
*Beyond Sexual
Harassment*

T r a i n i n g L e a d e r ' s G u i d e

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Table of Contents

Beyond Sexual Harassment

Preparation Materials	Introduction.....8 Training Session Checklist.....9 Trainer’s Instructions for Using the Book <i>Legal Issues for Managers</i>10 Tips for Transferred Learning.....11 Possible Session Agendas12 Trainer’s Personalized Session Agenda.....13 Invitation Memo to Participants14 Trainer’s Instructions for the Pretraining Survey.....15
Training Materials	Introducing the Session to Participants18 Harassment Overview19 Guidelines for Managers Discussion.....21 Guidelines for Managers Exercise.....22 Video Case Study Discussion.....23 Exercise from the Book <i>Legal Issues for Managers</i>33 Past Experience Exercise.....34 Posttraining Survey35 Acknowledgement of Harassment Training.....36 Follow-up Memo37
Participant Materials	Pretraining Survey Guidelines for Managers Worksheet Acknowledgement of Harassment Training Posttraining Survey Session Evaluation Form
Overheads	Overhead 1—Learning Objectives Overhead 2—Common Questions Overhead 3—Guidelines for Managers

*Beyond Sexual
Harassment*

P r e p a r a t i o n M a t e r i a l s

Introduction

A great deal of attention has been focused on sexual harassment, and business has made strides in preventing and effectively dealing with it through education and awareness. What you need to know is that the law protects all employees from many forms of harassment that go *Beyond Sexual Harassment*.

Beyond Sexual Harassment is a video-based training program designed to stimulate discussion about nonsexual forms of harassment. The video and accompanying guide can provide management and employees alike with valuable tools to help eliminate the emotional and financial problem of harassment in the workplace.

Beyond Sexual Harassment consists of eight video vignettes. Each vignette examines a harassment issue and is followed by commentary from Greg Naylor, an attorney specializing in employment law. Mr. Naylor guides viewers through the legal implications of each vignette.

Upon completing this training session, your participants should be able to:

- Identify behaviors that can be considered harassment.
- Explain the effects that harassment has on people.
- Discuss and examine personal feelings about harassment.
- Promote the concept that harassment of any type is a form of discrimination and will not be tolerated.
- Discuss your organization's policies and procedures related to harassment.

We encourage you to view the video and read through this guide at least twice to become comfortable with the format and subject matter before conducting this training session. This will ensure that your participants get the most from their training.

Icon Key



Flipchart



Read or
Paraphrase



Overhead



Worksheet



Video



Ask and Discuss

Training Session Checklist

Use this to help you gather all necessary materials for the training session.

Meeting Preparation

- Determine your training objectives.
- Measure the current status of your participants using the Pretraining Survey.
- Choose different ways to train to ensure transfer of information.

Location

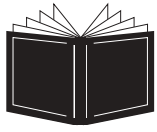
- Create a relaxed environment.
- Make sure all seats have a good view of the visuals.
- Make sure there is enough light to take notes when participants view the video.
- Provide an adequate writing surface for participants.
- Check for good acoustics.
- Verify that your room is accessible and equipped for participants with disabilities.

Video Equipment

- Make sure the VCR is properly connected to the monitor.
- Test the VCR, and check monitor for proper picture, color, and volume.
- Make sure the tape is rewound and ready to play before beginning your session.
- Check all other equipment for proper operation.

Materials

- Training Leader's Guide
- Videotape—*Beyond Sexual Harassment*
- Provant Media How-To Book—*Legal Issues for Managers*
- Overheads
- Paper and Pencils
- Additional Equipment
- Participant Worksheets



*Legal Issues for
Managers*
by Mike DeBlieux

Trainer's Instructions for Using the Book **Legal Issues for Managers**

Group Training Sessions

Legal Issues for Managers, part of Provant Media's How-To Book Series, is an excellent complement to your group training session. In this guide, we have included an exercise from *Legal Issues for Managers*. To use the book effectively, you may:

- Use the exercises we have developed for this course, incorporate other exercises from the book that you feel better meet the needs of your organization, or use a combination of both.
- Assign reading of an entire chapter of the book that covers an area you wish to emphasize in your session.
- Assign reading of the entire book and completing of assigned exercises.

Self-Study

No time to call everyone together for training? No problem—Provant Media has made training even easier with its self-study programs. By combining the effectiveness of the video *Beyond Sexual Harassment* and Provant Media's How-To Training Book *Legal Issues for Managers*, your employees can improve their skills through self-guided study.

Written in a user-friendly, easy-to-understand style, the book includes interactive exercises in each chapter to help the reader process the information and put it into action—ensuring that the information makes an impact.

On-the-Job Reference Tool

Providing copies of the book to each training participant allows you to continue instilling the importance of improving workplace performance after your session is completed. The book is an excellent tool for continued learning and provides an easy, hands-on reference for use on the job.

Order discounted copies for all your session participants today by calling Provant Media at 1-888-776-8268.

Tips for Transferred Learning

Keep in mind the following tips when conducting any adult training. You may wish to review these tips and incorporate them into your session planning.

1. Adults learn when they feel they need to learn.

Discuss ways your training will help participants improve job performance by learning how to motivate employees.

2. Adults learn through practical application.

Use the exercises found in this Training Leader's Guide or create your own to give participants an opportunity to practice skills they can take back to their jobs. Also, provide reinforcement tools, such as copies of the How-To Book *Legal Issues for Managers*, for your participants to take back to their jobs for continued and reinforced learning.

3. Adults learn by solving realistic problems.

Discuss and analyze actual on-the-job situations. Allow the trainees to solve these real-life problems by using what they have learned.

4. Adults learn in an informal environment.

Design your training room to be as informal as possible. Avoid classroom-style seating. If appropriate, encourage training participants to wear casual clothing. Encourage discussion and interaction to make participants feel more comfortable.

5. Adults learn by different training methods.

Vary your training methods. Combine discussions, role-plays, case studies, self-evaluations, and action planning in your training session. Using a variety of methods reinforces your message and promotes audience involvement.

6. Trainers learn through follow-up methods.

Follow-up methods are crucial when determining the success of transferred training. Feedback from your participants' managers; follow-up surveys or training sessions; three-, six-, and nine-month skill-testing sessions; etc., can help you evaluate the information being used on the job site.

Possible Session Agendas

Two session agendas have been provided to help guide you through your session. You can modify these agendas to meet the needs of your participants. A blank agenda sheet is also provided if you wish to create your own agenda.

1 1/2-Hour Session

Activity	Time	Page
Introducing the Session to Participants	10 minutes	18
Video Case Study Discussion	55 minutes	23
Exercise from the Book <i>Legal Issues for Managers</i>	20 minutes	33
Session Evaluation Form	5 minutes	

3-Hour Session

Activity	Time	Page
Introducing the Session to Participants	10 minutes	18
Harassment Overview	15 minutes	19
Guidelines for Managers Discussion	15 minutes	21
Guidelines for Managers Exercise	15 minutes	22
Break	5 minutes	
Video Case Study Discussion	55 minutes	23
Exercise from the Book <i>Legal Issues for Managers</i>	20 minutes	33
Break	5 minutes	
Past Experience Exercise	15 minutes	34
Posttraining Survey	15 minutes	35
Acknowledgement of Harassment Training	5 minutes	36
Session Evaluation Form	5 minutes	

Trainer's Personalized Session Agenda

You may want to plan a session that is different from the agendas provided on page 12. Below is a blank agenda to assist you in outlining your session.

Activity	Time	Page
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Invitation Memo to Participants

This memo can be sent to your participants approximately one to two weeks prior to your training session. Modify the memo to fit your specific needs.

(Today's Date)

TO: (Participant's Name)
FROM: (Trainer's Name)
RE: ***Beyond Sexual Harassment*** Training Session

Business has made strides in preventing and effectively dealing with sexual harassment through education and awareness. But you may not realize that the law protects all employees from many forms of harassment that go ***Beyond Sexual Harassment***.

Everyone loses when harassment occurs. It affects productivity and lowers morale at all levels of an organization. Most importantly, it can even result in a lawsuit. Everyone has the right to work in an environment free from harassment and to be evaluated solely on his or her work performance.

On (insert date), we will be holding a training session to explain our policy regarding harassment issues, discuss how they affect you, and review common situations that may or may not be harassment. The session will be held at (insert location). During the session you'll learn to:

- Identify behaviors that can be considered harassment.
- Explain the effects that harassment has on people.
- Discuss and examine personal feelings about harassment.
- Promote the concept that harassment of any type is a form of discrimination and will not be tolerated.
- Discuss this organization's policies and procedures related to harassment.

To help us get the most out of our training session, please take the time to complete the enclosed Pretraining Survey and return it to me by (insert date). Your honest responses to the questions will help us place emphasis on critical areas.

Please mark your calendar so you can attend this very important training session.

Thanks!

Trainer's Instructions for the Pretraining Survey



1. Complete the Invitation Memo to Participants (page 14), and send it along with a copy of the Pretraining Survey (included with Participant Materials) to each participant. Ask participants to complete the survey and return it to you at least five days before the training session.
2. Use the Pretraining Survey to evaluate the needs of your participants. This survey will allow you to design the training session to emphasize areas or topics of importance.
3. A Posttraining Survey is also provided for use at the end of the training session, to determine if your training goals have been met or if further education and training are necessary.

***Beyond Sexual
Harassment***

T r a i n i n g M a t e r i a l s

Introducing the Session to Participants

Trainer's Instructions



Time Required:

- 10 minutes

Materials Needed:

- Overhead 1

Objective:

- To introduce participants to each other and create an environment conducive to learning.
-

1. Read or paraphrase:
Over the past several years, a great deal of attention has been focused on sexual harassment, and businesses have made strides in preventing and effectively dealing with it.

But did you know that the law protects us from many forms of harassment that go *Beyond Sexual Harassment*? What other forms of harassment can you think of?

(Religion, age, gender, sexual orientation, disability...)

Everyone loses when harassment occurs. It affects productivity and lowers morale at all levels of an organization. Everyone has the right to work in an environment free from harassment and to be evaluated solely on his or her work performance.

During the session today, you'll have the opportunity to learn to:

- Identify behaviors that can be considered harassment.
- Explain the effects that harassment has on people.
- Discuss and examine personal feelings about harassment.
- Promote the concept that harassment of any type is a form of discrimination and will not be tolerated.
- Discuss this organization's policies and procedures related to harassment.

Are there any questions regarding the objectives before we get started? If not, let's take a moment and introduce ourselves.

2. Ask participants to introduce themselves and briefly explain their jobs.
3. After all participants have finished their introductions, introduce yourself to the group. Then review the agenda for the session. Point out the break times and nearest restrooms and telephones for their use.



Harassment Overview

Trainer's Instructions



Time Required:

- 15 minutes

Materials Needed:

- Overhead 2

Objective:

- To generate group discussion regarding individual views on the topic of harassment.

1. Read or paraphrase the following:

***Harassment* can be defined in many ways. Before we get started, we need to all agree on a common definition. Let's take the time to discuss harassment as a group.**

2. Have a large group discussion about each of the questions below. Overhead 2 has the questions available for projection. Depending on group size, you may want to break into smaller groups to discuss each question, then return to a large group to share reactions.

1. Describe what harassment on the job means to you.

Harassment can be physical or verbal actions that slander or show hostility toward other people because of their differences. Harassment creates an offensive, intimidating working environment and/or negatively affects a person's work performance or employment opportunities.

2. Is there a "stereotypical" harasser, and how can one be identified?

There is really no typical harasser. Some sources give characteristics of typical or potential harassers, but there can be no positive identification until the harassment is committed. Anyone can harass, just as anyone can be a target of harassment regardless of sex, sexual preference, age, or professional position.

3. How would you as a manager be liable for harassment?

Depending on the circumstances, you and your organization can be held liable when:

- You knew or should have known of these forms of harassment.
- Your organization failed to institute and enforce an explicit policy that prohibits all types of harassment.
- You and your organization failed to educate your employees on the importance of nondiscriminatory treatment of others.
- You and your organization failed to make procedures for making a formal harassment complaint available to all employees.

4. What do most people want as a result of filing a harassment claim?

Studies show that the majority of these people just want the harassment to stop. More and more people are filing complaints with employee-rights agencies like the EEOC because employers fail to take action. It's interesting to note that the majority of people who have been harassed quit or transfer out of the offensive work environment.

5. How can harassment be prevented?

Of course, the best method to stop harassment is to prevent it from happening. Prevention begins with education and an attitude that harassment in any form will not be tolerated.



This program focuses on what you and your organization can do to protect your employees from harassment and discrimination and to stay out of court.

Guidelines for Managers Discussion

Trainer's Instructions



Time Required:

- 15 minutes

Materials Needed:

- Overhead 3
- Guidelines for Managers Worksheet

Objective:

- To provide managers with up-to-date tools for handling harassment in the workplace.

1. Familiarize yourself with the following overhead material and use it in a discussion-based format. Allow extra time for further feedback from the participants.
2. Read or paraphrase:
In today's workplace, managers face legal challenges they never previously considered. It helps to have consistent guidelines to follow when facing these challenges. Let's take a few minutes to discuss each one.

Guidelines for Managers

1. **Watch what you say.**
Don't make jokes or comments that could be offensive to others. Imagine that a spouse or loved one is watching your actions. Would that person approve?
2. **Be oversensitive.**
If in doubt about appropriate behavior, ask your supervisor or someone in HR. If still in doubt, don't do it.
3. **Document all incidents.**
When incidents occur in the office, document them. Write down the who, what, where, and when of each incident and keep it on file.
4. **Be consistent.**
Don't grant some employees favors that others do not enjoy. Don't laugh at a joke one day and call it offensive the next.
5. **Take things seriously.**
All complaints should be documented and taken seriously, no matter what you believe to be true.
6. **Keep things job related.**
Focus only on job tasks when talking to employees about performance.
7. **Be aware of labor laws.**
Read trade journals and newspapers to stay current with the law.

Guidelines for Managers Exercise

Trainer's Instructions



Time Required:

- 15 minutes

Materials Needed:

- Overhead 3
- Guidelines for Managers Worksheet

Objective:

- To provide managers with up-to-date tools for handling harassment in the workplace.
-

1. Read or paraphrase the following:

Those guidelines sound easy enough, right? But we can easily bypass some of them when we get comfortable with a situation or circumstances get in the way of doing what's right. Let's look at the guidelines from a personal experience point of view.

2. Ask participants to break into groups of four.
3. Refer participants to their Guidelines for Managers Worksheet, and assign each group a guideline or two to discuss.
4. Have each group come up with an example of a situation where their guideline would assist in managing employees.
5. After 10 minutes, ask each group to share the situation they came up with and how their guideline could be used.
6. After each group has discussed its guideline, show and review Overhead 3.

Video Case Study Discussion

Time Required:

- 55 minutes

Materials Needed:

- *Beyond Sexual Harassment* Video
- Video Case Study Sheets for the trainer
- Paper and pencils for each participant

Objective:

- To show video and vignettes and discuss as a group.
-

Trainer's Instructions



1. Divide your participants into teams of four. Explain that they will be watching a series of video vignettes in which characters face possible harassment situations.
2. Before each vignette, read or paraphrase:
If you were faced with the following situation, what would you do? Write your thoughts on the piece of paper for each situation presented.
3. Play the first vignette.
4. Following the first vignette, stop the video and ask the questions found on the Trainer's Discussion Sheets. Give the groups 5 minutes to discuss the answers.
5. After 5 minutes, ask one person from each group to explain the group answers. After each series of questions, show the *Legal Viewpoint* as it relates to each situation.

Video Case Study 1—No Complaints



Show video to the next fade to black.

SCRIPT

Supervisor Maryann walks through the company locker room and finds Gloria, a Hispanic employee, wiping a lipstick-painted message off the locker room mirror. What partially remains of the message is “Go home Forei—.” Gloria is profiled and we see that she is not happy. Maryann stops briefly, thinks, and decides to continue on her way without talking to Gloria. As Maryann walks out of the locker room, she sees a group of women referring to the graffiti.

Sally: If she has to be here, she might as well be miserable.

Barbara: She won't last that long.

Ruthanne: How do I get this lipstick off my shirt?

Maryann shakes her head, but she still continues to walk on and not address the incident.

Later that day, John, a fellow supervisor, walks into Maryann's office.

John: I heard about the locker room artwork. What are you going to do?

Maryann: Nothing yet. She hasn't complained. Probably wants to handle it herself.



1. Could this situation be considered harassment? Why or why not?
2. What would you do if you were the supervisor?
3. What would you do if you were the offended employee?
4. What forms of harassment like this can you think of?

(State your organization's policy as it relates to this situation.)

This is likely harassment, and the company is liable regardless of whether the harassed woman makes a complaint or not. The supervisor clearly saw the offending ethnic graffiti and the woman's reaction. This supervisor should have immediately addressed this situation. By failing to do so, she places her company and herself in jeopardy of legal exposure on a civil rights charge.

A supervisor should talk with the victim to find out what she knows about the incident—who did it and whether it has happened before. In this situation, the supervisor had a pretty good idea of who the offenders were and should have immediately investigated, determined responsibility, and began progressive discipline—informing each offender of what she did wrong and the consequence if the behavior continues. Of course, everything should be documented.

Legal Viewpoint



Video Case Study 2—Truth or Tale

Show video to the next fade to black.

SCRIPT

LUNCH ROOM

Bill walks into the lunch room. He greets two of his coworkers. When he passes them, the camera stops for a moment to hear what the people are saying about him.

Person One: Did I tell you what my sister said?

She shakes her head “no.”

Person One: She works at the clinic. Said he asked for an AIDS test.

Person Two: Well, look at him. He’s got to be positive.

In another situation, Bill passes a folder to a coworker. As he leaves, his coworker leans over to another.

Person Three: I’ve never worked with someone with AIDS. Have you?

CONFERENCE ROOM

Two managers are talking about whom to place on a new team that they are developing.

Manager One: I think that we should hold the team to five.

Manager Two: Agree. More than that makes it difficult to get anything done.

Manager One: Okay, we have someone from supply—Lisa Wilson—and research—Ed Morgan. We need a customer service rep.

Manager Two: Hey, what about Bill? He’s a hard-working kid.

Manager One: Not a good idea from what I heard.

Manager Two: Heard about what?

Manager One: Heard he’s got AIDS.

Manager Two: Maybe not such a good idea.



1. Could this situation be considered harassment? Why or why not?
2. What would you do if you were the supervisor?
3. What would you do if you were the offended employee?
4. What forms of harassment like this can you think of?

(State your organization’s policy as it relates to this situation.)

A person with AIDS or persons who have tested HIV-positive are generally protected by disability discrimination laws. Here, this man has clearly been denied an employment opportunity based on an actual or perceived disability. This organization could be held liable for illegal harassment.



Video Case Study 3—Behind the Times?

Show video to the next fade to black.

SCRIPT

WORK AREA/FINANCIAL AREA

Frederick Anderson is going about his business when his supervisor, Ron, greets him with. . .

Ron: Freddy, what's this?

Frederick: The report you asked for, of course.

Ron: It's handwritten. You've got two or three spreadsheets on your computer. Are guys like you scared of 'em or something?

Frederick: Is there a problem? Are they not correct?

Ron: They're behind the times.

Frederick: Are you saying that I'm not doing my job well?

Ron: You do well what we needed you to do ten years ago. But today you're slow. . . always behind the eight ball.



1. Could this situation be considered harassment? Why or why not?
2. How would you have handled it if you were the supervisor?
3. What would you do if you were the employee?
4. What forms of harassment based on age can you think of?

(State your organization's policy as it relates to this situation.)

This could be considered harassment based on age if this manager's comments about the older man being slow or behind the times can be tied to other evidence of age bias. However, the problem could actually be a performance issue. Still, communicating abusively like this is unprofessional and a legally risky way to communicate.

If you hear someone talking to anyone in the organization in a way that you question, remind them or their supervisor that your organization doesn't condone using abusive language for any reason.

If you find yourself in a difficult situation with any of your employees, think about what you plan to say. Make sure that you speak only about job-related issues. If you are unsure about how to handle a situation correctly or what you can and can't talk about—consult with your boss or someone in HR.

Legal Viewpoint

Video Case Study 4–The Bully



Show video to the next fade to black.

SCRIPT

EXTERIOR: OFFICE AREA

Small, young, Caucasian, Joe is going about his business when an oversized bully, Roy, makes a comment and suggestion about Joe's appearance.

Roy: How many times do I got to tell ya, that thing makes you look like a nerd?
Roy removes the protector from Joe's pocket.

Joe: Don't do th—
Roy interrupts him.

Roy: There you go. You look much better.
Roy laughs and walks off. Louanne, who has observed Roy's antics with Joe, steps forward to make a comment.

Louanne: Joey, you gotta do something about him.

HR OFFICE

Louanne and Joe are meeting with someone in HR.

Louanne: I know this might seem funny to you, but Roy picks on him all the time. I told Joe I'd be his witness.

Rona: Okay, Joe, can you tell me what's happened before this?

Joe: If he didn't do something to me almost every day, it wouldn't bother me so much.

Rona: I know, I know. Can you tell me some specifics?

Joe: He—Roy thinks it's cute to rearrange things on my desk—so I think I'm going crazy or something.

Louanne: Tell her about your computer.

Joe: Last week, he got on my computer. Changed a bunch of stuff and kinda messed up my system. Total disorganization.

Rona: Well, it does seem like Roy's becoming a problem...



1. Could this situation be considered harassment? Why or why not?
2. What would you do if you were the supervisor?
3. What would you do if you were one of the employees?

(State your organization's policy as it relates to this situation.)

Continued

**Legal
Viewpoint**

In this case, the prankster is creating a hostile environment for his coworkers. But because his actions are not directed exclusively toward one protected class, this would likely not be illegal harassment under Title VII. However, an organization should know that this person's behavior is a severe problem, and disciplinary action should be taken. His pranks may not harass people so equally the next time. . .

Document all statements from the victims and any witnesses regarding the prankster's actions. He should also be given a written warning. Explain that the behavior is not acceptable, and describe the consequences if he does not stop.

Video Case Study 5–Jab for Jab



Show video to the next fade to black.

SCRIPT

HALLWAY

Tommy O'Hara, an Irish-American with flaming red hair, is walking down a hallway very preoccupied and looking somewhat angry at someone or something. Layona, an African-American employee who is dressed in a bright ethnic outfit, walks toward him and offers a comment about his mood.

Layona: Tommy, calm down, boy. Is that Irish temper of yours flaring up a bit, eh?
Tommy responds testily.

Tommy: You mind your business. I mind mine. Okay?
Layona is smiling and playful.

Layona: Oo, Oo, Ooo. Red hair, hot temper.
Tommy really doesn't seem to mind the jabbing, so he plays along and jabs back.

Tommy: Hey, by the way—great jungle outfit!



1. Could this situation be considered harassment? Why or why not?
2. What would you do in this situation?

(State your organization's policy as it relates to this situation.)

Legal Viewpoint

Clearly, the comments made by each of the employees address race and national origin, two protected classes under the civil rights statutes. But here, there is likely no harassment because both parties willingly participated and appeared to enjoy the interchange. Still, these kinds of abusive interchanges can lead to more heated conversations, and they could also involve and offend other staff members.

If you hear abusive comments such as these, even if they appear innocent at the time, talk to the people involved and ask them to stop.

Video Case Study 6–Too Big a Job



Show video to the next fade to black.

SCRIPT

MANUFACTURING ENVIRONMENT

A worker is just about to pick up a 50-lb. bag of plastics, when she hears:

Jason: Blondie, hey BLONDIE. Hold up.

Tammy turns to talk to him before she picks up the bag.

Jason: That's too big a job for a girl like you. Don't want you breaking anything.

Yells over to Tom.

Jason: Hey, Tom. Get over here and get this stuff.

Tammy tries to interject.

Tammy: Look, I can do it.

Jason: Not on my shift.

Tammy: But. . .

Jason: Don't be stupid. That's man's work. Get. Get going.



1. Could this situation be considered harassment? Why or why not?
2. What would you do if you were the supervisor?
3. What would you do if you were the employee?
4. What forms of harassment like this can you think of?

(State your organization's policy as it relates to this situation.)

Legal Viewpoint

Stereotypes about what physical job-related functions a woman can and cannot do can give serious rise to illegal discrimination based on gender. A job may have legitimate lifting requirements that are essential job functions that might exclude some women. However, the opportunity must be given to prove their abilities if they choose to apply for or hold such positions. It is extremely rare that a job can be legitimately classified as one "for males only."

The supervisor in this situation should be clearly informed of the organization's policy on discrimination and told the consequence of not supporting that policy in the way he manages his employees.

Video Case Study 7—The Phrase That Pays



Show video to the next fade to black.

SCRIPT

ROBIN'S CUBICLE

Ernie and Robin are entering their cubical to begin the day.

Robin: Best get started, eh?

Ernie starts to move on but remembers something.

Ernie: Oh, before I go, let's see what it is today. As the big guys say, we must always start the day with the phrase that pays.

Robin complies by turning on her computer. Ernie pokes his head closer to her monitor. An initial screen pops up that reads THE PHRASE THAT PAYS.

Robin: I've actually tried to get it off my computer. But they said they won't accommodate the system just for me.

The screen turns from THE PHRASE THAT PAYS title page to the date and phrase.

Robin: Jesus said, "Everything is possible for him who believes." Mark 9:23.

Robin turns to her coworker.

Robin: Yet another "Christian" quote. Do I need to convert to get ahead in this place?

Ernie starts to walk away—to start his day.

Ernie: Oh, just ignore it, no big deal.

Robin turns to her computer and pulls up her work screen.

Robin: No big deal to who?



1. Could this situation be considered harassment? Why or why not?
2. What would you do in this situation?
3. What forms of harassment like this can you think of?

(State your organization's policy as it relates to this situation.)

According to law, an employer can't force a religious viewpoint on employees or show a preference for one religion over another.

What should you do in situations similar to this? The best prevention at work is for everyone to keep their religious preferences to themselves. An organization and its representatives should never give their employees religious perspective in any form—verbal or written. If you see it happening, take action to have it stopped. And if your organization hasn't done so, make a strong recommendation that it institute or restate its policies regarding discrimination.

Legal Viewpoint

Video Case Study 8–Trouble



Show video to the next fade to black.

SCRIPT

HOSPITAL CORRIDOR

A group of male and female coworkers are chatting when Ruth walks up to the nurses' station. The entire group quiets down and quickly disbands, leaving Ruth to feel like an outsider. Ruth decides to confront the behavior and runs after a fellow coworker.

Ruth: Connie, Connie. Wait up.

Connie slows and finally stops.

Ruth: This is ridiculous. You and I used to be friends. What happened?

Connie looks around to see if anyone is watching.

Connie: Look, Ruth, I can't afford trouble. I need this job.

Ruth: So, what's that got to do with me?

Connie: You stir things up that shouldn't be. I don't want to be connected and neither do the rest. Okay?

Ruth: No, not okay. Is the "trouble" the claim I made against the hospital a couple of months ago?

Connie doesn't respond, but her face tells the story.

Ruth: I didn't tell anyone, who told you?

Connie: I just do what I'm told, and I'm told to stay away from you. Sorry.



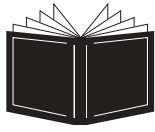
1. Could this situation be considered harassment? Why or why not?
2. What would you do if you were the offended employee?
3. What forms of harassment like this can you think of?

(State your organization's policy as it relates to this situation.)

Legal Viewpoint

It appears that this woman's working conditions have deteriorated after making a harassment complaint and could be illegal harassment based on retaliation.

An organization cannot retaliate against any of its employees for charging, testifying, assisting, or participating in an investigation or proceeding related to a formal or informal harassment charge. Retaliation can take on many forms such as alienation, demotions, lack of future promotions, or termination.



*Legal Issues for
Managers*
by Mike Deblieux

Trainer's Instructions



Exercise from the Book **Legal Issues for Managers**

Time Required:

- 20 minutes

Materials Needed:

- Provant Media How-To Book—*Legal Issues for Managers*

Objective:

- To create a better understanding of the definition of harassment and how it affects the workplace.
-

1. Read or paraphrase:

Harassment in the workplace is something that happens in many ways, shapes, and forms. Before we continue on, let's take a look at what the author of our book *Legal Issues for Managers* has to say about harassment to raise awareness within our working environments.

2. Have participants read pages 29-33 of the book *Legal Issues for Managers* and complete and discuss the Take a Moment exercise found on page 33.
3. Follow up with any related points and allow time for questions and answers.

Past Experience Exercise

Trainer's Instructions



Time Required:

- 15 minutes

Materials Needed:

- None

Objective:

- To verbalize the learning that has taken place.
-

1. Read or paraphrase the following:
Today we have discussed a variety of issues relating to harassment. Now we will have an opportunity to learn from one another's past experiences. As part of this company's management team, we can gain valuable knowledge when we use one another as a resource and "sounding board"...
2. Divide participants into small groups.
3. Ask each participant to think of a situation he or she has witnessed that may be considered harassment and share it with the other members of the group, keeping in mind the need to be discreet.
4. Ask each group to decide how they would handle the situation if it happened again.
5. Have one member from each group describe one of their situations and how they decided to handle it.
6. Offer suggestions if their actions are not in line with your organization's policy.

Posttraining Survey

Time Required:

- 15 minutes

Materials Needed:

- One copy of the Posttraining Survey for each participant

Objective:

- To evaluate the effectiveness of the training session.
-



1. Read or paraphrase the following:
This worksheet is designed to evaluate the effectiveness of this training session. It will help us determine what areas we need to improve for future sessions. Your honest response to these questions is appreciated. In no way will it be used to penalize you.
2. Distribute the Posttraining Survey (included in the Participant Materials) and give participants time to complete it. Collect completed surveys from each participant. If time allows, discuss answers as a group. Answers will vary for each participant.

Posttraining Survey

1. Describe what harassment on the job means to you.
2. Is there a “stereotypical” harasser, and how can one be identified?
3. How would I as a manager be liable for harassment?
4. What do most people want as a result of filing a harassment claim?
5. How can harassment be prevented?
6. What are our organization’s standard operating procedures when it comes to harassment?
7. List the various types of harassment as defined by the session
Beyond Sexual Harassment.
8. T or F
 Statistically, when employees make a formal complaint regarding harassment, they likely want a cash settlement.

Acknowledgement of Harassment Training

Trainer's Instructions



Time Required:

- 5 minutes

Materials Needed:

- One copy of the Acknowledgement of Harassment Training Handout

Objective:

- To obtain written documentation stating each participant has completed the course.
-

1. Read or paraphrase the following:

Harassment will not be tolerated in our work environment. Let's take a moment to review our organization's policy once again concerning harassment.

By signing and acknowledging your training here today, we are confident that harassment is on the way to being obsolete in our organization. This acknowledgement will be in your employment file in the human resources department.

2. Give participants time to read and sign the statement.
3. Collect the statements and forward them to your human resources department or the appropriate party.

Follow-up Memo

The memo below should be personalized and sent to each participant's manager (when appropriate) one to two weeks after your training session. By following up in this manner, you are providing your training session material an opportunity to work in the participant's work environment.

(Date)

TO: (Participant's Manager)
FROM: (Your Name)
RE: ***Beyond Sexual Harassment*** Training Session

Earlier this month, a member of your department attended a training session that talked about harassment in the workplace. The objectives of the training session were to enable participants to:

- Identify behaviors that can be considered harassment.
- Learn the effects that harassment has on people.
- Stimulate discussion and examine personal feelings about harassment.
- Promote the concept that harassment of any type is a form of discrimination and will not be tolerated.
- Discuss our organization's policies and procedures related to harassment.

Your help is needed to ensure that your employee has an opportunity to put the ideas that he/she learned in this session to work within your area. To help with this, you are asked to take the following actions:

- Encourage your employee(s) to use the survey he/she/they received and used during the training session.
- Ask him/her/them for their impressions of the training session.
- Give feedback to me on the positives/negatives you see regarding the training session.

Your help in this matter will assist in the transfer of training as well as improve the skills of your employee, which in turn will improve your department.

If you have any questions, please contact me at ext. (###).

*Beyond Sexual
Harassment*

P a r t i c i p a n t M a t e r i a l s

Guidelines for Managers Worksheet

INSTRUCTIONS: You will be asked to break into small groups and discuss a few of the points listed below. Use this sheet as a reference and note-taking source.

1. Watch what you say.
2. Be oversensitive.
3. Document all incidents.
4. Be consistent.
5. Take things seriously.
6. Keep things job related.
7. Be aware of labor laws.

Acknowledgement of Harassment Training

I acknowledge that on _____, _____, I attended harassment training entitled *Beyond Sexual Harassment*.

I understand my organization's policy on harassment. I also understand that:

1. I have the right to work in an environment free from harassment.
2. I have the responsibility not to engage in behaviors that constitute harassment.
3. If I feel I am being harassed, I have the right and responsibility to communicate this directly to the appropriate party.

Signed _____

Please Print Name _____

Date _____

Posttraining Survey

Instructions: The questions listed below highlight key points from your *Beyond Sexual Harassment* training session. Consider the questions and write your answers in the space provided.

1. Describe what harassment on the job means to you.
2. Is there a “stereotypical” harasser, and how can one be identified?
3. How would I as a manager be liable for harassment?
4. What do most people want as a result of filing a harassment claim?
5. How can harassment be prevented?
6. What are our organization’s standard operating procedures when it comes to harassment?
7. List the various types of harassment as defined by the session *Beyond Sexual Harassment*.
8. T or F
Statistically, when employees make a formal complaint regarding harassment, they likely want a cash settlement.

Session Evaluation Form

Beyond Sexual Harassment

Instructions: Please circle the number that best describes your evaluation of the training session.

	Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
This training program concentrates on the importance of keeping the work environment free from harassment.	5	4	3	2	1
This training program helped me identify all forms of harassment.	5	4	3	2	1
As a result of this program, I am more confident in my ability to understand my organization's policy on harassment.	5	4	3	2	1
The objectives of the program were clearly presented.	5	4	3	2	1
Opportunities to ask questions and discuss issues were sufficient.	5	4	3	2	1
The session was well organized.	5	4	3	2	1

The best part of this program was: _____

This program could be improved by: _____

Additional comments: _____

I would recommend this session to others. (circle one) **Yes** **No**

*Beyond Sexual
Harassment*

O v e r h e a d s

Learning Objectives

During this training session, you'll learn to:

- **Identify behaviors that can be considered harassment.**
- **Explain the effects that harassment has on people.**
- **Discuss and examine personal feelings about harassment.**
- **Promote the concept that harassment of any type is a form of discrimination and will not be tolerated.**
- **Discuss this organization's policies and procedures related to harassment.**

Common Questions

- 1. Describe what harassment on the job means to you.**
- 2. Is there a “stereotypical” harasser, and how can one be identified?**
- 3. How would you as a manager be liable for harassment?**
- 4. What do most people want as a result of filing a harassment claim?**
- 5. How can harassment be prevented?**

Guidelines for Managers

- 1. Watch what you say.**
- 2. Be oversensitive.**
- 3. Document all incidents.**
- 4. Be consistent.**
- 5. Take things seriously.**
- 6. Keep things job related.**
- 7. Be aware of labor laws.**