



creating a workplace
free of sexual harassment

FEI Behavioral Health

session objectives

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





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 underaged girls by Jeffrey Epstein.
- The charged conduct occurred in New York, Palm Beach, Florida, Santa Fe, New Mexico, and London, England.
- If you receive information and feel you may have the following number:

1-800-CALL FBI







it appears in many
forms of entertainment









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



what is sexual harassment?

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



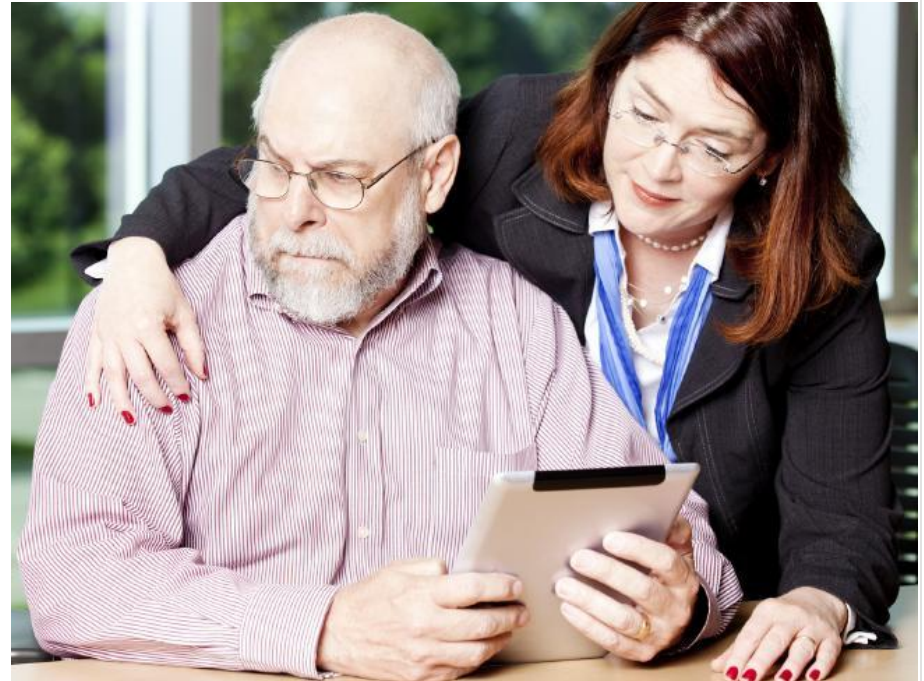
what is sexual harassment?

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.*)



what is sexual harassment?

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*)



what is sexual harassment?

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**

what is sexual harassment?

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

examples of visual harassment

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

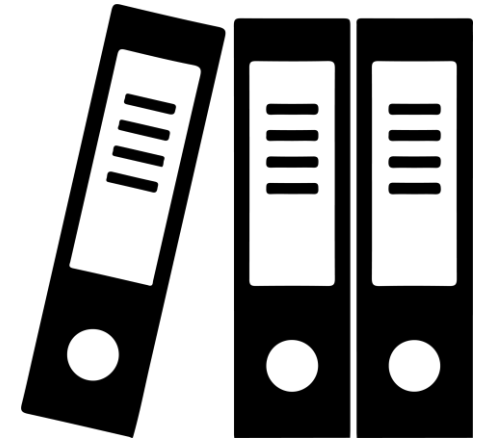
thorough investigation

S

satisfactory resolution



familiarize yourself with the policy



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



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



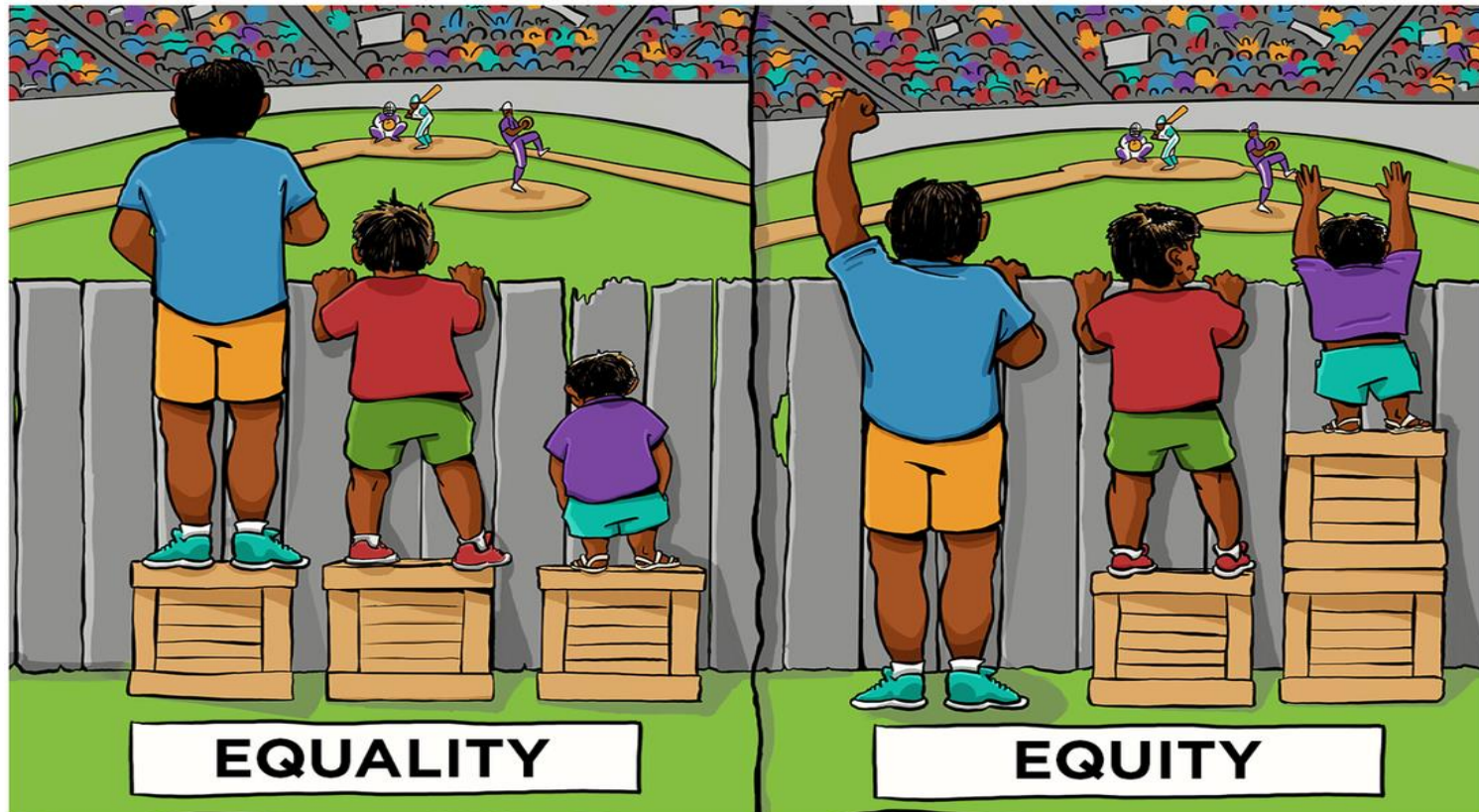


Understanding Equity, Diversity and Inclusion in the Workplace

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

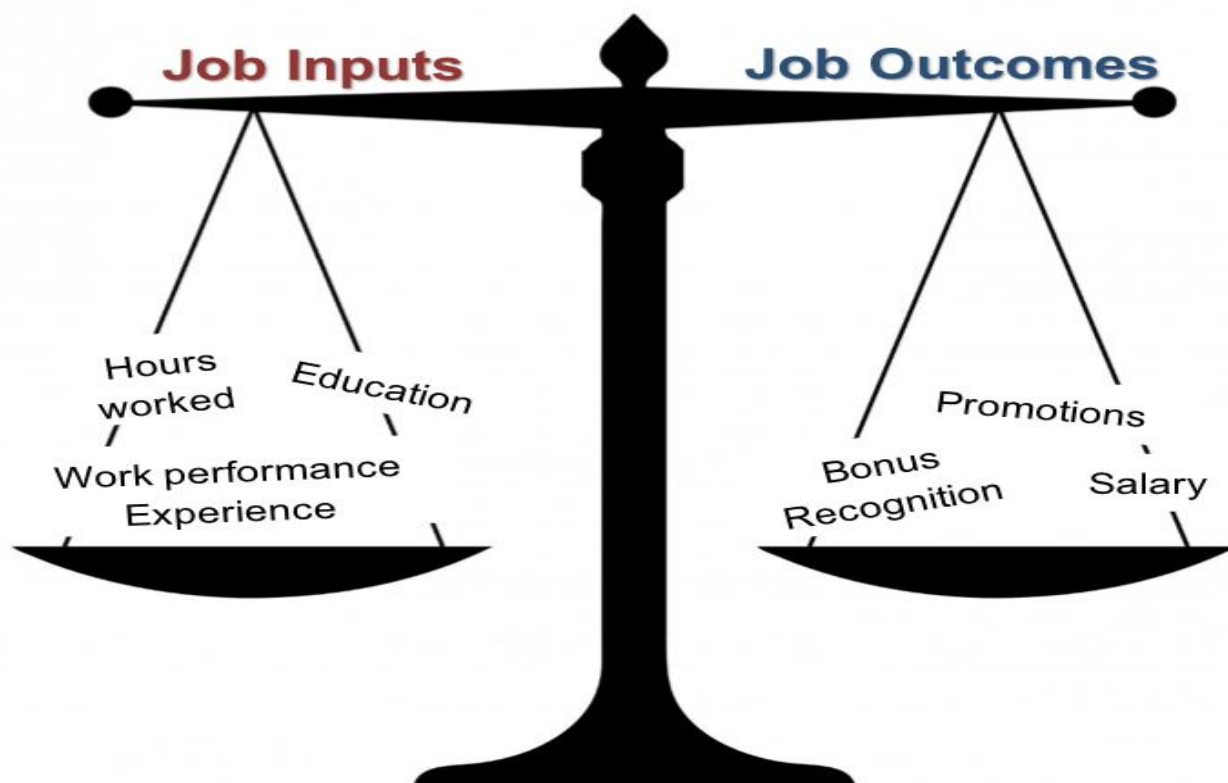
equity







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



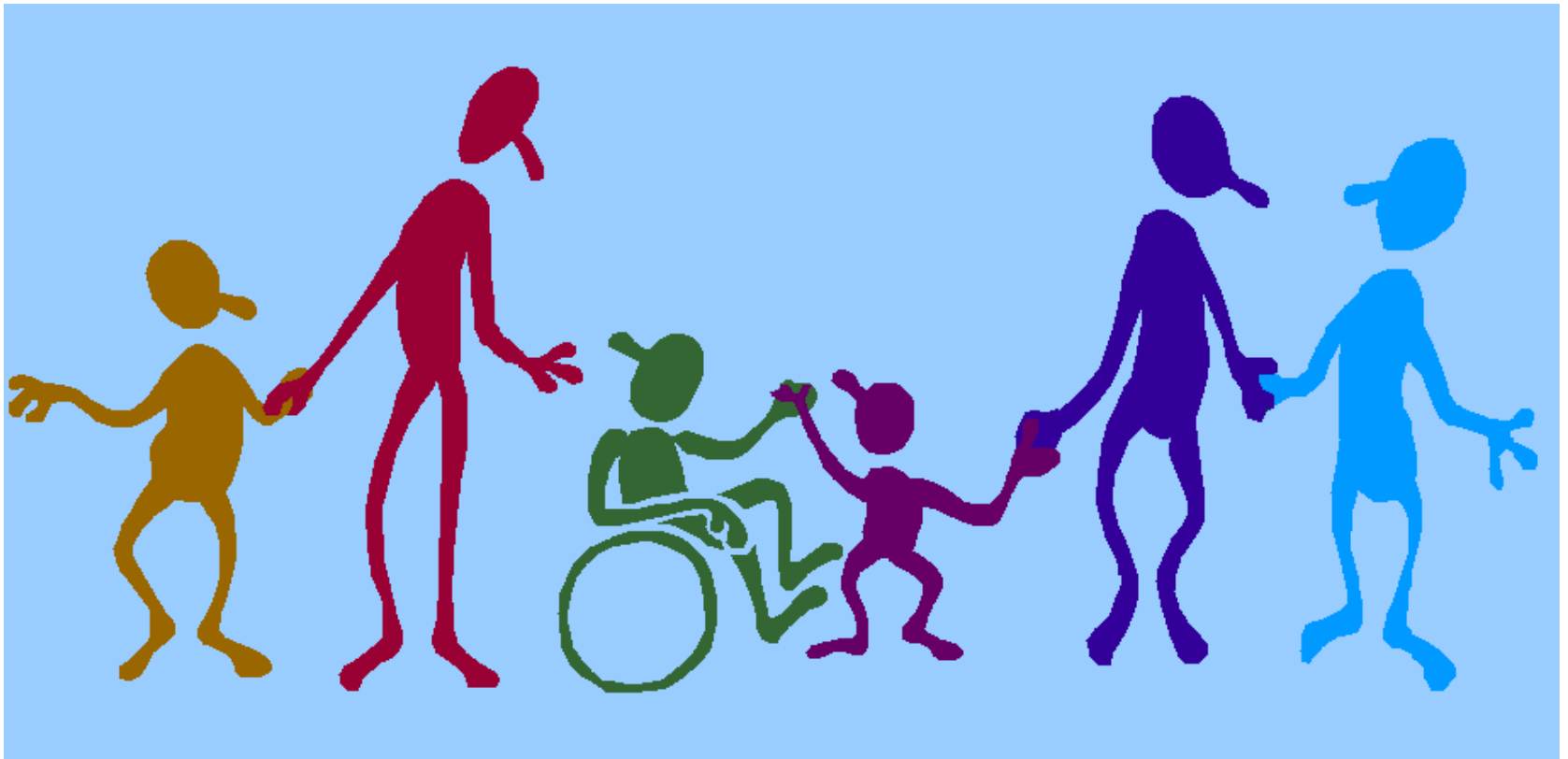


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Legislation



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



employee retention



talent attraction



variety of perspectives



Old woman or young lady?

productivity/creativity





challenges

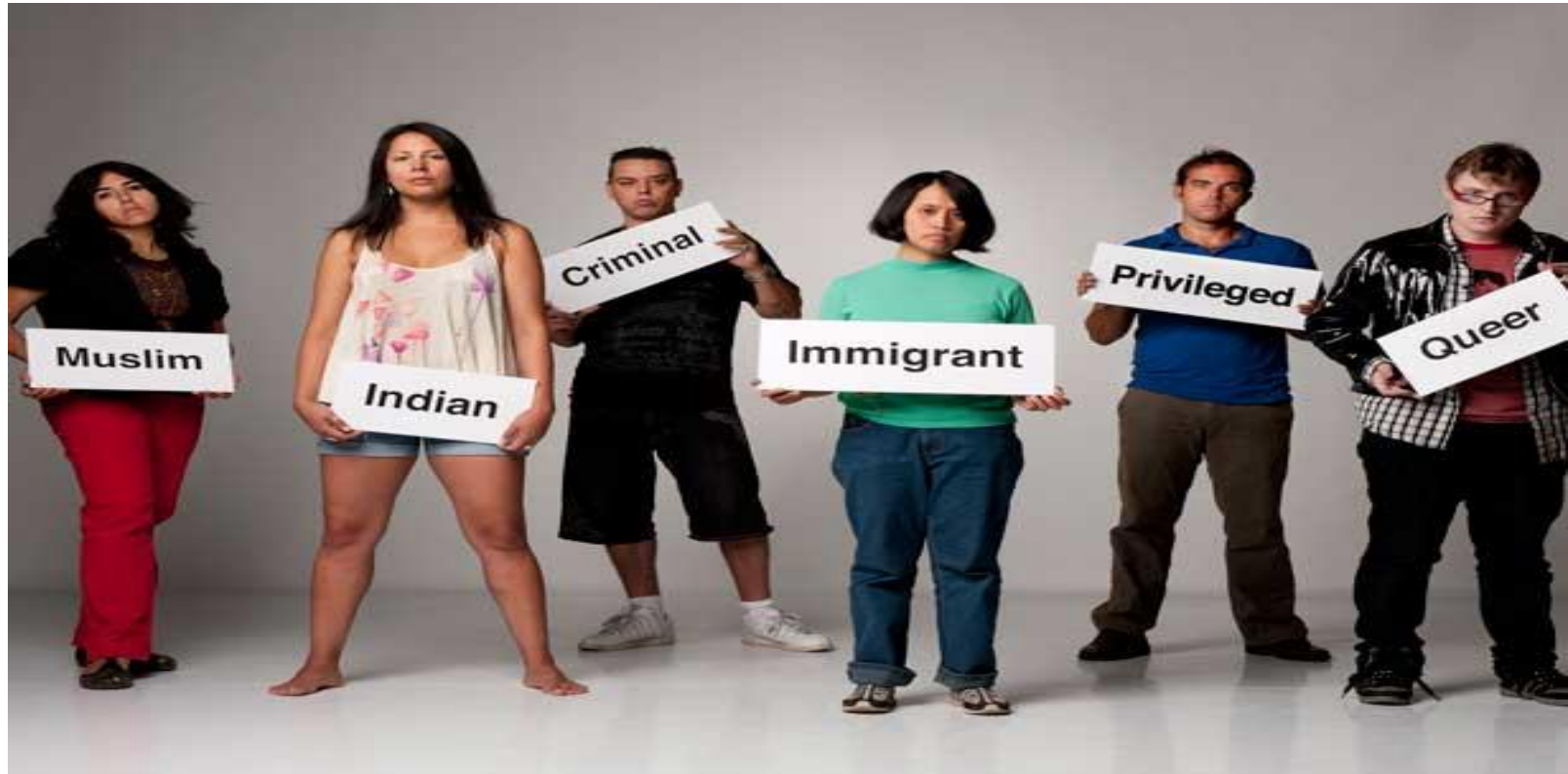


- History/experience
- Implicit bias
- Cultural incompetence
- Where to start

A close-up photograph of two people's faces, one on the left and one on the right, looking through a narrow, dark opening. The person on the left has light brown eyes and the person on the right has dark eyes. The text "history/experiences" is overlaid in the upper right corner.

history/experiences

who you are
determines the way you see everything



cultural incompetence





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 yourself



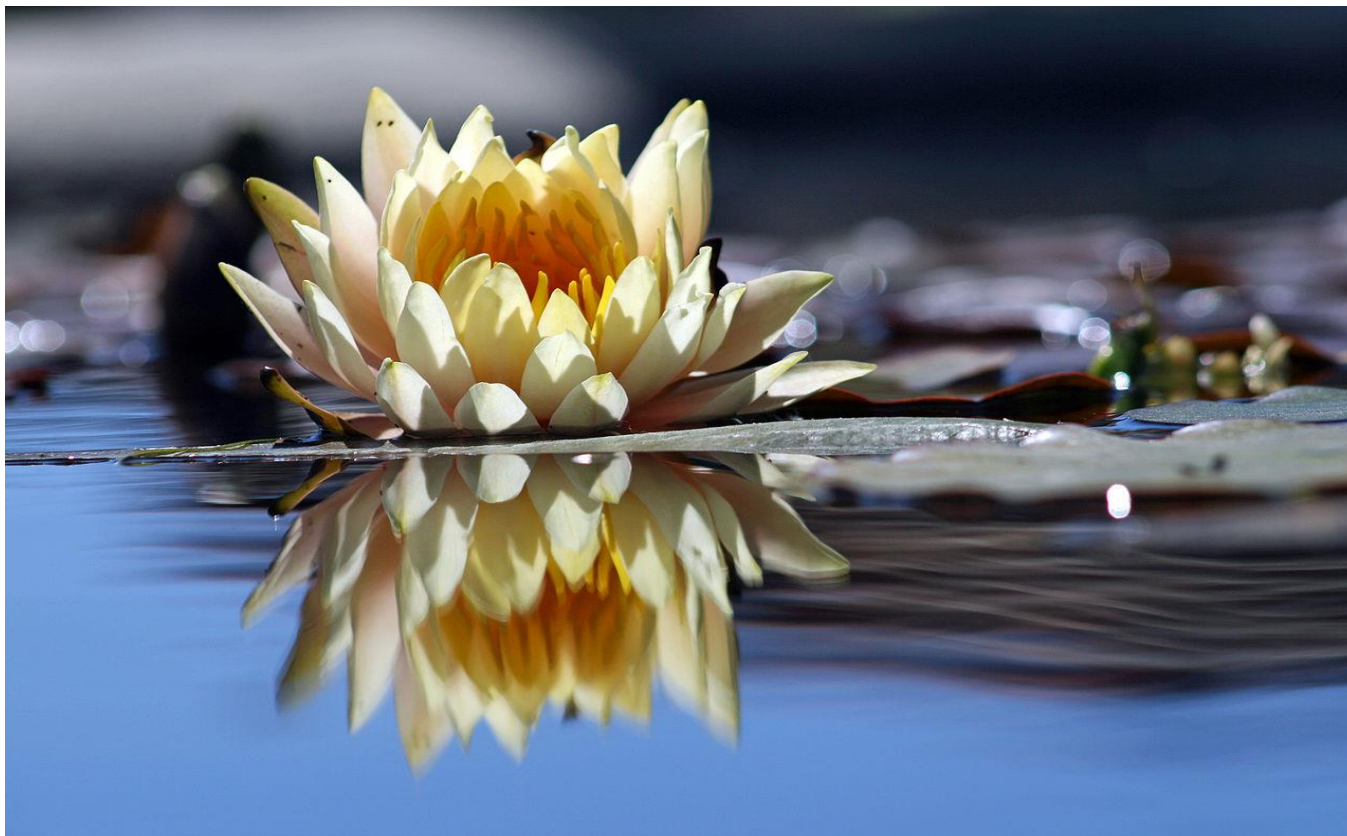
look at your organization



create a plan







questions/thoughts



thank you

