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The Future of Workplace Harassment Prevention

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Your Presenters

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Award-winning public health expert on sexual assault and harassment prevention education

George Homer Vice President, EVERFI



Over 10 years experience helping campuses deploy compliance and prevention programs

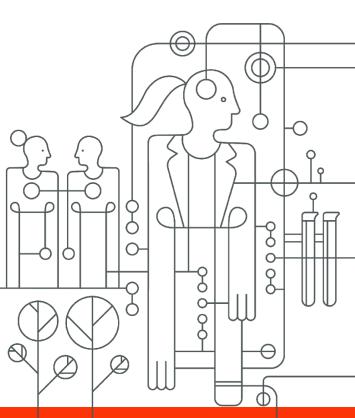
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Webinar Agenda

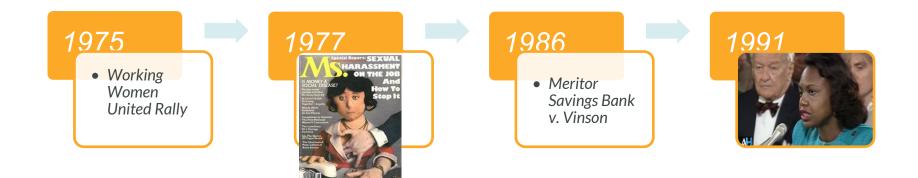
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EVER

From Working Women United to #MeToo: 1 Where are we now? **Best Practices for Bolstering Sexual** 2 Harassment Prevention Programs 3 Case Study **Challenges in Execution** 4 The Future of Harassment Prevention at 5 **FVFRFI**



The Speak Out Evolution



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The Speak Out Evolution



Time's Up

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Has your Organization Done Anything Differently in Response to the #MeToo Movement?



Has your organization experienced an uptick in employees raising issues of harassment at work in the last six months?



REFRESHER ON LEGAL PRECEPTS

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Quid pro quo and Hostile work environment

QPQ:

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- Someone in "management"
- Conditions an aspect of employment

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• Upon submission to a sexual advance or sexual conduct

HWE:

- Unwelcome
- Sexual in nature (other protected category)
- Severe or pervasive
- Offensive to a reasonable person
- Interferes with ability to work
- Creates an offensive, intimidating, or hostile work environment

Liability standards

- Supervisors
- Non-supervisor employees
- Third parties (contractors, customers, vendors, etc.)
- Standards for liability differ depending on who is doing the harassing
 - Board member liability
 - Strict liability for management
 - Individual liability for management
 - "Knew or should have known" standard

Duty to act

- Once an issue is raised whether formally or informally an investigation must occur
- Investigation: prompt, thorough, impartial, witnesses, documented
- Prompt remedial action to stop inappropriate conduct

EMPLOYER BEST PRACTICES

Don't dwell on what went wrong. Instead, focus on what to do next. - Denis Waitley

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Leaders must **MODEL** expected behavior.

Employers must **MESSAGE** expectations and tailor the message to its various constituencies.

Employers must MANAGE situations.

Employers must **MONITOR** the workplace.

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With great power comes great responsibility. - Spiderman



Model

- When it's okay for leadership, it's okay for everyone.
- Accountability for violations.
- Accountability for allowing violations to occur.
- Accountability for retaliation.
- Set the culture.

Model

- Institutional measures to consider:
 - 360 Reviews;
 - Consider revising executive employment agreements:
 - Consequences for violations termination, bonus, equity, compensation;
 - Indemnification parameters;
 - Consider requiring personal insurance coverage.



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Strengthen messages regarding conduct expected and conduct prohibited.





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Content review. Meaningful dissemination.

Message

- Policies
 - Content review
 - State-specific requirements
 - Conduct expected and violations with examples
 - Cover clients, vendors, third parties
 - Complaint procedures with multiple avenues
 - Anti-retaliation
 - Language even in English!
 - Meaningful dissemination

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Everyone. Tailor the content.

MANAGE

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MANAGE situations

MANAGE SITUATIONS

- Investigate
- Prompt remedial action
- Get back to complainants
- Careful with public messaging!
 - Not normal to make detailed announcements
 - Avoid excessive publication



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Monitor effectiveness of preventive measures.

Monitor

- Continuous self-evaluation
- Own data is powerful to identify areas of vulnerability
- Transparency
- Monitor emails
- Add professionalism and workplace values and culture accountabilities to performance evaluation criteria
- Diversity and inclusion efforts are critical to culture change
 - Foster engagement
 - Ensure D&I constituents are working with HR/ER

WHAT'S NEXT?

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ON THE HORIZON

- Guidance from the EEOC expected
- Legislation carving sex harassment from arbitration agreements
- Talk of legislation to curb NDAs (already no deduction)
- More claims, more issues
- Increased protectionist legislation e.g., more training requirements, etc.

Challenges in Execution





- Mandating all 110k employees complete harassment prevention training in 2018
- Published new harassment prevention policy online



- Training all 2,200 employees on harassment prevention in 2018
- Training all new employees within 30 days of hire

Vox

- Went from training 150 to all 900 employees including the Board of Directors on harassment prevention
- Using different training modules for managers and non-supervisors

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- Training all employees on harassment prevention in 2018
- Using different training modules for managers and non-supervisors

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Annual Training Delivered at Key Times

Intent:

- Builds on previous training to increase knowledge and skills
- Interactive, targeted content
- Reinforces key organizational messages and expectations
- Universal annual training sends a message of organizational commitment and prioritization

Timing:

• On hire, assumption of new roles, and other high impact times



Address Key Learning Objectives

Focus on:

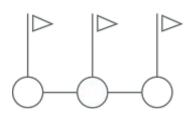
- Increasing skills as well as increasing knowledge
- The positive--what managers and employers SHOULD do versus what they should avoid
- Go upstream--empower employees to intervene early on
- Identifying learning objectives that increase positive attitudes, behaviors, and beliefs to drive culture change





What do you anticipate will be your biggest hurdle in improving/expanding your harassment prevention program in 2018?





• Revamping harassment prevention training is a 2018 initiative

• Lack of runway to build a comprehensive and robust program in-house.

• Continuing with in-person training not viable

Timeline

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- Provide content that is aligned with best practice
- Iterate upon content regularly
- Deliver skill-building education that drives culture change

Content

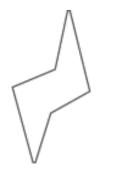


Design

- Accessibility
- Engaging learner experience
- Multi-learning modalities
- Designed for specific audiences
- Capable of providing a private, anonymous learning experience



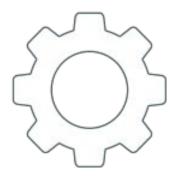
Harassment Training Challenges



- Assess knowledge gain
- Measure attitudes around culture and behaviors
- Compare your organization to peers
- Incorporate outcome data into strategic planning

Impact

Harassment Training Challenges

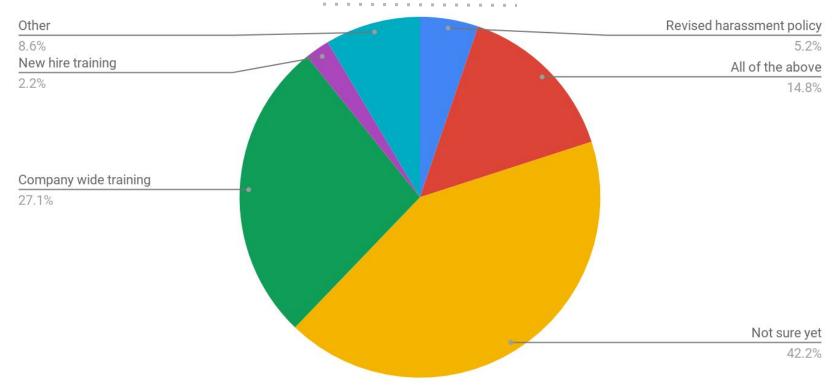


- Integration
- Deployment
- Adoption
- Customization
- Tracking

Administration

RESULTS

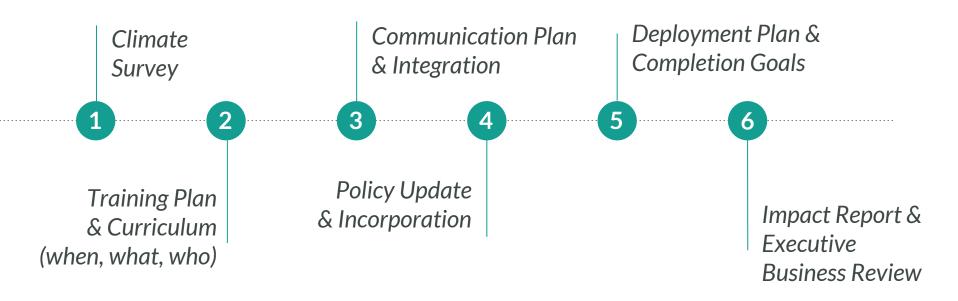
How will you expand the scope of your harassment prevention program in 2018?





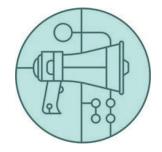
*Results Based on 1,068 Respondents

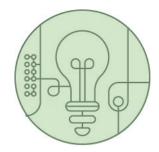
2018 Timeline



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Harassment Prevention & Inclusion Bundle









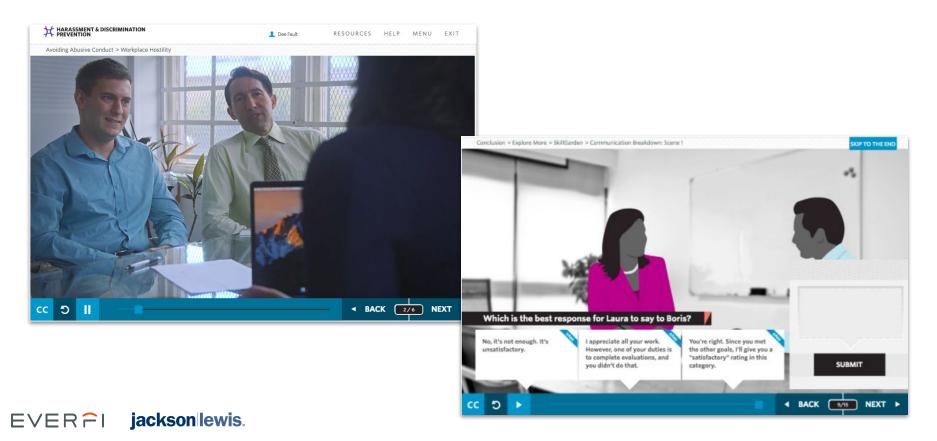
Harassment &Harassment &Discrimination PreventionDiscrimination PreventionSupervisorsNon-Supervisors

Managing Biases

Diversity & Inclusion

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Award-Winning Instructional Design



Standard Customizations

- Harassment Policy Attestation
- Logos and Branding
- Executive Welcome Letter
- Custom Resources



EVERFI Impact Surveys and Assessments



SURVEY QUESTIONS

Indicate your agreement with the following statements:

- 1. Senior leadership at my workplace take reports of sexual harassment seriously.
- 2. My workplace is committed to preventing sexual harassment.
- 3. I feel part of a caring workplace that looks out for one another.
- 4. There is a clear process in place for reporting sexual harassment claims in my workplace.
- 5. I would step in if a coworker is engaging in sexually harassing behavior.

EVERFI Impact

COMPANY I NATIONAL

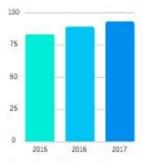
National & Custom Benchmarking

Year-Over-Year Trends

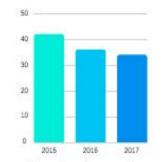
	n=8,720	n=255,781
My workplace is committed to preventing sexual harassment. (% moderately - strongly agree)	60%	52%
l know how to make a report of sexual harassment at my organization. (% moderately - strongly agree)	49%	61%
l am confident in my ability to intervene effectively in a potential sexual harassment situation. (% moderately - strongly agree)	70%	73%
I feel part of a caring workplace that looks out for one another. (% moderately - strongly agree)	83%	87%

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Percentage of learners by year who "Strongly Agree" with the statement, "My organization is committed to creating and encouraging an ethical workplace."



Percentage of learners by year who "Strongly Agree" with the statement, "I'm concerned that taking ethical actions or making ethical decisions at work will affect my reputation."



- 1. New Courses: Harassment Prevention & Inclusion Program
- 2. Impact: Surveys, Assessment & Analysis
- 3. Resources and Best Practices
- 4. Nothing at this time

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- 1. In-person Training Support
- 2. Harassment Policy Support
- 3. Employment Law Related Support
- 4. Nothing at this time

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The Future of Workplace Harassment Prevention

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