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The Future of Workplace Harassment Prevention

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Your Presenters

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George Homer

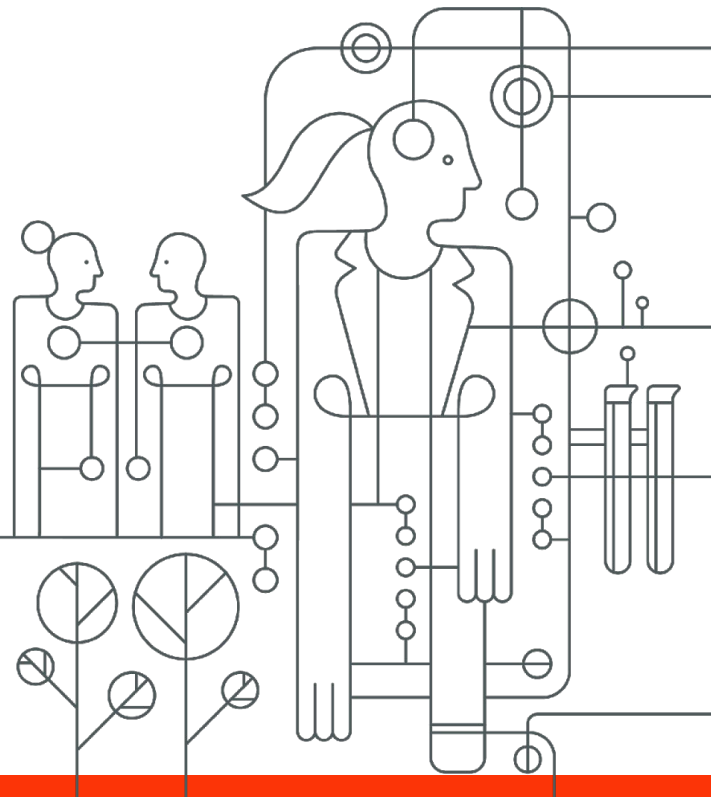
Vice President, EVERFI



Over 10 years experience helping campuses deploy compliance and prevention programs

Webinar Agenda

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



The Speak Out Evolution

1975

- Working Women United Rally

1977



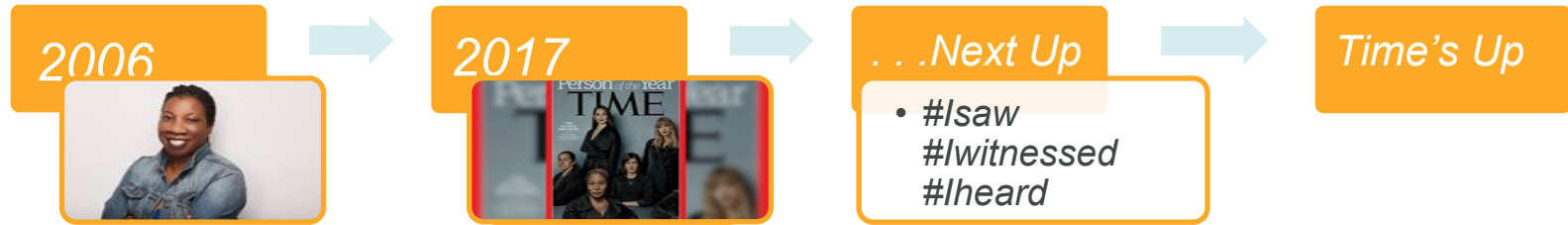
1986

- *Meritor Savings Bank v. Vinson*

1991



The Speak Out Evolution



POLL

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

POLL

.....

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:

- Someone in “management”
- Conditions an aspect of employment
- 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

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

- *Denis Waitley*

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.

IT STARTS AT THE TOP: MODEL

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.

MESSAGE

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Strengthen messages regarding conduct
expected and conduct prohibited.

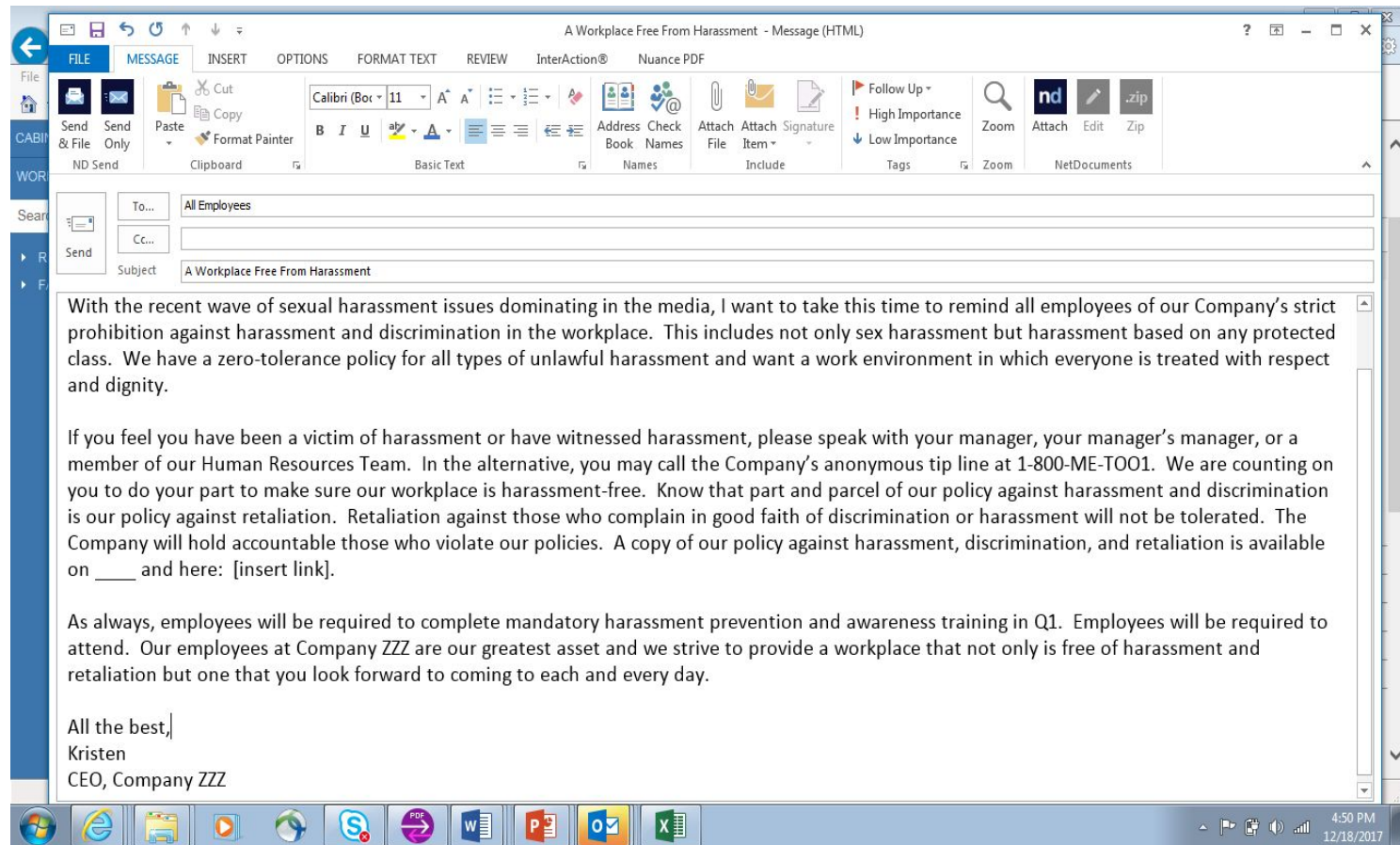
POLICIES

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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



TRAIN

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Everyone. Tailor the content.

MANAGE

.....

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

MONITOR

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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?

.....

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.

The background is a solid teal color with a complex pattern of white line-art icons. These icons include various scientific symbols like beakers, test tubes, and a microscope; technological elements like a lightbulb, a pencil, and circuit-like lines; and business-related figures like people in profile, a classical building with columns, and a pie chart. The overall theme is interdisciplinary, combining science, technology, and business.

Challenges in Execution

Case Studies



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



- 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



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



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

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

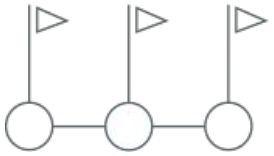


POLL

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

Harassment Training Challenges



Timeline



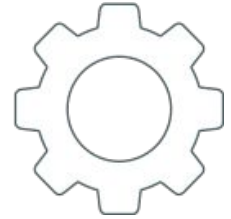
Content



Design

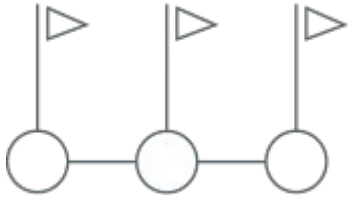


Impact



Administration

Harassment Training Challenges



Timeline

- 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

Harassment Training Challenges



Content

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

Harassment Training Challenges



Design

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

Harassment Training Challenges



Impact

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

Harassment Training Challenges

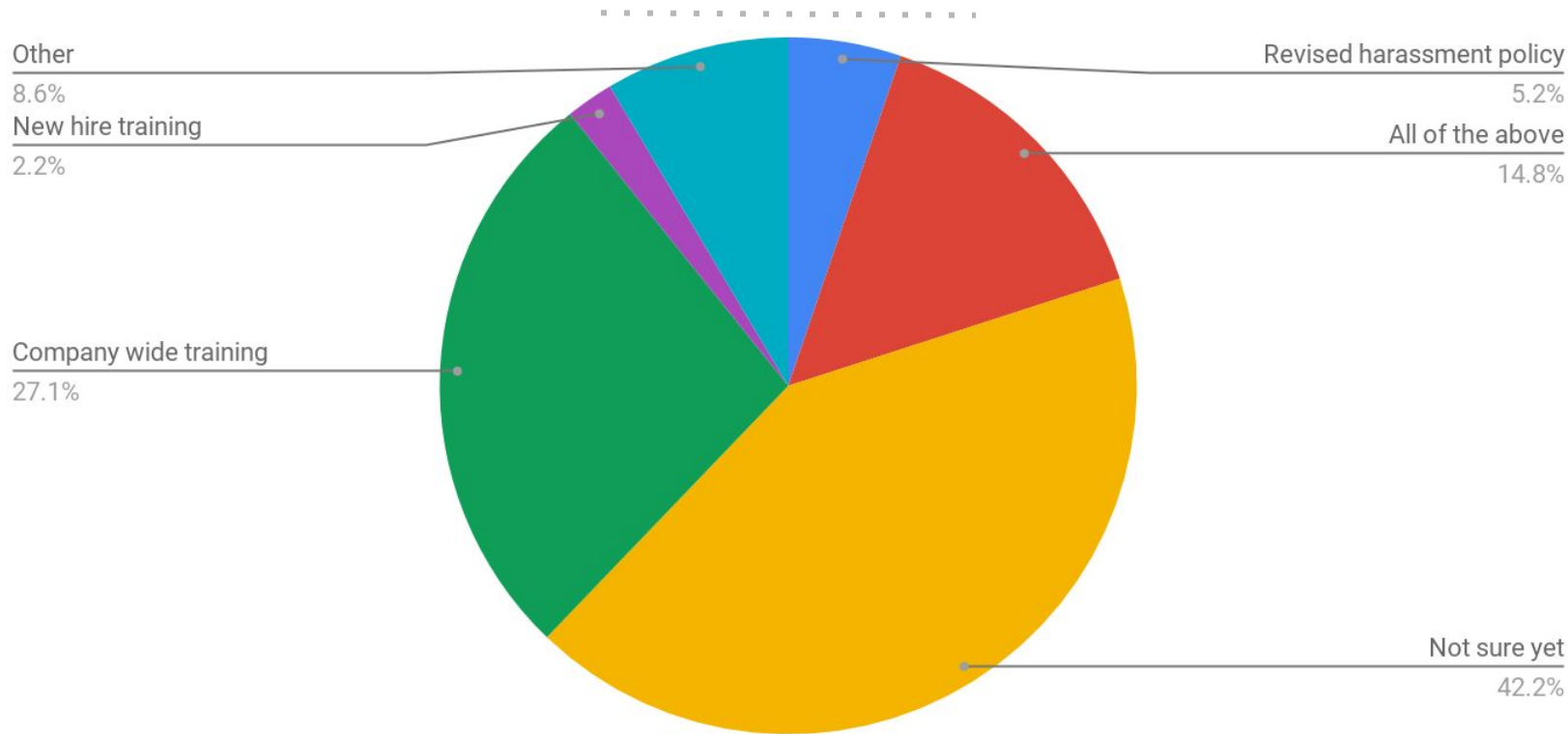


Administration

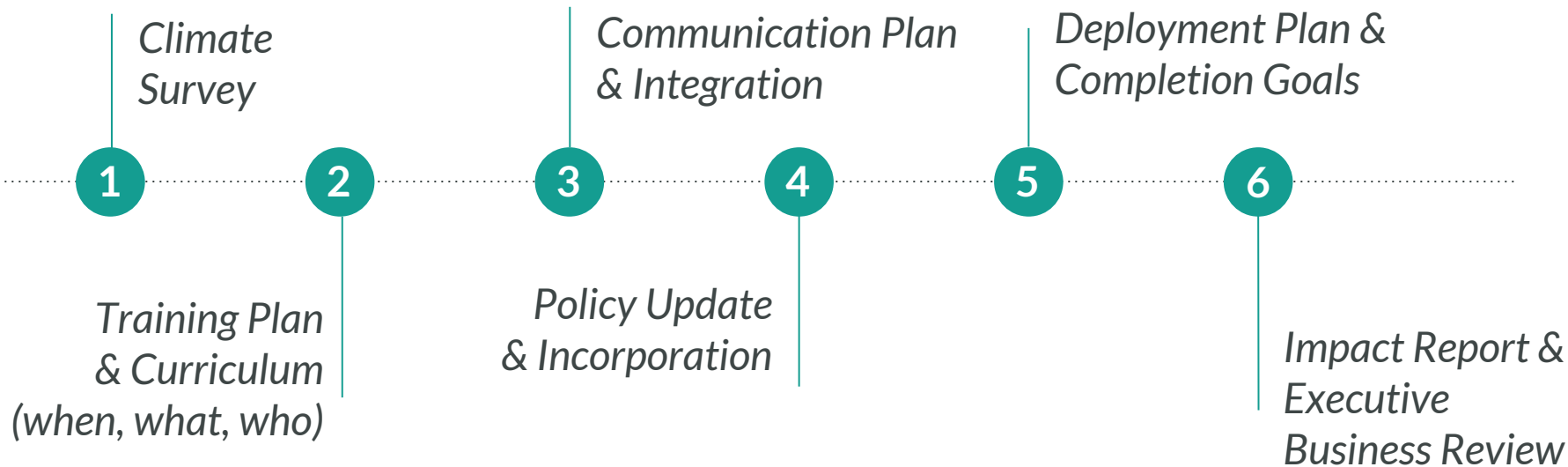
- Integration
- Deployment
- Adoption
- Customization
- Tracking

RESULTS

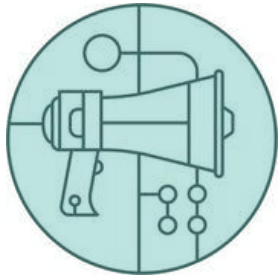
How will you expand the scope of your harassment prevention program in 2018?



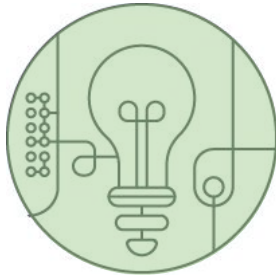
2018 Timeline



Harassment Prevention & Inclusion Bundle



**Harassment &
Discrimination Prevention**
Supervisors



**Harassment &
Discrimination Prevention**
Non-Supervisors

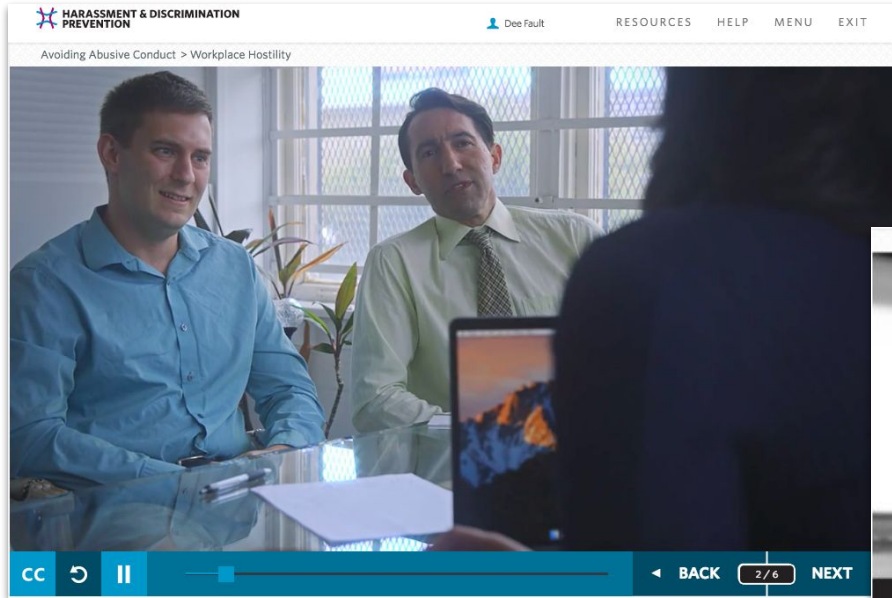


Managing Biases



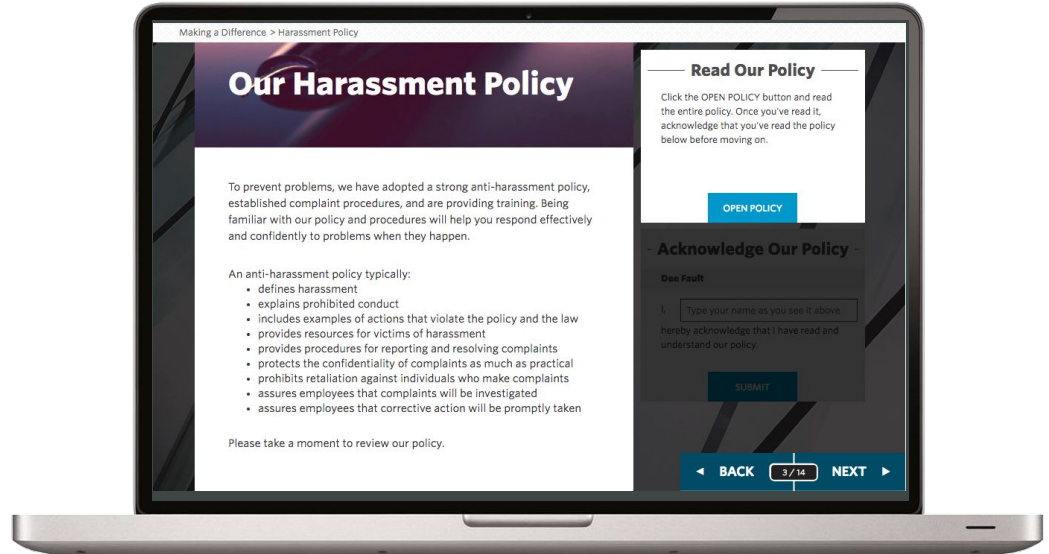
Diversity & Inclusion

Award-Winning Instructional Design



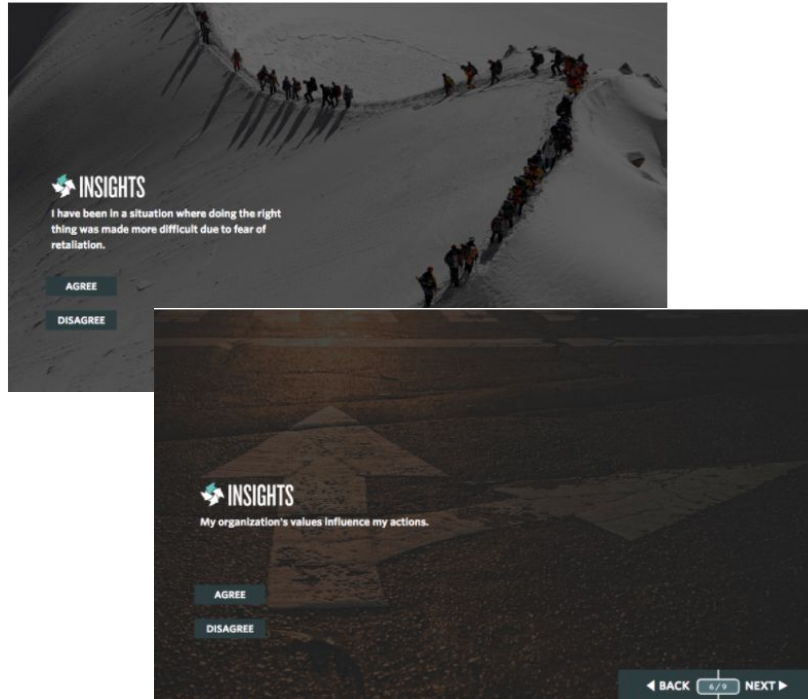
Standard Customizations

- 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:

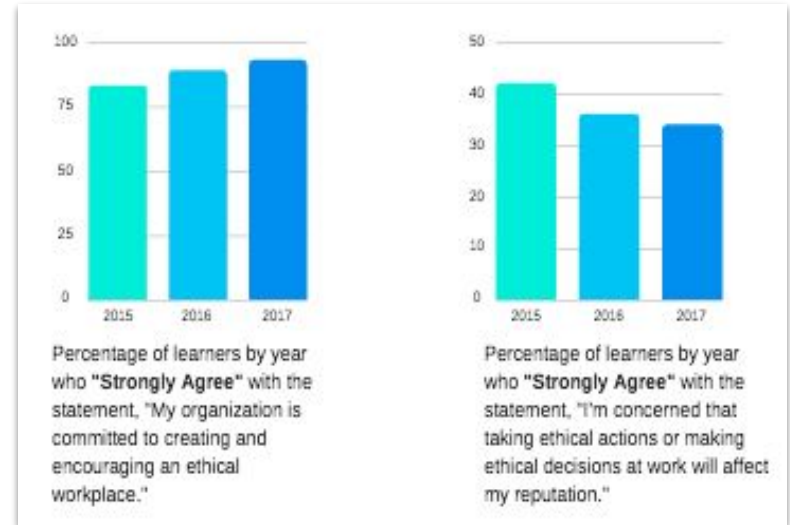
1. Senior leadership at my workplace take reports of sexual harassment seriously.
2. My workplace is committed to preventing sexual harassment.
3. I feel part of a caring workplace that looks out for one another.
4. There is a clear process in place for reporting sexual harassment claims in my workplace.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

EVERFI Impact

National & Custom Benchmarking

	COMPANY n=8,720	NATIONAL n=255,781
My workplace is committed to preventing sexual harassment. (% moderately - strongly agree)	60%	52%
I know how to make a report of sexual harassment at my organization. (% moderately - strongly agree)	49%	61%
I 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%

Year-Over-Year Trends



POLL

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

POLL

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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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END

