



Harassment & Discrimination

“I will be conscious of the fact that everything I do, directly or indirectly, has the potential to reflect upon Volunteers of America of North Louisiana as a whole.”

Code of Ethics, *Personnel Policies*

PLEASE NOTE!

When you have completed this training, you will be directed to access the test via a link in the final slide.

Welcome

Understanding unlawful harassment and discrimination in the workplace allows us to protect our agency, those around us, and ourselves from involvement in an inappropriate or illegal situation.

Objectives

1. To recognize potential harassment and discrimination.
2. To know how to report and assist with resolving harassment.
3. To understand your responsibility in creating a harassment-free environment.

Know Your Rights

“Volunteers of America of North Louisiana will not tolerate verbal or physical conduct by any employee which **harasses, disrupts, or interferes** with another's work performance or which creates an **intimidating, offensive, or hostile** environment.”

Inappropriate Workplace Conduct, *Personnel Policies*

Scenario

Tom always sits with the same people in the break room at lunch. He likes to tell off-color jokes, and everyone at the table laughs loudly. Sam used to sit with Tom and the others, but he moved to another table when the jokes continued. It's fairly obvious that he doesn't care for Tom's jokes, but he never complains. One day Tom tells a particularly offensive joke and says, "Hey, Sam! I'll bet you wanted to laugh at that, didn't you?"

Is this harassment?

What is harassment?

Harassment vs. Unlawful Harassment

Unlawful harassment must be...

- Related to a protected category.
- Unwelcome
- Severe OR pervasive
- Offensive to a reasonable person in the recipient's position

Protected Categories

Age

Disabilities

Ethnicity or Race

Gender

Medical Conditions

Sex

Sexual Orientation

Skin Color

“Unwelcome”

Does the recipient, the person experiencing harassment, find the particular statements or conduct acceptable or unacceptable in the workplace?

“Reasonable Person”

- A reasonable person is someone in the same protected category and situation as the offended person.
- A reasonable person may be offended even when the harassment is directed at someone else.

“Severe or Pervasive”

- Severe behavior – is a **single** incident that is extremely offensive to the recipient of the conduct.
- Pervasive behavior – is a **pattern** or **conduct** that involves constant, continuing or repeated incidents of harassment.

Economic and Environmental

- Economic harassment – involves harassing behavior that results in a **monetary loss or significant changes in workload or assignment.**
- Environmental harassment – creates **adverse working conditions** but doesn't result in a tangible employment action. Can involve **jokes, comments or photographs** that interfere with an employee's work performance.

Sexual Harassment

“No supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's **employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development.**”

Inappropriate Workplace Conduct, *Personnel Policies*

Examples of Sexual Harassment?

- Comments about an individual's body
- Physical touch
- Sexual stories
- Sexual comments
- Sexually explicit materials
- Actions of a sexual nature

Examples of Sexual Harassment

THE MOST COMMON FORMS OF WORKPLACE SEXUAL HARASSMENT



Same-Sex Sexual Harassment

- Simply means the perpetrator of sexual harassment and the recipient are the same sex.
- Must occur because of the recipient's sex or gender, but does not need to be motivated by sexual interest.
- Can occur between heterosexual individuals.
- Usually, sexual orientation is not relevant

Third Parties

- Third-party harassment – Occurs when harassment is committed by an employee toward a non-employee
- Or if an employee reasonably feels that a hostile work environment has been created by the behavior of third-party members and the employee is the indirect victim of the harassment.

Quick Check

The local delivery driver comes into the office at least every other day with deliveries. The driver takes a liking to the new receptionist who is signing for the packages and asks her out once. The receptionist is not interested and says no. But our wannabe Don Juan takes it upon himself to woo the new receptionist. While not every day but usually once a week or so, the driver brings candies, flowers, cards, small stuffed animals just for the receptionist. The receptionist is not interested at all. Is this harassment?

What is discrimination?

- Discrimination is the practice of unfairly treating a person or group differently from other people or groups of people.

Skin Color, Race, and Ethnicity

- Harassment and discrimination can be based on an individual's skin color.
- Unless there are other circumstances, requiring an employee to do work related to a language they speak fluently is not harassment.
- Employment actions cannot be based on discriminatory requests by clients.
- Harassment laws protect individuals perceived to be of a certain race, national origin or religion, even if they are not members of that group.

Gender and Age

- Sex discrimination involves treating someone (an applicant or employee) unfavorably because of that person's sex. Discrimination against an individual because of gender identity, including transgender status, or because of sexual orientation is discrimination because of sex in violation of Title VII.
- It is illegal to discriminate against anyone over the age of 40. The law prohibits discrimination in any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, benefits, and any other term or condition of employment.

Medical Conditions and Disabilities

- Disabilities and genetic information are federally protected.
- Do not make comments about an individual's weight.
- Do not discuss a coworker's medical condition or disability, including intersex conditions.
- People perceived to be disabled are protected, even if they do not have a disability.
- An employer cannot discriminate based on genetic information about an individual or his or her family.
- Employers must make reasonable accommodations for employees with disabilities and protect their privacy.
- Medical conditions related to pregnancy are protected.

Quick Check

Is the following scenario an example of illegal discrimination?

In their monthly work group meetings, Mr. Blake always requires Liz to set up the meeting in the break room, provide coffee, and take notes. The work group consists of three supervisors: Liz, Tom, and Jack. Is Mr. Blake discriminating against Liz?

Don't rely on
your memory.

Write it down!



Don't be a
statistic.

Speak up!

SEXUAL HARASSMENT

sexual harassment

- is **behavior** that is not only unwelcome, but in most cases repeated
- means **bothering** someone in a sexual way
- the **goal** is not sexual pleasure, but gaining power over another
- is **defined** from the victim's point of view, not the harasser's

against the law

40% of female workers claimed to have been harassed at work, as opposed to **7%** of men.

60% of targets **TAKE NO ACTION.**

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Filing a complaint

Unlawful harassment situations may be resolved by...

1. Reporting the situation to a supervisor
2. Discussing the matter with Human Resources
3. Utilizing Ethics Hotline Number: **1-800-862-8482**

Employees should report suspected harassment as soon as reasonably possible.

After a complaint is made,...

- It cannot be retracted.
- Any supervisor aware of a complaint must act.
- HR must investigate the complaint.

Harassment Investigations

- Those being investigated are obliged to cooperate.
- Investigators must honor confidentiality.
- All involved should avoid retaliation.
- Complainants must not engage in inappropriate behavior toward their harasser.

Retaliation

- Retaliation laws protect harassment complainants and investigation participants.
- Ostracizing a coworker for filing an unlawful harassment complaint is retaliation.
- Situations of unlawful harassment can lead to workplace aggression or violence.

General Guidelines

1. Use common sense.
2. Be respectful toward others.
3. Remember your actions always affect others.
4. Treat people the way THEY want to be treated.

Final

Which of the following is an example of unlawful harassment and/or discrimination?

Scenario 1

Every day as soon as you go on break, your co-worker needs your help with something, and when you don't help him, he tells your boss and tries to make you look bad.

Scenario 2

Every week, your 22-year-old co-worker sends an email to the whole office with a joke about people that are over 50. The latest one was about how all baby boomers need hearing aids.

Scenario 3

You were late getting a report for a client to your boss. The client is angry and so is your boss. This is the first time it's ever happened, but now you're in trouble. She calls you in her office and raises her voice while telling you how you've disappointed her and lost the company money.

The New Golden Rule:

Treat others as *they* would want to be treated.

“I will treat everyone with dignity, worth, respect, concern, courtesy and fairness.”

Code of Ethics, *Personnel Policies*



Conclusion

Review Personnel Policies pages 18-21

Any questions or concerns regarding harassment and discrimination should be directed to

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Thank you!