

Preventing Sexual Harassment Complaints

Gene La Suer
Davis Brown Law Firm



4 Keys to Preventing Sexual Harassment Complaints

- 🔑 Understand the Law
- 🔑 Train Your Employees
- 🔑 Investigate Complaints
- 🔑 Take Appropriate Action

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Understand the Law



- The Basics of Sexual Harassment
 - Form of Discrimination
 - Can be initiated by a supervisor, co-worker, volunteer, vendor or customer

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Quid Pro Quo

- Occurs when the harasser conditions an educational or job opportunity, academic advantage, job benefit or absence of a detriment on the victim's compliance with sexual demands
- Includes implicit and explicit threats/demands

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Hostile Work Environment

- Occurs when sexual harassment is a condition of school or work, which results in an intimidating, offensive, abusive or hostile atmosphere
- Includes intimidation, ridicule, jokes, insults that permeate the workplace
- Comments made to person because of gender
- General comments that are not specifically directed at the victim but produce a generally offensive atmosphere

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Verbal Conduct

- Raw and crude language
- Sexual jokes
- Discussion of inappropriate subjects
- Persistent requests for dates



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Non-Verbal Conduct

- Accessing inappropriate material on the internet or other media
- Standing too close or following someone
- Inappropriate gestures
- Elaborate personal gifts or cards
- Hugging, massaging, kissing



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But what if...

- I treat everyone that way
- I know my audience
- The person complaining liked it or participated in it
- People just need to lighten up



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Train Your Employees



- Check the provisions of your handbook
- Conduct regular trainings
- Provide annual reminders
- Make sure your managers understand and are alert to issues
- Have a thorough and well-known complaint procedure

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Investigate Complaints



- Take all complaints seriously
- Investigate promptly
 - Identify the right person to perform the investigation
- Document the investigation
- Handle confidentially but do not promise complete confidentiality
- Remind everyone that retaliation is prohibited
- Report results to complainant

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Take Appropriate Action

- How does the employer react if there is a complaint or inappropriate action
- What is the appropriate response
- What can be done to make things better for all employees

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Special Considerations

- What changes if complaint is made when employee is being disciplined for something else
- Ask employees to think about how they would feel about behavior if mother/minister/spouse was with them or if behavior was recounted on the front page of the newspaper
- Even if not “illegal” how does behavior impact other employees
- Even if you win the case, how much will it cost – in attorney fees, in lost time, attention away from work

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Thank you

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