



# creating a workplace free of sexual harassment

*FEI Behavioral Health*

Understand definition and examples of sexual harassment in the workplace

Review sexual harassment policy, reporting protocol, and investigatory process

Understand the managers' role in preventing and responding to sexual harassment



it's in the news



A photograph of a Walmart store exterior. The building has a brown facade with the word "Walmart" in large white letters and the yellow sunburst logo to the right. Below the logo, a "Recycle" sign is visible. The sky is blue with white clouds.

Walmart

Walmart to Pay \$410,000  
to Settle EEOC Sexual  
Harassment Lawsuit



GOD AND COUNTRY



BOY SCOUTS OF AMERICA



# U.S. v. Ghislaine Maxwell



- Maxwell has been charged with facilitating the sexual abuse of underage girls by Jeffrey Epstein.
- The charged conduct occurred in New York, Palm Beach, Florida, Santa Fe, Mexico, and London, England.
- If you receive information and feel you may have information the following number:

**1-800-CALL FBI**











it appears in many  
forms of entertainment







AFFILIATED  
Local 8





# GAME OF THRONES



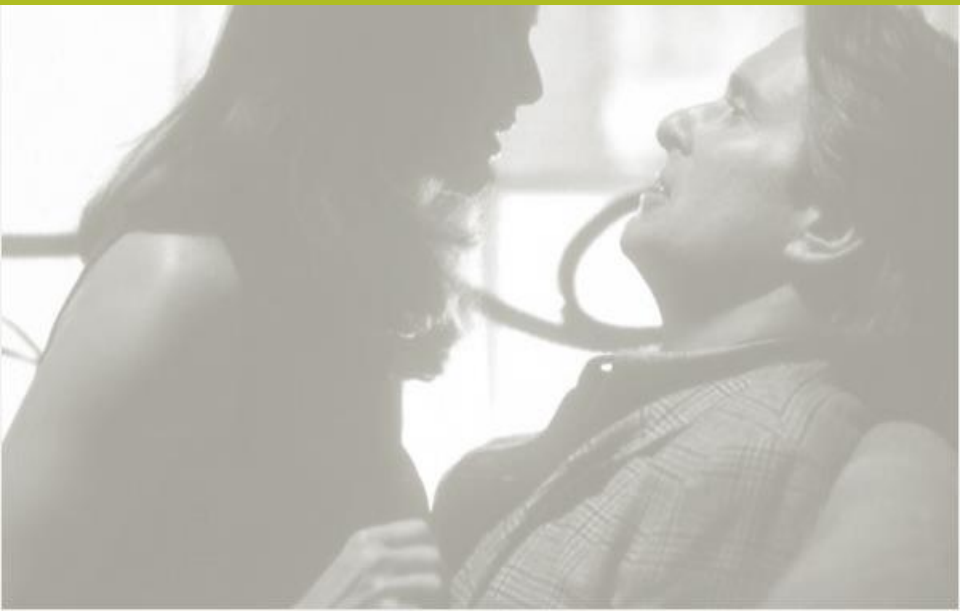








desensitization



it's happening in the workplace





**1 in 3 women** (18-34)  
are sexually harassed in the workplace





# 16% of employees

stated that they had not been sexually harassed but have  
**experienced sexually explicit remarks**



**29% of employees**  
do not report sexual harassment





**81% of female employees**  
reported verbal sexual harassment

## Equal Pay Act of 1963

Title VII of the Civil Rights Act of 1964

Pregnancy Discrimination Act (amended)

Lily Ledbetter Fair Pay Act of 2009

Age Discrimination in Employment Act of 1967

Americans with Disability Act of 1990







# what is sexual harassment?

Unwelcome sexual advances

Requests for sexual favors

Other verbal, visual or physical conduct  
of a sexual nature when it:

- involves a term or condition of employment
- used as the basis for an employment decision
- creates a hostile or intimidating environment





## Discrimination based on an individual's gender

Pregnancy,  
childbirth, or related  
medical condition

Woman's desire to  
become pregnant

Whether a woman  
has had an abortion

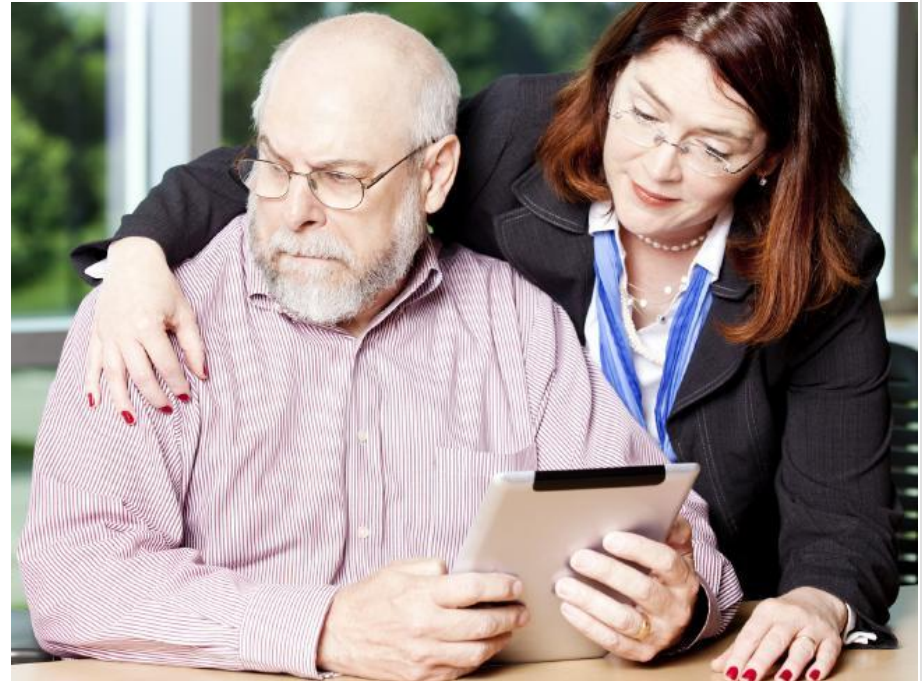


## Quid Pro Quo

Most blatant form of harassment

Latin phrase meaning  
**“this for that”**

Involves expressed or implied demands for sexual favors in exchange for some benefit (*promotion, pay increase, etc.*)



## Quid Pro Quo

Avoid some detriment in the workplace  
*(termination, demotion, etc.)*

By definition, it can be perpetrated only by **someone in a position of power or authority over another** *(manager or supervisor over a subordinate)*





## Hostile Environment

Hostile Environment is **sexual or other discriminatory conduct** that is so **severe** or **pervasive** that it interferes with an individual's ability to perform their job



**Creates an intimidating, offensive, threatening or humiliating** work environment

Causes a situation where a person's **psychological well-being is adversely affected**

It can be **verbal, physical** and even **visual**



## Hostile Environment

Can be perpetrated by **anyone in the work environment** including a peer, supervisor, subordinate, vendor, customer or contractor.

Conduct must be:

**Unwelcome**

**Directed at protected category**

**Offensive to a reasonable person**

**Severe or pervasive**



what kind of  
sexual harassment is this?

exercise





## what kind of sexual harassment is this?

If an employee refuses a supervisor's sexual advances which causes the supervisor to negatively alter the employee's working hours.

Constant use of sexually provocative or obscene language.



# examples of physical harassment

Touching

Pinching

Patting

Grabbing

Brushing against  
or poking an  
employee's body

Hazing or initiation  
that involves a  
sexual component

Requiring an  
employee wear  
sexually suggestive  
clothing



# examples of verbal harassment

Name-calling

Belittling

Sexually explicit or  
degrading words to  
describe an  
individual

Sexually explicit  
jokes

Comments about  
an employee's  
anatomy and/or  
dress

Sexually oriented  
noises or remarks

Questions or  
comments about a  
person's sexual  
practices

Use of patronizing  
terms or remarks

Verbal  
abuse

Graphic verbal  
commentaries  
about the body

Cell phone  
ring tones



Sexual pictures,  
writing, or  
objects

Obscene letters  
or invitations

Staring at an  
employee's  
anatomy

Leering

Doodling

Sexually  
oriented  
gestures

Unwanted love  
letters or notes

Inappropriate  
emails and  
internet



does it have to  
occur at work?

At work or away  
from the workplace

During work hours  
or off-duty

Employers are responsible for  
preventing sexual harassment of  
employees, no matter who is causing  
the problem or where it is occurring



# consequences of harassment

Lose a lawsuit

Lose your job

Lose your spouse

Your employer can be held liable for your misconduct

You can be held personally liable

Attorney's fees





# why don't employees come forward

Fear of retaliation

Fear of not being taken seriously

Hope that the conduct will stop

Fear of embarrassment or  
hurting the alleged harasser

Fear of being alienated by  
colleagues or supervisors



# when you should investigate



An internal complaint of harassment, discrimination, or retaliation is made (oral or written)

The employer knows or “should know” of possible violations of the company’s policy against harassment and discrimination

An employer suspects there is any kind of misconduct

An administrative agency begins to inquire into the conditions of the workplace

## when you should investigate



Notice of a  
lawsuit is received

An employee or  
supervisor talks to an  
individual in charge  
about a problem but  
continually stresses  
that they are not  
complaining

Major changes are  
observed in the  
workplace, including  
new behavioral  
patterns, a sudden  
decrease in morale,  
productivity, or  
attendance





## Follow the **FACTS**

**F**

familiarize yourself with the policy

**A**

address incidents of sexual harassment immediately

**C**

cooperation

**T**

thorough investigation

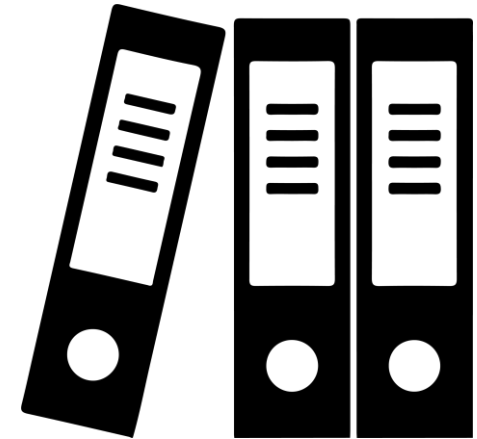
**S**

satisfactory resolution



# familiarize yourself with the policy

F A C T S



Read the policy

Ask questions

Keep a copy in a  
safe place  
*(never circular file!)*

# address incidents of sexual harassment immediately

F A C T S



Employee  
must report

Management  
must respond



F A C T S



Full cooperation of all parties  
is expected and required



# thorough investigation

F A C T S



Documentation  
of complaints

Employee  
interviews

Signed  
statements

# satisfactory resolution

F A C T S



Swift  
response and  
resolution

Objective  
review of the  
facts

Fair and  
appropriate  
response





thank you





# Understanding Equity, Diversity and Inclusion in the Workplace

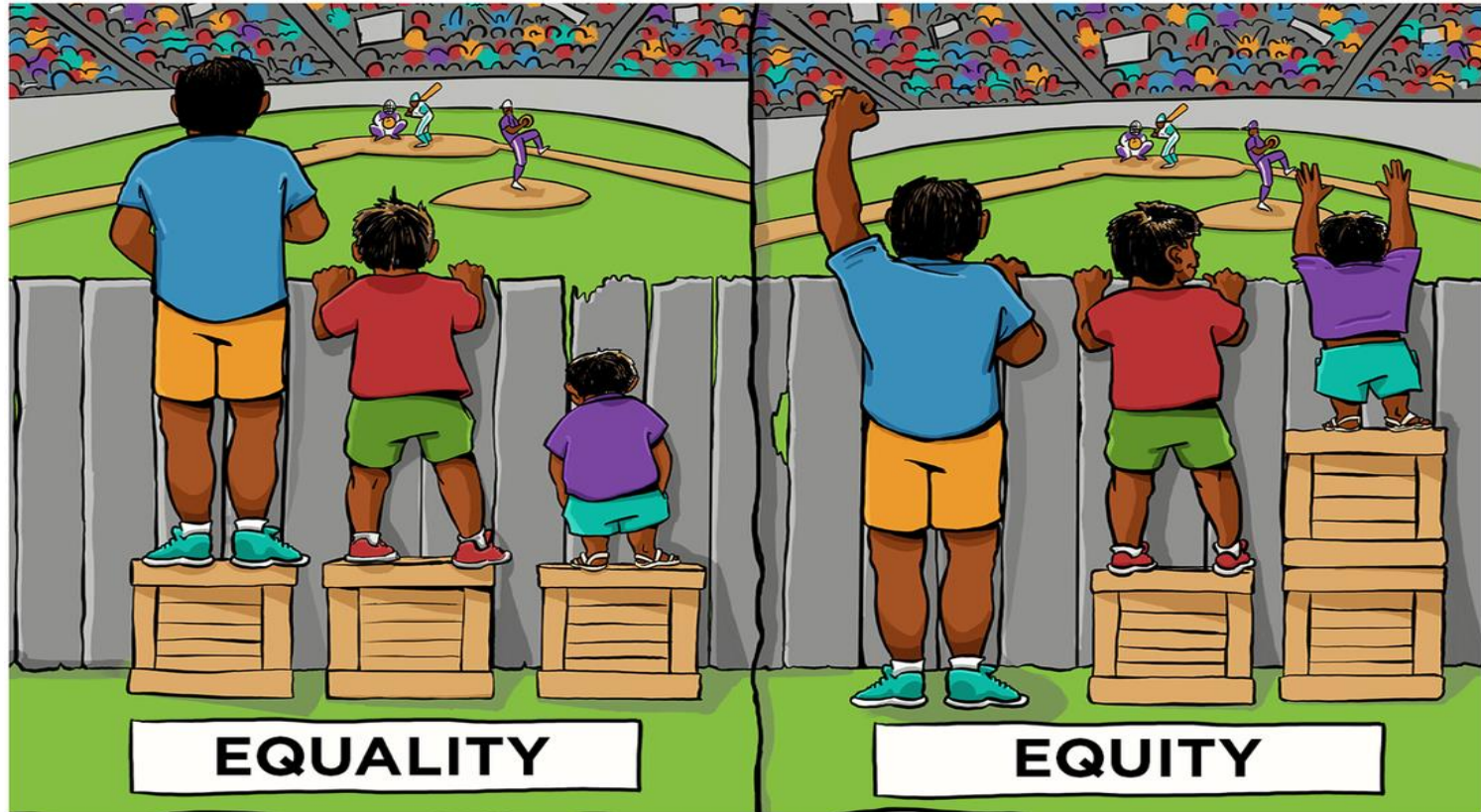
- Define Equity, Diversity and Inclusion
- Benefits
- What gets in the way
- What does EDI success look like
- Where we start



equity



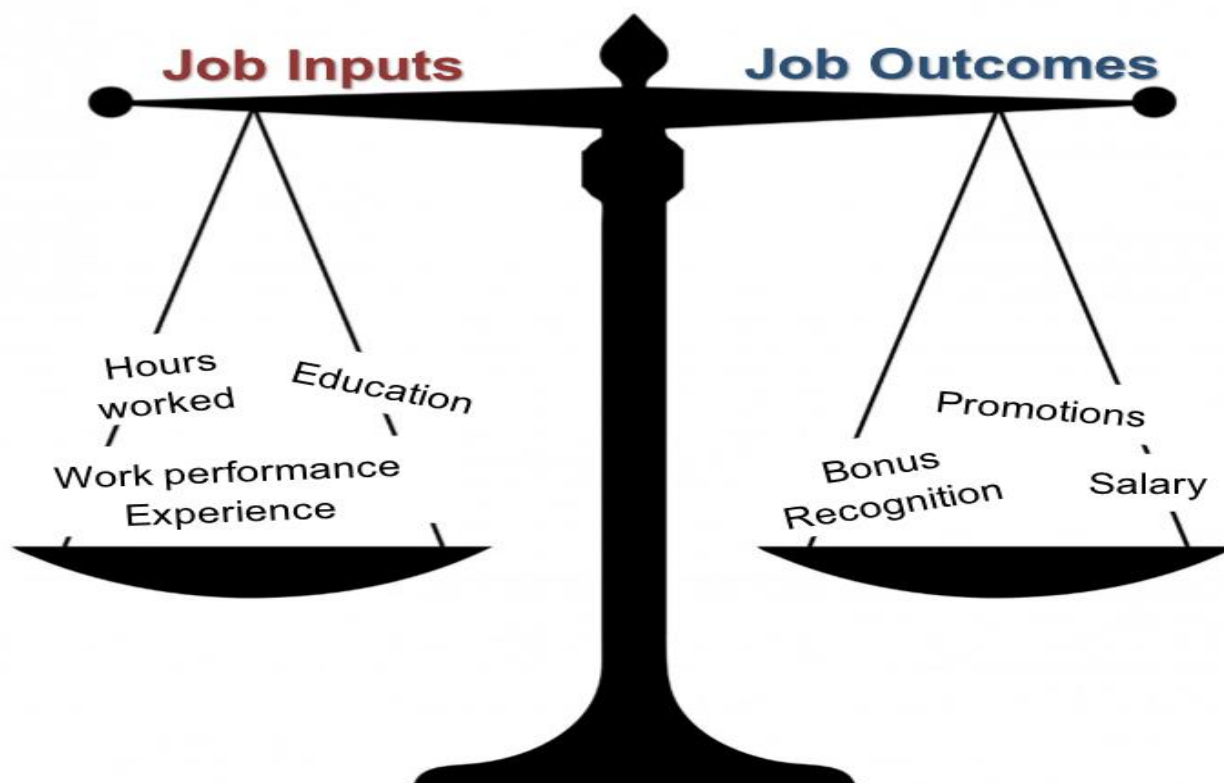




WWW.PARTTIMERS.ORG



Working definition: **Equity** in a **workplace means** everyone receives fair treatment. There's a transparency to cause and effect, and everyone knows what to expect in terms of consequences and rewards. When **equity** exists, people have equal access to opportunities. It sets up an advantageous environment for both the employees and the employer





diversity





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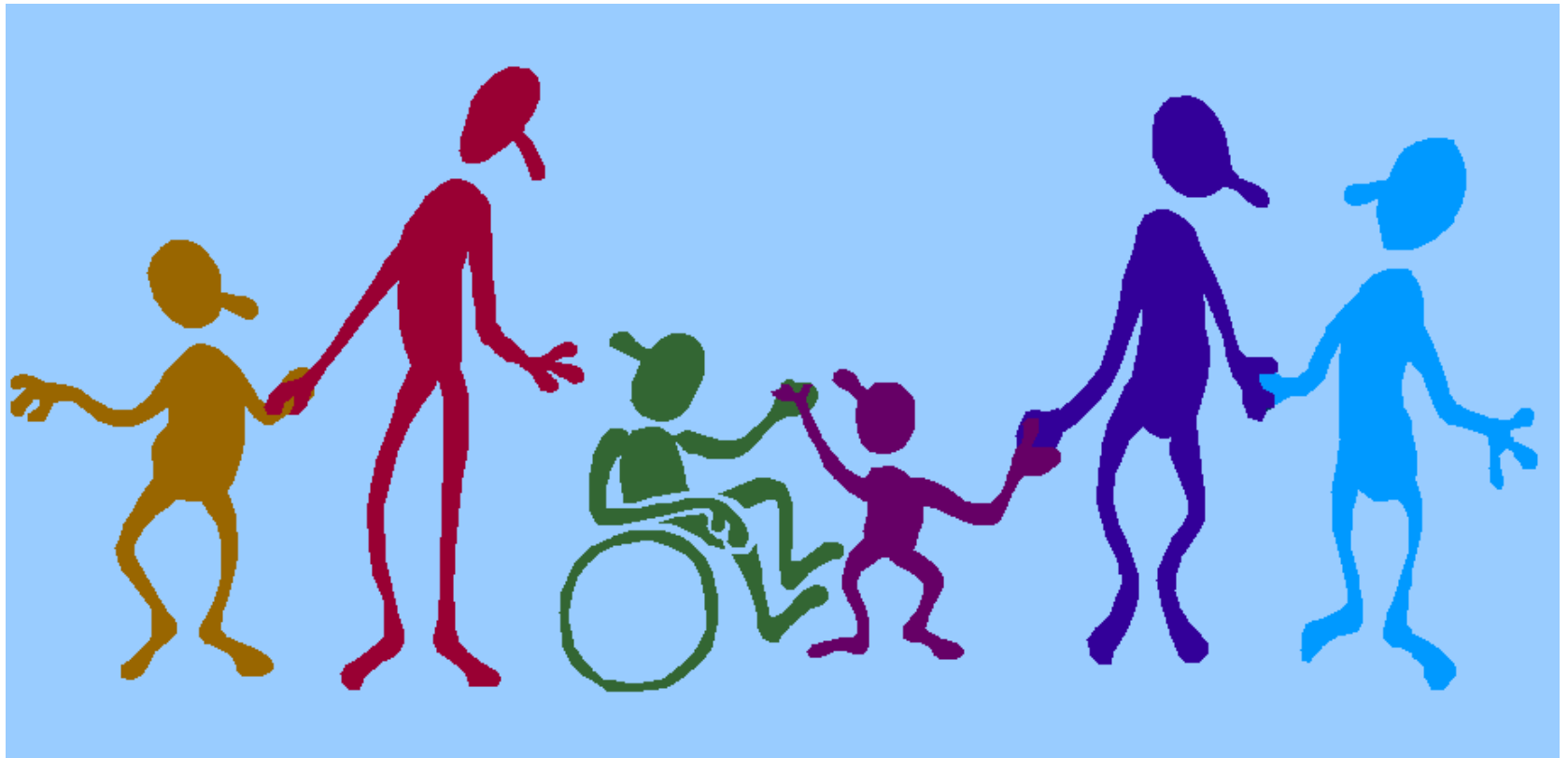
# Legislation



Working definition: **Diversity means** having distinct or unlike elements. In a **workplace, diversity means** employing people who may be different from each other and who do not all come from the same background. The differences may be those of national origin, physical appearance, religion, education, age, gender, or sexual orientation. In addition, differences in communication and work style may be included.







inclusion









Working definition: **inclusion** is “the achievement of a work environment in which all individuals are treated fairly and respectfully, have equal access to opportunities and resources, and can contribute fully to the organization's success



# benefits



# benefits of EDI in the workplace

- Employee retention
- Talent attraction
- Variety of perspectives
- Productivity
- Creativity
- Brand boosting











**Old woman or young lady?**







# challenges



- History/experience
- Implicit bias
- Cultural incompetence
- Where to start



A close-up photograph of two people's eyes. The person on the left has light brown eyes, and the person on the right has dark eyes. The background is dark and out of focus.

history/experiences

**who you are**  
determines the way you see everything









starting down the path





- Look at yourself
- Look at your organization
- Review policies and procedures
- Start integrating EDI – make a plan
- Get some help
- Reflect





# look at your organization











questions/thoughts



thank you

