

Unlawful Harassment Prevention

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Learning Objectives:

- ✓ Able to define **unlawful harassment**.
- ✓ Identify the types of unlawful harassment.
- ✓ Identify behaviors that may be interpreted as unlawful harassment in the workplace.
- ✓ Cite Federal laws that prohibit unlawful harassment and retaliation.

Learning Objectives:

- ✓ Understand that you must have a policy that requires employees to immediately report harassment pursuant to your written policy to establish an “Affirmative Defense.”
- ✓ Know how to respond appropriately to complaints of unlawful harassment.
- ✓ Identify strategies to prevent unlawful harassment and defend your organization.

We live in a world that bombards us with sex.

- Either implicitly or overtly, sex is everywhere.
- It's in the movies, on television, on the covers of magazines, on the Internet and in all types of advertising—
 - magazines;
 - Newspapers;
 - television commercials; and
 - billboards.

And yet, when it comes to reporting to work.....

We expect employees to check their “Sexual World” at the door, like a coat we take on and off at will.

A respectful work environment

has big rewards, including higher productivity, higher morale, lower turnover and a stronger team. **The bottom line?**

Harassment costs organizations in court and in the workplace. But *a respectful workplace* helps keep organizations out of court and builds a work environment for achieving your mission and goals for your community.

- Regardless of your role in the workplace, you have the potential to be a responsible leader.

Sexual Harassment:

- A serious problem in the American workplace today.
- One of the most complex workplace issues of our time.
- Every employer has the duty – and the responsibility – to provide a harassment- free work environment by:
 - Establishing clear policies against sexual harassment; and by
 - Training managers, supervisors and employees to prevent, recognize, and immediately report all incidents.



How Do I Create a Harassment-Free Work Place?

It starts with you:

- It may be overused and somewhat cliché to say “***lead by example,***” but that’s exactly what you must do;
- It’s the first step. If sexual innuendo and suggestive comments and stories are commonplace in your work environment, you need to be the first to make a change;
- Your behaviors at work should be respectful and appropriate, and you should expect the same of your employees.

PURPOSE:

- To review changes regarding Unlawful Harassment in the work place;
- To discuss what your employees **need to know**:
 - To recognize and prevent any form of unlawful harassment.

OBJECTIVES:

1. Discuss employee responsibilities for recognizing, preventing, and confronting unlawful harassment;
2. Review methods and avenues for resolving unlawful harassment complaints;
3. Communicate the organization's expectation that employees who believe they have been subjected to sexual or other unlawful harassment or believe they have witnessed such conduct **MUST report this immediately** to their supervisor/ manager or the Director of Human Resources.

SHARED RESPONSIBILITY

- Communicate that Your organization unequivocally opposes not only sexual harassment, but any other unlawful harassment or discrimination;
- Each and every employee of the organization shares in the responsibility to maintain the work environment free of any unlawful discrimination.



MATTER OF POLICY

- The organization has a policy that sets forth your commitment to provide a work environment free of sexual harassment or other unlawful discrimination;
- PREVENTION, PREVENTION, PREVENTION, is what you are seeking;
- Prompt, informal resolution is your goal.

EMPLOYEE RESPONSIBILITY:

1. Know, understand and follow the organizations Unlawful Harassment Policy;
2. Set a positive example with their behavior and treat everyone with dignity and respect;
3. Do not accept behavior that may be offensive. Make their feelings known. Ask that the offensive behavior be stopped;
4. Immediately report incidents of unwanted conduct.

The Grandma Filter

If you wouldn't say or do that in front of your
grandma...don't say or do it
at work!!



Getting Employees to be Honest with a Predator :

Go to their boss or Director of Human Resources



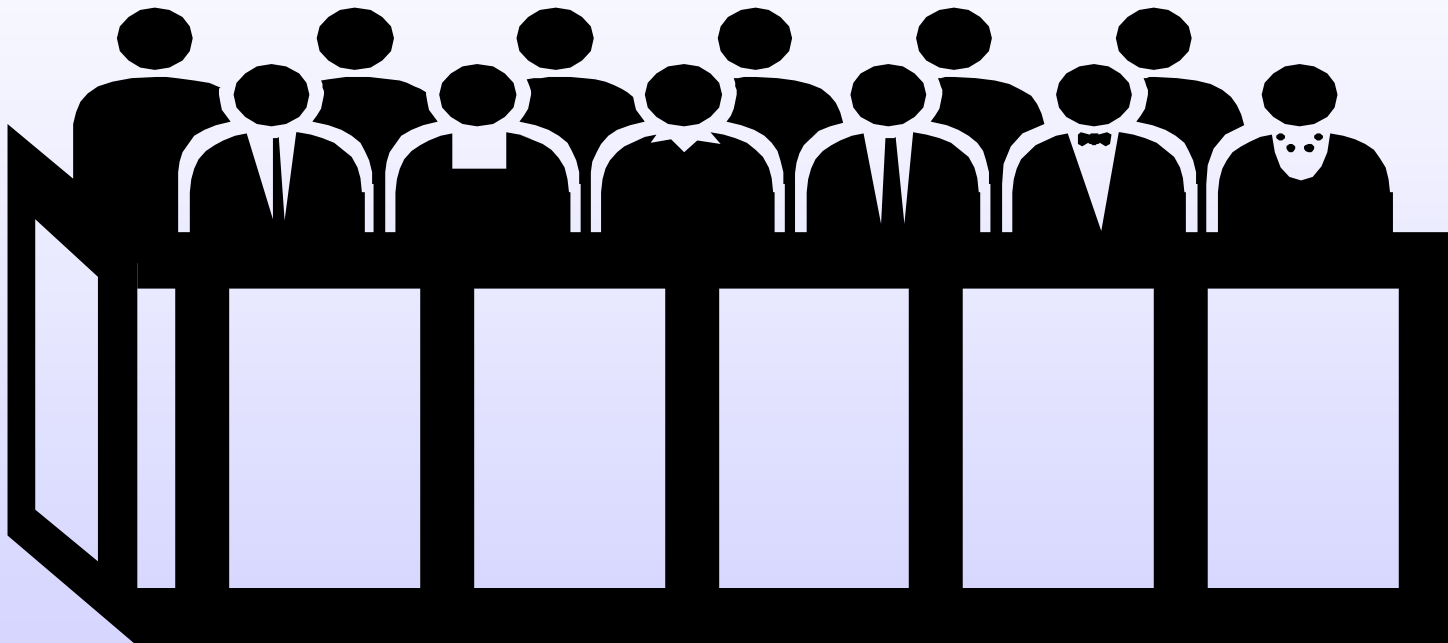
Prevention

- Is the message here.

Legal Background

- Title VII of the Civil Rights Act of 1964 makes it “an unlawful employment practice for an employer...to discriminate against any individual with respect to their compensation, terms, conditions, or privileges of employment because of such individual’s:
 - Race;
 - Color;
 - Religion;
 - Sex; or
 - national origin.”

Legal Background



“To be determined by the enlightened conscience of an impartial jury.”

1998 U.S. Supreme Court Decisions

1. Oncale v. Sundowner Offshore Svcs Inc.;
2. Burlington Industries, Inc. v. Ellerth;
3. Farager v. City of Boca Raton;
 - Same Sex Harassment actionable
 - Affirmative Defense (Good news)
 - Vicarious Liability (Bad News)

Affirmative Defense

(Good News)

- “When no tangible employment action is taken, a defending employer may raise:
- An affirmative defense to liability or damages”...(Faragher & Ellerth)

Affirmative Defense (cont'd)

Two required elements of defense:

(1) “That the employer exercised reasonable care to prevent and correct promptly any sexually harassing behavior..”

(2) “Plaintiff employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the the employer...” (Faragher and Ellerth)

Vicarious Liability (bad news)

- “An employer is subject to vicarious liability to a victimized employee **for an actionable hostile environment created by a supervisor** with immediate (or successively higher) authority over the employee.” (Faragher and Ellerth);
- Where a tangible job detriment exists, the affirmative defense **does not apply.**

DEFINING HARASSMENT

- **Harassment** is defined as conduct that “denigrates or shows hostility toward an individual” because of that individual’s:
 - Race,
 - Color,
 - Religion,
 - Gender,
 - National origin,
 - Age, or
 - Disability” or because of those aspects in the individual’s “relatives, friends, or associates.”

According to EEOC Guidelines:

Harassment may include the following conduct relating to race, color, religion, gender, national origin, age or disability:

- Epithets
- Slurs
- Threats
- Negative Stereotyping
- Hostile Acts
- Denigrating or Hostile *Written* or *Graphic* Material Posted or Circulated in the Workplace.

REASONABLE PERSON STANDARD

- The standard for determining if conduct constitutes harassment is:
 - Whether a “reasonable person in the same or similar circumstances” would find the conduct;
 - Intimidating,
 - Hostile, or
 - Abusive.

Who is a reasonable person?

1. The Judge
2. Twelve strangers in a jury box
3. Ward and June Cleaver

SEXUAL HARASSMENT

- While the purpose of this session is to raise your awareness of the prohibition of all forms of unlawful harassment;
 - race,
 - color,
 - religion,
 - sex,
 - national origin,
 - disability or age;
- We will now discuss sexual harassment in more specific detail.

SEXUAL HARASSMENT

- Sexual harassment is a form of unlawful harassment that is prohibited by federal law (Title VII), state law and by the policies of the organization.

SEX DISCRIMINATION

- An **action** or **behavior** of basing employment decisions on an employee's sex and/or
- Treating employee's differently because of their sex, rather than
- Basing employment decision or the treatment of employees on their work experiences and qualifications.

SEXUAL HARASSMENT

- Unwelcome behavior of a sexual nature.

Unwelcome:

What Does It Mean?

- Conduct that is not invited, not solicited and not wanted by the offended person;
- Would a reasonable person under the circumstances find the behavior offensive?
- If yes, then it is unwelcome;
- When a person says “no”, “please stop”, “I’m not interested” or even looks uncomfortable the conduct is unwelcome.

- Frequency: the more it happens the more likely the conduct will arise to the level of unlawful harassment;
- Severity: the more severe the conduct, the more likely it is unlawful even if it only happens one or two times.
 - Off-color language,
 - Any touching,
 - Requests for sex are all severe!

SEXUAL HARASSMENT

- Based on the Equal Employment Opportunity Commission's [guidelines on sexual harassment](#), there are two types of sexual harassment:
 1. [Quid Pro Quo](#)
 2. [Hostile Work Environment](#)

SEXUAL HARASSMENT

1. *Quid Pro Quo* = “This For That”

- Job benefit in exchange for **sexual favors**;
- A **supervisor** demands sexual favors from an employee **in exchange** for a promotion, raise, or other job benefit;
- A **supervisor** threatens to discharge an employee, or take some other adverse action, unless the **employee submits** to the **supervisor's** demands for sexual favors.

SEXUAL HARASSMENT

2. Hostile work environment may exist where an employee is subjected to:
- A. Unwelcome sexual advances,
 - B. Requests for sexual favors, or other
 - C. Verbal or physical conduct of a sexual nature; and
 - D. this conduct unreasonably interferes with the employee's ability to do their work, or where this conduct creates an intimidating, hostile or offensive work environment.

Hostile Work Environment

- To be illegal under the law in the eyes of the courts, a hostile work environment typically must be caused by unlawful discriminatory workplace harassment based on:
 - race,
 - color,
 - religion,
 - national origin,
 - disability,
 - age or sex.
- ☀ Additionally, the harassment typically must be severe, recurring and pervasive.

SEXUAL HARASSMENT

- In *Meritor Savings Bank v. Vinson* (1986), the U.S. Supreme Court decided that:
- Sexual harassment is unlawful sex discrimination under Title VII. For sexual harassment to be actionable it must be sufficiently severe or pervasive to create an abusive working environment.
- A victim's "consent" is not necessarily a defense if the acts were "unwelcome."

SEXUAL HARASSMENT

- In *Harris v. Forklift Systems, Inc.* (1993), the U.S. Supreme Court unanimously decided that:
- If a workplace is permeated with behavior that is severe or pervasive enough as to create a discriminatorily hostile or abusive working environment;
 - Title VII is violated regardless of whether the plaintiff suffered psychological harm.

The Top 10

ways to **BE SURE** you get **SUED** for
Unlawful Harassment



#10

- Don't take the/our Unlawful Harassment Policy seriously.....*But it does make a great paper airplane.*



#9

- Permit, encourage or participate in off-color language, and e-mails in your *department...Being an “R” rated supervisor in a “G” rated department.*



#8

- Flirt, ask out, stalk or make personal comments toward a subordinate....*He/she is surely going to love you once they get to know you.*



#7

- Ignore complaints about teasing, off-color, offensive or “overly friendly” conduct about employees in your department....***After all, boys will be boys and girls will be girls.***



#6

- Make sure your employees know all your jokes, imitations, beliefs and prejudices about ethnic groups, religions and disable people. Encourage your subordinates to do the same.....***After all, it's a free country, right??***



#5

- Be inconsistent with your decisions such as discipline, work assignments, and leave requests....*Tough love is better than no love at all.*



#4

- Do not ask for help if a problem arises in your department. Just handle it yourself or ignore it all together because.....*It might just go away.*



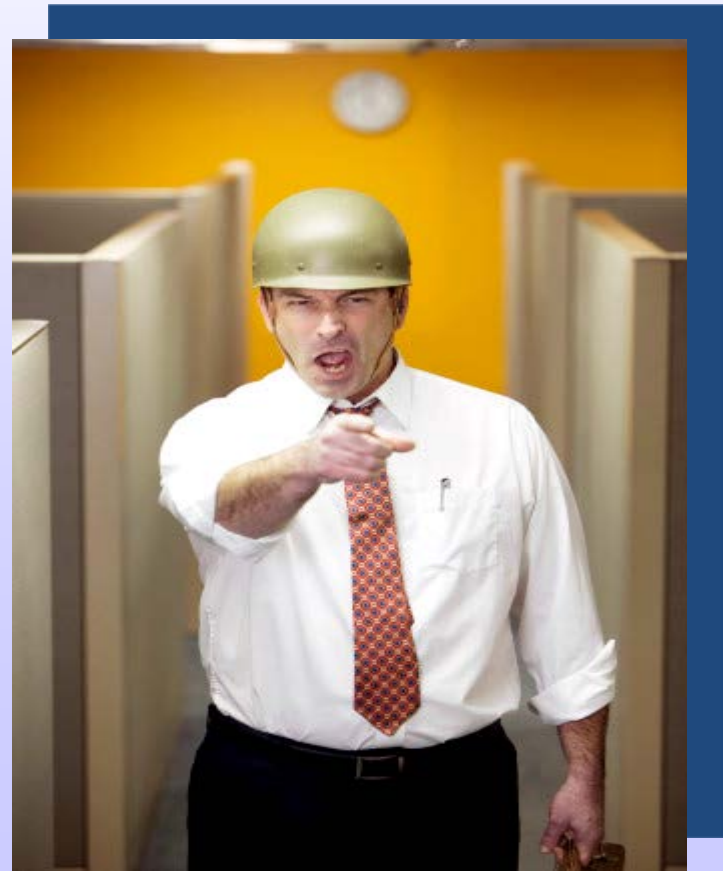
#3

- Set a bad example for your employees with your own conduct.....*“do as I say, not as I do” has got to have worked for somebody.*



#2

- Retaliate when your employees complain about harassment or discrimination... ***Discipline that fool! Deny their leave!! Assign them more work!!! Crush the rebellion before it starts.***



#1

- Think it will never happen to *you...* *I mean, what are the odds, right?*



STEPS TO PREVENT SEXUAL HARASSMENT

- 1) Have a written anti-discrimination policy that specifically covers **sexual harassment**.
- 2) Make certain the policy is widely distributed and acknowledged by **employees** and **management**.
- 3) Have a **complaint procedure that requires** a harassed employee to make management aware of concerns. Provide employees more than one avenue to file a complaint (**specific named positions/people that they can go to**).
- 4) Take prompt action when a sexual harassment complaint is filed.

STEPS TO PREVENT SEXUAL HARASSMENT

- 5) Educate supervisors and employees (separately) about the organization's policy against sexual harassment and the potential liability for sexual harassment.
- 6) Encourage supervisors to protect themselves by **avoiding workplace romance**.
- 7) Avoid favoritism or the **appearance of favoritism**.
- 8) Make **employment decisions** based on reasonable (non-discriminatorily) business grounds.
- 9) Do not tell or e-mail **sexual jokes**.

EXAMPLES OF SEXUAL HARASSMENT

- Sexual Comments
- Sexual Innuendos
- Turning a Reply Into a Sexual Comment
- Sexual Cartoons
- Sexually Suggestive Posters or Calendars
- Sexual Materials
- Repeatedly Asking for a Date From a Person Who is Not Interested
- Hanging Around or Following a Person
- Touching
- Giving Hugs
- Whistling or Cat Calls
- Sexual Jokes
- Asking About Sexual Experiences
- Looking a Person Up and Down

EXAMPLES OF SEXUAL HARASSMENT (VERBAL)

- Calling a Person a Hunk, Doll, Babe, or Honey
- Turning Work Discussions Toward Sexual Topics
- Asking Personal Questions About Social/Sexual Life
- Asking About Sexual Fantasies, Preferences, or History
- Making Sexual Comments About a Person's Clothing, Body, or Looks
- Making Kissing Sounds, Howling, Smacking Lips
- Telling Lies or Spreading Rumors About a Person's Sex Life

EXAMPLES OF SEXUAL HARASSMENT (NON-VERBAL)

- Staring at Someone
- Blocking a Person's Path
- Restricting, Hindering a Person's Movement
- Sexual and/or Derogatory Comments on Mugs, Hats, Clothing, etc.
- Invading Personal Space
- Facial Expressions Such As Winking, Throwing Kisses, or Licking Lips
- Making Sexual Gestures with Hands and/or Body Movements
- Letters, Gifts and/or materials of a sexual nature

EXAMPLES OF SEXUAL HARASSMENT (PHYSICAL)

- Massaging a Person's Neck, Shoulders, etc.
- Touching One's Clothing, Hair, or Body
- Hugging, Kissing, Patting, or Stroking
- Touching or Rubbing Oneself Sexually Around or in View of Another
- Brushing Up Against a Person
- Patting, Goosing, Caressing, Fondling
- Tearing, Pulling, or Yanking a Person's Clothing
- Exposing Oneself

Utilization of Technology

- Desk Top Computer
- Laptop Computer
- Smart Phone-Personal or Government
- Fax Machine
- Voice Mail
- **E-Mail** – is used more than any other medium to distribute internal communications.
- **Authorized** Software only
- **Internet/** Screen Savers

Technologies are purchased by the organization for use in its business operations.

Utilization of Technology

- Organization owned technologies are not to be used, to create or send any offensive or disruptive messages, including but not limited to:
 - profanity,
 - sexual references,
 - racial slurs,
 - comments about someone's age,
 - color,
 - gender,
 - religion,
 - national origin, or
 - disability.

No Expectation of Privacy

- All organization employees should have **NO EXPECTATION OF PRIVACY:**
 - Related to the utilization of the organization's technology.
 - All records, electronic or otherwise are property of the organization, and may be inspected at any time.

Retaliation Prohibited

- It is a violation of federal and state law, as well as organization policy to **retaliate against** another for:
 - Reporting in “good faith” a complaint of **unwanted conduct**; and/or.
 - Participating in “good faith” **in the investigation** of allegations of this nature.

SUPREME COURT OF THE UNITED STATES

VICKY S. CRAWFORD, PETITIONER v. METRO-POLITAN
GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY,
TENNESSEE [January 26, 2009]

- Title VII of the Civil Rights Act of 1964, forbids retaliation by employers against employees who report workplace race or gender discrimination.
 - The question here is whether this protection extends to an employee who speaks out about discrimination not on her own initiative, but in answering questions during an employer's internal investigation.
 - The Supreme Court holds that it does.

Retaliation (Cont'd)

- In 2002, respondent Metropolitan Government of Nashville and Davidson County, Tennessee (Metro), **began looking into rumors of sexual harassment** by the Metro School District's employee relations director, Gene Hughes.
- While conducting an administrative investigation, Veronica Frazier, a Metro human resources officer, asked petitioner Vicky Crawford, a 30-year Metro employee, whether she had witnessed "inappropriate behavior" on the part of Hughes, Crawford described several instances of sexually harassing behavior:

Retaliation (Cont'd)

- Once, Hughes had answered her greeting, “Hey Dr. Hughes, what’s up?,” by grabbing his crotch and saying “You know what’s up”; he had repeatedly “put his crotch up to her window”; and on one occasion he had entered her office and “grabbed her head and pulled it to his crotch.”
- Two other employees also reported being sexually harassed by Hughes. Although Metro took no action against Hughes, it did fire Crawford and the two other accusers soon after finishing the investigation, saying in Crawford’s case that it was for embezzlement. Crawford claimed Metro was retaliating for her report of Hughes’s behavior and filed a charge of a Title VII violation with the Equal Employment Opportunity Commission (EEOC), followed by this suit in the United States District Court for the Middle District of Tennessee.

Retaliation (Cont'd)

- The Title VII anti-retaliation provision has two clauses making it “an unlawful employment practice for an employer to discriminate against any of their employees . . .

[1] Because the employee has opposed any practice made an unlawful employment practice, or

[2] Because the employee has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing.

One is known as the “opposition clause,” the other as the “participation clause,” and Crawford accused Metro of violating both.

Jury Awards \$1.5 Million to Vicky Crawford

- One year after the U.S. Supreme Court handed a judicial lifeline to Vicky Crawford, a Nashville schools employee who claimed she was fired in retaliation for remarks about her boss in a sexual harassment investigation, a jury awarded her \$1.5 million in compensatory damages, back pay and future lost wages.
- After a five-day trial, a jury in the U.S. District Court for the Middle District of Tennessee ruled Jan. 25, 2010, that the Metropolitan Government of Nashville and Davidson County (Metro) had illegally fired Crawford, a payroll coordinator who had worked for the school system for 30 years before she was terminated.

EEOC examples of retaliatory tangible employment actions:

1. Hiring and firing
2. Demotion
3. failure to promote
4. Work assignments
5. Undesirable reassignment
6. Compensation decisions
7. Employment decision causing a significant change in benefits.

Receiving a Complaint

Tell the complainant:

1. Organization takes the complaint seriously.
2. Concerns will be promptly and thoroughly investigated.
3. Complaint will be immediately forwarded to Human Resources for Investigation.
4. Policy prohibits retaliation/immediately report perceived retaliation to Director of Human Resources.



Administrative Investigation *Confidentiality Agreement*

I, **John Doe**, understand that I am a party to an administrative investigation being conducted by Athens-Clarke County Government and that all information disclosed to and by me is considered confidential. Internal ACC Government business is to be discussed with coworkers only when authorized to do so and is not to be disclosed to any other parties, except as authorized by Athens-Clarke County Government officials or as required by law.

I also understand that if I make an unauthorized disclosure of information regarding this administrative investigation, I will be subject to disciplinary action, up to and including termination. If I disclose unauthorized information regarding this administrative investigation after my employment ceases with the ACC Government, I may be held liable by individuals involved in this investigation.

Agreed to by: _____

(Signature of Employee)

Employee's printed name: _____

Date: _____

HR Representative printed name: _____

HR Representative printed name: _____

Date: _____

Sent by Certified Mail

March 3, 2011

Mr. Roy Rogers Jr.
130 Deerfield Way
Athens, GA 30622

Dear Mr. Rogers:

The purpose of this correspondence is to advise you of the outcome of an administrative investigation conducted by the Human Resources Department regarding allegations of unlawful harassment and unsafe working conditions raised by you on February 2, 2011. **The aforementioned allegations that you made have been carefully and thoroughly reviewed. Information revealed during the administrative investigation fails to substantiate your allegations. Consequently, your claims of unlawful harassment and unsafe working conditions are unfounded.**

Sincerely,

For the Unified Government of Athens-Clarke County

Harry E. Owens
Human Resources Director

CC: Wayne Marcinko, Director, Central Services

Sent by Certified Mail

December 29, 2010

Ms. Jane Doe
88 Elm Street SW
Lakewood, WA 98888

Dear Ms. Doe:

The purpose of this correspondence is to advise you of the outcome of an administrative investigation conducted by the Human Resources Department regarding allegations of hostile work environment raised by you during an exit interview on November 13, 2010. The aforementioned allegations that you made have been carefully and thoroughly reviewed. **The alleged wrongdoer in this matter was unable to provide legitimate articulable business reasons for his actions.** To that end, appropriate disciplinary actions in this matter have been taken.

Sincerely,
For the Unified Government of Athens-Clarke County

Harry E. Owens
Human Resources Director

CC: Pam Reidy, Leisure Services Director

Confidential

Department of Human Resources

Investigation Report

Requested By:	Jeff Hale Maintenance Manager Division of Administrative Services
Complaint:	Alleged Violation of Unlawful Harassment Policy
Subject of Complaint:	The Joker Maintenance Foreman Division of Administrative Services
Investigated By:	Jack Webb Employee Relations Manager Lois Lane Human Resources Specialist
Date of Report:	August 24, 2010

Summary

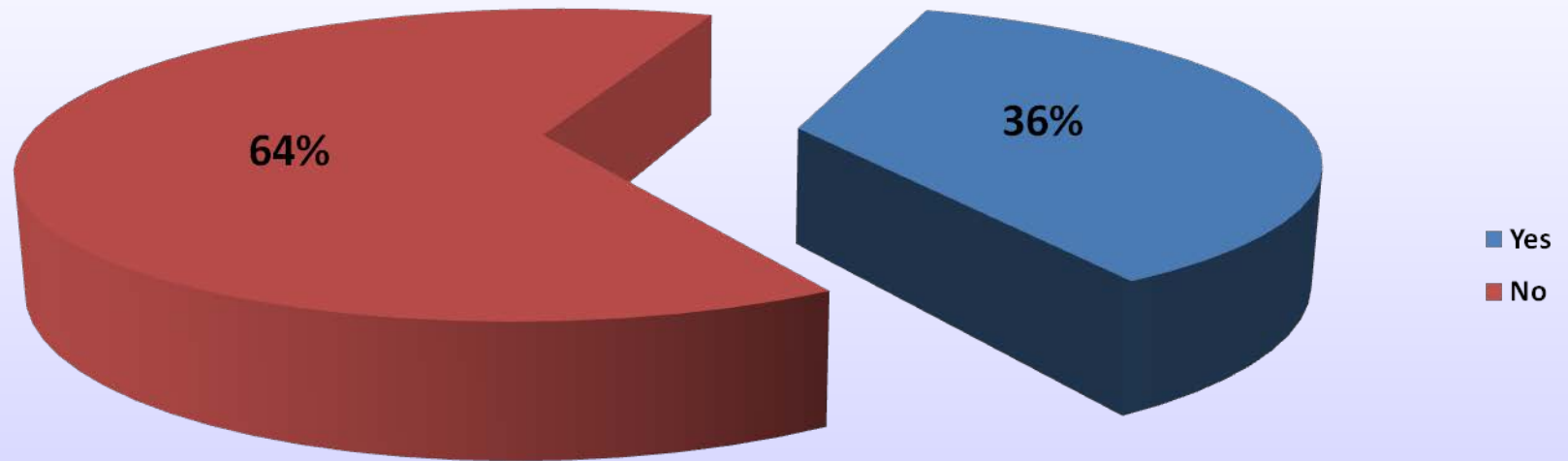
- Employees who believe they have been subjected to unlawful harassment or unlawful discrimination, or those who believe they have witnessed such acts:
- Must immediately report these matters to their supervisor/manager or Director of Human Resources.

*

Summary

- In 1998, the United States Supreme Court issued its *Faragher/Elzerth* line of decisions articulating a new standard for holding employers responsible for the creation of a hostile work environment. Since that time, employers have steadily heeded the call of the Supreme Court for employers to develop harassment policies. It appears, however, that some employers are stopping there and falling short in developing a full harassment prevention and correction protocol.
- Remember that the Supreme Court acknowledged that an employer cannot roam the halls of the workplace 24 hours a day searching for violators of federal civil rights laws. Rather, boiled down to its essence, the Supreme Court made clear that it expects employers to do the following as a part of its harassment prevention and correction protocol:
 1. **Maintain a Harassment Policy and Complaint Procedure (covering sexual harassment as well as harassment based on race, religion, age, disability, etc.);**
 2. **Distribute the Harassment Policy and Complaint Procedure to all employees;**
 3. **Make sure the Complaint Procedure allows for reports to someone other than the harasser;**
 4. **Train your employees on the Policy;**
 5. **Investigate complaints of harassment and reach a conclusion;**
 6. **Communicate the conclusion to the complainant; and**
 7. **Implement measures to correct any instances of harassment.**
- After reading this article, evaluate your harassment prevention and correction protocol and compare it against the above factors. If you see a factor is missing, work on putting measures in place to fix it. If, for instance, you do not currently conduct harassment training, find 30 minutes every six months to remind employees of your policy and make sure you document the “training.” Review your complaint procedure. Does it have a specific reporting mechanism in place for reporting concerns and who is designated to receive the complaints? In answering this question, employers should avoid complaint procedures that simply tell the employee to report any concerns to “their supervisor or any other member of management.” Rather, complaint procedures ideally should identify specific job positions as the designee for harassment complaints, ideally individuals with human resource experience.
- For instance, a model complaint procedure could say “If you feel that you have experienced or witnessed harassment or discrimination of any type, you are to notify immediately (preferably in writing within 24 hours) the Organization’s Human Resources Director at the Corporate Office in Atlanta, Georgia. If you are not contacted promptly about your complaint, are not satisfied with the response by the Human Resources Director or are not comfortable speaking with this person, you are to notify immediately the Chief Financial Officer and the President of the Company via telephone and certified U.S. mail at the Corporate Office in Atlanta, Georgia.”
- **The reality is that employers cannot guarantee a work environment free of harassing behavior. But employers can guarantee themselves a much stronger defense to a hostile work environment claim by implementing a comprehensive harassment prevention and correction plan.**

SHRM Poll-Within the past 24 months, have there been sexual harassment claims by an employee or employees at your organization?



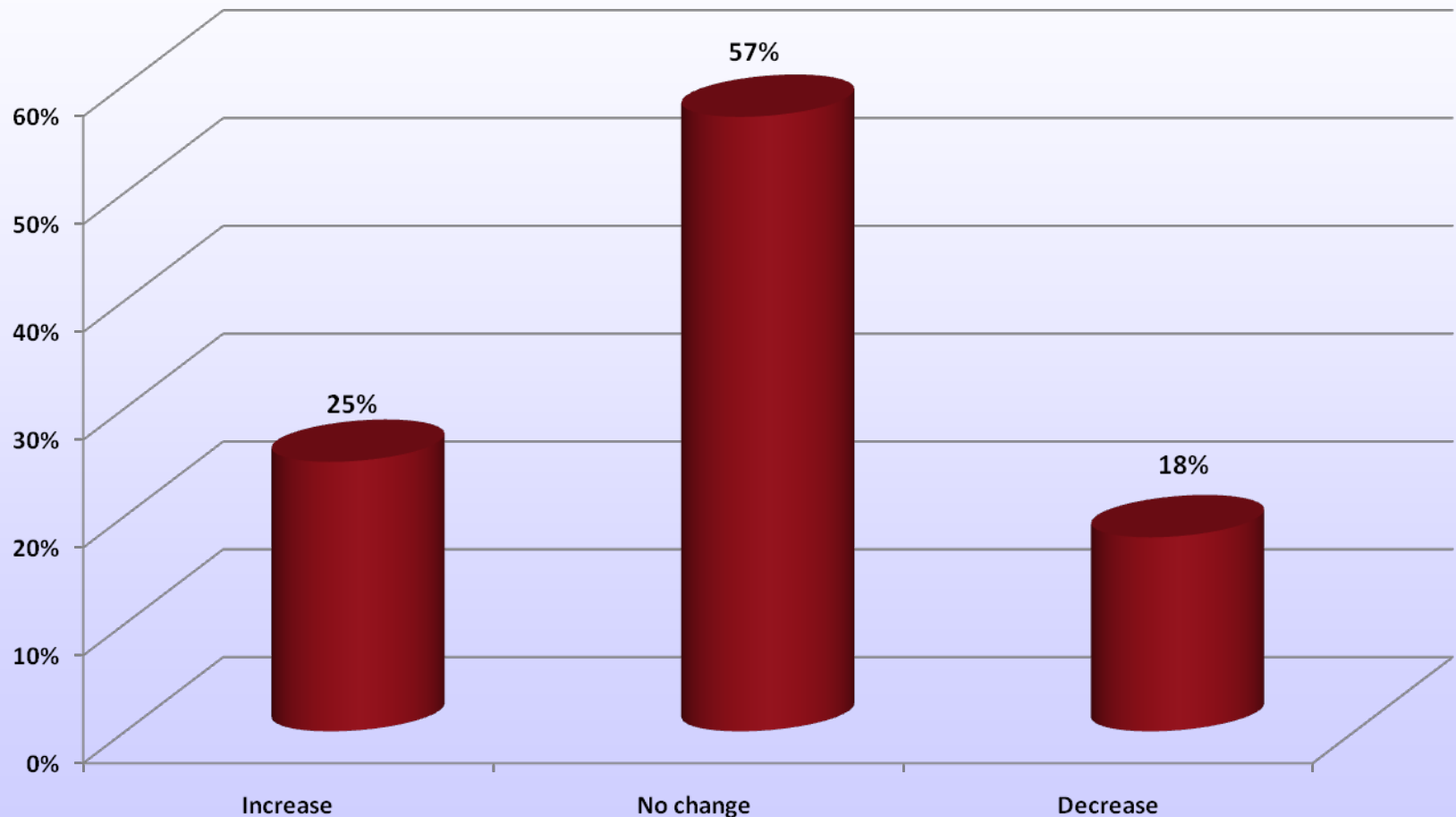
Note: n = 430

Within the past 24 months, have there been sexual harassment claims by an employee or employees at your organization?

Comparison by Organization Sector and Staff Size

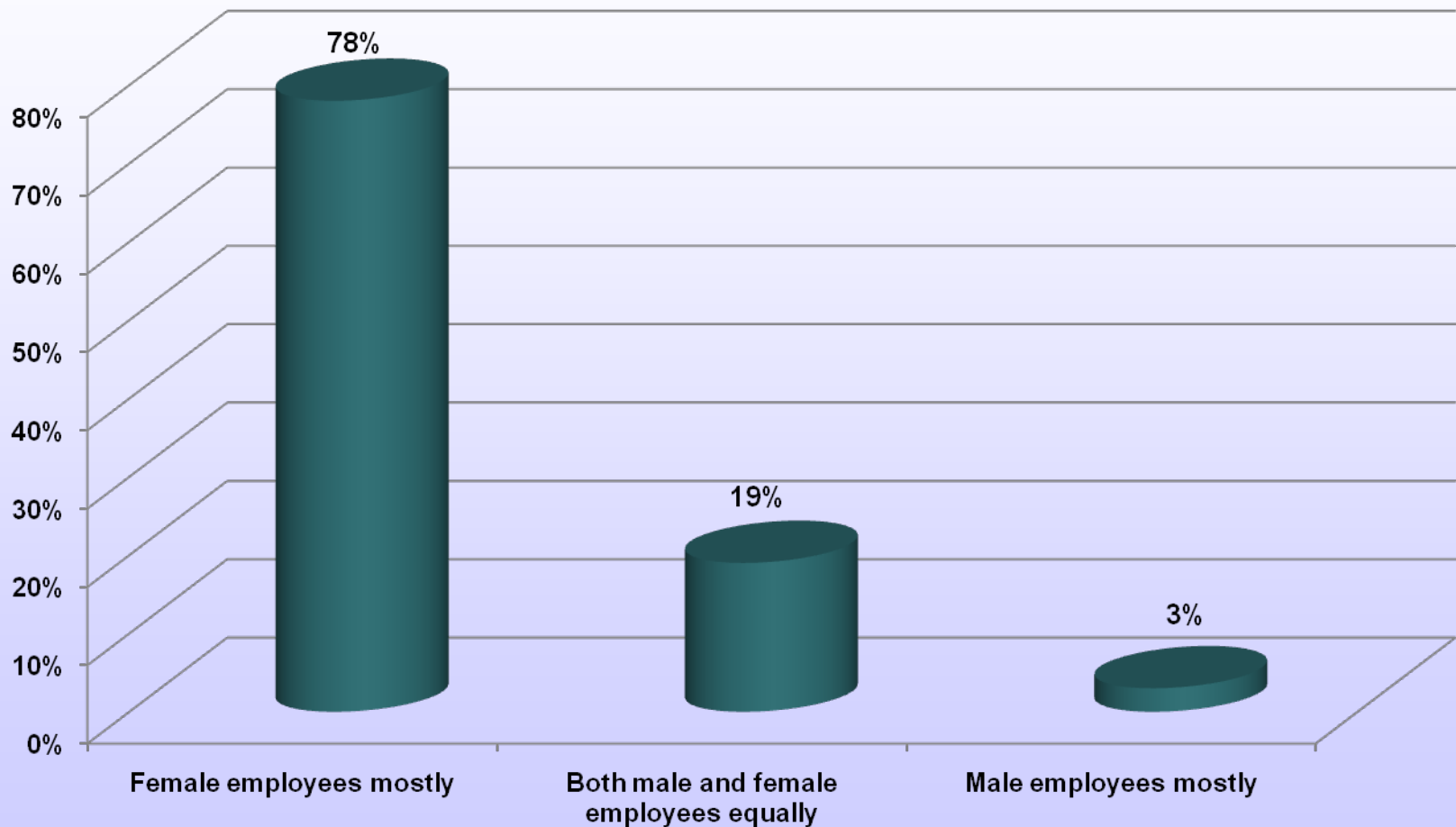
- Publicly owned for-profit organizations (46%) were more likely to report that there **has been a sexual harassment claim** by an employee within the past 24 months compared with privately owned for-profit organizations (28%).
- Large-staff-sized organizations (62%) were more likely to **have had a sexual harassment claim** by an employee within the past 24 months than were medium-staff-sized organizations (50%).

Has there been an increase, no change or decrease in the number of sexual harassment claims brought forth in the past 24 months?



Note: n = 106. Only respondents that had sexual harassment claims within the past 24 months were included in this analysis. "N/A" and "not sure" responses were excluded from the analysis.

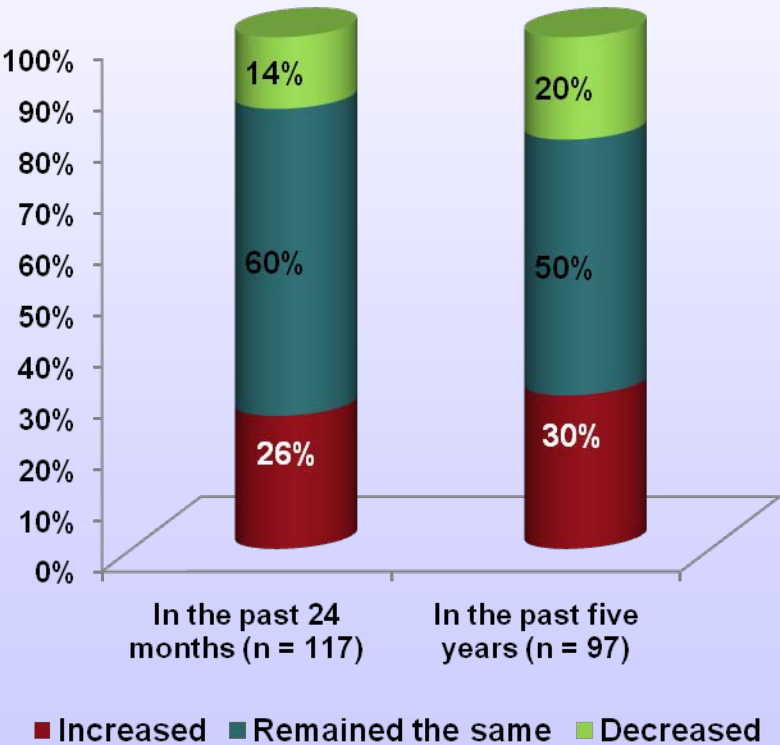
Within the past 24 months, were the sexual harassment claims brought forward mostly by male employees, female employees or both equally?



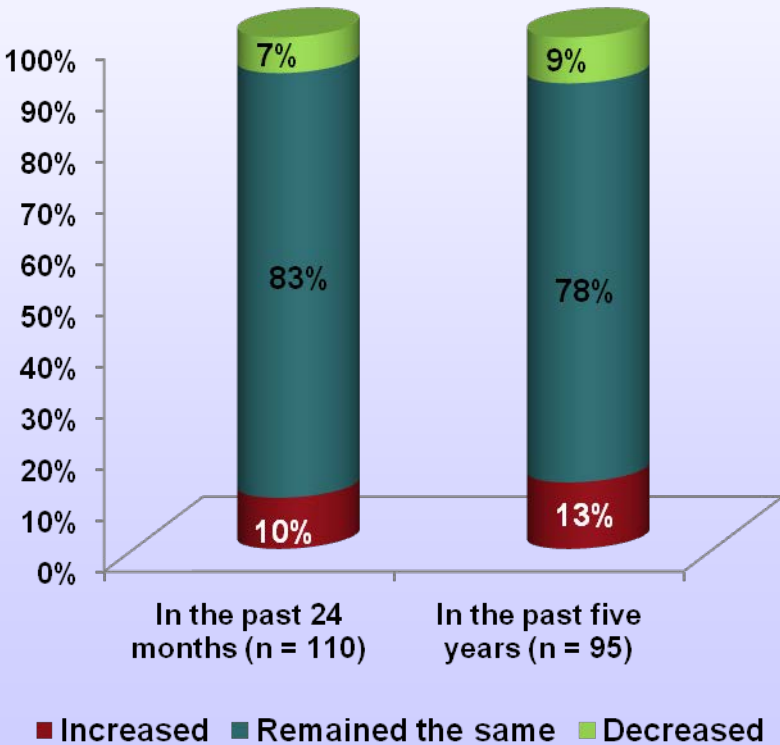
Note: n = 121. Only respondents that had sexual harassment claims within the past 24 months were included in this analysis. "N/A" and "not sure" responses were excluded from the analysis.

Has the number of sexual harassment claims brought forth by female employees and males employees increased, decreased or remained the same in the past 24 months and in the past five years?

Female Employees

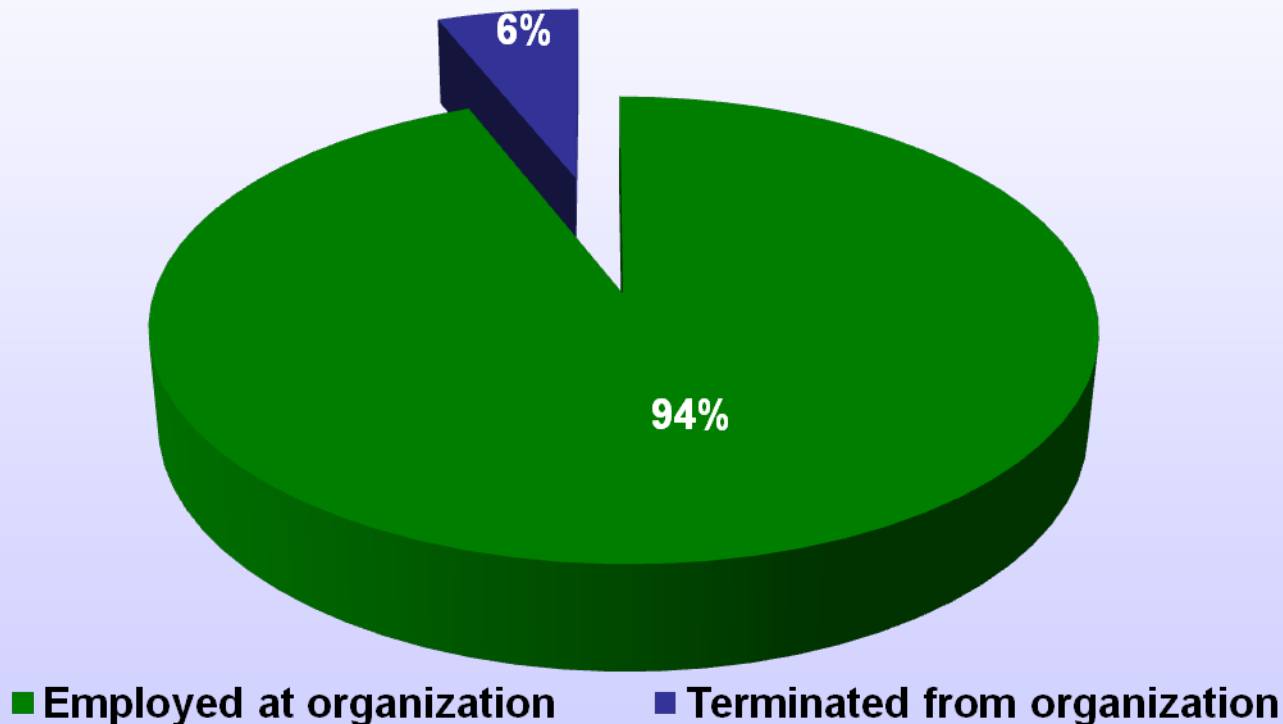


Male Employees

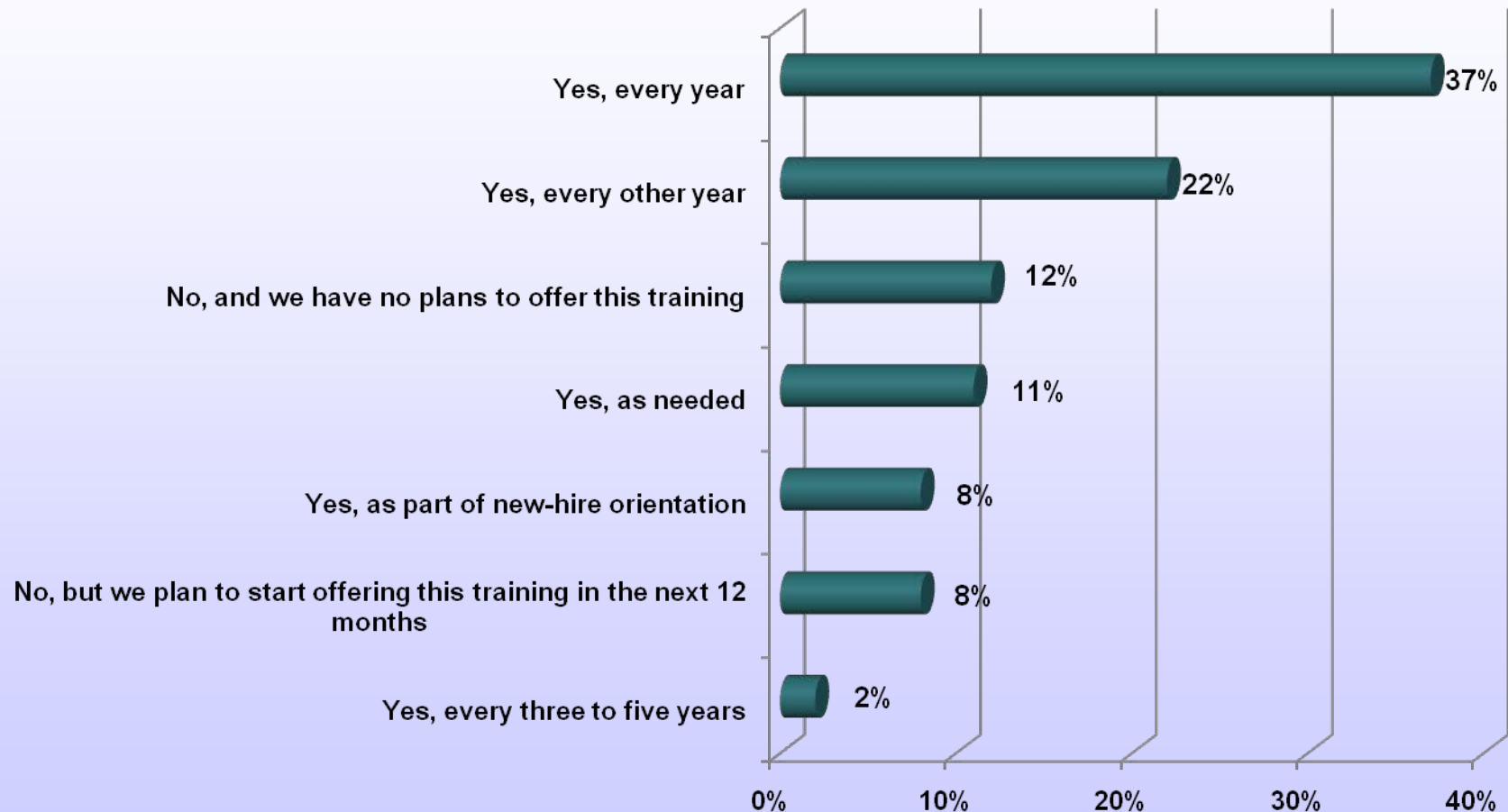


Note: Only respondents that had sexual harassment claims within the past 24 months were included in this analysis. "Not sure" responses were excluded from the analysis.

Generally speaking, at the time the claim was brought forward, what was the employment status of the employee(s) who made the sexual harassment claims in the past 24 months?



Does your organization provide sexual harassment training for its employees?



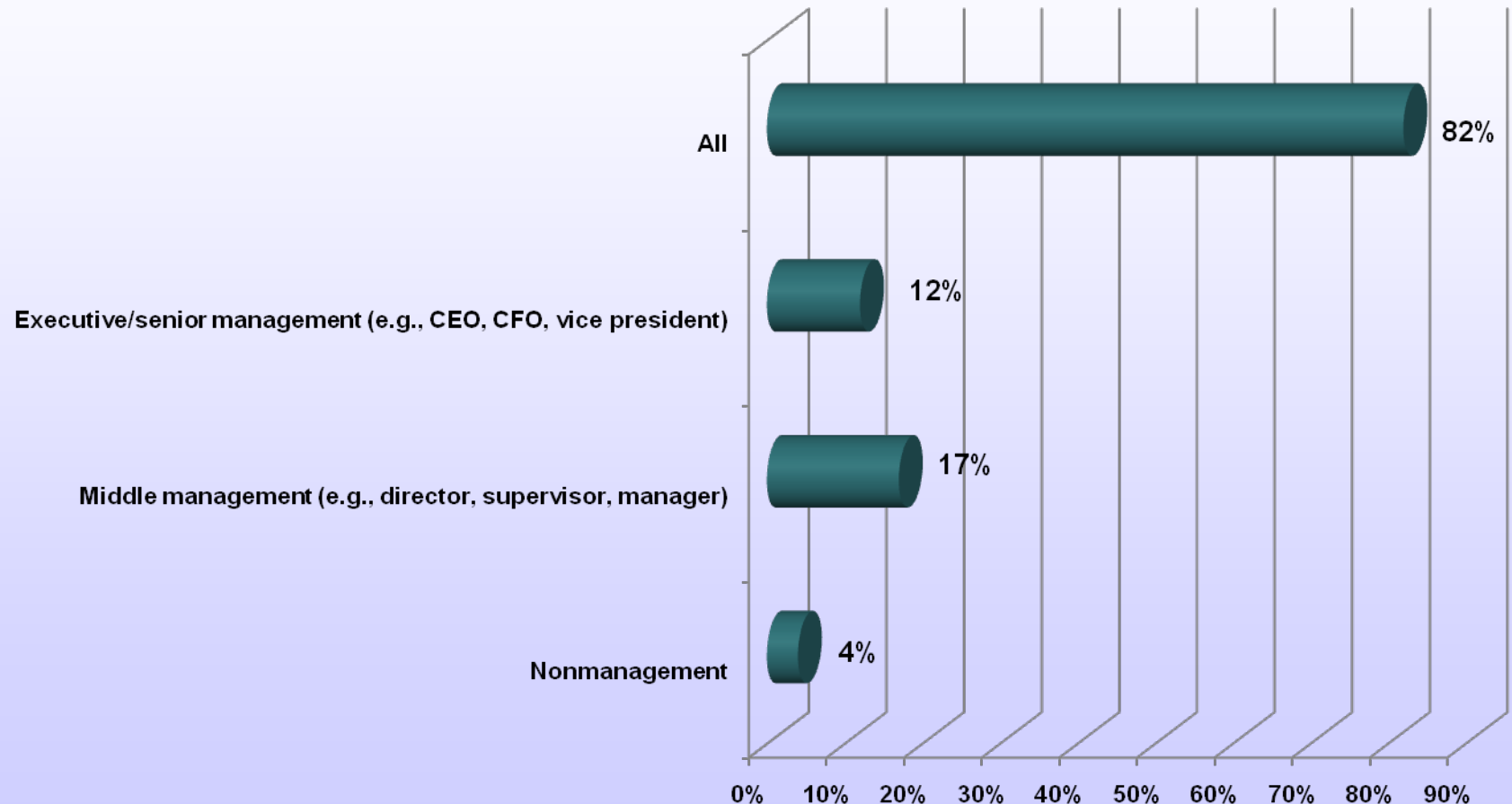
Note: $n = 435$.

Does your organization provide sexual harassment training for its employees?

Comparison by Organization Sector and Staff Size

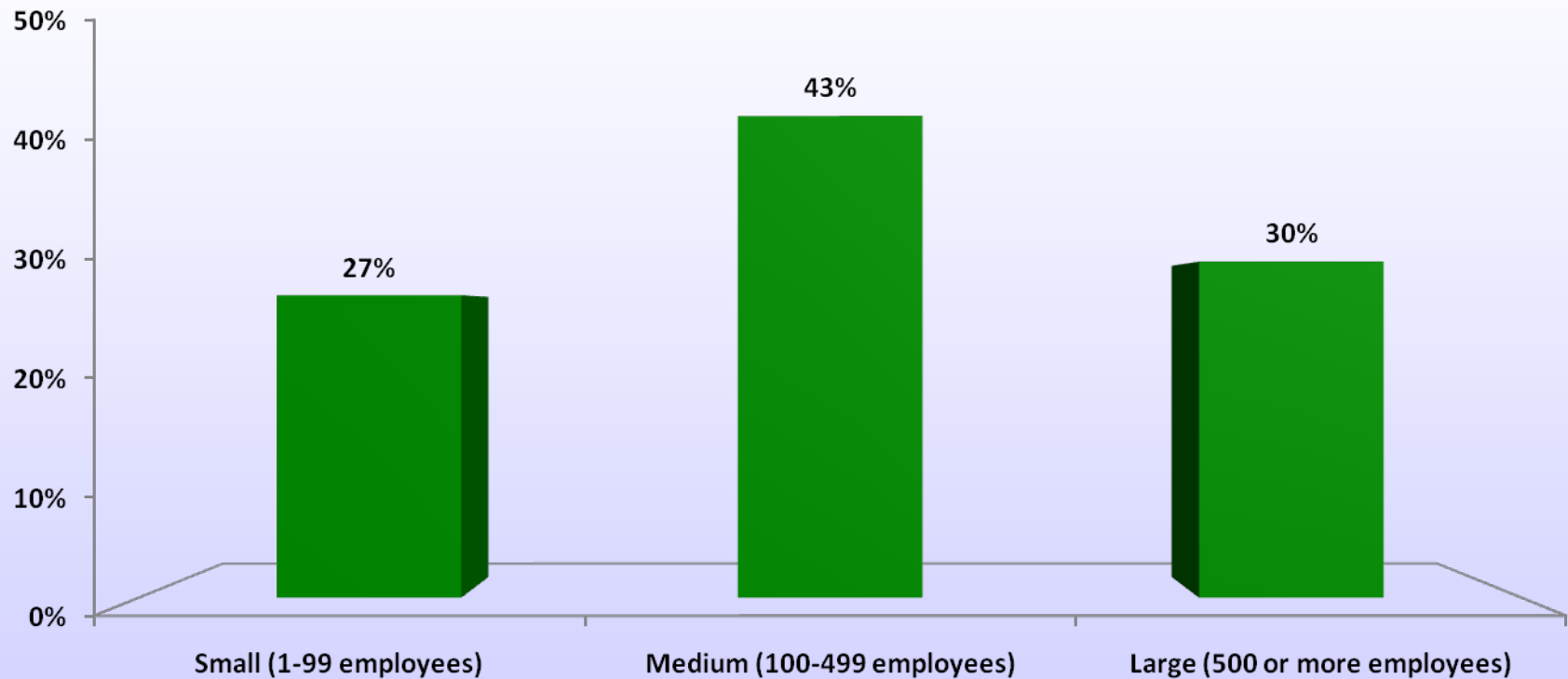
- Publicly owned for-profit organizations (50%) were more likely to report **providing sexual harassment training every year**, compared with privately owned for-profit organizations (30%).
- Large-staff-sized organizations (53%) were more likely to **provide sexual harassment training every year** for employees than were small- (32%) and medium-staff-sized organizations (28%).

For which of the following staff does your organization require sexual harassment training?



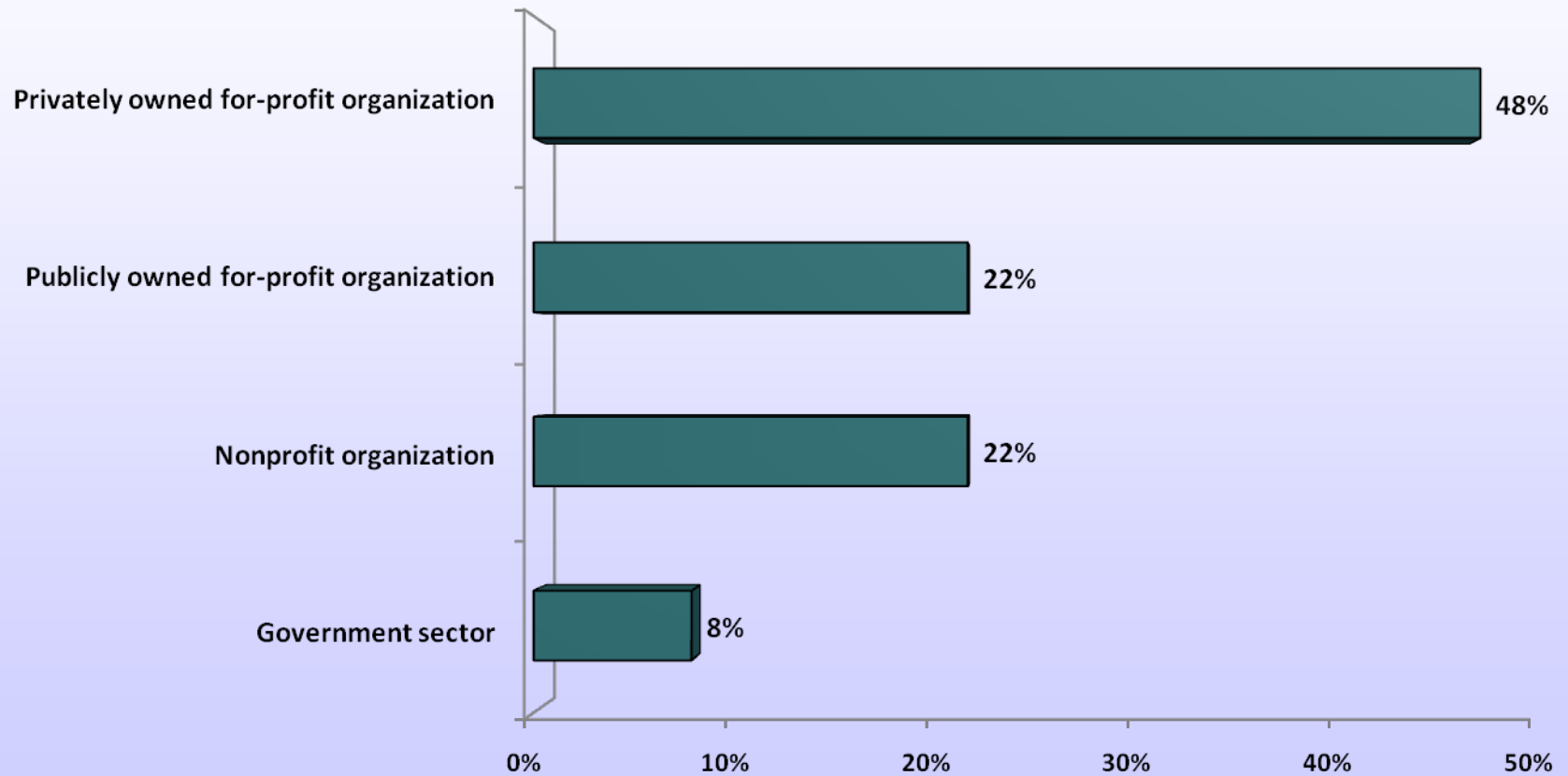
Note: $n = 346$. Only respondents whose organizations provide sexual harassment training were included in this analysis. Percentages do not total 100% as respondents were allowed to select from multiple response options.

Demographics: Organization Staff Size



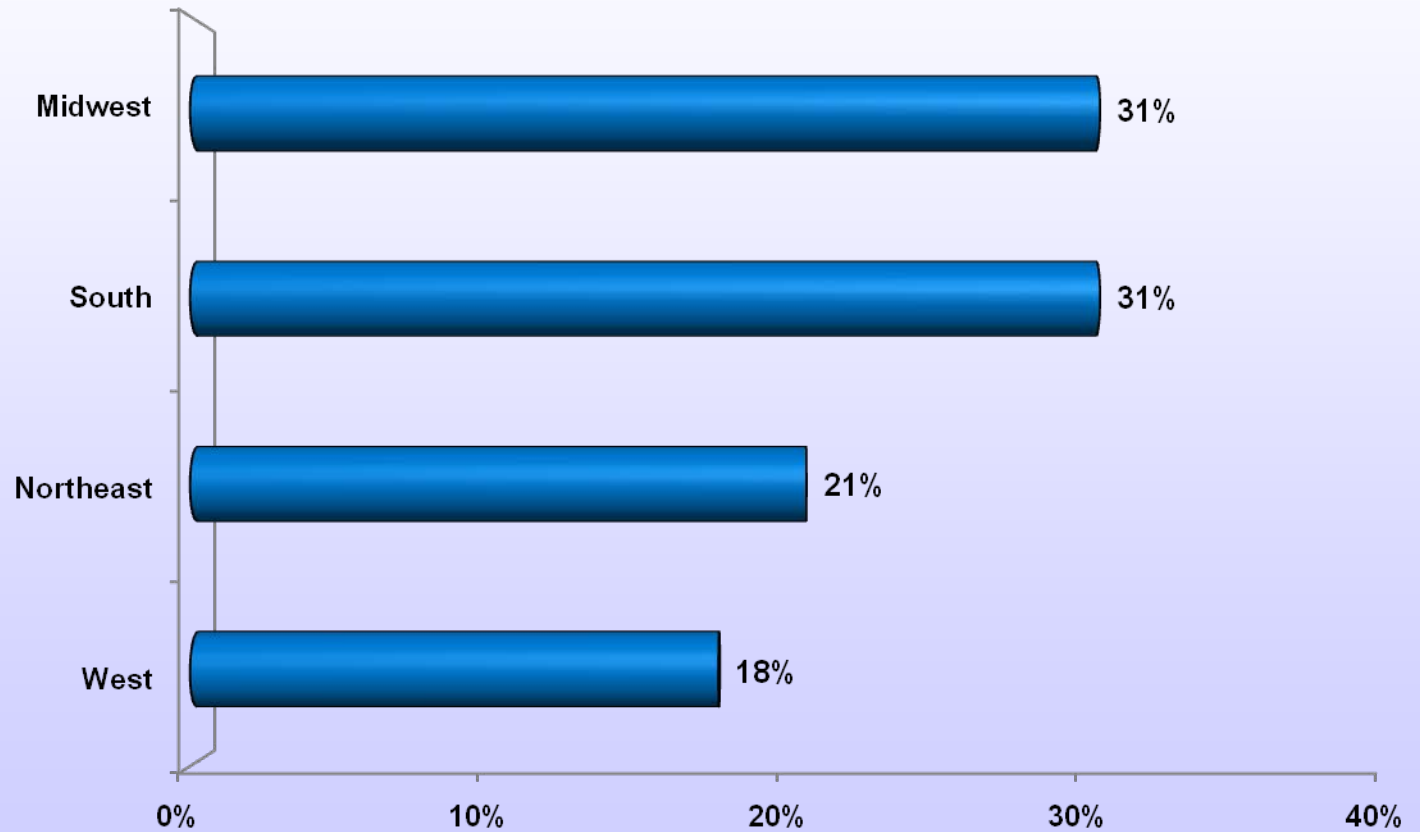
Note: n = 349

Demographics: Organization Sector



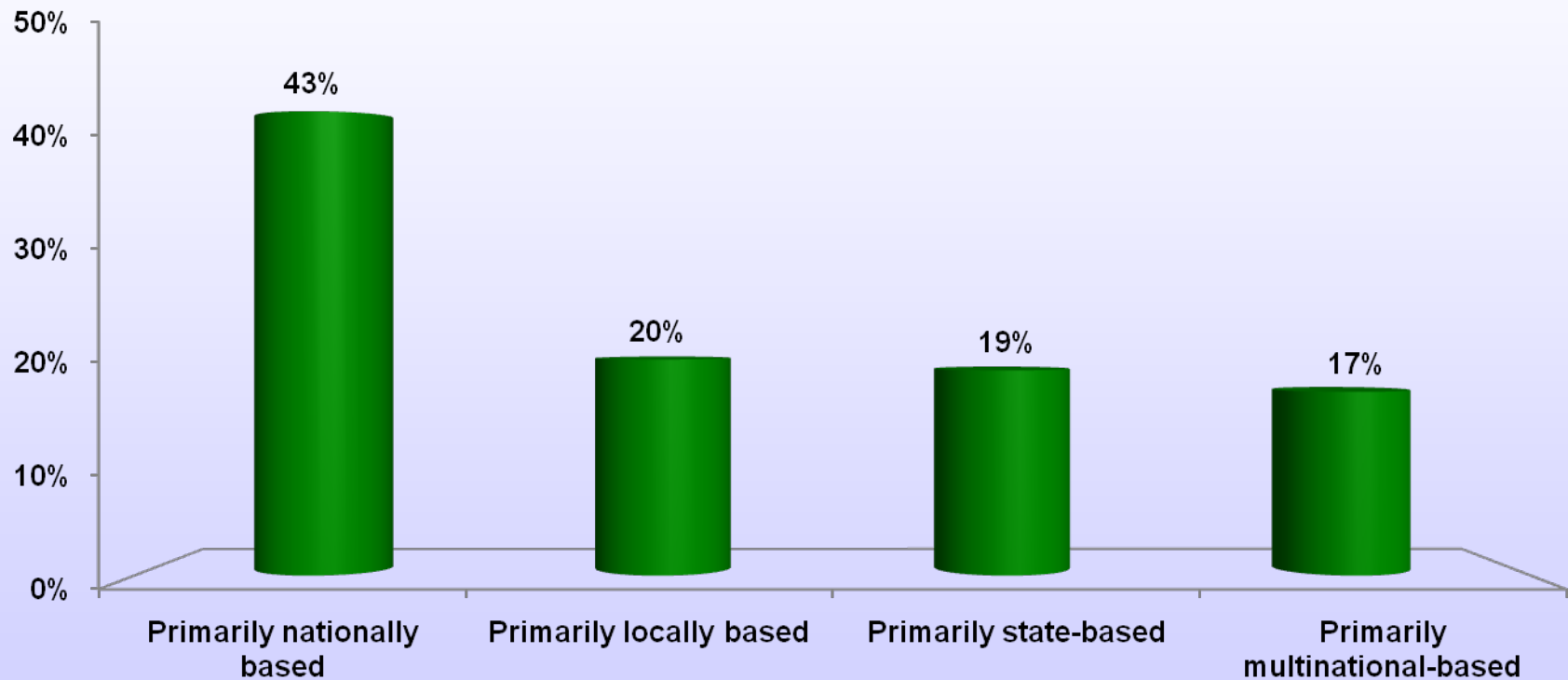
Note: n= 423

Demographics: Organization Region



Note: n=396

Demographics: Organization Operations Location



Note: n = 427

SHRM Poll: Is Workplace Sexual Harassment on the Rise

Methodology

- **Response rate = 16%**
- **Sample comprised of 467 randomly selected HR professionals from SHRM's membership**
- **Margin of error is +/- 4**
- **Survey fielded March 3–March 9, 2010**

