

HARASSMENT - PREVENTION

ESSENTIALS

for MANAGERS

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**Harassment is behavior that bullies,
intimidates, embarrasses, coerces,
or insults others.**

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**Harassment in the workplace
is always unacceptable,
and it's also illegal.**

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Managers and supervisors are the first and best line of defense in any organization's fight against harassment.

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As a leader and a role model for professionalism, legal compliance, and respectful behavior in your organization, you can make all the difference.

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Anyone at any level in an organization—or even someone from outside it, like a vendor, patient, or customer—could be the victim of harassment . . .

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. . . or could engage in harassing behavior themselves.

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If the behavior is so pervasive and severe that a “Reasonable Person” would say it’s creating a “Hostile Environment,” it may be grounds for disciplinary action or termination—even a lawsuit.

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Organizations and managers have been held legally responsible for harassment that occurred on their watch, even when they were unaware that it was taking place.

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Because harassment in the workplace tends to be based on perceived differences, the federal government has enacted nondiscrimination laws to protect specific groups of people.

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That means it's illegal to harass people based on their

- race
- color
- religion

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- **sex (including pregnancy, sexual orientation, and gender identity, which includes transgender status)**
- **national origin (including citizenship status and accent)**

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- **age (for employees who are 40 or older)**
 - **disability (physical or mental)**
 - **genetic information**
- **family status (including marital and parental status)**
 - **or political affiliation**

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It is never acceptable—and often illegal—to engage in:

- **Insults or name-calling.**
- **Violence or threats of violence.**
- **Making threatening, rude, or dismissive gestures.**

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- **Physically intimidating someone by standing in the way or blocking access to equipment, work space, or common areas.**
- **Posting harassing content and cyberbullying on social media sites.**

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- **Sending offensive texts, emails, or images.**
- **Rumor-mongering, gossiping, or otherwise harming a coworker's reputation.**
- **Excluding someone from work-related activities or otherwise isolating them.**

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- **Jokes or put-downs because of someone's gender, ethnicity, disability, age, or other personal characteristic.**
- **Inappropriate touching such as unwelcome hugs or back rubs.**

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Sexual harassment is a pattern of unwanted sexual advances, comments, or images.

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Sometimes it's presented in the form of a trade, called "Quid Pro Quo" harassment. For instance, a supervisor might offer a raise or promotion in exchange for sex.

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It is strictly illegal for a supervisor or an organization to retaliate against someone who brings a harassment complaint.

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Managers and supervisors can take what's known as Tangible Employment Action, meaning that they have the authority to hire, fire, demote, promote, reassign, or otherwise significantly affect an employee's career.

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It is for this reason that when a manager is guilty of harassment it is often of the Quid Pro Quo variety and especially egregious.

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Not only must those in supervisory positions never engage in harassment themselves, they must also actively discourage it in others.

So, what should you do?

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First, be proactive. Keep your eyes and ears open for problems and address them sooner rather than later. And be a visible presence.

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Be on the lookout for and discourage behaviors that could escalate and become problematic even if they seem basically harmless at first, like displaying risqué images or gossiping.

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Don't participate in such behavior or encourage it by engaging in or laughing at inappropriate attempts at humor—even if you think no one would be offended. And don't ignore inappropriate conduct in others.

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Be on the lookout for employees whose attendance, participation, or productivity declines for no apparent reason.

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**Encourage open communication.
Sometimes harassers don't even realize
that they're doing something wrong.**

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Make sure that you're familiar with the law and your organization's policies and procedures regarding harassment, including the progressive-disciplinary steps used to address problems, such as verbal and written warnings, additional training, suspension, and termination.

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And make sure that your employees have this information as well.

Communicate to employees that, according to organization policy, they can bring a harassment complaint to you, Human Resources, or another manager—whatever they're most comfortable with.

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Let employees know that if they're the victim
of or just a witness to harassment,
it's okay to speak out.

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Any attempts at retaliation for participation in a harassment complaint will be met with the same response as for the harassment itself—progressive discipline, termination, or legal action as appropriate.

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Remember, as a manager, you are in the best position to create a positive, respectful, legally compliant workplace for us all. You can make a difference!

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