

From #MeToo to #NotHere

Rethinking Anti-Harassment Training

Tami Earnhart

(317) 236-2235

tami.earnhart@icemiller.com

Catherine Strauss

(614) 462-1069

catherine.strauss@icemiller.com

The #MeToo Movement Doesn't Discriminate

In 2007, the Me Too Movement started long before the hashtag version.

- By a sexual violence survivor
- As way to show empathy and support

The #MeToo Movement Doesn't Discriminate

According to the Me Too movement's web page

17,700,000 women

have reported a sexual assault since 1998

The #MeToo Movement Doesn't Discriminate

#MeToo started with the rich and famous in Oct '17

- Harvey Weinstein – The Weinstein Company

And the Court of Social Media took over when Alyssa Milano called for victim stories under #MeToo



The #MeToo Movement Doesn't Discriminate

- Within months, at least 40 sexual misconduct scandals involving high-profile men
 - Garrison Keillor
 - Matt Lauer
 - Alex Kozinski
 - Charlie Rose
 - Louis C.K.



The #MeToo Movement Doesn't Discriminate

- Time's Up!
 - January 1, 2018, open letter from over 300 women in Hollywood
 - Action plan for combating sexual harassment
 - Entertainment industry and blue-collar fields
 - Multimillion dollar legal defense fund
 - Housed by the National Women's Law Center
 - Subsidizes legal costs for less-privileged women to pursue sexual harassment claims

EEOC Statistics

- 2017 – 84,254 charges filed
- About 30% of all charges related to sex discrimination
- Retaliation charges increasing – 36.3% 2010 to 45.9% in 2016



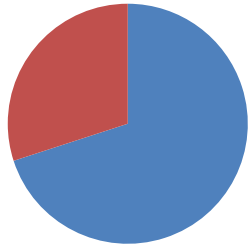
More EEOC Statistics

	2010	2011	2012	2013	2014	2015	2016	2017
Charges	7,944	7,809	7,571	7,256	6,862	6,822	6,758	6,696

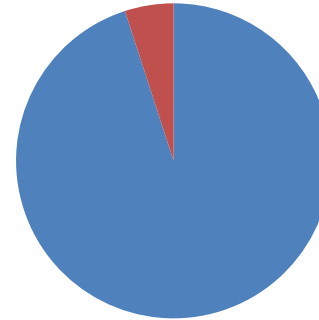
Source:
https://www.eeoc.gov/eeoc/statistics/enforcement/sexual_harassment_new.cfm



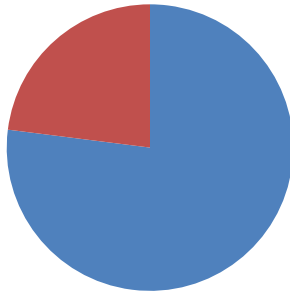
Sexual Harassment in the Workplace by the Numbers



30% of U.S. women reported experiencing unwanted sexual advances from male co-workers



95% said male harassers usually go unpunished



23% of U.S. women say they were harassed by men who had influence over their jobs

Washington Post-ABC News poll, national sample, 740 women, Oct. 2017

Blindness to Boundaries is Costly – The Economic Case for Compliance

- In the last 20 years, employment lawsuits have risen 400%. [Bloomberg Law Reports].
- Avg compensatory award in federal employment cases > \$490,000 [Bloomberg Law Reports].
- In 2016, the EEOC secured more than \$482 million for victims of discrimination. [www.eeoc.gov].

The Economic Case for Becoming #NotHere

- Monster Energy
 - Facing at least 4 separate lawsuits from women
 - Primary target is a Vice-President, now on paid leave
- Guess
 - Hours after first allegation, share price dropped 18%
 - Lost more than \$250 million in market value in one day
- Wynn Resorts
 - Shares fell by 10% on the day of publication
 - Steve Wynn lost \$412 million of his net worth

The Economic Case for Becoming #NotHere

- Customers increasingly "talk" with their business
 - Pull away from association with companies who "allow" harassment
 - Support companies with positive cultures
- More attractive for potential investors

Typical Training Alone Is NOT Enough

- Typical training teaches basic information
- Purpose = meet legal obligations
- 94% of U.S. organizations have anti-harassment policies

Typical Training Alone Is Not Enough

- Can make people uncomfortable
- Becomes perfunctory – employees resent
- Terminology issue
 - "victims" or "accusers"
 - "harassers," "wrongdoers" or "perpetrators"

Typical Training Alone Is Not Enough

- No (or little) affect on individuals most likely to engage in harassing conduct
- Prompts joking
- Sexual stereotypes
 - Does not promote confidence/empowerment

TRAINING ON POLICIES IS NOT WORKING!

So, Now What?



How to Move from #MeToo to #NotHere

Focus (and Train) on a Positive Culture



Claims of Harassment Are More Likely in a Negative Culture

- Lack of individual value, belonging and empowerment
- Negative behavior encourages more negative behavior

Culture Is Key to #NotHere

- Strong HR
- Accountability
- Real Diversity
- Pragmatic Policies
- Strategic Training



Culture Change

Make
BIG
Changes
— in —
SMALL
Steps

Visualize It
Internalize It
Actualize It
Brand It

Culture of Empowered HR

- Start with strong Human Resources
 - Instead of just asking "what happened" ask "why is this happening?"
 - Who are we? What message are we sending? What do we say about our mission, and vision? Is this our culture? Is this the culture we want? Would you turn this into our new recruiting strategy?

Actions Speak Louder Than Words

- Strong HR guides change from the top
 - Culture change needs to be heard and seen through all levels
 - Identify potential roadblocks
 - Garner the support of others at the same or similar level to eliminate the roadblocks
 - If not genuine at the top, change will not occur

Culture of Accountability

- Culture of Accountability
 - Being "yourself" must fit within bounds of policy and practice—especially leaders
 - Stars get special treatment...in the right way
 - Employees get positive attention early and often
 - Any issues addressed early

What's the Other Side of the Culture Coin?

- Be careful not to create a "victim" culture
 - Best and most frequent attention occurs only when something bad happens to an employee

What's the Other Side of the Culture Coin?

- What do people get out of having a victim's mentality in the workplace?
 - Avoid responsibility and accountability
 - When one action, reaction, or event is someone else's fault, then all others are too (including all consequences)
 - It is personally affirming, even if delusional
 - Receipt of attention/drama, even if negative or dysfunctional

Take-Aways

- Conduct routine satisfaction surveys
 - Asking the right questions
 - Routinely using and reviewing results
 - Making changes based on results
- Straight-Talk Meetings
 - Open participation period at each
 - Encourage opinions and comments of all
 - Thoughtful rejection of ideas
- Create meaningful reward opportunities for good behavior
- Exit Interviews – conduct them and use the information to create change

You Reap What You Sow

Having a diversity-focused hiring system ensures employees will be dynamic and unique with varying risk tolerances

- Not like you = balances risk tolerance
- Not like you = facilitates leadership evolution and development
- Not like you = fosters compliance
- Not like you = encourages better workplace

Diversity Is More Than Categories

- Diversity of expertise
 - Wouldn't consider building a new car without engineers, designers, quality-control experts, etc.
- Diversity of information
 - The benefit of bringing unique information and experiences
- Diversity of identity
 - Race, gender, age, etc.
 - Other background characteristics

Strategic Training

- Early and constant
- Re-enforced in practice and modeling



Strategic Training Starts on Day 1

- Application
 - Can help establish culture of respect
- Interviews
 - Discuss company culture
 - Reinforce collaborative workplace



Strategic Training Starts on Day 1

- ➔ Handbooks
 - ➔ Sets up culture

Does Your Employee Handbook Reflect Your Company Culture?

- ➔ Valve's opening salvo: "A fearless adventure in knowing what to do when no one's there telling you what to do."
- ➔ Nordstrom: "Use good judgment in all situations."
- ➔ Disqus and Zappos have "Culture Books"

Strategic Training Starts on Day 1

- ➔ Handbooks
 - ➔ Sets up culture
 - ➔ Common sense policies
 - ➔ Easily applicable and interpretable
 - ➔ Plain language

Make Rules that Make Sense

Theory: Better to employ policies that encourage good behavior than repress reports or incentivize bad behavior

- Fraternization Policies – Yeah or Nay
- Clearly define the process to submit a complaint
 - Investigate and Inform every time
- Inquire during Evaluation Process – up and down



Strategic Training Starts on Day 1

- Handbooks
 - Sets up culture
 - Common sense policies
 - Easily applicable and interpretable
 - Plain language
 - Make disrespectful treatment others subject to termination

Strategic Training Starts on Day 1

- Orientation
 - Have decision-maker (higher, the better) or HR lead available to reinforce company standards
 - Encourage reporting

Strategic training is continuous...

- Employee Communications
- Discussions
- Meetings
- Prompt response and **consistent** treatment when issues arise



Strategic Training on Positive Behavior

- Encourage (and reward) these behaviors:
 - Respect/Civility
 - Mentoring
 - Speaking Up
 - Bystander Intervention



Strategic Training on Positive Behavior

- Still need some aspects of "typical" anti-harassment training
- Use interactive training tools
 - Role playing
 - True and False
 - Scenario-based questions seeking input on next steps

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