Before We Begin

- **All attendees are in listen-only mode.** If you run into any audio issues during the webinar, please try another method of listening in, such as computer audio or calling in by phone.

- All registrants and attendees will receive a link to the recorded version of this webinar in a follow up email.

- If you have questions during the presentation, **please let us know by typing your question into the Q&A panel.** We will address these at the end of the presentation.

Better Understand Federal And State Sexual Harassment Mandates + Key Trends And Proven Prevention Techniques For Workplaces

Holly Rider

Vice President of Education Strategy

Holly leads the Strategy team at Vector Solutions, helping ensure that the thought leadership we deliver to our customers is based on research and established best practice. She's also our subject matter expert on preventing sexual and gender-based harassment and violence. Holly joined Vector Solutions from the University of Michigan where she oversaw the institution's prevention and advocacy efforts for nearly a decade.

Holly also brings national policy experience to her role as one of the rulemakers for the 2014 Clery Act regulations and an advisor to the Obama Administration White House Taskforce on preventing campus sexual assault. She has more than 25 years of experience in preventing and responding to sexual- and gender-based violence in higher education, workplaces, and communities.

Our Time Together

- The Costs of Workplace Harassment

- Organizational Risk Factors

- Roadmap for Building a Holistic Harassment Prevention Strategy

- What Will the Revolution Look Like? Critical Processes Deep Dive

- The Most Common Issue that is Often Not on the Radar: Retaliation

- Federal and state regulatory requirements and compliance mandates.
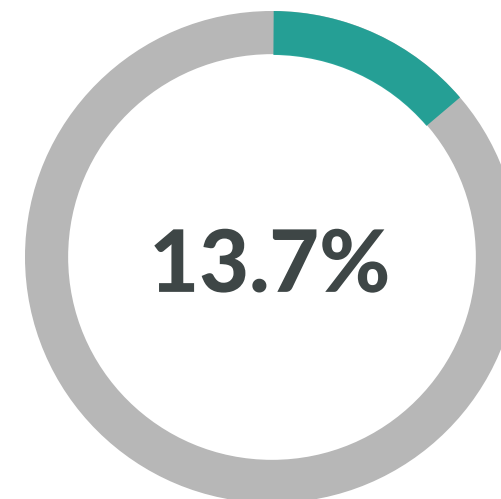
Costs of Workplace Harassment: Legal Exposure

EEOC enforcement has greatly increased over the past year (FY 2018 data)

50%
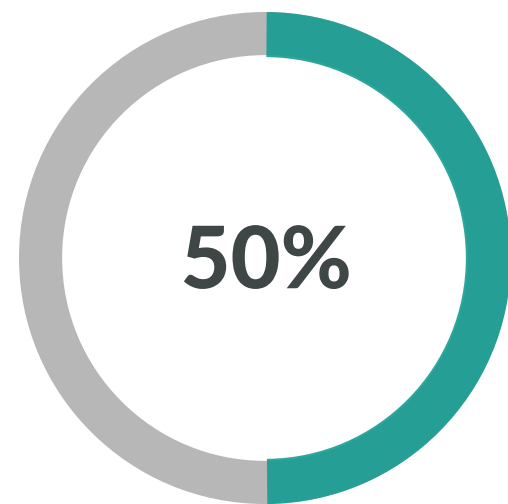
YOY increase in EEOC sexual harassment lawsuits

47%
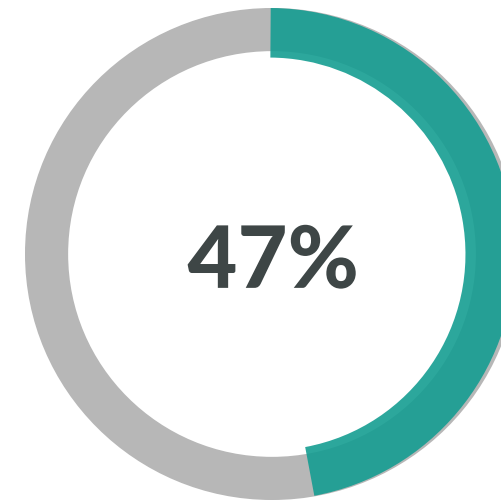
EEOC recovered $70 million for victims of sexual harassment, a 47.4% increase over FY 2017

13.7%

YOY increase in sexual harassment charges filed

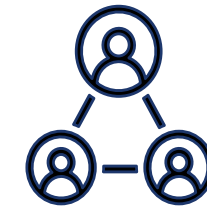# Costs of Harassment: Organizational Impact

Staff Turnover

Women who have been harassed are

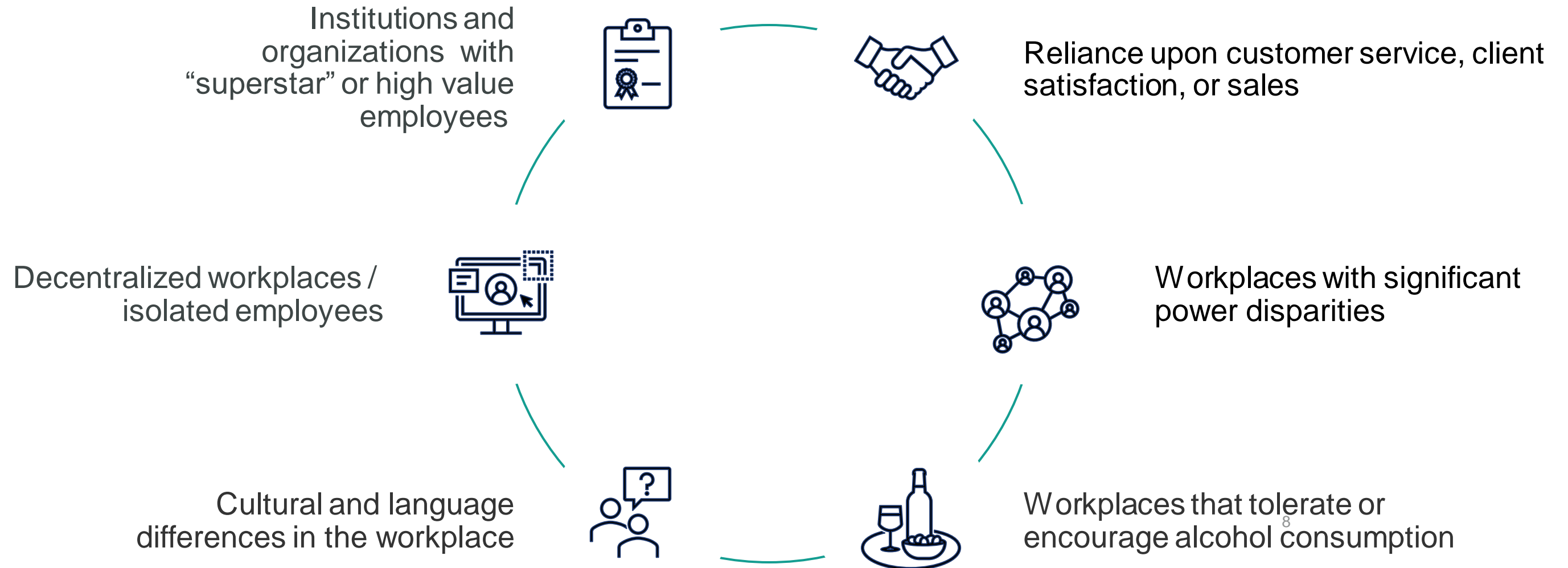6.5 times more likely to leave

Reputation Damage

News coverage of scandals impacts college applications by -10% percent

Inability to recruit top talent

Team Productivity

Loss of $22,500 in productivity per team member of a team impacted by harassment

Does Your Organization Have Increased Risk?

Institutions and organizations with "superstar" or high value employees

Reliance upon customer service, client satisfaction, or sales

Decentralized workplaces / isolated employees

Workplaces with significant power disparities

Cultural and language differences in the workplace

Workplaces that tolerate or encourage alcohol consumption

Source: Report of the EEOC Select Task Force on the Study of Harassment in the Workplace (2016)

Taking a New Approach

- Moving toward a holistic strategy and away from a "check the box" or incident-response based approach

- Using an affirmative, positive framework: promoting a speak-up culture of respect, inclusion, and empowerment

Framework for a Comprehensive Harassment Prevention Strategy

PROGRAMMING — Prevention training, programs, and communication strategies that maximize engagement and drive impact

POLICY — The values and expectations of the organization, and the system of accountability to uphold and enforce them

CRITICAL PROCESSES — Using goal setting, strategic planning, and data analysis to inform and evaluate prevention work

INSTITUTIONALIZATION — System-wide buy-in, visible commitment, and investment in effective prevention initiatives

Programming: Approaches for Workplace Programs and Training

- Make training more skills-based / positive approach.

- Focus on "upstream" behaviors - not just illegal harassment.

- Bystander intervention - more than just "see something, say something."

- Combating the "Pence Effect:"
  - Mentorship and sponsorship programs

  - Executive coaching

  - Focus groups/surveys

Policies and Procedures

- Harassment-related policies, investigation procedures, and consistent enforcement

- Ensure they are clear and always accessible.

- Include all types of harassment -- and non-retaliation.

- Prohibit harmful behavior -- even if not illegal harassment.

- Include positive values and conduct expectations.

- Include multiple reporting channels.

- Watch "zero tolerance" language.

Policies & Procedures: Effective Practices

Improving Complaint Handling and Investigations

- Test your reporting system - is it working?

- Form a cross-functional complaint "triage" team (HR, Compliance, Legal, etc.)

- Close the information gap to create trust

  - Create posters showing the complaint-handling process (e.g., "What happens next after I call the hotline?")

  - Publish standard investigation procedures

  - Hold report-out meetings with the complainant, the accused, and all interviewees

  - Publish case study examples or aggregate data about complaints and outcomes

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"Al Capone Theory" of Misconduct

People who engage in one type of misconduct are likely to engage in others

A report in one area should prompt us to look for other breaches.

Credit to Leigh Honeywell and Valerie Aurora

Critical Processes: Applying Rigorous Business Processes to Harassment Prevention

- Conduct a Needs Assessment

- Gather Data

- Identify Stakeholders

- Develop SMART Goals

- Implement Accountability Measures

- Monitor Progress and Make Adjustments

Leaders are able to shift people's views on social issues regardless of key characteristics that may already inform their opinions...

The role leaders play in shaping the organizational climate is not merely correlational but causal"

– Hart, Crossley, & Correll (2018)

Read the full article here

Institutionalization: Making Harassment Prevention an Organization-Wide Priority

Visible Commitment vs. Behind-the-Scenes Support

- Send video or in-person messages to staff from President and/or Board.

- Have executive-led conversations at employee meetings.

- Use strong language to convey this is a priority issue.

- Ensure leaders and supervisors attend/endorse all trainings; deliver role-specific training to leaders.

- Advocate for recurring funding and FTEs for prevention/education.

- Hold all employees, managers, and executives accountable.

State Training Mandates—A Brief Overview

State Trainings

California

All California employers, who employ **5 or more employees**, must provide sexual harassment training to all employees **every two years.** California employers with 50 or more employees must provide sexual harassment training specific to people managers to all supervisors and managers every two years.

Connecticut

Employers with more than **3 employees** must provide anti-harassment training to all employees and **all employers must provide training to supervisors.**

Delaware

All Delaware employers who employ **50 or more employees,** must provide anti-harassment training to all employees **every two years.**

Please note: We recommend consulting with your in-house counsel to better understand how to meet your state's mandates

State Trainings - Illinois

Illinois
All employers in Illinois must provide anti-harassment training **once a year to all employees in IL and all employees outside of IL who regularly work with IL employees**.

Illinois – City of Chicago
All employees who work within Chicago city limits must complete **1 hour of sexual harassment prevention training and 1 hour of bystander training**. Any employee who supervises or manages other employees must complete a minimum of 2 hours of sexual harassment prevention training.

Please note: We recommend consulting with your in-house counsel to better understand how to meet your state's mandates

State Trainings
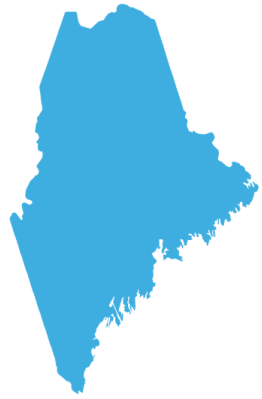
Maine

All employers located or doing business in Maine, who employ more than 15 employees must provide sexual harassment training to all employees.

New York

All employers must train **all employees** regarding sexual harassment once **every year**.

Please note: We recommend consulting with your in-house counsel to better understand how to meet your state's mandates

State Trainings

Washington
Hotels, motels, retail organizations, security guard entities and property services contractors must provide anti-harassment training to specific employees.

Washington D.C
Requires harassment-prevention training: All employees of businesses with tipped staff shall receive sexual harassment prevention training, with managers and business owners and operators attending in-person training at least once every two years.

Please note: We recommend consulting with your in-house counsel to better understand how to meet your state's mandates

# 13 Other States Have Laws Related to Sexual Harassment Training

- Iowa
- Oregon
- Texas
- Wisconsin
- Colorado
- Hawaii
- Ohio
- Oklahoma
- Pennsylvania
- West Virginia
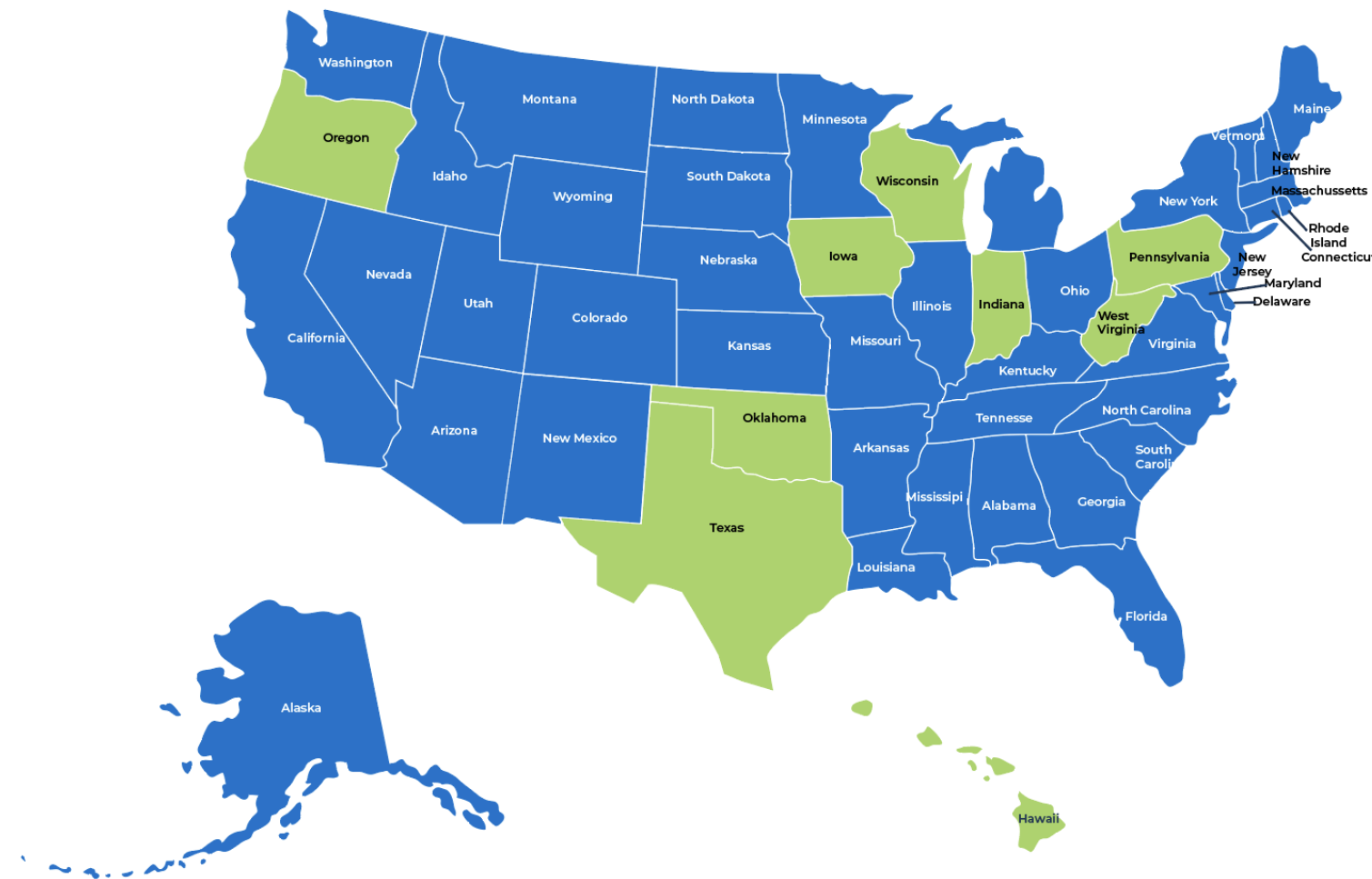
Please note: We recommend consulting with your in-house counsel to better understand how to meet your state's mandates

State Anti-Harassment Content

- California
- Connecticut
- D.C.
- Illinois (bar & restaurants, hotels*& casinos)
- Chicago (Illinois)
- Maine
- Massachusetts
- New York
- Oregon
- Rhode Island (50+ employees)
- Vermont
- Washington (certain industries).
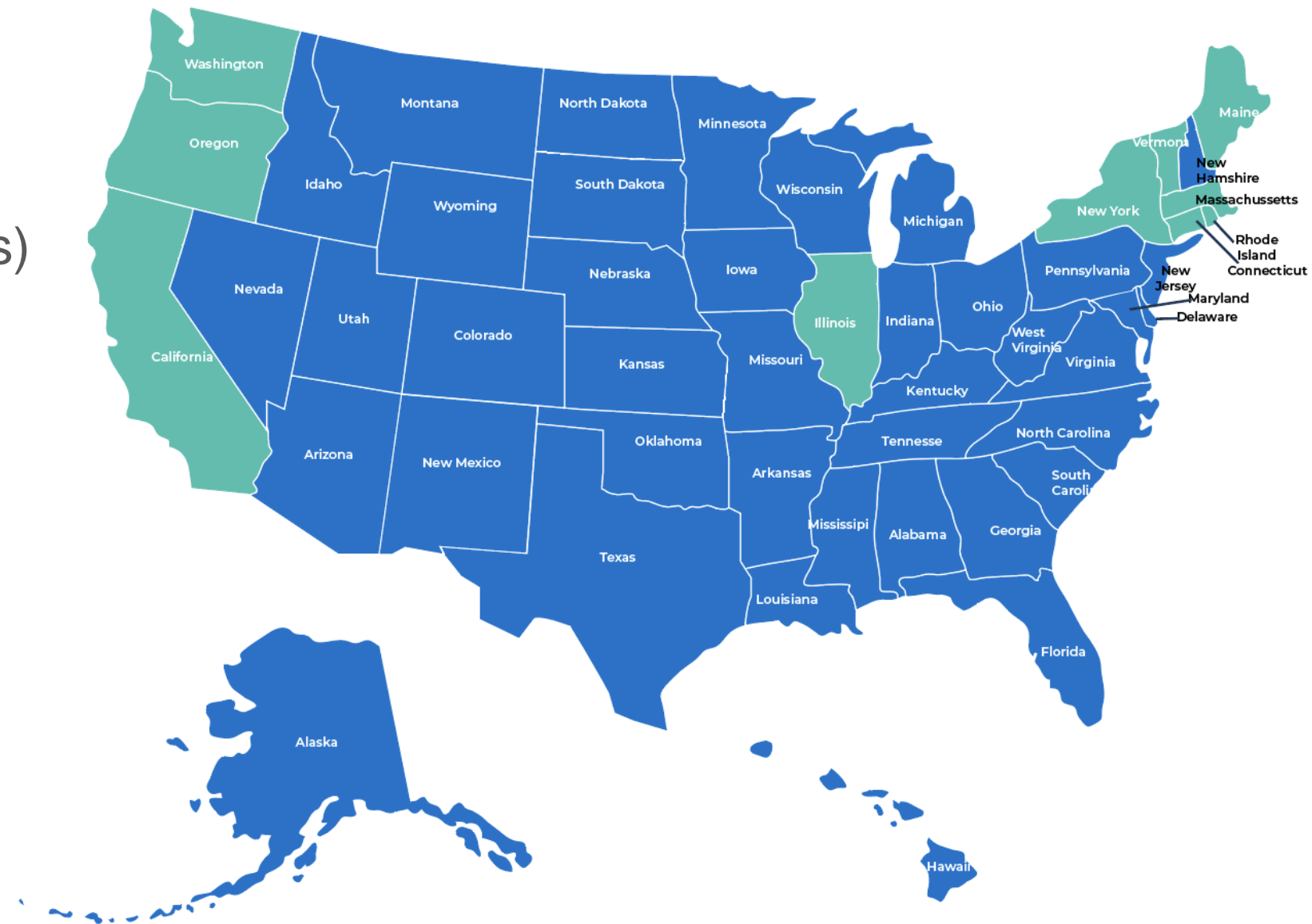
Please note: We recommend consulting with your in-house counsel to better understand how to meet your state's mandates

State Anti-Harassment Policies

- California,
- Connecticut
- Illinois (bar & restaurants, hotels & casinos)
- Maine
- Massachusetts
- New York
- Oregon
- Rhode Island
- Vermont
- Washington (certain industries).
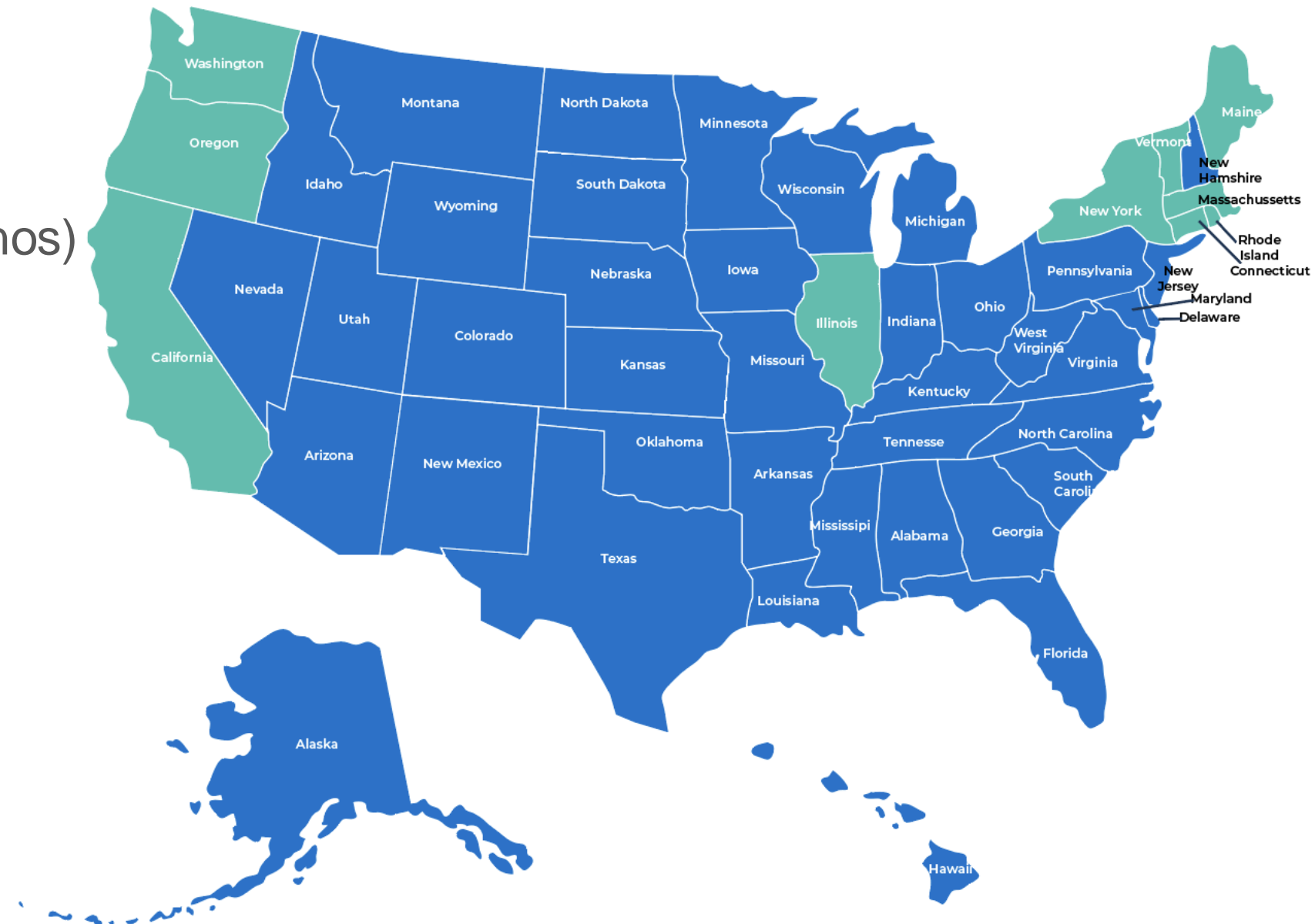
Please note: We recommend consulting with your in-house counsel to better understand how to meet your state's mandates

How Vector Solutions Can Help

Powerful Harassment Prevention + Diversity, Equity, and Inclusion Offerings

Foster more inclusive and harassment-free workplaces for employees to thrive with innovative learning.

Sexual Harassment Prevention Courses

Meet state law mandates and focus on impact through interactive storytelling and real-world scenarios. Courses Include:

- Harassment Prevention for Supervisors

- Harassment Prevention for Non-Supervisors

- State Variations: NY, IL, CA, WA, DC, CT, MA, DE, City of Chicago, and D.C.

Diversity, Equity, and Inclusion Courses

Build empathy through narrative storytelling and vital perspective-taking experiences. Courses include:

- Diversity, Equity, and Inclusion (Foundations)

- Microaggressions in the Workplace

- Unconscious Bias in the Workplace

- Inclusive Hiring

- Allyship
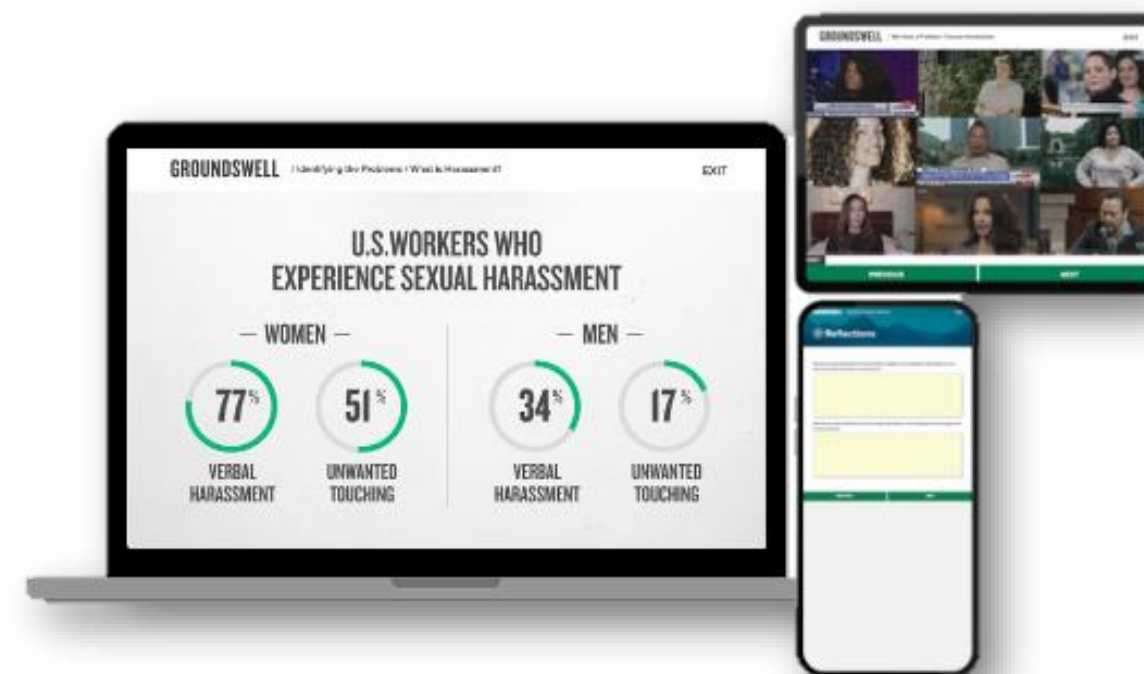
Q&A

Note: If your question doesn't get answered during the allotted time, we will follow up by email.

Holly Rider

Vice President of Strategy

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Thank You!