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Chicago Expands Bystander Intervention Training



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Chicago continues to be at the forefront of combatting sexual harassment in the workplace by further expanding the existing training requirements. Chicago employers have previously been required to provide annual sexual harassment training for employees and supervisors. However, recently, Chicago has increased these requirements by adding an additional hour of “bystander intervention” training.

The Chicago Commission on Human Rights’ guidance on the new requirement defines bystander intervention as “safe and positive actions that may be carried out by a person or a group of people to prevent harm or intervene where there is a risk or perceived risk of sexual harassment to another.” A bystander can be anyone in the workplace who notices incidents where another person may seem uncomfortable or where the employee may determine that an observed action is inappropriate.

The new ordinance also expands the definition of “sexual harassment” to explicitly include “sexual misconduct,” which is defined as “any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual’s employment position.”

The new bystander intervention training should include instructions on identifying safe and effective intervention options, how to recognize situations of potential sexual harassment, understanding institutional structures and cultural conditions that facilitate sexual harassment, overcoming barriers to intervening and how to take action to intervene. Examples of intervention include:

- Asking for help from a third party (i.e. supervisor)
- Distracting the perpetrator by asking for the time, directions or anything else not relating to the harassment
- Directly responding to the harasser and addressing the harassment
- Checking in with the victim afterwards

Employers that violate any of these requirements are subject to fines of \$500 to \$1,000 for each offense, and the ordinance specifies that each day a violation continues is a separate and distinct offense. Therefore, it is important Chicago employers take this opportunity to assess their training requirements for employees and review any existing sexual harassment policies. Employers have until June 30, 2023 to comply with this ordinance. You can review the City of Chicago’s bystander intervention model training [here](#).

If you would like more information or to discuss these issues further, please contact a member of Gould & Ratner’s [Human Resources and Employment Law Practice](#).