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**LEAD  
ADVOCATE  
IMPACT**

**STATE LEGISLATIVE & HR CONFERENCE**

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# Harassment Prevention the RIGHT Way: Compliance Ain't It Folks

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# For Reals

75% of people who feel harassed at work have never reported it.

“

# Retaliation, and...

Pressure to talk logically

Bystander effect


Experience with HR or managers

Organizational Culture



**Allowing legal behaviors, such as incivility  
and bullying, discourages people from  
speaking up when harassment happens.**

**It sends the message that retaliation is a  
*real possibility.***



**A workplace that promotes respect and civility, however, encourages people to speak up or report harassment, for themselves or others.**

# What's the Difference?

**LEAD  
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Incivility

Discrimination

Conflict

Mobbing

Bullying

Hazing

Harassment

Violence

**Incivility and  
Unprofessionalism**

**Bullying**

**Violence**

**Conflict**

**Discrimination &  
Harassment**

**Mobbing &  
Hazing**





## Harassment

Abuse of power

Repeated

Intent Irrelevant

Ruins Lives

**Illegal**

## Bullying

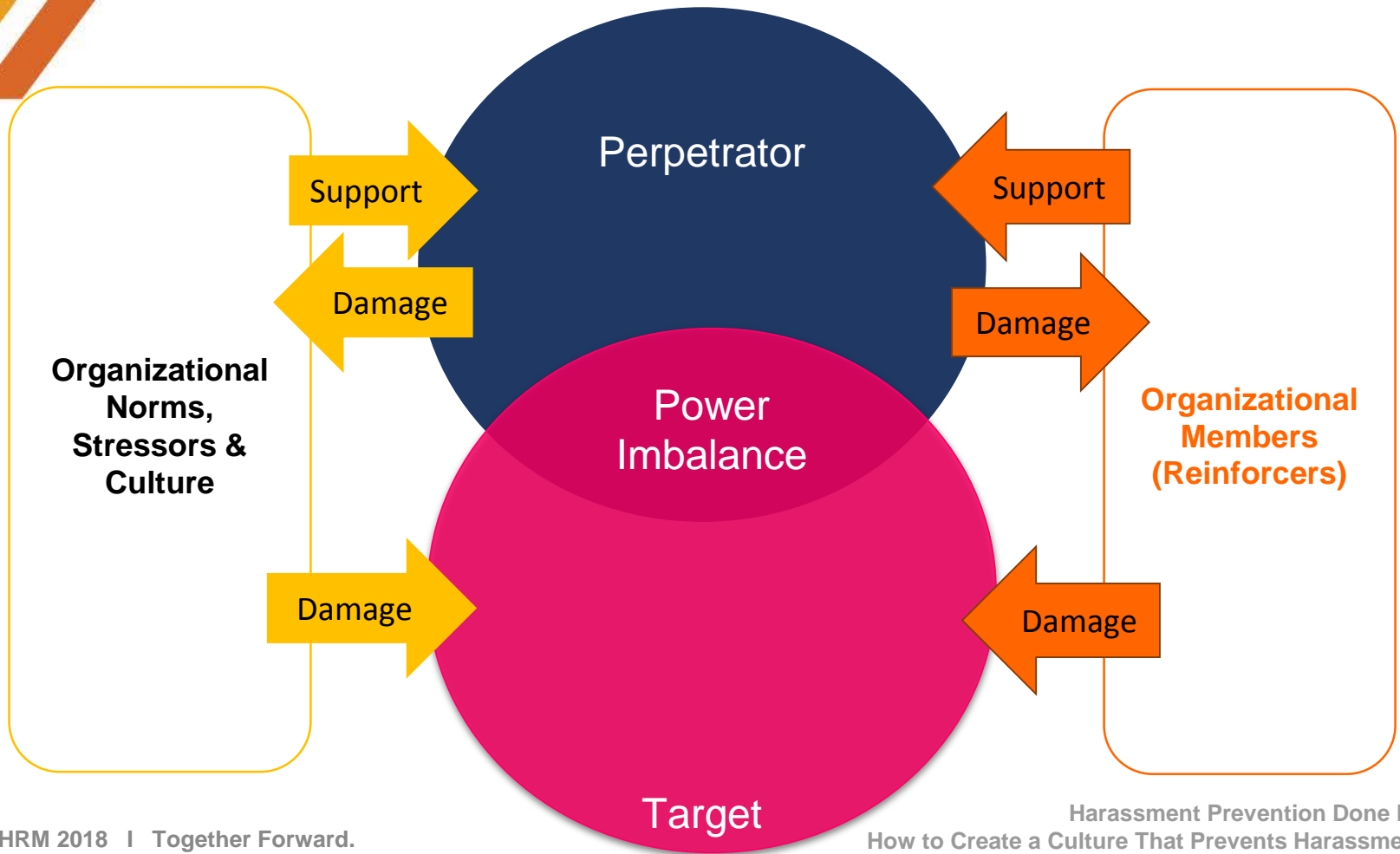
Abuse of power

Repeated

Intent Irrelevant

Ruins Lives

**Legal**





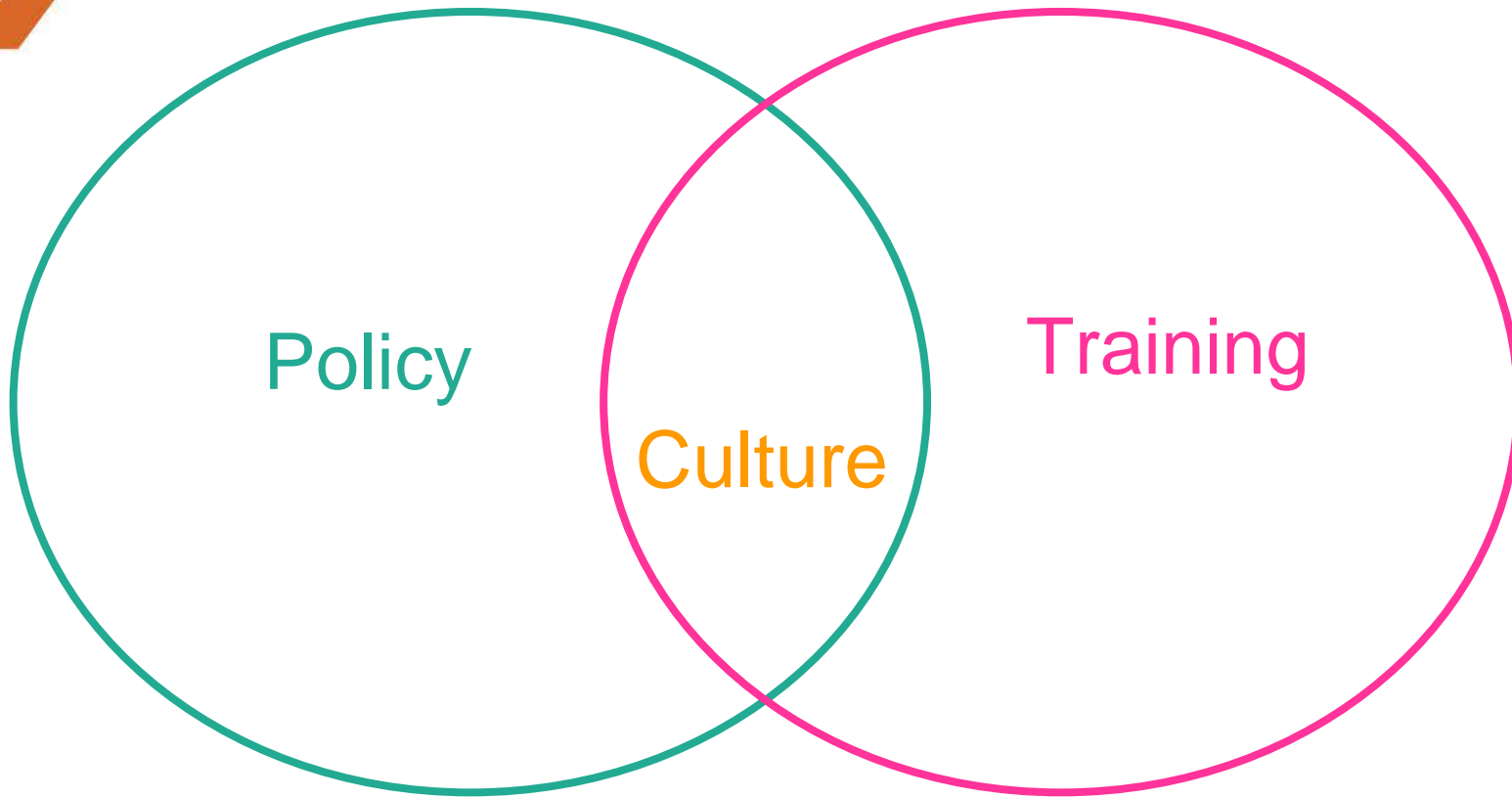
# If you allow negative behaviors to thrive...

You send the message you *don't care*.

People will *not* come forward.

You are at risk for litigation.

Turnover goes *up* and productivity goes *down*.





# SEXUAL HARASSMENT TRAINING

Sexual harassment occurs when someone is subjected to unwanted sexual advances, petitioned for sexual favors, or physically/verbally abused.



iPhone, .  
seamles

Harassment doesn't have to be of a sexual nature – it can include offensive remarks about a person's sex. For example, you could be guilty of harassing a man if you make offensive comments about men in general.



Easily ac  
stock cc

Simple teasing or offhand comments might be allowed, but harassment is illegal when it creates a hostile or offensive work environment.



Single ei  
workforc

This Sexual Harassment Training course teaches you how to recognize and understand sexual harassment so that you can help to maintain a happy work environment, free from hostility and discomfort.



Availabl  
training





# Agenda

1. What is sexual harassment?
2. Why is it important to prevent sexual harassment in our workplace?
3. Sexual Harassment Judgements
4. Retaliation
5. Our policy and procedure on sexual harassment
6. Your responsibilities as supervisors

## 1. Course Qualifications

When reviewing a harassment prevention course, you will want to make sure that the course and curriculum meet the following criteria:

- Does the course provide a minimum of legally required two hours of training (either in a classroom, a webinar or online through an e-learning program)?
- Does the course provide the interactivity, either through discussions or quizzes, that's legally required?
- Does a qualified expert, as defined in the regulations, conduct the course? The qualified expert must be available to answer questions throughout the training (see Trainer Qualifications below).
- Does the online course offer features, such as a bookmarking option that allows persons taking the course to stop and restart in the same spot, that help with administrative convenience?

## 2. Curriculum Content Qualifications

As you review the course, make sure the curriculum contains each of the following components required by California regulations. The curriculum should offer:

- A definition of unlawful sexual harassment under California's Fair Employment and Housing Act (FEHA) and Title VII of the federal Civil Rights Act of 1964, as well as additional definitions, training and discussions of other forms of harassment covered by FEHA. The training must specifically cover harassment based on gender identity, gender expression and sexual orientation.
- An explanation of FEHA and Title VII statutory provisions and case law principles concerning the prohibition against and the prevention of unlawful sexual harassment, discrimination and retaliation in employment.
- Examples of conduct that constitute sexual harassment, and harassment based on gender identity, gender expression and sexual orientation, including practical examples that show real-life scenarios from case law, news and media accounts; hypothetical situations based on possible workplace interactions; and other sources that illustrate harassment, discrimination and retaliation through the use of role play, case studies and group discussions.
- Remedies available for sexual harassment victims in civil actions and potential for legal exposure or liability to employers and individuals.
- Strategies to prevent sexual harassment in the workplace.
- Supervisors' obligation to report sexual harassment, discrimination, and retaliation.
- An explanation of the limited confidentiality of the harassment complaint process.
- A listing of resources for victims of sexual harassment, and the steps they should take to report sexual harassment.

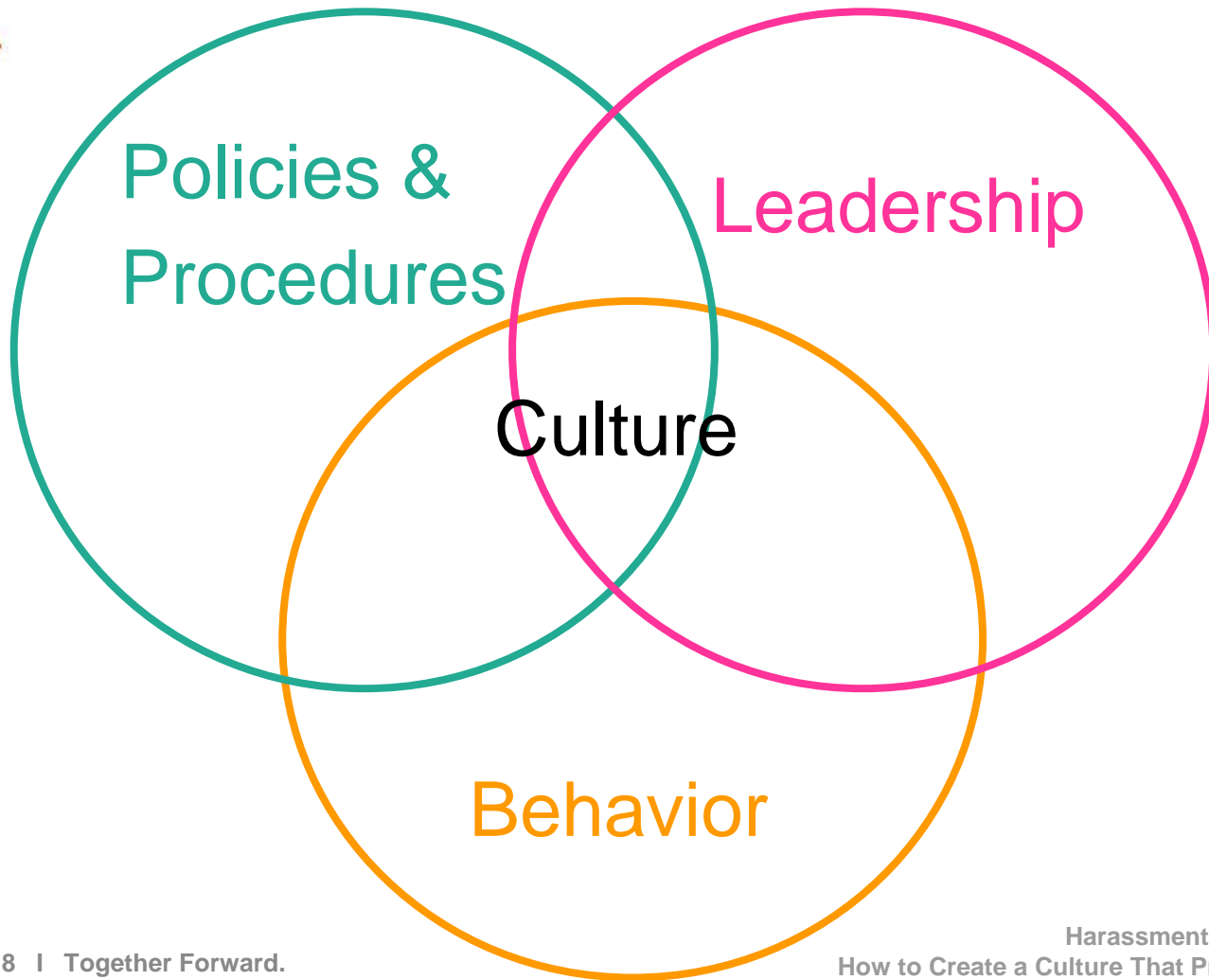




“With a healthy workplace culture, when harassment is observed or experienced, the community takes over and shuts it down collectively, with a message that this behavior will not be tolerated here, by anyone at any level.”

Johnny C. Taylor, SHRM CEO







**01**

**Adjust Your Training**



# Training

**Positive Behaviors**

**Bystander Responsibilities**

**Accountability**

*Create a see something, say something culture*



# Everyone

Communication  
Skills

Leadership

Collaboration

Upstander

Respect

Giving Feedback

Positive Culture

Assertiveness



# Leaders & Managers

Setting Expectations

Managing Incivility -> Bullying

Coaching *Behavior* and Performance

Creating a Positive Workplace Culture

02

**Do a Climate Assessment**



# Ignorance is *not* bliss



## Example statements to rate:

I would talk to my co-worker if I felt he or she did something inappropriate.

I would feel comfortable reporting harassment to my manager.

This is a positive workplace.

*(Also conduct interviews using an outside consultant.)*





**Then make a business  
case with the results**

03

**Hold Managers Accountable to  
Positive Climate Survey Scores**



**Train and require managers  
to create team action items.**



- Have constant conversations around core values as a group
- Talk about core values in one-on-one's
- Manage “by walking around”
- Discuss topics like professionalism, meeting ground rules, etc

**04**

**Regularly Reward Exemplary Behavior**



# Easy Ideas

- Post comments on social media
- Create a wall of success
- Show off behavior at a staff meeting
- Offer silly prize to pass around



05

**Actively Create Equity**



**Remember, harassment is a  
form of discrimination**

**Audit Pay, Diversity, Recruiting...**



**06**

**Bring Your Core Values to Life**



# Core Values

- Require and *empower* employees to live by them
- Turn them into core competencies
- Add them to the org's strategic plan

**07**

**Address all Negative Behavior,  
Even Legal Behavior**



# Early Intervention Prevents Future Damage.

**Bad behavior is a performance  
problem. Period.**



# HR's Job

- Make them see
- Make them care
- Get them help



# Assumptions Reality

Intentional

Unintentional

Fully Aware of Damage

Fully UNaware

Cannot Change

Can Change



# Make Them See

“We’ve had a steady stream of complaints from coworkers about their experiences interacting with you - we don’t see this with other managers. This is not acceptable and cannot continue. We need to see you turn this around.”



# Make Them See

“I’m not going not going to engage in a ‘fact battle’ with you. I wasn’t there.

But there is *one fact* - your behavior is seen as too abrasive, and that one particular fact has to change.”





# Make Them Care

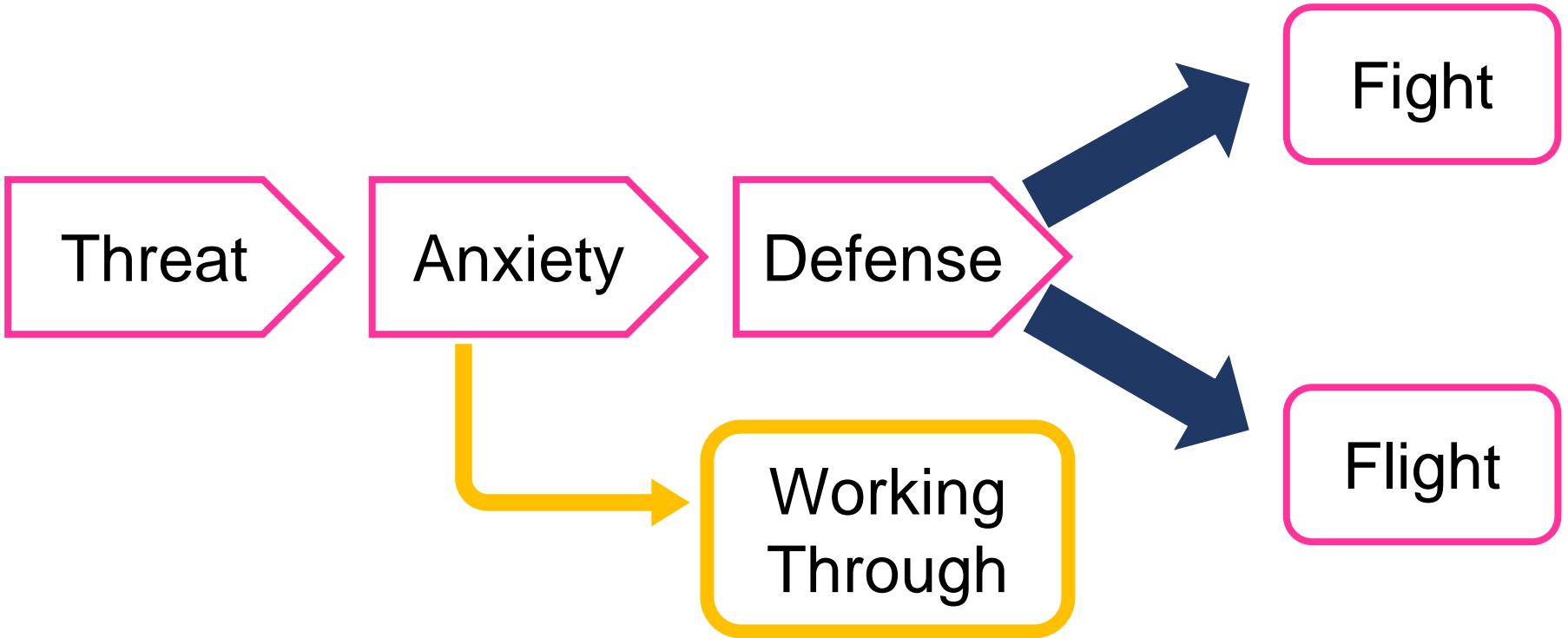
“You must change in the following ways...  
Failure to do so will result in...”



# Get Them Help

Internal mentoring

Specialized coaching





# First Feedback

Intimidates

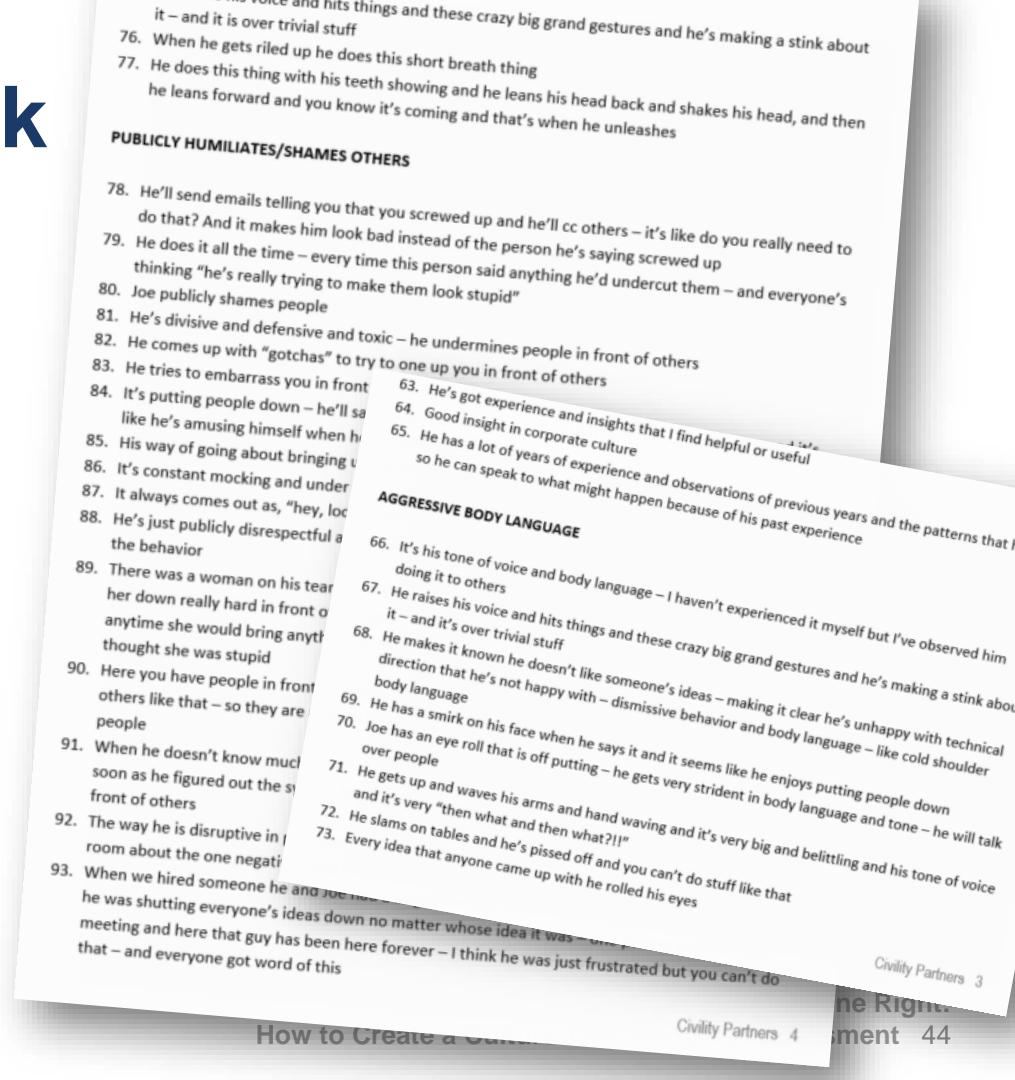
Poor Emotional Control

Dominates in Conflict

Publicly Humiliates

Aggressive

My Way or the Highway





# Second Feedback

Approachable

Controls Emotions

Collaborative

More Positive

Calmer

## SELF-AWARE

1. I do see more self-awareness than I have seen in the past which is a great start
2. He has more awareness
3. I have seen him develop an awareness of 'person vs. person' mentality - I have said and saying, "I don't think that went well" and saying, "I don't think that went well" and saying, "I don't think that went well" and saying, "I don't think that went well"
4. After the meeting he came to me and said, "I don't think that went well" and saying, "I don't think that went well" and saying, "I don't think that went well" and saying, "I don't think that went well"
5. He no longer comes off like he is the boss and everyone else should know it

## CALMER/LESS INTENSE

6. He seems to be more relaxed and t
7. He's relaxed more which makes ev
8. I feel like he's not intense anymore
9. He's not instigating, he's calmer, he
10. He is very calmly interacting with t
11. He speaks with a calm, pleasant, an
12. He has definitely eased off of peop
13. In meetings, it seems he is doing a
14. He used to be really intense, total
15. Joe is much more contained than p
16. I see him more as a calmly going to

## NOT REACTIVE

17. When we are in large meetings he
18. I think he is a lot more pensive be
19. He even thinks more before he re
20. He stops and thinks before he rea
21. I think it came out of frustration b
22. I think he has become emotionall

## PROVIDING AUTONOMY

23. He is controlling his emotions and his reactions much better
24. He is dealing with his frustrations
25. He is kind of letting people do their jobs and they are getting along a
26. He is letting people fail on their own and succeed on their own
27. If it is somebody else's problem he lets them take care of it and handle
28. He is letting me fail or succeed on my own
29. I am being left more to do things myself
30. He is very good at focusing on the near-term problems and figuring out
31. He's pretty understanding of the tech stuff - he doesn't micromanage
32. Before he was the type of person who was nonstop - first to be at the of

## CONTRIBUTES RATHER THAN CONTROLS

33. Now he throws it out like "here's an idea" - and a lot of times they are go
34. He is a smart guy with good ideas but rather than injecting his ideas on eve
35. I don't feel him meddling in stuff I am trying to learn - he does help me out,
36. He's not necessarily action on his observations any more - like 'are the build
37. He is more in a sharing mode than having to go act on things himself
38. In the meetings, I've been in I can see that he's making a concerted effort to
39. He's not in conflict, he seems to be contributing and he's not acting as a bully

## MORE COLLABORATIVE

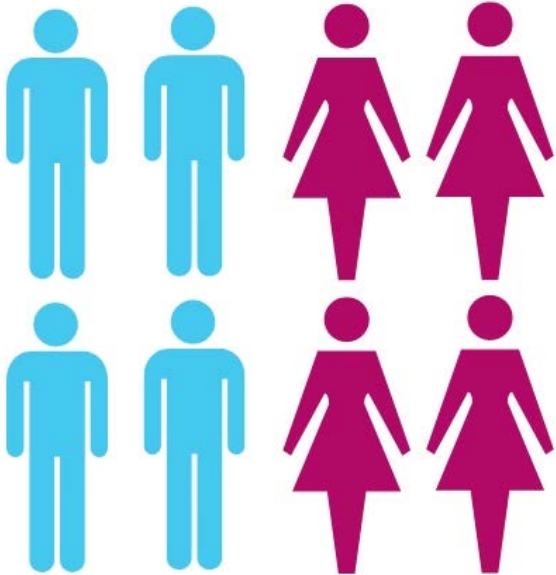
40. I used to hear that Joe was an obstacle and I haven't heard that lately.
41. He's not getting in the way of effectiveness anymore
42. I can tell he is not throwing obstacles out from the emails I have seen
43. I don't believe Joe is trying to get one over on me or get his way
44. We have had less clashes

08

**Implement a Healthy Workplace Policy,  
and Show Zero Tolerance for Bad Behavior**



# Get Policy Buy In



## Ask Employees

How would you like to be treated by your peers and managers?

Include their answer in your policy

09

**Offer Many Different  
Channels for Complaints**



**10**

**Commit to Being an Example**

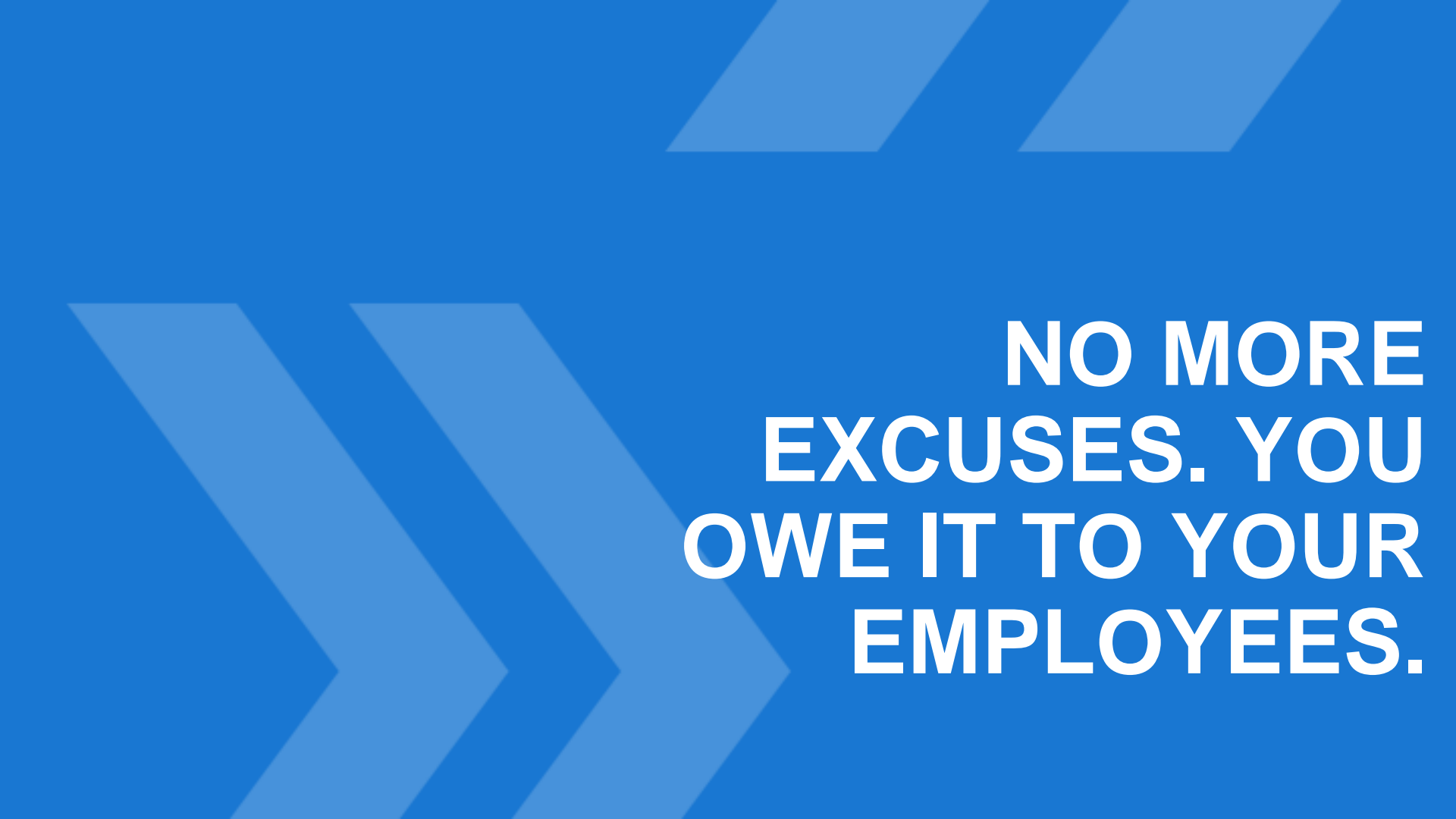


# Addressing Negative Behavior is a Triple Win

1. The negative person is more effective
2. People are less anxious and more productive
3. Organization is better protected from liability (and you can sleep at night)

The background is a solid teal color. On the left side, there are several large, overlapping, light teal arrow shapes pointing to the right. At the top, there are several overlapping, light teal parallelogram shapes. The text is centered on the right side of the image.

**A CULTURE OF  
RESPECT IS YOUR  
BEST DEFENSE  
AGAINST  
HARASSMENT**

The background is a solid blue color. On the left side, there are several large, white, chevron-shaped arrows pointing to the right. These arrows are layered, with some appearing in front of others, creating a sense of depth and movement. The text is positioned on the right side of the image, centered vertically relative to the chevrons.

**NO MORE  
EXCUSES. YOU  
OWE IT TO YOUR  
EMPLOYEES.**

Catherine Mattice Zundel

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LEAD  
ADVOCATE  
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*Email me for:*

- *30 ways to live core values*
- *Harassment training checklist*