

WVBA 
presents: 

Preventing Unlawful Harassment In the Workplace



EMPLOYEE EDITION

HR Consulting
Company, LLC 2005

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Our Company Beliefs:

We believe that each and every individual associated with us deserves to be treated with dignity and respect. We are committed to having a workplace free of unlawful harassment and expect every individual to abide by that policy.

As a member of our team, you are expected to comply in both spirit and action.

Please Understand

It is the policy of this organization that we will not tolerate unlawful harassment in any form.

Your Commitment

You are being asked to read this material and to comprehend it. It is intended to ensure that you understand unlawful harassment, and therefore will commit to not being a part of any activity which would reflect or condone it.

Goals

- Understand our company's zero tolerance policy regarding unlawful harassment
- Know the laws that affect harassment in the workplace so you can recognize it
- Understand what circumstances may constitute harassment

What is Harassment?

- To bother, disturb, torment or pester on a frequent basis.
- Can occur in forms such as touching, talking, jokes, publications, posters, etc.

Unlawful Harassment Is:

- Inappropriate treatment due to a person's being a member of a protected class. The protected classes include individuals who are of a certain race, color, religion, sex, ancestry, age 40 and older, disability, qualified Vietnam era veterans and qualified special disabled veterans, or national origin, and
- In other words, **everyone falls into one or more protected classes.**

Who Can Commit Unlawful Harassment?

- Supervisors
- Subordinates
- Co-workers
- Clients/customers



Types of Harassment

- **Verbal** Spoken and written words, sounds.
- **Derogatory includes** put downs.
“You stupid blankety, blanks are all the same”.
- **Physical** includes inappropriate touching
- **Visual** includes signs, posters, email messages, etc.

Sexual Harassment

- Sexual harassment is a form of unlawful harassment of a sexual nature in the workplace.
- This includes welcome advances or requests for sexual favors, or verbal or physical conduct of a sexual nature.
- Any employee and customers and clients can commit sexual harassment.
- Both men and women can be victims of sexual harassment.

What Is Sexual Harassment? (cont.)

- **Unwelcome** sexual advances or requests for sexual favors, or verbal or physical conduct of a sexual nature.
- Conduct of a sexual nature in the workplace that creates a **hostile environment**

A Hostile Work Environment May Exist If the Conduct:

- Is frequent
- Severe?
- Physically threatening or humiliating?
- Unreasonably interferes with an individual's work performance?

An Example

- If you take a brief look at this employee's face, you can immediately tell this behavior is unwelcome.
- While an isolated incident of this type doesn't constitute harassment, it could be just that if combined with other unwelcome gestures.



Take a moment to answer:

Are the following incidents unlawful
harassment? harassment?

1. Telling really funny Polish jokes if none of your co-workers are Polish. **Yes or No**
2. Sending a dirty email joke to a friend who is a member of the same sex. **Yes or No**
3. Brushing against people too closely in a doorway
Yes or No

Unlawful Harassment Answers:

All questions should have been answered yes.

If you answered no to any questions, please review the booklet again.

Note that each question involved a protected class and form of harassment if it is a frequent behavior.

Frequently Asked Questions:

- Is it legal to call employees stupid or dumb?

While it could possibly be legal in some circumstances, we want each individual to be treated with respect. Therefore, no name calling. Whatsoever.

- Is it OK to touch another employee's shoulder?

Depends on how it is done and frequency. To play it completely safe, don't touch.



What Should I Do?

- What if I think I am being unlawfully harassed?

Go to your supervisor without delay and explain your situation. If for some reason you don't feel comfortable going to your supervisor, please talk to another member of management.

What if I'm uncertain whether I'm harassing someone?

Stop the behavior immediately. You are probably receiving signals that your behavior is unwelcome.

Summary

- Our company does not tolerate unlawful harassment in any form
- You and every other employee are entitled to be treated with dignity and respect.
- Every employee is a member of one or more protected classes and harassing someone based on that status is unlawful.
- If you believe you are being harassed, tell you supervisor immediately.

Your Commitment

- I have read and understood the company's position on unlawful harassment including sexual harassment.
- I agree not to engage in unlawful harassment
- I further understand that if I feel I am the victim of harassment I should go to my supervisor immediately. If I am not comfortable going to my supervisor, I should go to another member of management.
- _____(name)
_____ (date)

After the employee completes workbook, they should complete the Your Commitment Page; Sign, Date and return to Supervisor to put in stations files.