

# Sexual Harassment & Respectful Workplaces Program Statewide Regional Director Training

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## Objectives

- Determine the importance of diversity and inclusion in today's workplace.
- Briefly discuss what is in the media and how it may have impacted the workplace.
- Review the definitions of discrimination and harassment.
- Establish the difference between sexual and other types of harassment.
- Realize steps that leaders can engage in to encourage respect in the workplace.
- Participate in some round table 'what if' discussions about situations that their organization may be faced with and what the steps would be to properly and professionally confront the situations.
- Review a sample anti-harassment policy and training authorization form that could be used with their organizations.
- Discuss a training program/process that would create awareness as well as lessen liability that the leaders may wish to implement in their organizations.

## The Diversity Wheel

### Your Reflections about the Diversity Wheel....

The John Hopkins Center for Social Concern (University of Medicine)



*"One of the most sincere forms of respect is actually listening to what another has to say."* Bryant McGill

## As Conservation District Leaders....

What issues of respect/challenges have you witnessed, dealt with, either with employees or constituents, etc.

- Gender challenges?
- Generational/Age issues?
- Race?
- Political 'debates'?
- Religious 'debates'?
- Others?

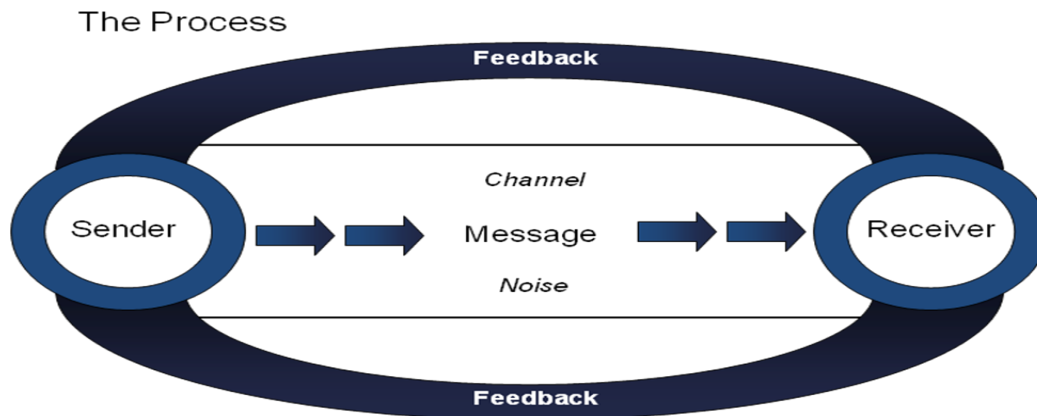
## Basic Employee Needs

1. The need to be heard and understood
  2. The need to feel that we have received a timely response.
  3. The need for comfort
  4. The need for accuracy and consistency
- Others:**




**Respectful Workplace: It Starts with You!** (Notes/Ideas)

## Communication Process



## Non-Verbal Communication

Verbal \_\_\_\_\_ %  
Vocal \_\_\_\_\_ %  
Visual \_\_\_\_\_ %  
100%

My Non-verbal 'red flags'?	
	

*"Respect yourself and others will respect you."* Confucius

## Discrimination

Employment opportunities denied or discriminatory work conditions created based on: employees' race, color, national origin, age, religion, disability status, gender, sexual orientation, or marital status.

It is illegal to discriminate on the basis of gender, gender identity or sexual orientation. Requests for sexual favors in exchange for preferential treatment and workplace conditions that create a hostile environment for persons of either gender constitute sexual harassment.

## Harassment

Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information.

Harassment becomes unlawful when

- 1) enduring the offensive conduct becomes a condition of employment, and/or
- 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Sexual Harassment occurs when employment decisions are based on a person's acceptance or rejection of unwelcome sexual behavior. Co-workers, as well as supervisors, can be named in sexual harassment lawsuits. They can be held liable for the situation if they choose to ignore it.

## Two Forms of Harassment

### 1. Quid Pro Quo ('This for That')

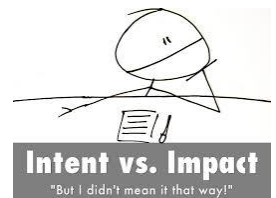
- Requests/Demands are expected in exchange for employment benefits

### 2. Hostile Work Environment

- Unwelcome verbal or physical conduct that is offensive, such that it unreasonably interferes with an employee's ability to do their job, or creates an intimidating, hostile or offensive work environment.
- Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.

**What have you experienced at your Districts? At former workplaces?**

## Intent vs. Impact



## WWYD? What Would YOU Do....

Imagine it's Friday afternoon and you get call that an employee has just filed a sexual harassment complaint? What is your plan? The process? Work at your tables to discuss the following situations?

1. Employee came to the Board chair to submit a formal complaint that the District Manager has been asking her out on dates. He won't take no for an answer. He is threatening her job if she does not go out with him.
2. A farmer has been saying very sexually explicit things to a female Conservation District employee. Although he has been asked, he will not stop his profanity.
3. A male employee has calendars, posters and screen savers of females in scantily clad dress. It's in his office, but, is in clear view when you enter his office. A new younger female employee has made a complaint of hostile work environment.

*"Tolerance only for those who agree with you is no tolerance at all."* Ray Davis

4. A female employee has calendars, posters and screen savers of men in scantily clad dress. It's in her office, but, is in clear view when you enter her office. A new younger male employee has made a complaint of hostile work environment

### **How to Respond to Harassment Situations:**

- Contact your leadership team immediately (Board, etc.)
- Contact HR/Legal immediately.
- Keep ALL matters confidential!
- Document and maintain all conversations.
- Don't make any promises of NOT doing anything. You have to act or you could be held liable.
- "The first thing you should say is 'Thank you for bringing your concerns to me,' " Then: "That's a very serious allegation, and I want you to know that we take that very seriously."
- Avoid characterizations like, "That doesn't sound like Jane ..." or "he didn't mean that," which make it sound like you're predisposed toward the accused. Nor should you say, "That's horrible!" We don't want to make any judgment on the validity of the concerns.

### **Other Forms of Harassment** (from Society Human Resource Management SHRM Toolkit)

#### **Race/Color**

- It is illegal to discriminate on the basis of race or color. Slurs or jokes, offensive or derogatory comments, or other verbal or physical conduct based on an employee's race or color constitutes discriminatory harassment if that conduct creates an intimidating, hostile or offensive work environment and prohibits an employee from performing his or her job.

**What have you experienced at your Districts? At former workplaces?**

#### **Religion**

- An employer cannot discriminate based on an employee's religious beliefs or practices. Harassment based on religion occurs when an employee is antagonized or ridiculed because of his or her religious, moral or ethical beliefs. Another type of religious harassment occurs when a co-worker or supervisor "preaches" or proselytizes to an employee and the employee perceives that behavior to be unwanted and offensive, amounting to a hostile work environment.

#### **National Origin**

- It is illegal to discriminate based on an employee's birthplace, ancestry, culture or linguistic characteristics common to a specific ethnic group. For example, it would be discriminatory harassment to require employees to speak only English unless an employer shows that the requirement is necessary for conducting business.

#### **Disability**

- The ADA (American Disability Act) prohibits workplace discrimination on the basis of disability. Illegal harassment occurs when a worker with a disability is constantly subjected to pervasive and severe harassment due to his or her disability, resulting in a hostile work environment for the employee.

*"Our lives begin to end the day we become silent about things that matter."* Martin Luther King

## **Age Discrimination**

- The Age Discrimination in Employment Act (ADEA) protects individuals who are 40 and older from discrimination. An example of harassment based on age would be referring to an older worker as “gramps” or “granny,” thus creating a hostile work environment.

## **Pregnancy Discrimination**

- Pregnancy, childbirth and related medical conditions must be treated in the same way as other temporary illnesses or conditions and not be used for discriminatory treatment. Harassment for this protected status, for example, would be ridiculing an employee for her appearance during pregnancy.

## **How would you respond to the following Scenarios...**

1. Hey, it's on the radio...If this happened to you, or your employees, how would you respond?
2. He's big, really big... If this happened to you, or your employees, how would you respond?
3. We don't want him on our team... If this happened to you, or your employees, how would you respond?
4. Did you hear about... If this happened to you, or your employees, how would you respond?
5. It'll change your life... If this happened to you, or your employees, how would you respond?
6. Warning lights... If this happened to you, or your employees, how would you respond?
7. Here's how we do things... If this happened to you, or your employees, how would you respond?

## **WWYD? What Would YOU Do....**

Imagine it's Monday AM and you get call that an employee just filed a hostile work environment complaint? What is your plan? The process? Work at your tables to discuss the following situations?

1. Employee came to the Board chair to submit a formal complaint that the District Manager has been giving him literature about joining his church. The employee believes that unless he goes to the same church as this manager he will not get an upcoming promotion. The District Manager said, 'he was looking for a good Christian to lead the team'.
2. An employee has come to the District Manager to file a harassment complaint that he is being harassed due to his Mexican ancestry. Two employees are taunting him and making comments about 'the border wall'. They have put up disparaging signs about Immigrants and how they are bringing drugs and problems into our Country.

*"Give to every other human being every right that you claim for yourself."* Thomas Paine

3. A recently hired female employee that has Masters in Agriculture has not been given any assignments she was promised during the interview process. One of her more senior male colleague has been making comments about her age—saying ‘you are too wet behind the ears’ to understand how to work out in the field.” During meetings, he is always asking her to make the coffee and take the meeting minutes. She is ready to file a formal complaint unless things don’t change a.s.a.p.!
4. A farmer involved in one of your District committees has made negative comments about the watershed specialist who is pregnant. He believes that a woman should not be out working, they should be home with their children. He does not want to work with this woman, but she is the lead on one of the key District projects.

### Generations in the Workplace

<b>Traditionalists/Veterans:</b> Born before 1946 (74 years or older)	<b>Baby Boomers:</b> 1946 - 1964 (73 - 55 years old)
<b>Generation X:</b> 1965 - 1980 (54 - 39 years old)	<b>Millennials/Y:</b> 1981 - 2000 (38 - 19 years old)
<b>Gen Z:</b> 2001 - 2015 (18 - 4 years old)	

### Generational Experiences Next Steps...

- What are some experiences/moments that you can remember that shaped/impacted you?
- What have you heard about your generation from other generations? True or not?
- What do you need from the other generations?
- What can you do at your Conservation District to be more welcoming of the different generations?
- What challenges have your seen/experienced at your Conservation District with regards to the generations?

*“People resemble their times more than they resemble their parents.” Arab Proverb*

## Before you Speak/Act....Consider.....

- Is there equal power between myself and the person?
- Would I behave the same way if my significant other, parent, or child were present?
- Would I want someone to do or say such things to me, to my family, or to my friends?
- Would I want to see how I'm behaving or what I'm saying announced on the evening news or printed in the local newspaper? The company newsletter or website?
- Be mindful of the 'water cooler' conversation? Who is within 'ear shot' of your conversation?
- Do I look over my shoulder before I say or do something?
- Others....



## What Should I Do?

- Do not remain silent!
- Make it clear to the person that you find such conduct offensive and unwelcome. Be specific.
- Report it to your District manager and/or Human Resources (HR). Once reported, action will be taken.
- If it is your Manager, report it to your Board chairperson.
- Supervisors: Are responsible to report, investigate... if they don't—they can be held personally responsible in any legal action.

## Training and Harassment Policy Best Practices Notes

Discuss at your tables what you currently do to manage the training process for regular harassment and discrimination training. Some possible language to use for the acknowledgement of attending a harassment training. **Please check with your legal/HR team prior to using.**

*I acknowledge that I received training regarding the prevention of sexual harassment on \_\_\_\_\_ (date). I agree to abide by the principles that were explained in this training. I understand that if I have any questions that were not addressed in training or if I encounter any problems, I can contact.....*

\_\_\_\_\_  
Employee Name (Please Print)

\_\_\_\_\_  
Employee Signature

### ➤ How about your Harassment policy? Up to date?

Some possible language to use for the acknowledgement form for an employee to confirm the receipt of the harassment policy. **Please check with your legal/HR team prior to using.**

*I acknowledge that I have received, read, and understand the Harassment policy of {enter Company Name}. I understand that failure to comply with the policy could result in disciplinary action up to and including termination of employment.*

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (please print)

*"I must respect the opinions of others even if I disagree with them."* Herbert H. Lehman



## What actions will you take based on this training?

What could you **Start** doing that would make a positive difference for PACD, my team and for my life?

What can you **Continue** doing what is already working well.

**NOTES:**

