engaged in these.

Real property means buildings, structures, real estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums, and hereditaments, corporeal and incorporeal, or any interest therein.

(Ord. No. 97-1, § 2, 3-12-1997)

Cross reference— Definitions generally, § 1-2.

Sec. 30-43. Civil rights violations; real estate transactions.

It is a civil rights violation for an owner or any other person engaging in a real estate transaction, or for a real estate broker or salesman, because of race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap, military status or unfavorable discharge from military service, or familial status, to:

- (1) *Transaction*. Refuse to engage in a real estate transaction with a person or to discriminate in making available such a transaction;
- (2) *Terms*. Alter the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith;
- (3) *Offer*. Refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person;
- (4) *Negotiation*. Refuse to negotiate for a real estate transaction with a person;
- (5) *Representations*. Represent to a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or to fail to bring a property listing to his attention, or to refuse to permit him to inspect real property;
- (6) *Publication of intent*. Print, circulate, post, mail, publish or cause to be so published a written or oral statement, advertisement or sign, or to use a form of application for a real estate transaction, or to make a record or inquiry in connection with a prospective real estate transaction, which expresses any limitation founded upon, or indicates, directly or indirectly, an intent to engage in discrimination based on race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap, military status or unfavorable discharge from military service;

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- (7) *Listings.* Offer, solicit, accept, use or retain a listing of real property with knowledge that discrimination based on race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap, military status or unfavorable discharge from military service or discrimination on the basis of familial status in a real estate transaction is intended.

(Ord. No. 97-1, § 3, 3-12-1997)

State Law reference— Similar provisions, 775 ILCS 5/3-102.

Sec. 30-44. Handicap.

- (a) It is a civil rights violation to refuse to sell or rent or to otherwise make unavailable or deny a dwelling to any buyer or renter because of a handicap of that buyer or renter, a handicap of a person residing or intending to reside in that dwelling after it is sold, rented or made available or a handicap of any person associated with the buyer or renter.
- (b) It is a civil rights violation to alter the terms, conditions or privileges of sale or rental of a dwelling or the provision of services or facilities in connection with such dwelling because of a person's handicap or a handicap of any person residing or intending to reside in that dwelling after it is sold, rented or made available, or a handicap of any person associated with that person.
- (c) It is a civil rights violation:
- (1) To refuse to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises; except that, in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before modifications, reasonable wear and tear excepted. The landlord may not increase for handicapped persons any customarily required security deposit. However, where it is necessary in order to ensure with reasonable certainty that funds will be available to pay for the restorations at the end of the tenancy, the landlord may negotiate as part of such a restoration agreement a provision requiring that the tenant pay into an interest bearing escrow account, over a reasonable period, a reasonable amount of money not to exceed the cost of the restorations. The interest in any such account shall accrue to the benefit of the tenant. A landlord may condition permission for a modification on the renter providing a reasonable description of the proposed modifications as well as reasonable assurances that the work will be done in a workmanlike manner and that any required building permits will be obtained.
 - (2) To refuse to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling.
 - (3) In connection with the design and construction of covered multifamily dwellings for first occupancy after March 13, 1991, to fail to design and construct those dwellings in such a manner that:
 - a. The public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons.
 - b. All the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs.
 - c. All premises within such dwellings contain the following features of adaptive design:
 1. An accessible route into and through the dwelling;

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2. Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;
 3. Reinforcements in bathroom walls to allow later installation of grab bars; and
 4. Usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.
- (d) Compliance with the appropriate standards of the Illinois Accessibility Code for Adaptable Dwelling Units (71 Ill. Admin. Code 400.350(e)1-6) suffices to satisfy the requirements of subsection (c)(3)c of this section.

(Ord. No. 97-1, § 3, 3-12-1997)

State Law reference— Similar provisions, 775 ILCS 5/3-102.1.

Sec. 30-45. Blockbusting.

It is a civil rights violation for any person to:

- (1) *Solicitation.* Solicit for sale, lease, listing or purchase any residential real estate within this state, on the grounds of loss of value due to the present or prospective entry into the vicinity of the property involved of any person of any particular race, color, religion, national origin, ancestry, age, sex, marital status, familial status or handicap.
- (2) *Statements.* Distribute or cause to be distributed, written material or statements designed to induce any owner of residential real estate in this state to sell or lease his property because of any present or prospective changes in the race, color, religion, national origin, ancestry, age, sex, marital status, familial status or handicap of residents in the vicinity of the property involved.
- (3) *Creating alarm.* Intentionally create alarm, among residents of any community, by transmitting communications in any manner, including a telephone call whether or not conversation thereby ensues, with a design to induce any owner of residential real estate in this state to sell or lease his property because of any present or prospective entry into the vicinity of the property involved of any person of any particular race, color, religion, national origin, ancestry, age, sex, marital status, familial status or handicap.

(Ord. No. 97-1, § 3, 3-12-1997)

State Law reference— Similar provisions, 775 ILCS 5/3-103.

Sec. 30-46. Refusal to sell or rent because a person has a guide, hearing or support dog.

It is a civil rights violation for the owner or agent of any housing accommodation to:

- (1) Refuse to sell or rent after the making of a bonafide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny property to any blind, hearing impaired or physically handicapped person because he has a guide, hearing or support dog; or
- (2) Discriminate against any blind, hearing impaired or physically handicapped person in the terms, conditions, or privileges of sale or rental property, or in the provision of services or facilities in connection therewith, because he has a guide, hearing or support dog; or

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- (3) Require, because a blind, hearing impaired or physically handicapped person has a guide, hearing or support dog, an extra charge in a lease, rental agreement, or contract of purchase or sale, other than for actual damage done to the premises by the dog.

(Ord. No. 97-1, § 3, 3-12-1997)

Sec. 30-47. Restrictive covenants.

- (a) *Agreements.* Every provision in an oral agreement or a written instrument relating to real property which purports to forbid or restrict the conveyance, encumbrance, occupancy or lease thereof on the basis of race, color, religion, or national origin is void.
- (b) *Limitations.* Every condition, restriction or prohibition, including a right of entry or possibility of reverter, which directly or indirectly limits the use or occupancy of real property on the basis of race, color, religion, or national origin is void. This section shall not apply to a limitation of use on the basis of religion of real property held by a religious institution or organization or by a religious or charitable organization operated, supervised, or controlled by a religious institution or organization, and used for religious or charitable purposes.
- (c) *Civil rights violations.* It is a civil rights violation to insert in a written instrument relating to real property a provision that is void under this section or to honor or attempt to honor such a provision in the chain of title.

(Ord. No. 97-1, § 3, 3-12-1997)

State Law reference— Similar provisions, 775 ILCS 5/3-105.

Sec. 30-48. Penalty for violation of article.

Any person convicted of violating any of the provisions of this article shall be subject to punishment as provided in section 1-10.

(Ord. No. 97-1, § 4, 3-12-1997)