

Harassment Prevention for Managers Webinar

Participant Handouts



CREATING RESPECTFUL WORKPLACES FOR BUSINESSES
P.O. Box 22939, Denver, CO 80222 | 800.458.2778
training@FairMeasures.com

Harassment, discrimination and retaliation are illegal and violate company policy...

Intent is irrelevant.

Complaint Process for Supervisors

- Listen to the complaint
 - do not give advice
 - do not make conclusions

- If the behavior may violate law or policy, **call HR**
 - even if requested to keep complaint confidential
 - when in doubt, call HR

- HR processes complaint

- Take prompt and effective corrective action, if harassment found
 - any level of corrective action is appropriate (informal counseling, verbal, written, or final warning, suspension or termination) if it is reasonably calculated to end the harassment

- Document

- Follow up with victim
 - ensure harassment is not repeated
 - prevent retaliation

Employer Must Take All Reasonable Steps to Prevent Harassment

These are things supervisors can do to show they have taken reasonable steps to prevent harassment:

- Attend training
- Be proactive
- Copy and distribute policy and complaint procedure
- Discuss policy and complaint procedure at staff meeting
- Give notice to vendors, clients, temps and contractors
- Include in customer and supplier contracts
- Conduct visual inspection
- Ask potential victims privately
- Intervene when you see it

Addressing Unconscious Bias

Be aware of:

- Challenging stereotypes and countering stereotypical information
- Using facts to explain situations
- Changing perceptions and relationships with others from different backgrounds
- Being an active bystander
- Improving processes, policies & procedures
- Small changes can go a long way



Systemic Discrimination

□ Systemic discrimination is a pattern, practice, or policy that results in or facilitates decisions that are discriminatory. It includes bias built into work systems, and “patterns of behavior that develop within organizations that disadvantage certain employees and become harmful to productivity.” (EEOC, 1/21)

□ Examples include:

- Recruitment practices such as favoring or limited to
- word-of mouth
- Tap-on-the-shoulder promotion policies
- Job ads showing preference (“young”, “energetic”, “recent graduate”)
- Deference to customer preference
- Big data-using algorithm to sort through applications
- Personality or customer service tests; physical ability or capacity tests; cognitive tests
- Parental leave policies that do not give the same benefits for men and women
- “English- only” rules
- Mandatory retirement
- Light duty policies limited to work-related injuries
- 100% healed return to work requirements
- Pre-employment medical inquiries

Don't Stand By, Stand Up

If you observe hurtful or offensive behavior, comments or jokes and say nothing, you are approving of that conduct. Instead, you can:

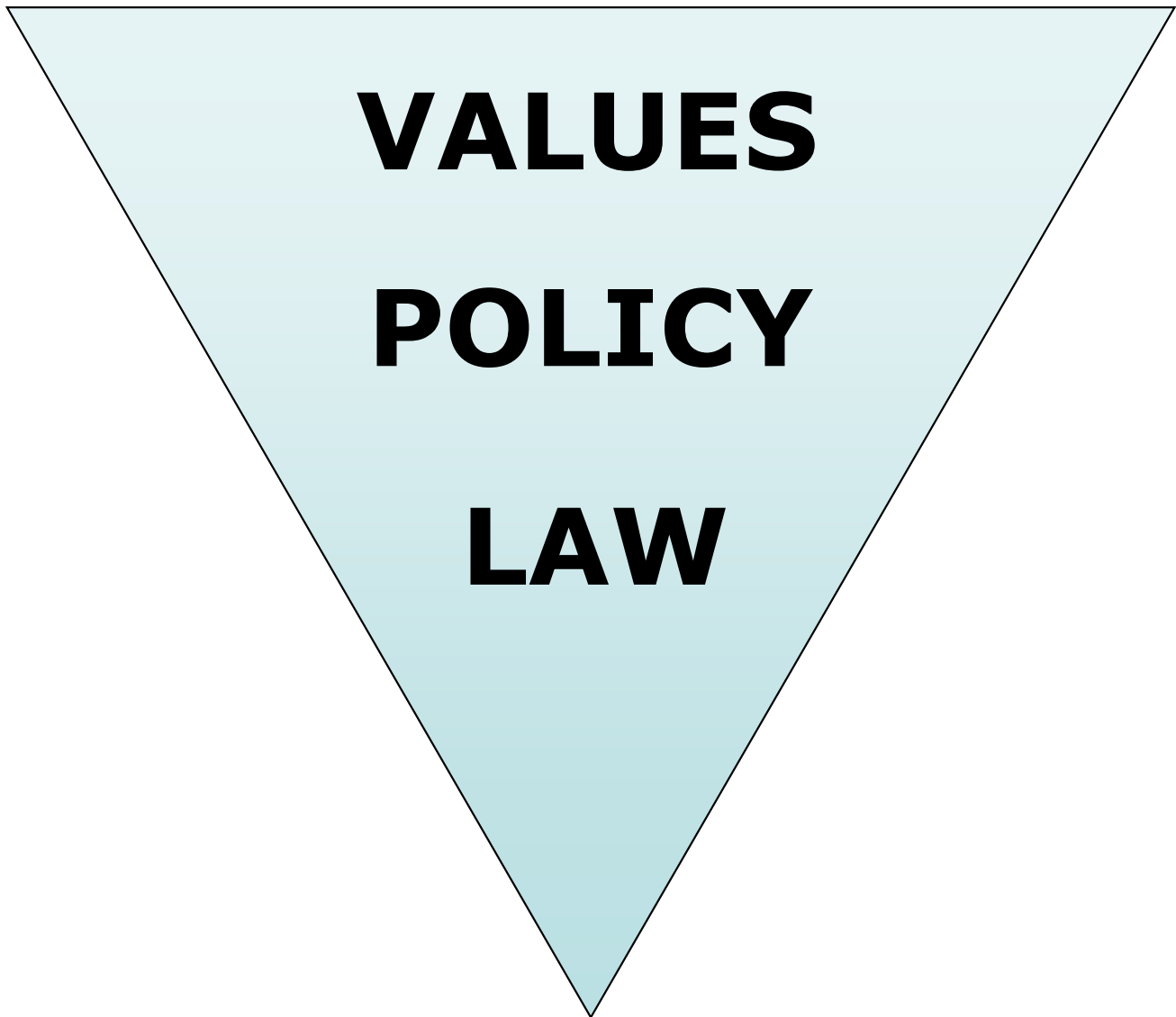
- Clarify what you heard:** "I think I hear you saying that all _____ are _____. Is that what you mean?"; "It sounded to me that you think ..."
- Ask for more information:** "I'm not sure I understand what you are saying. Can you explain?"; "What's so funny?"
- Appeal to common values:** "At this organization, we don't talk about people that way. Can we discuss something else?"
- Refer to your own experience:** "That was my first reaction too, then I realized ..."
- State your opinion about the comment:** "I think it's wrong to stereotype people."; "I think it's unfair to generalize about a group of people."
- Appeal to the speaker's integrity:** "I've always thought of you as a fair-minded person. It surprises me to hear you say something that sounds biased."
- Explain the impact:** "Your comment is hurtful."

Guidelines for A Respectful Workplace



Platinum rule:

- Treat people the way they want to be treated



Important Resources



Equal Employment Opportunity Commission

-(800) 669-4000

-www.eeoc.gov



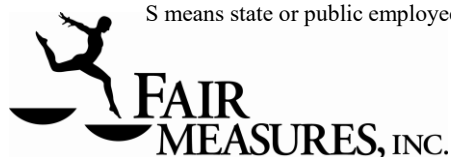
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State Discrimination Protections

State	Age	Marital Status	Parent/ Family	Tobacco Use	Lawful Activities/ Substances	Medical Cannabis	Recreational Cannabis
Alabama	40+						
Alaska	Y	Y	Y				
Arizona	40+					Y	
Arkansas	S					Y	Y
California	40+	Y			Y		
Colorado	40-70	Y			Y		
Connecticut	Y	Y		Y		Y	Y
Delaware	40-70	Y	Y			Y	
DC	18-65	Y	Y	Y		Y	Y
Florida	Y	Y					
Georgia	40-70						
Hawaii	Y	Y					
Idaho	40+						
Illinois	40+	Y		Y	Y	Y	
Indiana	40-75	Y		Y			
Iowa	18+						
Kansas	40+						
Kentucky	40+		Y	Y			
Louisiana	40+			Y		Y	
Maine	Y		Y	Y		Y	
Maryland	Y	Y					
Massachusetts	40+					Y	
Michigan	Y	Y					
Minnesota	25-70	Y	Y	Y	Y	Y	Y
Mississippi	S			Y			
Missouri	40-70			Y	Y	Y	Y
Montana	Y	Y		Y	Y	Y	Y
Nebraska	40+	Y					
Nevada	40+			Y	Y	Y	Y
New Hampshire	Y	Y		Y		Y	
New Jersey	18-70	Y	S	Y		Y	Y
New Mexico	40+	Y		Y		Y	
New York	18+	Y	Y		Y	Y	Y
North Carolina	Y				Y		
North Dakota	40+	Y		Y	Y		
Ohio	40+						
Oklahoma	40+			Y		Y	
Oregon	18+	Y	Y	Y	Y		
Pennsylvania	40+					Y	
Rhode Island	40+			Y		Y	Y
South Carolina	40+			Y			
South Dakota	S			Y		Y	
Tennessee	40+			Y			
Texas	40+						
Utah	40+				Y	Y	
Vermont	18+						
Virginia	Y	Y		Y		Y	
Washington	40-70	Y	Y				Y
West Virginia	40+			Y		Y	
Wisconsin	40+	Y	S	Y	Y		
Wyoming	40+			Y			

Y means no age specified. For other states, upper and lower limits of protection are listed.

S means state or public employees only.



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State Fair Employment Practices Agencies

ST	Agency	Website	Phone
AL	N/A		
AK	State Commission on Human Rights	http://humanrights.alaska.gov/	907-274-4692
AZ	Attorney General, Civil Rights Division	https://www.azag.gov/civil-rights	877-491-5742
AR	N/A		
CA	Civil Rights Department	www.calcivilrights.ca.gov/	800- 884-1684
CO	Civil Rights Division	www.dora.state.co.us/civil-rights	303-894-2997
CT	Commiss. Human Rights & Opportunities	www.state.ct.us/chro	860-541-3400
DE	Office of Discrimination	http://dia.delawareworks.com/discrimination	302-577-5050
DC	Office of Human Rights	http://ohr.dc.gov/	202- 727-4559
FL	Commission on Human Relations	http://fchr.state.fl.us/	850-488-7082
GA	Commission on Equal Opportunity	http://gceo.state.ga.us/	404-656-1736
HI	Civil Rights Commission	http://labor.hawaii.gov/hcrc/	808-586-8636
ID	Human Rights Commission	http://humanrights.idaho.gov/	208-334-2873
IL	Dept. of Human Rights	http://www2.illinois.gov/ihrc/Pages/default.aspx	312-814-6200
IN	Civil Rights Commission	www.state.in.us/icrc	800-628-2909
IA	Civil Rights Commission	https://icrc.iowa.gov/	515-281-4121
KS	Human Rights Commission	http://www.khrc.net/	785-296-3206
KY	Commission on Human Rights	http://kchr.ky.gov/	800-292-5566
LA	Commission on Human Rights	http://www.gov.state.la.us/HumanRights/humanrightshome.htm	225-342-6969
ME	Human Rights Commission	www.state.me.us/mhrc/	207-624-6290
MD	Human Rights Commission	www.mchr.state.md.us	410-767-8600
MA	Commission Against Discrimination	www.state.ma.us/mcad/	617- 994-6000
MI	Department of Civil Rights	www.mdcr.state.mi.us/mdcr/	517-335-3165
MN	N/A		
MS	N/A		
MO	Commission on Human Rights	http://www.labor.mo.gov/mohumanrights/	573-751-3325
MT	Human Rights Commission	http://erd.dli.mt.gov/human-rights/human-right-commission.html	406-444-4344
NE	Equal Opportunity Commission	www.nol.org/home/NEOC/	402-471-2024
NV	Equal Rights Commission	http://detr.state.nv.us/nerc.htm	702-486-7161
NH	Commission for Human Rights	www.state.nh.us/hrc	603-271-2767
NJ	Division on Civil Rights	http://www.nj.gov/oag/dcr/index.html	609-292-4605
NM	Human Rights Bureau	http://www.dws.state.nm.us/LaborRelations/HumanRights/Information	505-827-6838
NY	Division of Human Rights	http://www.dhr.ny.gov	518-474-2705
NYC	Commission on Human Rights	https://www1.nyc.gov/site/cchr/index.page	718-722-3131
NC	Civil Rights Division	http://www.ncoah.com/civil/	919-431-3036
ND	Human Rights Division	http://www.nd.gov/labor/human-rights/index.html	800-582-8032
OH	Civil Rights Commission	http://crc.ohio.gov/	614-466-5928
OK	Office of Civil Rights Enforcement	http://www.oag.state.ok.us/oagweb.nsf/ocre.html	405-521-2029
OR	Civil Rights Division	www.boli.state.or.us/civil	503-731-4075
PA	Human Relations Commission	www.phrc.state.pa.us/	717-787-4410
RI	Commission for Human Rights	http://www.richr.state.ri.us/	401-222-2661
SC	Human Affairs Commission	www.state.sc.us/schac/	803-737-7800
SD	Division of Human Rights	http://dlr.sd.gov/humanrights/	605-773-4493
TN	Human Rights Commission	www.state.tn.us/humanrights/	800-251-3589
TX	Civil Rights Division	http://www.twc.state.tx.us/customers/cwp/civil-rights-discrimination.html	512-463-2642
UT	Antidiscrimination & Labor Division	http://laborcommission.utah.gov/divisions/AntidiscriminationAndLabor/employment_discrimination.html	801-530-6801
VT	Human Rights Commission	http://hrc.vermont.gov	800-416-2010
VA	Div Human Rights	http://www.ag.virginia.gov/Programs%20and%20Resources/Human_Rights/	804-786-2071
WA	Human Rights Commission	http://www.hum.wa.gov/	800-233-3247
WV	Human Rights Commission	http://www.hrc.wv.gov/Pages/	304-558-2616
WI	Wisconsin Equal Rights Division	http://dwd.wisconsin.gov/er/	608-266-6860
WY	Labor Standards	http://www.wyomingworkforce.org/employers-and-businesses/labor-standards/Pages/	307- 777-7261



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