



Restaurants and Bars Must Provide “Supplemental” Sexual Harassment Prevention Training

Every restaurant and bar, as defined under Section 2-110 of the Illinois Human Rights Act (“IHRA”), is required to provide all employees with annual “supplemental” sexual harassment prevention training that complies with Section 2-110 of the IHRA. This is in addition to the sexual harassment prevention training required of all employers under Sections 2-109.¹ Restaurants and bars may develop their own sexual harassment prevention trainings that meet or exceed the minimum standards outlined in Section 2-109(B) and Section 2-110(C), or they may use the model sexual harassment prevention trainings developed by the Illinois Department of Human Rights (“IDHR”).

Minimum Standards for Sexual Harassment Prevention Training: Restaurants and Bars

Restaurants and bars may develop their own sexual harassment prevention training programs provided they meet or exceed the minimum training standards outlined in Sections 2-109(B) and 2-110(C) of the IHRA.

Section 2-109(B) minimum training standards include:

- an explanation of sexual harassment consistent with the IHRA;
- examples of conduct that constitutes unlawful sexual harassment;
- a summary of relevant federal and State statutory provisions concerning sexual harassment, including remedies available to victims of sexual harassment; and
- a summary of responsibilities of employers in the prevention, investigation, and corrective measures of sexual harassment.

Section 2-110(C) minimum supplemental training standards include:

- specific conduct, activities, or videos related to the restaurant or bar industry;
- an explanation of manager liability and responsibility under the law; and
- English and Spanish language options.

Additional Compliance Information

- **Sexual Harassment Prevention Policy Required.** Pursuant to Section 2-110(B), restaurants and bars are also required to establish a written sexual harassment prevention policy, in English and Spanish, and provide a copy to their employees within the employee’s first calendar week of employment. For more information on this requirement, visit IDHR’s website at www.illinois.gov/dhr/training and download handout SHP-PLCY (Sexual Harassment Prevention Policy: Minimum Standards for Restaurants and Bars).

¹ For more information about Section 2-109 (training requirements for all employers), visit IDHR’s website and download handout SHP-TR02 (Sexual Harassment Prevention: Minimum Training Standards for Employers).



Additional Compliance Information (continued)

- **Deadline to Provide Sexual Harassment Prevention Training.** Employers must train all employees by December 31, 2020 and on an annual basis thereafter.
- **Supplemental Training.** For the purposes of satisfying the requirements under Sections 2-109 and 2-110, restaurants and bars may use IDHR's model sexual harassment prevention training programs to supplement any existing program that the employer is utilizing or develops.
- **Civil Penalty.** Any restaurant or bar that is in violation of Section 2-109 and/or 2-110 will receive a notice to show cause from IDHR giving the employer 30 days to comply. Failure to comply within 30 days will result in IDHR petitioning the Illinois Human Rights Commission for entry of an order imposing a civil penalty on the employer.

Definitions

- **"Restaurant"** is defined as any business that is primarily engaged in the sale of ready-to-eat food for immediate consumption, including, but not limited to, restaurants, coffee shops, cafeterias, and sandwich stands that give or offer for sale food to the public, guests, or employees, and kitchen or catering facilities in which food is prepared on the premises for serving elsewhere.
- **"Bar"** is defined as an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and that derives no more than 10% of its gross revenue from the sale of food consumed on the premises, including, but not limited to, taverns, nightclubs, cocktail lounges, adult entertainment facilities, and cabarets.
- **"Manager"** is defined as a person responsible for the hiring and firing of employees, including, but not limited to, a general manager, owner, head chef, or other non-tipped employee with duties managing the operation, inventory, safety, and personnel of a restaurant or bar.

For more information please visit IDHR's website at www.illinois.gov/dhr/training. View Section 2-109 and Section 2-110 of the [Illinois Human Rights Act](#).