

Dangerous Liaisons:
Supervisor-Subordinate
Relationships

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Preventing Sexual
Harassment in
Today's #MeToo World

So . . . what is “Harassment”?

State and federal laws and School District policy generally forbid two kinds of “harassment”:

- ❖ “Tangible Job Action” Harassment
- ❖ “Hostile Environment” Harassment

“Tangible Job Action” Harassment*

Generally, a “tangible job action” occurs when a harassing manager or supervisor **discharges, demotes, denies a promotion,** or makes other **significant** or **adverse** changes in an employee’s terms and conditions of employment ***as part of*** the harassment.

***It’s also often called “*quid pro quo*” (“this for that”) harassment.**

“Tangible Job Action” Sexual Harassment

Occurs when an person’s **submission** to sexual advances or other sexual conduct is a condition for **favorable** employment decisions, or the person’s **rejection** is the reason for **unfavorable** employment decisions.



“Hostile Work Environment” Sexual Harassment

- “Unwelcome” conduct
- Targets or affects the employee because of sex or gender
- Unreasonably interferes with an individual’s job performance or
- Creates a hostile, intimidating or offensive work environment

What is “unwelcome” conduct?



Harassing conduct is “unwelcome” if the person finds the conduct *offensive*, *undesirable*, and *uninvited*. It doesn’t necessarily mean that the person *complains* or *objects* to the harasser.

Intent vs. Impact

“Intent” – did the speaker mean to offend?

“Impact” – was the listener offended?

“Intent” DOES NOT MATTER!

We look at the **IMPACT** on others to determine whether conduct is “harassment.”

“Hostile Environment” Danger Zones



**Comments on
Appearance**

Nicknames

Stereotypes

Office Parties

Company Travel

Touching

Dating Other Employees

Cartoons



Pictures

Email

Internet Use

Posters

Clothing

Rumors

Jokes

Sarcasm

Innuendo



Something to Ponder . . .

31% of all sexual harassment EEOC complaints arise out of “consensual” relationships

Can *women* harass *men* in violation of our policy?

Can *same sex* harassment violate our policy?

Can harassment by *non-employees* violate our policy?

What *isn't* “harassment”?

“Harassment” IS NOT *proper* management.

Legitimate job instructions.

Constructive criticism.

Legitimate (even-handed) discipline.

Policy Forbidding Sexual Harassment

It is the intent of the School District to maintain an environment free from sexual harassment of any kind. Therefore, unwelcome sexual advances, requests for sexual favors, retaliation against persons involved in sexual harassment complaints and investigations, and other verbal and physical contact of a sexual nature amounting to or constituting harassment are prohibited.

Policy Forbidding Sexual Harassment

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, constitute sexual harassment when certain criteria are met:

- **submission is made either explicitly or implicitly a term or condition of employment or**
- **submission to, or rejection of, such conduct is used as a basis of employment decisions**

OR when such conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile or offensive working environment.

Stopping Harassment: What we *can't* do!



**But we *can*
help if you
follow these
guidelines!**



Stopping Harassment: What *You* Can Do!



Stopping harassment starts with taking action.

- Respond quickly, firmly, and professionally to unwelcome words or conduct.
- Make your feelings known. Do not suffer in silence!
- **Promptly report the misconduct under the policy!**



Stopping Harassment: What *You* Can Do!



If you witness harassment . . .

- Don't ignore conduct that appears to be harassment.
- Encourage the victim to **promptly report**.
- You must promptly report harassment *even if the victim does not*.

But I'm afraid to complain . . .

Policy Forbids Retaliation!

The School District will not in any way retaliate against an individual who makes a complaint of sexual harassment or against any participant in the investigation nor will it permit any supervisor, administrator, principal, or employee to do so. Retaliation is a serious violation of the sexual harassment policy and should be reported immediately. A person who engages in retaliatory conduct against another individual for reporting sexual harassment will be subject to disciplinary action up to and including discharge.



NO Retaliation: Don't Shoot The Messenger!

- Employees who complain or participate in harassment investigations must be treated just the same as non-complaining employees.
- You should **promptly report** perceived retaliation, such as unexplained drops in performance ratings, increased disciplinary action, missed promotions, threats, or uncooperative behavior.

**REPORT
Prohibited
Conduct!**

Reporting Sexual Harassment and Retaliation Under Our Policy

Complaints of violation of this policy should be *immediately reported* to an administrator without fear of reprisal. If your supervisor or administrator is the person you believed engaged in sexual harassment, report it to the director of human resources or _____.

Reporting Sexual Harassment: When?

Report immediately!

The sooner you report, the sooner we can “Nip it! Nip it in the bud!”



Reporting Sexual Harassment: **What?**

- You need to make a *full, complete* and *honest* report about what's going on.
- Tell what happened with as many *details* as possible.
- Report whether others in your work area witnessed the incident or are also being harassed.

So . . . to maintain a productive work environment, treat everyone with . . .

Trust,

Dignity,

and . . .

R-E-S-P-E-C-T!!



Picture by Harry Goodwin

Conclusion

- **Work together to continue and maintain our good working environment by respecting others.**
- **Follow our School's policy on reporting perceived harassment and retaliation.**
- **Remember that all complaints are taken seriously and will be handled sensitively and confidentially to the extent practicable.**