



ALIGNED GROWTH PARTNERS^{LLC}
Advisors to Boards of Directors and Management

*Sexual Assault, Harassment and Predatory Behavior:
The Movement and Your Company*



Hedley Lawson | Managing Partner

Why has this become a VERY BIG DEAL in America?

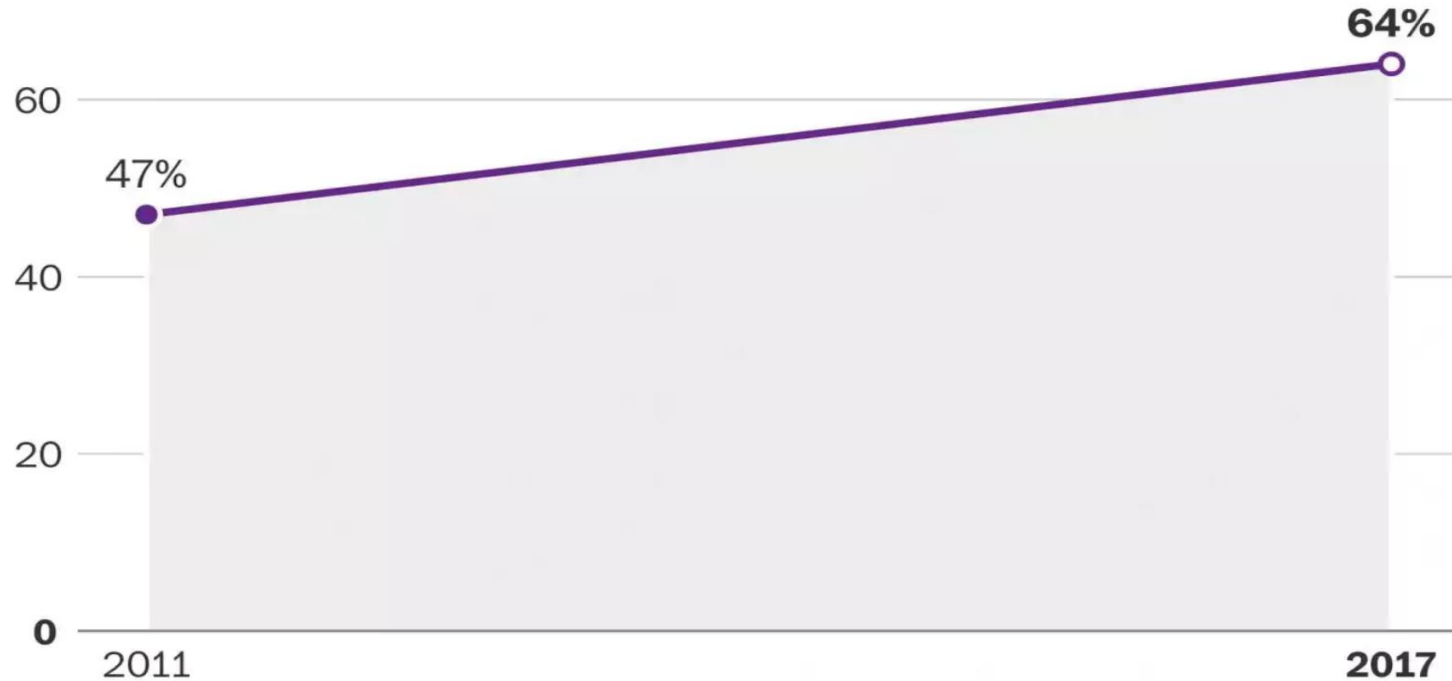


- ❑ Simply put, ***NEGLIGENCE***. Negligence by:
 - Senior leadership and management,
 - Human Resources, and
 - Boards of Directors

- ❑ And a lack of trust by employees that senior leadership, management and human resources will effectively, fairly and impartially resolve the problem in a timely fashion.

Sharp increase in Americans who say sexual harassment of women in the workplace is "serious problem"

Q: Do you think sexual harassment of women in the workplace is a problem in this country or not? If problem: Is that a serious problem, or not serious?(% saying "serious problem")



Source: Oct. 11-15 Post-ABC News poll with error margin of 3.5 points among U.S. adults.
EMILY GUSKIN/WASHINGTON POST

*There are two major types of
unlawful sexual harassment:*

- ▶ The first type is “***quid pro quo***,” meaning “***this for that***.” This action can only be committed by someone who can make or effectively influences employment actions by firing, demotion, denial of promotion, etc.
- ▶ This type of harassment is usually committed by a company executive, manager, supervisor, or someone else with more power than the victim. An example would be a supervisor who tells an employee that she must be sexually cooperative or be fired.

- ▶ The second is “***hostile environment***,” which can result from unwelcome and unwanted conduct of supervisors, co-workers, customers, vendors, or anyone else with whom the victimized employee interacts on the job.
- ▶ Some things that can lead to a hostile environment include discussing sexual activities; telling off-color jokes; unnecessary touching; commenting on physical attributes; displaying sexually suggestive pictures; and granting job favors to those who participate in consensual sexual activity.

Do you know exactly what to do the moment an employee alleges sexual harassment?

- ▶ This can't be happening to your business. A female employee informs you she's been sexually harassed by her supervisor over the past year. She also claims he's retaliating against her for rebuffing his advances.



- ▶ **As a California employer you have a legal duty to conduct an investigation and take appropriate action.** You must make every effort to find out what improper conduct did or did not happen—even when the allegations appear to be frivolous, or when the relationship appears to be consensual.

Employers must be aware of their responsibilities and proactively address this problem by following these tips:

- ▶ Make sure your harassment policy prohibits harassment by employees, non-employees, such as vendors and customers coming to your workplace.
- ▶ Encourage employees to report any such harassment.
- ▶ Train your supervisors to recognize and respond to nonemployee conduct that is potentially harassing.
- ▶ Have a workplace violence and emergency response plan in place. Address whether your workplace is at an increased risk for workplace violence and tailor the program accordingly.



It won't stop if you don't make it stop

- ▶ **Culture is led from the top**, so senior leaders must be involved in directing initiatives to eliminate sexual assault and harassment in your company. The leadership team should also meet regularly with colleagues to ensure there is a culture and workplace free of any sexual misconduct.
- ▶ **Set specific goals** and assign responsibility for senior leaders and management. Determine ahead of time how progress will be measured, then track results on an ongoing basis.
- ▶ **This never ends.** Everyone has to accept that this is not a one time program or effort. It is and must be a cornerstone of your company culture.

NO ONE

should have to work in a hostile environment where they are exposed to unwanted sexual advances.

It won't stop if you don't make it stop (con't.)

- ▶ **Be prompt.** Upon receipt of a complaint of harassment, a business must act as quickly as reasonably possible under the circumstances to investigate, and if necessary, correct the conduct and stop from happening again, and
- ▶ **Be thorough.** Investigations must be as comprehensive as possible given the severity of the allegations. Not every complaint of offensive workplace conduct will require a grand inquisition. The more egregious allegations, however, the more comprehensive of an investigation is called for.



...because there are new resources for your employees

“We're here to tackle sexual harassment in the workplace by your side.

BetterBrave combats sexual harassment, discrimination, and retaliation in the workplace by empowering targets and allies with the necessary resources and tools.”

And

“AllVoices, an autonomous reporting entity that accepts complaints of discrimination, harassment and assault, and reports them to the company CEO and Board of Directors”