





PREVENTATIVE MEASURES

- Comprehensive Written Anti-Harassment Policy
 - Lists protected categories under FEHA
 - Explains prohibited conduct
 - Includes a social media component



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PREVENTATIVE MEASURES

- Comprehensive Written Anti-Harassment Policy
 - Establishes a comprehensive complaint procedure
 - Provides alternative avenues for raising complaints
 - Provides for appropriate remedial action
 - Maintains confidentiality to the extent possible
 - Ensures no retaliation



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PREVENTATIVE MEASURES

Training

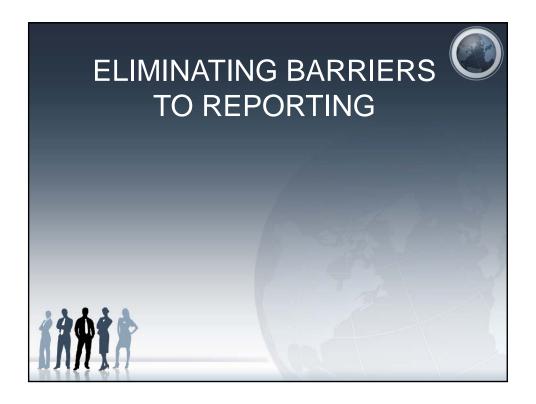
- California mandates harassment prevention training for supervisory employees (AB 1825)
 - Qualified trainer
 - "Effective Interactive Training"
 - Expanded scope
 - · Abusive conduct
 - Gender, gender identity, gender expression, sexual orientation



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PREVENTATIVE MEASURES Training Go beyond mandated training requirements Provide regular reminders between formal training sessions Train all employees, not only supervisors and managers Promote culture of mutual respect and appreciation PREVENTION 14



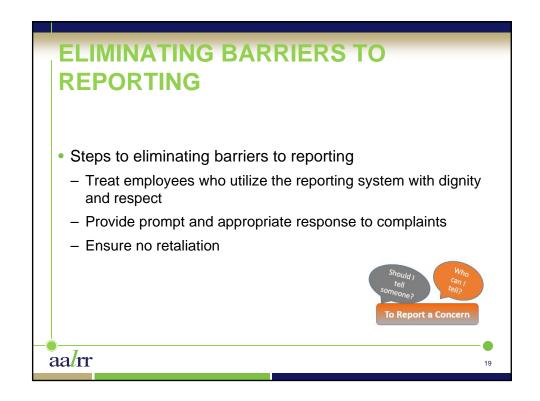


ELIMINATING BARRIERS TO REPORTING - Barriers to reporting - Fear of retaliation, including job loss - Fear of being ostracized by coworkers - Fear of being blamed - Embarrassment - Incident seemed trivial



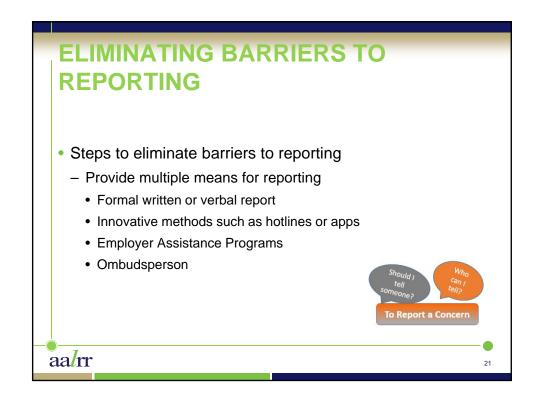


ELIMINATING BARRIERS TO REPORTING Steps to eliminating barriers to reporting Have a clearly worded anti-harassment policy and reporting procedure Effectively communicate the anti-harassment policy and reporting procedure



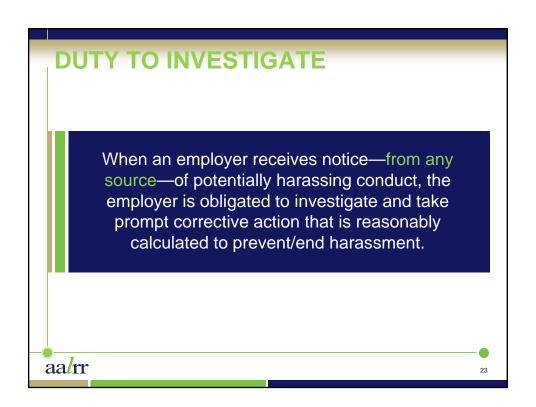


ELIMINATING BARRIERS TO REPORTING Steps to eliminate barriers to reporting Identify multiple individuals who are trained to receive reports Direct supervisor or any supervisor or member of management No requirement to report to direct supervisor first Human Resources or EEO officer











DUTY TO INVESTIGATE

- Notice may include
 - Formal complaint from the harassed individual
 - Coworker statements
 - Workplace rumors or gossip
 - Statements by customer or vendor
 - Passing comments from the harassed individual



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INVESTIGATION BASICS

- Promptly review the complaint and determine the scope of the investigation
- √ Select an appropriate investigator
- Determine the laws, policies, regulations, or procedures that apply
- ✓ Interview the complainant(s), relevant witnesses, and the respondent(s)

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INVESTIGATION BASICS

- ✓ Perform other work necessary to obtain all facts, such as document/video review and/or a site visit
- ✓ Weigh the evidence for each allegation
- Make a factual finding for each allegation based on a preponderance of the evidence standard

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INVESTIGATION BASICS

- Review all of the factual findings to determine if a policy violation occurred
- ✓ Prepare a confidential investigative report
- Communicate the results to the complainant(s) and respondent(s)
- Ensure no retaliation against complainant(s) and/or investigation participants

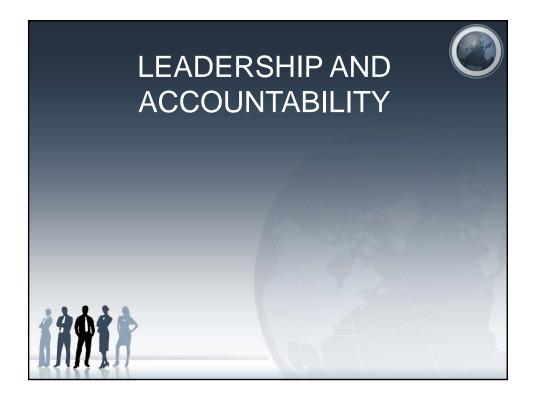
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POST-INVESTIGATION

- Determine and implement appropriate remedial action that:
 - Stops behavior before it rises to the level of unlawful conduct recurrence
 - Is commensurate with the misconduct and discourages or eliminates recurrence
 - Is consistent with action the employer has taken in the past in similar situations
- Follow up to determine if remedial action was effective

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LEADERSHIP AND ACCOUNTABILITY

- Assess workplace for risk factors associated with harassment and minimize those risks
- Consider conducting a climate survey
- Devote sufficient resources to harassment prevention efforts



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LEADERSHIP AND ACCOUNTABILITY

- Hold managers and supervisors accountable for preventing and responding to harassment
- Communicate and model a consistent commitment to harassment prevention



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LEADERSHIP AND ACCOUNTABILITY

- Have a diversity and inclusion strategy which promotes harassment prevention
- Foster an organizational culture that promotes respect and civility and does not tolerate harassment



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LOOKING FORWARD





