

PERSONNEL

Tips for Revising Harassment Policies

Protect your staff, yourself and your city

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With the national notoriety of the “#MeToo” movement, many organizations are revamping their harassment and discrimination policies. Below is important information to consider when reviewing your policies and procedures.

There are two kinds of harassment:

- » **Quid pro quo**, in which unwelcomed terms and conditions of employment are made contingent on sexual favors by those who make decisions about employment status or benefits.
- » **Hostile work environment**, in which conduct unreasonably interferes with someone’s work performance or creates an intimidating, hostile or offensive environment.

EDUCATE YOUR EMPLOYEES

As an employer, you must recognize that employees have the right to work in a safe, respectful and harassment-free environment. It is your responsibility to document and train staff on the identification and proper handling of harassment. The training should include:

- » A definition of harassment
- » Information on how to recognize and prevent it (In about 90 percent of cases, if an employee asks someone to stop, they do)
- » Detailed steps on how to report it
- » Guidelines on how an investigation is conducted
- » An explanation of your zero-tolerance policy

INCLUDE IN YOUR POLICIES

Seek the opinion of human resource experts, including human resource attorneys, to make sure the harassment policy covers all bases, such as:

Purpose of the policy. Include language regarding the culture of your organization.

Definition of harassment. It is strongly suggested to use language from the Equal Employment Opportunity Commission in the definition.

Definition of what conduct is prohibited. Include examples, such as unwelcomed advances; touching; sexually explicit

statements, comments or jokes; sexually suggestive objects or pictures; and improper and harassing use of electronic mail or the telephone system. There are many more. You should include as many as possible.

Retaliation. It is extremely important to include the following statement: “Retaliation is prohibited and will not be tolerated by the organization.” Most employees are hesitant to come forward because they think their supervisor will then treat them differently.

The employee’s obligation. It is each employee’s responsibility to help eliminate all forms of prohibited discrimination and harassment. Many organizations require department heads, managers and supervisors to report observed violations.

The process for reporting prohibited harassment or discrimination. There should be a step-by-step process outlined in the policy to direct an employee to report an incident in confidence.

OTHER CONSIDERATIONS

List certain staff positions that an employee should reach out to, or suggest they speak with someone they trust.

Develop a harassment complaint form, and include a copy in your policy. Have the form filled out by the person taking the information. This form should include details of the incident: date, time, place and a summary of the event.

Utilize resources reasonably necessary to fully investigate allegations as quickly as possible.

Include in your policy what happens after the investigation. There should be notice of the investigation’s conclusion.

Once a final resolution is attained, corrective action or discipline must take place if warranted.

Following these steps can help provide a positive work environment and help protect your staff, yourself and your city.



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