

Sexual HARASSMENT
IN THE WORK PLACE

What Employers Need to Know

Warner Norcross & Judd
ATTORNEYS AT LAW

December 13, 2017


The New Look of an Old Problem – Sexual Harassment

- The #metoo movement
- What’s different this time?
- Is the response changing?
- Is an employer responsible for third party harassment?



The New Look of an Old Problem – Sexual Harassment

- The two kinds of harassment
 - Quid pro quo vs. hostile environment
- The EEOC’s advice to victims
- A victim’s legal options
- The EEOC’s new intake system



Your Policy Against Harassment

POLICY



- What should it contain?
- How you should inform employees about your policy
- What about workplace violence?
- Should your policy cover bullying?

The Need for Training



- Live training is best
- Can be a positive experience
- One training session alone will not change an organizational culture problem
- Need for top down commitment and strong leadership

Changing an Organization's Culture



How Do You Change An Organizational Culture?

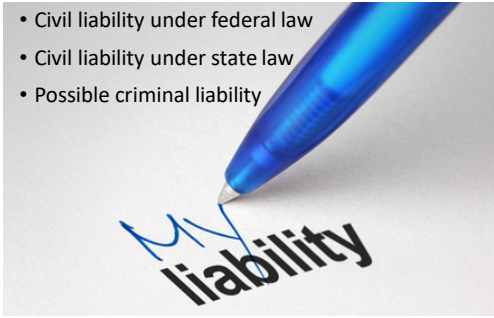
Steve Denning



<https://www.forbes.com/sites/stevedenning/2011/07/23/how-do-you-change-an-organizational-culture/#64059a8239dc>

Potential for Personal Liability

- Civil liability under federal law
- Civil liability under state law
- Possible criminal liability



Keys to an Effective Investigation

- When to conduct
- How to conduct
- How to conclude
- When to use outside counsel



• Reminder ~ it's not just about sex



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The graphic features a light beige background with two stylized hands, one red and one teal, with radiating lines behind them. The word "Sexual" is in a script font, and "HARASSMENT" is in a bold, black, sans-serif font. Below this, "IN THE WORK PLACE" is written in a smaller, black, sans-serif font. A teal horizontal band contains the text "What Employers Need to Know" in a bold, black, sans-serif font. At the bottom left is the logo for Warner Norcross & Judd, Attorneys at Law, and at the bottom right is the date "December 13, 2017".

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