



Resource Guide on the Garden's Nondiscrimination, Anti-Harassment, and Title IX Policies and Complaint Procedures

Chicago Botanic Garden Policy Statements:

Nondiscrimination, Equal Employment Opportunity, and Affirmative Action Policy

The Garden does not discriminate on the basis of race, color, age, marital status, sex, pregnancy, national origin, ancestry, religion, disability, genetic information, sexual orientation, gender identity, gender expression, parental status, marital status, citizenship status, military or veteran status, or any other characteristic or status protected by applicable federal, state, or local law. In addition, the Garden complies with its obligations as a federal contractor, including, but not limited to, its obligations under laws governing affirmative action.

Title IX Policy

In accordance with Title IX of the Education Amendments of 1972, the Garden prohibits discrimination on the basis of sex in its educational programs and activities, including, but not limited to, admission of individuals to, treatment of individuals in, and employment of personnel working in connection with the Garden's educational programs and activities. The Garden is required by Title IX and the regulations of the federal agencies that provide funding to its educational programs and activities not to discriminate in such a manner.

Sex discrimination can include sexual harassment and sexual assault or other forms of sexual violence.

Anti-Harassment Policy

The Garden is committed to maintaining an environment that is free from harassment. Harassment, whether verbal, physical, or visual, that is based upon a person's protected characteristic or status, such as race, color, age, marital status, sex, pregnancy, national origin, ancestry, religion, disability, genetic information, sexual orientation, gender identity, gender expression, parental status, marital status, citizenship status, military or veteran status, or any other characteristic or status protected by applicable federal, state, or local law, is a form of discrimination and prohibited by the Garden. The Garden will not tolerate harassment of individuals by anyone, including any supervisor, co-worker, vendor, visitor, volunteer, board member, donor, student, or any other third party.



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Examples of harassment may include, for example, jokes or teasing directed at a person based on his/her protected characteristic or status, displaying or circulating written materials or pictures that degrade a person or group, or verbal abuse or insults about, directed at, or made in the presence of an individual or group of individuals in a protected group.

Sexual harassment is a specific type of harassment prohibited by law and by the Garden's policy and may include, but is not limited to, the following conduct:

- Unwelcome verbal or physical conduct of a sexual nature when submission to the conduct is an explicit or implicit term or condition of employment or participation in any of the Garden's educational programs and/or activities;
- Unwelcome verbal or physical conduct of a sexual nature when submission to or rejection of the conduct is used, implicitly or explicitly, as a basis for making decisions affecting the individual; and
- Unwelcome verbal or physical conduct of a sexual nature when the conduct creates a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from the Garden's employment or education programs and/or activities.

Sexual harassment includes conduct directed toward a person of the opposite or same sex, and may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented jokes or teasing, obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another person's body.

Sexual violence is another form of sexual harassment and is also prohibited by this policy. "Sexual violence" means physical sexual acts attempted or perpetrated against a person's will or when a person is incapable of giving consent, including without limitation rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Anti-Retaliation Policy

The Garden forbids retaliation against anyone for reporting harassment or discrimination in good faith, assisting in making a complaint of harassment or discrimination, or cooperating in an investigation of harassment or discrimination. If an individual believes he or she has been retaliated against for any of these reasons, he or she should notify the vice president of Human Resources/Title IX coordinator.



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To whom do these policies apply?

All Garden employees are responsible for creating an atmosphere free of harassment and discrimination, and are expected to comply with the above policies and the Garden's other EEO initiatives. These policies also apply to participants in the Garden's educational programs and activities, to visitors, volunteers, and to third-party vendors and contractors conducting business or other activities with or at the Garden.

Anti-Harassment and Discrimination Complaint Procedures

Who can I contact for more information about these policies?

The vice president of Human Resources, Aida Z. Giglio, who has been designated as the coordinator of the Garden's nondiscrimination and anti-harassment policies and the Garden's Title IX coordinator.

Aida Z. Giglio, Vice President of Human Resources and Title IX Coordinator
Human Resources Office
Barbara Carr Administrative Center
1000 Lake Cook Road, Glencoe, Illinois 60022
Phone: (847) 835-8264
Email: agiglio@chicagobotanic.org.

Do I have an obligation to report a violation of these policies? How should I report a policy violation?

Employees who witness or become aware of potentially harassing or discriminatory conduct occurring on Garden premises, at a Garden-sponsored event, or in any manner that has the effect of unreasonably interfering with an individual's engagement with the Garden **must** promptly report the incident. This reporting obligation applies regardless of whether the potentially harassing or discriminatory conduct was directed toward a Garden employee or toward a vendor, visitor, volunteer, donor, student, or any other third party, and regardless of how the employee became aware of the potentially harassing or discriminatory conduct.

You **must** promptly report any conduct you believe constitutes **harassment or discrimination** as follows:

- by informing the vice president of Human Resources and Title IX coordinator, Aida Giglio;
- by informing a department head or other Garden manager or supervisor; or



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- by calling or making an online report through the Garden's **anonymous** hotline hosted by EthicsPoint, a third-party hotline provider:
(844) 764-7270 or www.chicagobotanic.ethicspoint.com

Complaints of harassment or discrimination against the vice president of Human Resources/Title IX coordinator should be directed to Bob Finke, Chairman of the Board via the hotline: (844) 764-7270 or www.chicagobotanic.ethicspoint.com.

Anyone who experiences such conduct is strongly encouraged to report the conduct following the same procedures so that the Garden can take steps to investigate the concerns and take any corrective action that might be appropriate.

Grievance Procedure/ What to expect during an Investigation

Contact the vice president of Human Resources/Title IX coordinator or use the Garden's anonymous hotline to report any complaints of harassment or discrimination. The Garden is committed to maintaining an environment that is free from harassment and discrimination.

What happens after I make a complaint?

The Garden will take steps to understand what occurred and respond appropriately.

After receiving a complaint, the vice president of Human Resources/Title IX coordinator or designee will conduct an **initial assessment and inquiry** to determine what, if any, additional information is needed or steps will be taken. This initial assessment will begin as soon as practicable and will most frequently begin with an attempt to gain additional information through the complainant, preferably through an in-person meeting. The scope and timing of any further action will depend upon a number of factors, including but not limited to whether the identity of the complainant is known.

Following an initial assessment, the Vice President of Human Resources/Title IX Coordinator or designee will confer closely with the complainant in deciding whether to proceed with an investigation. **The Garden will consider any request for confidentiality or not to proceed with an investigation, but the Garden reserves the right to proceed with an investigation in its discretion.**

If the vice president of Human Resources/Title IX coordinator determines that insufficient information exists to move forward or the complaint alleges conduct that, even if substantiated, would not violate the Garden's anti-discrimination, anti-harassment, or Title IX policies, the case may be closed.



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Please note that the Garden may have an obligation to proceed with an investigation based on the information shared in the complaint and initial assessment, out of concern for the well-being and safety of the Garden community. You may not have the option of deciding whether the Garden will move forward with an investigation.

What happens during an investigation?

The vice president of Human Resources/Title IX coordinator or designee will attempt to interview and gain information from the responding party/ies and any witnesses identified by the parties. The vice president of Human Resources/Title IX coordinator or designee will provide all parties and witnesses with written notice of the subject of the complaint in advance of their interview with sufficient time to prepare for meaningful participation. Both the complaining and responding party/ies will be given the opportunity to identify witnesses and provide other information.

Interim Measures: The Garden will determine whether interim measures and accommodations should be taken while the case is pending. These measures can be temporary pending the results of an investigation to ensure the safety and security of the Garden community and/or longer term following the resolution of a case. Interim measures can include:

A no-contact directive

Adjustment to schedules

Removal of privileges or suspension of activity

A formal request or warning that a community member cease certain behaviors

A leave of absence

Advisors: A complainant or respondent may request that an advisor or support person be permitted to accompany him or her during the initial assessment or investigation to provide support. The Garden reserves the right to deny the request for the advisor. The advisor's relationship to the complainant or respondent will need to be shared so the vice president of Human Resources/Title IX coordinator or designee can determine if the request will be honored. If the request for an advisor is granted, the advisor may not speak, write, or otherwise communicate with the investigator on behalf of the complainant or respondent. The advisor may not be an attorney. He or she also may not serve as a witness in the same matter. It will be the responsibility of each party to coordinate scheduling with the advisor for any meetings. The advisor's availability cannot impede the timeline of the investigation.

Timeline: The Garden will respond promptly to all complaints of the Garden's anti-discrimination, anti-harassment, and Title IX policies. The exact time frame of an investigation may vary based on the circumstances of the particular case, including factors such as the availability of the complainant, respondent, and other witnesses, and the number of witnesses involved. The Garden will conduct any investigation promptly but will need to ensure time for a fair, impartial investigation.



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After the investigation, what will be shared with me? The Garden will provide a written notice of the outcome of the investigation to both the complainant and respondent. If the respondent is found to have violated Garden Policy, the details of the consequences and any sanctions for the violation will be outlined in detail for the respondent. The complainant will be notified of any remedies offered to the complainant, or sanctions imposed on the respondent that directly relate to the complainant.

Can I appeal the findings? The outcome of the findings is final and cannot be appealed unless new evidence becomes available that could not have reasonably been available at the time of the investigation and is of the nature that could have changed the outcome. The evidence must be related to the same complaint.

Additional Resources:

The following resources are available for individuals to discuss personal incidents and issues **confidentially**:

For Employees:

Employee Assistance Program Cigna is the provider for the Garden's Employee Assistance Program (EAP). The purpose of the EAP is to provide a confidential, experienced, and professional source of help for employees whose personal problems have grown to the point of interfering with their work life, family life, and personal life. The program has been designed to provide counseling in a variety of areas such as marital, financial, and family problems in addition to alcoholism and/or drug abuse and other issues. They can be reached at (800) 538-3543 or cignabehavioral.com. Simply identify yourself as an employee of the Chicago Botanic Garden.

For all community members:

RAINN: Rape, Abuse, and Incest National Network. (800) 656-HOPE (4673); <https://hotline.rainn.org>. Provides 24-hour/7-day-a-week confidential crisis counseling and information regarding sexual assault.

For college and graduate students:

Porchlight Counseling Services: Provides free and confidential counseling services to college and graduate students who have experienced sexual assault. (773) 750-7077 (confidential helpline); www.porchlightcounseling.org.



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The vice president of Human Resources/Title IX coordinator, Aida Z. Giglio, can help individuals identify or connect with additional resources or services.

Human Resources

Barbara Carr Administrative Center

1000 Lake Cook Road, Glencoe, Illinois 60022

Phone: (847) 835-8264

agiglio@chicagobotanic.org

Reporting Incident to Law Enforcement: An individual who has experienced sexual violence has the right to choose whether to file a police report. The Garden encourages individuals to report incidents of sexual violence to local law enforcement officials. Timely reporting to the police is an important factor in successful investigation and prosecution of crimes, including sexual violence, and may lead to the arrest of an offender.

Glencoe Public Safety Department

675 Village Court, Glencoe, IL 60022

Emergency: 911

Non-Emergency: (847) 835-4112

publicsafety@villageofglencoe.org

The vice president of Human Resources/Title IX coordinator can also assist individuals contact or file a report with the appropriate law enforcement officials.