

---

---

---

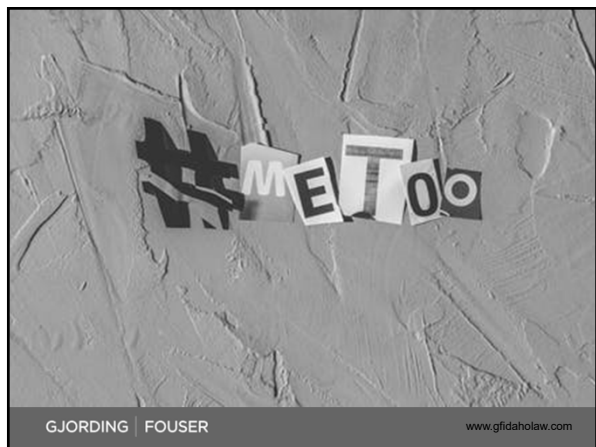
---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

---

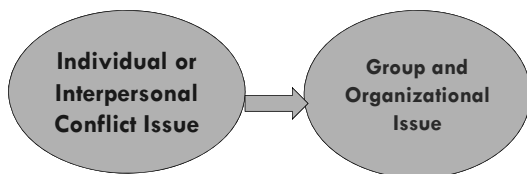
---

---

---

---

## Views of Harassment



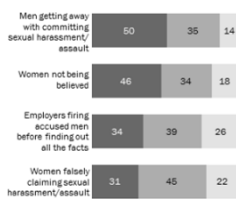
GJORDING | FOUSER

www.gfidaholaw.com

### Americans more concerned about men getting away with sexual harassment than men being fired prematurely

% saying each is \_\_\_ when it comes to sexual harassment and assault in the workplace today

■ A major problem ■ A minor problem ■ Not a problem



Note: Share of respondents who didn't offer an answer not shown.  
Source: Survey of U.S. adults conducted Feb. 26-March 11, 2018.  
"Sexual Harassment at Work in the Era of #MeToo"

PEW RESEARCH CENTER

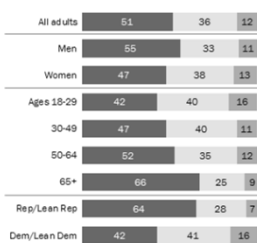
GJORDING | FOUSER

www.gfidaholaw.com

### About half say increased focus on sexual harassment has made it harder for men to interact with women at work

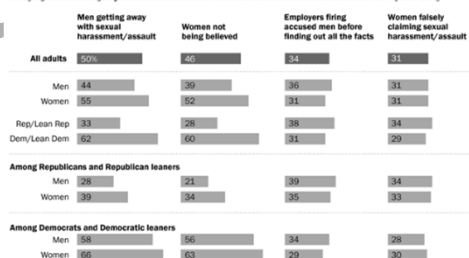
% saying the increased focus on sexual harassment and assault has made it \_\_\_ for men to know how to interact with women in the workplace

■ Harder ■ Not much difference ■ Easier



### Democrats far more likely than Republicans to see men getting away with sexual harassment and women not being believed as major problems

% saying each is a major problem when it comes to sexual harassment and assault in the workplace today

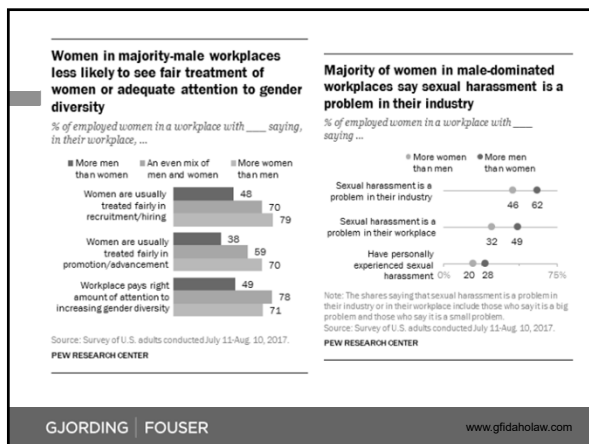


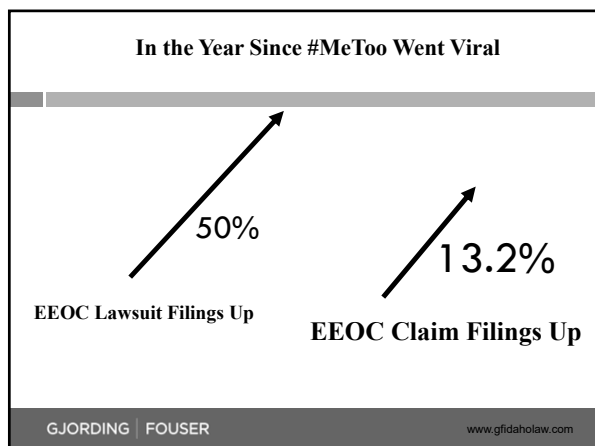
Source: Survey of U.S. adults conducted Feb. 26-March 11, 2018.  
"Sexual Harassment at Work in the Era of #MeToo"

PEW RESEARCH CENTER

GJORDING | FOUSER

www.gfidaholaw.com






---

---

---

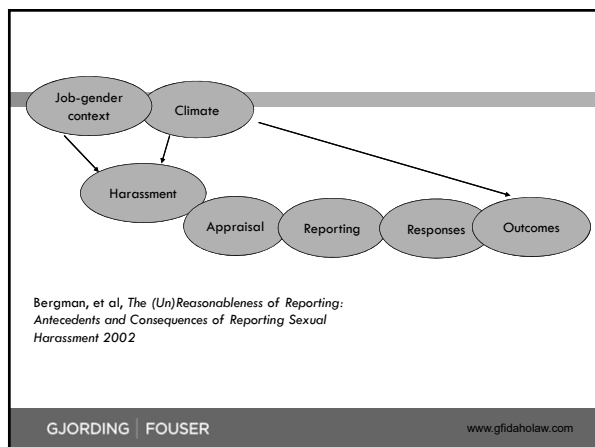
---

---

---

---

---




---

---

---

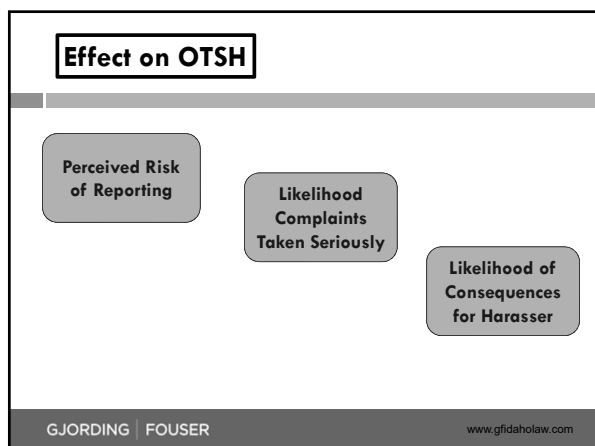
---

---

---

---

---




---

---

---

---

---

---

---

---

## Why It Matters



GJORDING | FOUSER

www.gfidaholaw.com

---

---

---

---

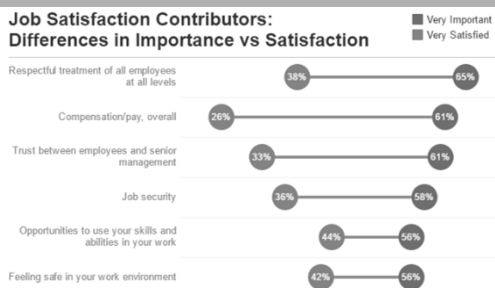
---

---

---

---

## Job Satisfaction Contributors: Differences in Importance vs Satisfaction



GJORDING | FOUSER

www.gfidaholaw.com

---

---

---

---

---

---

---

---

## Cost Of Turnover

Position	% of Annual Salary
Entry Level Non-skilled Worker	30 – 50%
Service/Production Worker	40 – 70%
Skilled Hourly	75 – 100%
Clerical/Administrative	50 – 80%
Professional	75 – 125%
Technical	100 – 150%
Supervisor	100 – 150%

GJORDING | FOUSER

www.gfidaholaw.com

---

---

---

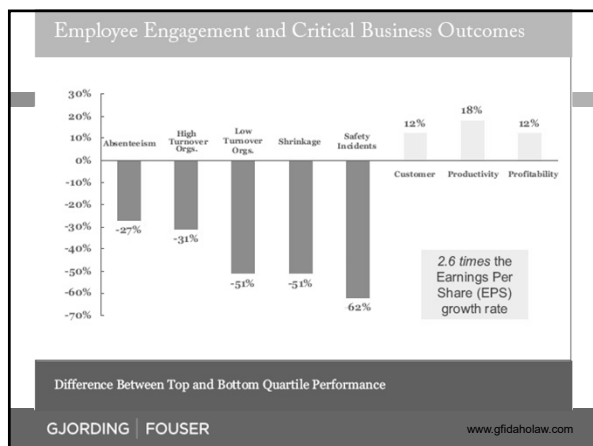
---

---

---

---

---




---

---

---

---

---

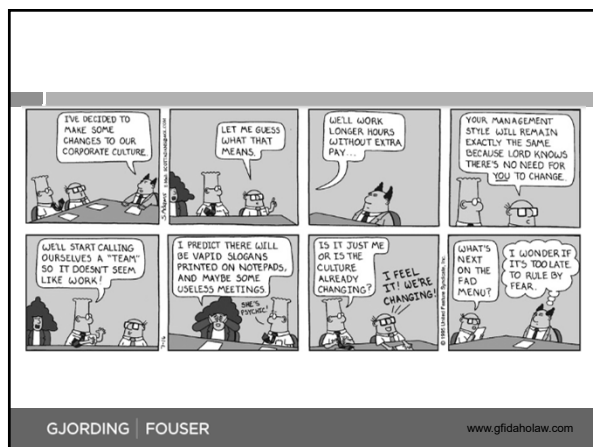
---

---

---

---

---




---

---

---

---

---

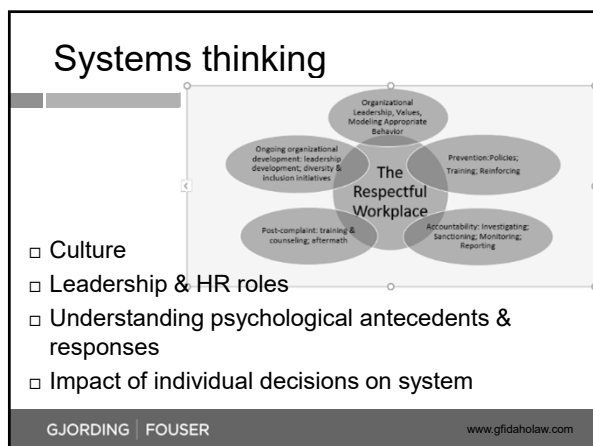
---

---

---

---

---




---

---

---

---

---

---

---

---

---

---




---

---

---

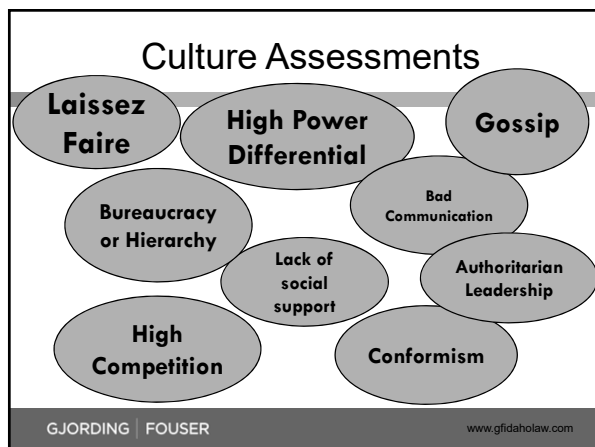
---

---

---

---

---




---

---

---

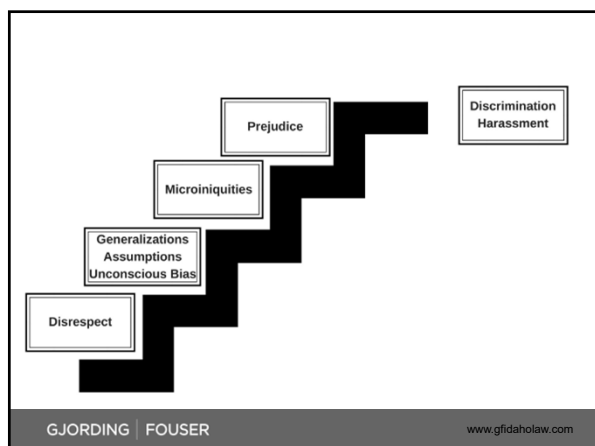
---

---

---

---

---




---

---

---

---

---

---

---

---






---

---

---

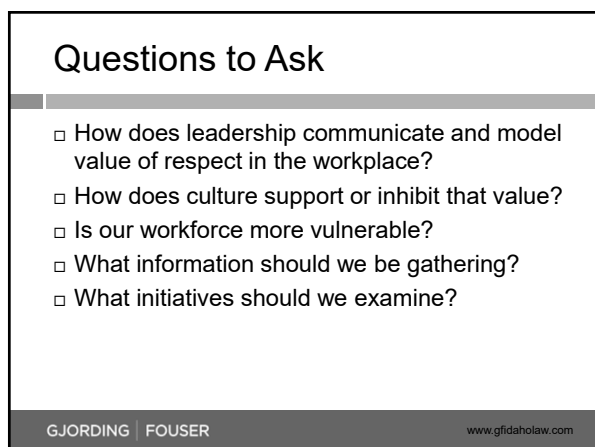
---

---

---

---

---




---

---

---

---

---

---

---

---




---

---

---

---

---

---

---

---




---

---

---

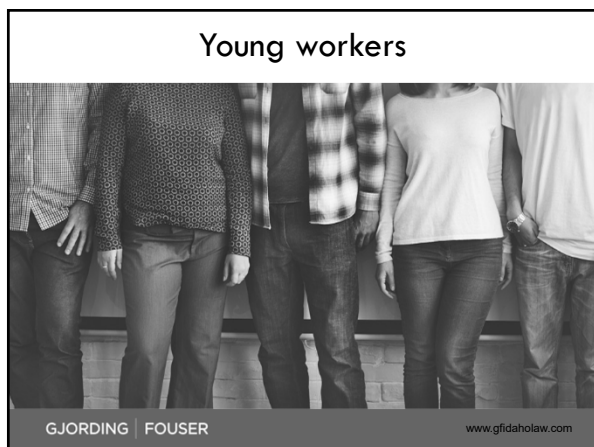
---

---

---

---

---




---

---

---

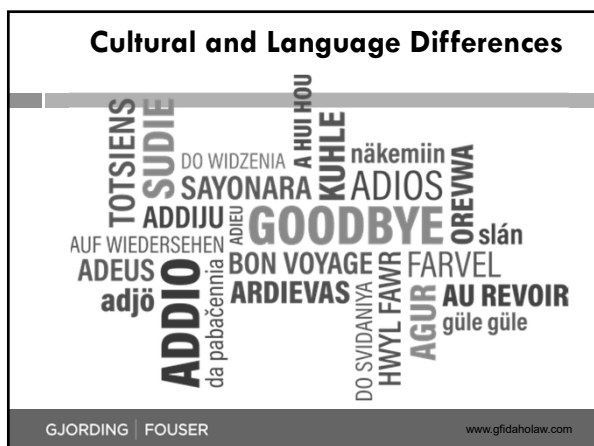
---

---

---

---

---




---

---

---

---

---

---

---

---

## More vulnerable workforces

- ❑ Coarsened social discourse
- ❑ Customer service or client satisfaction reliant
- ❑ Workplaces with monotonous tasks
- ❑ Isolated workplaces
- ❑ Tolerance of alcohol consumption
- ❑ Decentralized workplaces

GJORDING | FOUSER

www.gfidaholaw.com

---

---

---

---

---

---

---

---

## Transparency/Communication Strategies



GJORDING | FOUSER

www.gfidaholaw.com

---

---

---

---

---

---

---

---

## External Investigations



GJORDING | FOUSER

www.gfidaholaw.com

---

---

---

---

---

---

---

---




---

---

---

---

---

---

---

---




---

---

---

---

---

---

---

---




---

---

---

---

---

---

---

---

## Unconscious bias training

- Unconscious biases develop at an early age: biases emerge during middle childhood and appear to develop across childhood (Dore, 2014).
- Unconscious biases have real world effects on behavior (Dasgupta, 2004).
- Unconscious biases are malleable-one can take steps to minimize the impact of unconscious bias (Dasgupta, 2013; Dasgupta & Greenwald, 2013).

GJORDING | FOUSER

www.gfidaholaw.com

---

---

---

---

---

---

---

---

## Training Laws & Quality

- Most Studies: Current Training Not Effective to Change Behavior
- New Laws Requiring Training
- Common Features Examined:
  - In person
  - Content
  - Interactive
  - Assessment
  - Yearly; Quickly

GJORDING | FOUSER

www.gfidaholaw.com

---

---

---

---

---

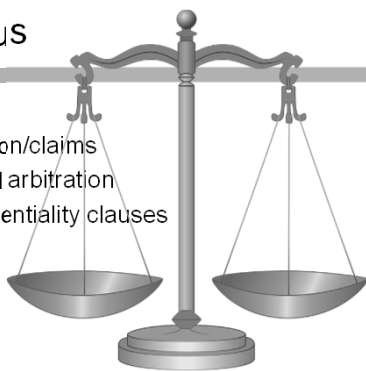
---

---

---

## Legal Focus

- Increase in litigation/claims
- Eliminating forced arbitration
- Eliminating confidentiality clauses



GJORDING | FOUSER

www.gfidaholaw.com

---

---

---

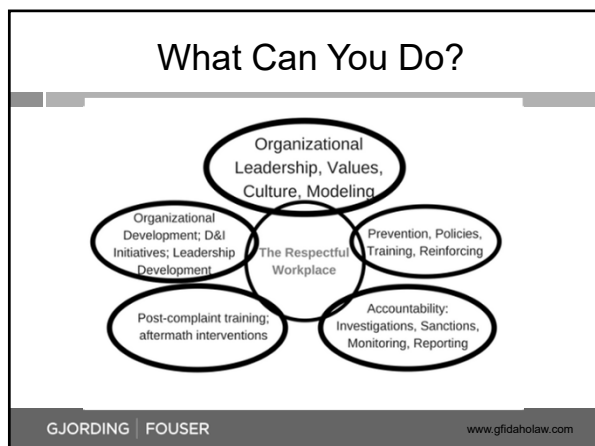
---

---

---

---

---




---

---

---

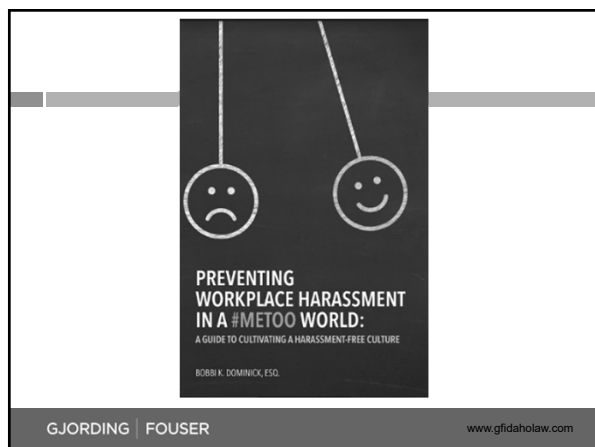
---

---

---

---

---




---

---

---

---

---

---

---

---

## Need more? Contact:

**GJORDING | FOUUSER**

Bobbi K. Dominick  
*Attorney*  
GJORDING FOUUSER PLLC

121 North 9<sup>th</sup> Street, Suite 600 | Boise, ID 83702  
t. 208.336.9777 | f. 208.336.9177  
[bdominick@gfidaholaw.com](mailto:bdominick@gfidaholaw.com) | [GFIdahoLaw.com](http://GFIdahoLaw.com)

GJORDING | FOUUSER www.gfIdaholaw.com

---

---

---

---

---

---

---

---

## #MeToo One Year Later: Learning and Growing in Harassment Prevention

*The past year has seen a social media movement take hold, go viral, and affect corporations in many industries. From the entertainment industry to the restaurant and tech industries, from retail and manufacturing to government, all sectors of the country have been impacted by this movement. In this presentation we will take a quick journey through what we have learned, how #MeToo has changed our focus in harassment prevention, and where the next few years will lead us. Business lawyers can assist their clients in developing a respectful culture and truly preventing and resolving harassment in the workplace.*

*Use this checklist to examine areas of potential change within your organization.*

Note: This is just a windshield appraisal of #MeToo Effort (this is a partial list of items to look for in assessing the effort to prevent harassment-it will give you a quick idea of what to look for and what areas might need work)

\_\_\_\_\_ Employee/Culture Surveys: Debates happening in the workplace right now: What are your employees talking about and worrying about? How do your employees perceive the organizational response to harassment? If you don't know, how can you discover that?

\_\_\_\_\_ New laws: Are there new laws in states where your company operates? (California and New York are most active, but check each state, several states have passed some new laws. Check local laws in major cities as well)

\_\_\_\_\_ Written policy against harassment-has it been updated regularly, is it written in plain language, is it written in a language employees can understand.

\_\_\_\_\_ Is the policy distributed to every employee regularly

\_\_\_\_\_ Containing a written EEO policy

\_\_\_\_\_ Containing a written policy that includes detailed definitions of prohibited behavior

\_\_\_\_\_ Containing a written policy that addresses not just sexual harassment but also harassment for other protected classes

- \_\_\_\_\_ Containing a written policy that defines sexual harassment beyond sexualized behavior to include gender based harassment
- \_\_\_\_\_ Containing a written policy against retaliation
- \_\_\_\_\_ Containing a written reporting procedure
- \_\_\_\_\_ Adequate HR staff are in place
- \_\_\_\_\_ CEO or equivalent issues regular statements indicating lack of tolerance for harassment of any kind
- \_\_\_\_\_ CEO or equivalent issues regular statement encouraging reporting
- \_\_\_\_\_ Conducted a recent assessment of leadership behaviors
- \_\_\_\_\_ Have a written policy against bullying and disrespect
- \_\_\_\_\_ Have a written policy requiring bystander reporting
- \_\_\_\_\_ conduct bystander training
- \_\_\_\_\_ Conduct bias training for supervisors
- \_\_\_\_\_ Examination of processes for unconscious bias
- \_\_\_\_\_ Individual training for coachable supervisors with reported issues
- \_\_\_\_\_ Funding allocated to respectful workplace initiatives
- \_\_\_\_\_ 1-800 reporting hotline or other types of multiple avenues of reporting
- \_\_\_\_\_ Anonymous reporting allowed
- \_\_\_\_\_ All investigations examine for potential retaliation
- \_\_\_\_\_ Well trained internal investigators
- \_\_\_\_\_ Unbiased investigators assigned
- \_\_\_\_\_ Investigations given priority



- \_\_\_\_\_ Communications policy on investigations in place
- \_\_\_\_\_ Outside investigation of higher level complaints
- \_\_\_\_\_ Supervisor discipline for not reporting;
- \_\_\_\_\_ Yearly training on harassment/respect for ALL employees
- \_\_\_\_\_ Innovative training approaches used
- \_\_\_\_\_ Regular assessment on effectiveness of training
- \_\_\_\_\_ Employee engagement survey in last year
- \_\_\_\_\_ Engagement survey included respect in the workplace
- \_\_\_\_\_ Analyzed effectiveness of HR roles
- \_\_\_\_\_ Actively working on culture of respect
- \_\_\_\_\_ Executive in charge of diversity/inclusion;
- \_\_\_\_\_ Detailed supervisor training
- \_\_\_\_\_ Supervisor performance evaluated on respectful workplace
- \_\_\_\_\_ Disciplined employee for violations in the last year
- \_\_\_\_\_ Communicated discipline to employees with message of no tolerance
- \_\_\_\_\_ Leadership training on communication, trust, respect, changing culture