

**HARASSMENT - PREVENTION**

**ESSENTIALS**

**for MANAGERS**

**Harassment-Prevention Essentials  
for Managers**

**Leader's Guide**

## Overview:

The *Harassment-Prevention Essentials for Managers* program addresses, from a manager's perspective, a problem that takes a significant toll on employees' mental and physical health and on the health of organizations. Harassment is unfortunately a common occurrence. That's why it's important for managers and supervisors to understand what harassment is and to know how to deal with it.

Harassment causes stress, depression, absenteeism, and employee turnover. It adversely affects people who witness it, as well as its targets. Harassment is a source of embarrassment and frustration to too many people. It negatively impacts the workplace in terms of productivity and effectiveness, and it negatively impacts our well-being at work in terms of job satisfaction, performance, and physical and emotional health.

Their position of authority affords managers and supervisors a unique opportunity—and a special responsibility—to prevent and effectively address instances of harassment in the workplace.

The *Harassment-Prevention Essentials for Managers* training program provides the essential information that all managers and supervisors need to have in order to understand the issues surrounding the problem of workplace harassment.

## Prepare for the Session:

- Preview the *Harassment-Prevention Essentials for Managers* program, and consider the topic in the context of your organization.
- Read through the Leader's Guide.
- Make sure you have Organization Policy, Discussion Questions, and Quiz handouts for each participant.
- Remember to use a matter-of-fact, nonjudgmental tone of voice when discussing sensitive concepts.
- Greet participants in a friendly manner.

## Open the Session:

- Introduce yourself and welcome the participants to the training session.
- Introduce the *Harassment-Prevention Essentials for Managers* program, explaining that it is applicable to all managers and supervisors throughout the organization.
- Ask participants as they watch the program to think about the topic in terms of their personal experience and observation.
- Assure them that you aren't here to point fingers, but rather to affirm that we are all equally deserving of respect, to acknowledge that none of us is perfect, and to communicate that harassment prevention is not complicated but largely a matter of common sense, preparation, and a proactive approach.
- Let participants know that there will be a short discussion portion of the program, with an opportunity to comment and/or ask questions.

## Present the Material:

- Show the *Harassment-Prevention Essentials for Managers* program (running time: 11 minutes).
- Review definitions and learning points for key concepts as follows:

## What Is Harassment?

**Definition:** Harassment is abusive conduct and bullying that often stems from discomfort about differences between people. This disrespectful behavior can cause serious and varied problems including low morale, headaches, digestive problems, mental health issues, poor productivity, and job loss. Harassment can be illegal, and each year organizations pay millions of dollars in fines and penalties due to harassment lawsuits.

Harassment may occur between coworkers, between managers and the people they supervise, between customers or vendors and employees, between patients and healthcare workers, or anyone else we deal with in order to do our jobs. It can take social, psychological, emotional, or physical forms.

## How Does Harassment Affect Individuals and Organizations?

### Learning Points—Impact

Harassment adversely affects:

#### ❖ **Physical health**

The stress, fear, and shame of being targeted at work can lead to headaches, digestive problems, and insomnia. The impact of workplace bullying has been likened to post-traumatic stress disorder.

#### ❖ **Emotional health**

Harassment can cause depression, anxiety, and panic attacks.

#### ❖ **Creativity**

Creativity requires positive energy, not stress and fear.

#### ❖ **Self-esteem**

Targets of harassment often wonder whether they're somehow at fault and so can experience low self-esteem.

## ❖ Productivity

Workplace harassment causes absenteeism and makes being effective at one's job a challenge.

## ❖ Morale

Low morale is common not just for the target of the harassment but for others in the environment as well.

## Harassment and the Law

### Learning Points—Protected Classes

Under Title VII of the Civil Rights Act, and several other acts that amend or extend it, such as the Age Discrimination and Pregnancy Discrimination acts, and the Americans with Disabilities Act, as well as the more recent Genetic Information Nondiscrimination Act, it's *illegal* to discriminate on the basis of the following categories:

- ❖ race,
- ❖ color,
- ❖ religion,
- ❖ sex (including gender identity, transgender status, pregnancy, childbirth, or pregnancy-related medical conditions),

- ❖ sexual orientation,
- ❖ national origin (including citizenship status and accent),
- ❖ age (for employees who are 40 or older),
- ❖ disability (physical or mental),
- ❖ genetic information,
- ❖ family status (including marital and parental status), and
- ❖ political affiliation.

Local laws and organization policy, however, may go even further, making other kinds of discrimination and harassment subject to legal or disciplinary action as well.

The two legal categories of harassment are **Hostile Work Environment** and **Quid Pro Quo**, defined as follows:

- ❖ **Hostile Work Environment** harassment occurs when the atmosphere within the organization is *severely and pervasively* intimidating, hostile, or offensive—and—the harassing behavior involves one of the federally protected categories mentioned above.

(Note that the legal definition of a Hostile Work Environment is one with a *severely and pervasively* hostile atmosphere. It's an environment with a *pattern* of inappropriate and disrespectful behavior, rather than one in which there are occasional isolated instances of bad behavior.)



Examples of conduct that may constitute Hostile Work Environment harassment include:

- Insults or name-calling.
- Violence or threats of violence.
- 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.
- Sending offensive texts, emails, or images.
- Excluding someone from work-related activities or otherwise isolating them.
- Rumor-mongering, gossiping, or otherwise harming a coworker's reputation.
- Making threatening, rude, or dismissive gestures.
- Jokes or put-downs because of someone's gender, ethnicity, age, disability, or other personal characteristic.
- Inappropriate touching such as unwelcome hugs or back rubs.

These behaviors are contrary to organization policy and are never acceptable, whether or not they actually violate the law in a particular situation.

Coworkers, managers and supervisors, or so-called third parties such as customers, vendors, salespeople, or patients can be harassers, or they can be targets of harassment. Harassment can occur at work or at a work-related activity like a client lunch, sales convention, company picnic, or online.

### **The Reasonable Person Standard**

In order to determine whether inappropriate behavior is in fact illegal, the Reasonable Person Standard is applied. It asks whether a reasonable person would find the offensive behavior severe and pervasive enough to cause a Hostile Environment.

- ❖ **Quid Pro Quo** (Latin: “this for that”) harassment is harassment that involves an exchange, or a trade. Sexual harassment, a pattern of unwanted sexual advances, comments, or images, often falls under the heading of Quid Pro Quo harassment.

### **Tangible Employment Action**

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.

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. Harassment by a supervisor or manager that involves Tangible Employment Action puts the

organization as well as the harasser at great risk for legal liability and is a blatant abuse of authority.

So if a manager deliberately offers only the least desirable work assignments to an employee because he or she won't go out on a date, or implies that a promotion can be had in exchange for sex, the manager is guilty of illegal, Quid Pro Quo harassment. Keep in mind that sexual harassment can occur between people of the opposite sex or the same sex.

While sexual harassment may be the most common form of Quid Pro Quo harassment in an organization, it's not the only form. Examples of non-sexual Quid Pro Quo harassment include:

- ❖ A promotion that is contingent upon volunteering to work for the employer's preferred political candidate.
- ❖ Employment contingent upon attending the employer's church.

## **Retaliation**

Retaliation against someone reporting harassment or participating as a witness in a harassment complaint is against the law. Make it clear that retaliation against someone who brings or supports a harassment claim is strictly illegal and against organization policy. Managers should let employees know that if they're the victim of or just a witness to harassment, it's okay to speak out. 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.

*Note:* 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. This means that managers must be proactive in ensuring legal compliance and an ethical workplace culture.

## **How to Prevent and Deal with Harassment**

The key to harassment prevention is to make sure that we treat all of our colleagues with respect and professionalism.

Workplaces that are consciously polite and inclusive discourage harassment and have a lower occurrence of abusive conduct.

### Learning Points—Prevention

Keep these tips in mind to prevent harassment and create a positive environment:

- ❖ Follow the Golden Rule and treat others as you would like to be treated.
- ❖ See people as individuals, not stereotypes.
- ❖ Be polite: say “please,” thank you,” and “hello.”
- ❖ Make eye contact and listen attentively.

- ❖ Be proactive and a visible presence. Keep your eyes and ears open and address problems sooner rather than later.
- ❖ Look for and discourage potentially problematic behavior such as gossiping or teasing, and don't encourage problem behavior by laughing at it.
- ❖ Be on the lookout for warning signs of problems, such as absenteeism.
- ❖ Encourage open communication.

If harassment is encountered, advise participants to explain to a harasser privately and in a respectful tone that his or her behavior is inappropriate and to ask the person to stop. Many people don't realize their behavior is problematic and will stop once it's pointed out.

While this straightforward approach is surprisingly effective and usually solves the problem, use common sense as a guide. *It is never a good idea to confront anyone who is threatening, violent, or physically aggressive.* If the direct approach is not appropriate or doesn't take care of the problem, tell employees to report the behavior to a manager or to HR.

When a manager or supervisor deals with a harassment claim, he or she should listen closely to the person making the complaint as well as any witnesses, and document the complaint thoroughly with dates, times, and any pertinent evidence. Feelings and personal opinions should be left out of documentation. Remind participants that their notes could eventually be used in court, so they must keep them professional and objective.

Managers should provide employees with ongoing harassment-prevention training at regular intervals in accordance with organization policy that defines and discourages inappropriate behavior, and promotes respect and professionalism. It's important to document the nature, duration, and dates of the training and to have all employees officially verify that they have received and understood the training.

Less formal, ongoing conversations between managers and those they supervise about the importance of respect, inclusiveness, and teamwork also help keep everyone on track. Managers should have one-on-one communication with employees who need guidance on what constitutes professionalism in the workplace. When dealing with a relatively minor, isolated incident, it often just takes a brief private conversation to set someone on a respectful path again.

And perhaps most important, managers should always be good role models.

### **Consequences of Harassment**

Stress to participants that their organization takes harassment claims seriously and has procedures in place to address such claims. They must familiarize themselves with organization policies and procedures, including the progressive-disciplinary steps they will need to implement in the event of harassment.

## Learning Points—Consequences

Harassment can result in

- ❖ Formal investigation of a complaint
- ❖ Verbal or written warnings
- ❖ Suspension
- ❖ Demotion
- ❖ Termination
- ❖ Lawsuits

Managers must inform employees of what to expect in the case of a harassment claim and how your organization investigates and responds to such a claim. They should let employees know that while maintaining absolute confidentiality might not be practically possible in the course of an investigation, their privacy will be respected.

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

Harassment by a manager or supervisor is a serious misuse of authority, puts organizations and individuals at especially high risk for liability, and is never tolerated.

## **Organization Policy:**

### **Open Communication and Zero Tolerance**

Strongly state that organization policy prohibits any form of harassment, illegal or not, against any employee. Everyone deserves to work in a respectful, professional environment.

Anti-discrimination laws and policies are not meant to intimidate, but to ensure inclusiveness and civility.

Everyone makes mistakes in judgment. We have all probably, at one time or another, thoughtlessly said or done something insensitive. When an isolated incident that does not necessarily meet the criteria of illegal harassment occurs, the questionable remark or behavior will be addressed with open communication and the organization's progressive-discipline policy. There is zero tolerance for continued disrespectful behavior.

Take this opportunity to distribute relevant organization policy, and require all participants to verify they've read and understood it with a signature and date.

If your organization does not have a written anti-harassment policy, you may choose to use the sample policy below for educational purposes:



## **SAMPLE ANTI-DISCRIMINATION AND -HARASSMENT POLICY**

(Disclaimer: This sample is not legal advice and may not fully comply with local legislation. It is not a substitute for qualified legal consul.)

\_\_\_\_\_ *does not discriminate and will take measures to ensure against discrimination and harassment in regard to hiring, compensation, termination, benefits, and other conditions of employment against any employee or job applicant on the basis of race, color, religion, sex (including gender identity, transgender status, pregnancy, childbirth, or pregnancy-related medical conditions), sexual orientation, national origin (including citizenship status and accent), age (for employees who are 40 or older), disability (physical or mental), genetic information, family status (including marital and parental status), or political affiliation.*

*Discriminatory, abusive, disrespectful, or harassing behavior of any kind (including sexual harassment, defined as any unwelcome offensive behavior of a sexual nature) will not be tolerated and will be subject to disciplinary action, including the possible termination of employment.*

*Examples of harassing behavior may include but are not limited to bullying and intimidation, inappropriate physical contact, sexual propositions, sexual, racial, ethnic, or gender-based jokes or remarks, obscene gestures, and displays of sexually explicit or pornographic images.*

*Any conduct that creates an intimidating, hostile, or offensive work environment or substantially interferes with an employee's work*

*performance is considered to be harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature are not tolerated and are considered to be sexual harassment.*

*All discrimination and harassment complaints will be promptly investigated and any necessary corrective action will be taken where appropriate. All complaints of unlawful harassment will be handled in as discreet and confidential a manner as possible. No person will suffer retaliation of any kind as a result of bringing complaints of unlawful harassment or supporting another person's complaint.*

## Start Discussion:

- Distribute the Discussion Questions handout.
- Read the questions on the Discussion Questions handout to participants, and explain how much time they will be allotted for discussion based on the questions.
- Ask participants to take the handout Quiz.
- Remind participants of the importance of using respectful language and tone of voice when discussing such sensitive issues.
- Have participants form small groups of 3–5 people for the discussion portion of the training.

## Harassment-Prevention Essentials for Managers

### Discussion Questions with Sample Answers

#### **Discussion Questions:**

Have you witnessed harassment in your workplace?

What are some examples?

#### ***Sample answers:***

- 1. I've had complaints from an employee about her coworker offering her back rubs.*
- 2. I've seen someone continually make fun of his coworker's accent.*
- 3. People have complained about racist cartoons posted in the break room.*

What might be a practical consequence of this behavior for the target?

#### ***Sample answers:***

- 1. She finds it creepy and embarrassing when he talks about touching her. She doesn't want to come to work anymore.*
- 2. Being made fun of makes him feel angry and self-conscious.*
- 3. When they see those images they feel angry, embarrassed, and powerless.*

What might be a practical consequence of this behavior for the organization?

**Sample answers:**

1. *She is stressed out and unable to focus on her job.*
2. *A good employee might quit if his coworker doesn't stop imitating his accent.*
3. *If the offensive material is allowed to remain, it sends a message to the targets that they aren't valued and respected.*

What might be an appropriate response to the behavior?

**Sample answers:**

1. *Explain to the offender that his behavior is unwelcome and inappropriate and that it amounts to sexual harassment. Firmly tell him that it must stop immediately or there will be significant negative consequences. Reassure the target that the problem is being addressed.*
2. *Privately tell the offender that teasing someone because of their differences is disrespectful and unprofessional and will not be tolerated, and that the behavior must stop immediately. Reassure the target that the problem is being addressed.*

3. *Remove the offensive material immediately, issue a verbal and written warning to the offender/s, and reassure the targets that organization policy requires a respectful work environment.*

What might you say or do to communicate respect and goodwill toward a coworker? What is something best to avoid doing?

***Sample answers:***

1. *It's important to thank people for their hard work and effort.*
2. *Always be a good role model.*
3. *Don't laugh at or encourage inappropriate behavior.*

What simple approach usually puts an end to inappropriate behavior? Why does it work?

***Sample answers:***

1. *Ask the person to stop.*
2. *Explain why the behavior is a problem.*
3. *Sometimes people aren't aware that they're offending someone.*

## **Harassment-Prevention Essentials for Managers Quiz Answer Key**

1. Harassment can take many forms.

**TRUE/FALSE**

Harassment can take social, psychological, emotional, or physical forms. It can present as verbal abuse, insensitive humor, threats, or any number of other expressions of disrespect.

2. Tangible Employment Action protects managers from legal liability.

**TRUE/FALSE**

Tangible Employment Action, the ability to significantly affect another person's career, puts managers and their organizations at *greater* risk for legal liability.

3. It can sometimes be helpful to talk to a harasser directly about his or her behavior.

**TRUE/FALSE**

People don't always realize that their behavior is problematic and often will stop it voluntarily when told.

4. It is illegal for an organization to retaliate against someone who reports harassment.

**TRUE/FALSE**

It is also illegal to retaliate against a witness in a harassment complaint.

5. Managers should take a proactive approach to harassment prevention.

**TRUE/FALSE**

Be on the lookout for potential problems, and address them sooner rather than later.

6. Harassment can do physical and psychological harm.

**TRUE/FALSE**

The stress of harassment can literally make the target of it sick, as well as adversely affect his or her career. It can also do great harm to the career of the harasser, for obvious reasons.

7. A non-employee, such as a customer or salesperson, cannot be guilty of harassment.

**TRUE/FALSE**

Anyone an employee deals with in a work context, including a customer, patient, or delivery person, can be a harasser, or the target of a harasser.

8. Harassment has no effect on productivity in the workplace.

**TRUE/FALSE**

Harassment and the stress it causes take a measurable toll on workplace productivity.

9. Humor to one person may be harassment to another.

**TRUE/FALSE**

Humor is subjective. What is good-natured teasing to one person may be humiliating for the person on the receiving end. Avoid humor aimed at someone else's personal characteristics.

10. A respectful workplace discourages harassment.

**TRUE/FALSE**

More respect equals less harassment.

11. Quid pro quo means "this is wrong."

**TRUE/FALSE**

*Quid pro quo* is Latin for "this for that."



12. Managers should not have ongoing conversations about the importance of respect in the workplace.

**TRUE/FALSE**

It's a good idea to keep the importance of respectful and professional behavior in the forefront.

13. It's best not to confront someone who's physically aggressive.

**TRUE/FALSE**

Always err on the side of caution.

14. Your employer can require you to raise money for her charity.

**TRUE/FALSE**

Such a requirement would constitute Quid Pro Quo harassment.

15. Illegal harassment is a form of discrimination.

**TRUE/FALSE**

According to federal law, harassment of members of a protected category or class is a form of discrimination.

## Discussion Questions Handout

Have you witnessed harassment in your workplace?

What are some examples?

What might be a practical consequence of this behavior for the target?

What might be a practical consequence of this behavior for the organization?

## **Discussion Questions Handout (continued)**

What might be an appropriate response to the behavior?

What might you say or do to communicate respect and goodwill toward a coworker? What is something best to avoid doing?

What simple approach usually puts an end to inappropriate behavior? Why does it work?

## **Harassment-Prevention Essentials for Managers Quiz Handout**

1. Harassment can take many forms.  
TRUE/FALSE
2. Tangible Employment Action protects managers from legal liability.  
TRUE/FALSE
3. It can sometimes be helpful to talk to a harasser directly about his or her behavior.  
TRUE/FALSE
4. It is illegal for an organization to retaliate against someone who reports harassment.  
TRUE/FALSE
5. Managers should take a proactive approach to harassment prevention.  
TRUE/FALSE
6. Harassment can do physical and psychological harm.  
TRUE/FALSE
7. A non-employee, such as a customer or salesperson, cannot be guilty of harassment.  
TRUE/FALSE
8. Harassment has no effect on productivity in the workplace.  
TRUE/FALSE

**Harassment-Prevention Essentials for Managers Quiz**  
**(continued)**

9. Humor to one person may be harassment to another.  
TRUE/FALSE
10. A respectful workplace discourages harassment.  
TRUE/FALSE
11. Quid pro quo means “this is wrong.”  
TRUE/FALSE
12. Managers should not have ongoing conversations about the importance of respect in the workplace.  
TRUE/FALSE
13. It’s best not to confront someone who’s physically aggressive.  
TRUE/FALSE
14. Your employer can require you to raise money for her charity.  
TRUE/FALSE
15. Illegal harassment is a form of discrimination.  
TRUE/FALSE

## Conclude the Session:

1. Reassemble the group.
2. Recap the following key concepts from *Harassment-Prevention Essentials*:
  - **Harassment** is inappropriate disrespectful, sometimes illegal, behavior that may occur between coworkers, between managers and the people they supervise, between customers or vendors and employees, or between patients and healthcare workers. It can take social, psychological, emotional, or physical forms, and is never acceptable.
  - **Harassment** negatively impacts the workplace in terms of productivity and effectiveness, and it negatively impacts our well-being at work in terms of job satisfaction, performance, and physical and emotional health.
  - **Harassment** is legally defined as either Hostile Work Environment or Quid Pro Quo harassment.
  - **Harassment** can be remedied with civility, respect, and professionalism.

3. Take questions.

4. Thank everyone for participating, and express your hope that participants will take what they've learned at the session and work to improve their organization.

PREVIEW

## HARASSMENT-PREVENTION ESSENTIALS FOR MANAGERS

### Transcript

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

Harassment in the workplace is *a/ways* unacceptable,  
and it's also illegal.

It leads to poor productivity, low morale, job loss, or worse.

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

Your position of authority affords you a unique opportunity—and a special responsibility—to prevent and effectively address instances of harassment in your workplace.

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

*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 . . .

. . . or could engage in harassing behavior themselves.

Harassment can happen at work or at a work-related event like a trade show, conference, or company picnic. It could take place at a business lunch, at someone's desk, or online.

But whether abusive conduct comes from a coworker or a supervisor,

whether it's blatant or subtle,

whether it occurs in an elevator or through offensive text messages . . .



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

Hostile Environment harassment occurs when intimidating or offensive conduct creates a work environment so hostile that it adversely affects someone’s well-being and ability to do his or her job. The law employs the so-called Reasonable Person Standard to determine whether the behavior rises to the level of illegal Hostile Environment harassment.

Even employees who are not themselves the target of harassing behavior, such as demeaning jokes, rude comments, or inappropriate physical contact, can and do sometimes make a harassment complaint, because just witnessing such behavior creates a hostile work environment for them as well.

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.

What this means is that managers must be proactive in ensuring legal compliance and an ethical workplace culture,

one where everyone is treated with respect and where organization harassment policies as well as local and federal laws are understood, and heeded. So here’s what you need to know:

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.

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

- race
- color
- religion
- sex (including pregnancy, sexual orientation, and gender identity, which includes transgender status)
- national origin (including citizenship and accent)
- age (for employees who are 40 or older)
- disability (physical or mental)
- genetic information
- family status (including marital and parental status)
- or political affiliation.

So—adversely affecting a coworker's job performance or well-being by regularly ridiculing her because she's transgender . . . or by imitating his accent . . . or by making snide remarks about her religious attire . . . is not just rude and counterproductive, it's also against the law—

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.

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.

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.

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.

*Sexual harassment* is an illegal pattern of unwanted sexual advances, comments, or images.

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

But Quid Pro Quo, or "this for that," harassment doesn't have to be sexual in nature.

If, for example, attendance at an employer's church is a condition of employment,

or contributing to a supervisor's charity is required in order to get preferred work assignments,

that's illegal too.

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.

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.

Harassment by a supervisor or manager that involves Tangible Employment Action puts the organization as well as the harasser at great risk for legal liability and is a blatant abuse of authority.

So if a manager deliberately offers only the least desirable work assignments to an employee because she won't go out on a date, that's illegal harassment.

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?

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

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.

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. Remember, your position of authority requires you to set a good example and ensure respectful behavior from those you supervise.

Be on the lookout for employees whose attendance, participation, or productivity declines for no apparent reason. If you notice one person trying to avoid another, find out why. Ask the person what's wrong, and if you can help.

Encourage open communication. Sometimes harassers don't even realize that they're doing something wrong. For instance, what's good-natured teasing to one person may be humiliating to the person on the receiving end.

If harassment is occurring, having the target politely ask the harasser to stop can be surprisingly effective, but only if he or she feels comfortable doing so.

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

Inform employees of what to expect in the case of a harassment claim and how your organization investigates and responds to such a claim. Let them know that while maintaining absolute confidentiality might not be practically possible in the course of an investigation, their privacy will be respected.

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.

Make it clear that retaliation against someone who brings or supports a harassment claim is strictly illegal and against organization policy. Let employees know that if they're the victim of or just a witness to harassment, it's okay to speak out. 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.

If you're dealing with a harassment claim, listen closely to the person making the complaint as well as any witnesses, and document the complaint thoroughly with dates, times, and any pertinent evidence. Leave out your feelings and personal opinions. Your notes could eventually be used in court, so keep them professional and objective. Take complaints of threats, violence, or physical intimidation especially seriously, and report them to HR and your supervisor.

All employees should receive ongoing harassment-prevention training at regular intervals that defines and discourages inappropriate behavior, and promotes respect and professionalism. It's important to document the nature, duration, and dates of the training and to have all employees officially verify that they have received and understood the training.

Less formal, ongoing conversations between managers and those they supervise about the importance of respect, inclusiveness, and teamwork also help keep everyone on track. Have one-on-one communication with employees who need guidance on what constitutes professionalism in the workplace. When dealing with a relatively minor, isolated incident, it often just takes a brief private conversation to set someone on a respectful path again.

And perhaps most important, be a good role model.

Harassment hurts.

It can severely impact the careers and the physical and emotional well-being of those targeted.

It can lead to lawsuits for both organizations and individuals.

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!