

HARASSMENT:

Plain Talk About the Why, the What and the How

TOP 10 EMPLOYER ACTION ITEMS

December 19, 2017

1. This is a new world. We are moving to a new normal and employers should communicate that to employees.
2. Have leaders make statements that reaffirm the company's commitment to preventing and appropriately responding to sexual harassment, and that highlight the company's reporting process (which encourages people to come forward). Make it clear that harassment will not be tolerated.
3. Reexamine your sexual harassment policy. Make sure it is the **right** sexual harassment policy for your company.
4. Reexamine your whistleblower policy as it pertains to reports of suspected sexual or other harassment. Make sure reports are handled by someone outside the regular chain of command.
5. Post your sexual harassment and whistleblower policies in a conspicuous place (or places, depending on your company's size), such as break rooms and coffee stations.
6. Conduct harassment training that is engaging (consider a new format—roundtables etc. in which employees are asked to discuss the issues versus listening to a presentation; discuss backlash from the #MeToo movement). Training should be mandatory for all employees, supervisors, and executives. Training needs to be hard hitting.
7. Head off talk about backlash from the #MeToo movement. Develop a response to employees who are crying foul on political correctness gone awry.
8. Promptly and thoroughly investigate any report of suspected sexual harassment. If necessary, consider putting the suspected harasser on administrative leave pending conclusion of the investigation. Make sure the person conducting the investigation is objective and competent, the findings are properly documented, and the results are communicated only to those within the organization who need to know.
9. Appropriately discipline employees who harass other employees. Ensure that you are being consistent with your discipline of employees that have engaged in similar misbehavior.
10. Make sure company leaders are setting the right tone and modeling it with their conduct.

