



Hostile Workplace Prevention

Creating a Work Environment that is Welcoming,
Respectful, and Friendly to All Employees



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Why Do We Still Do This Type of Education?

- 2016, Fairfax County Virginia Fire Rescue Department – Female Firefighter Commits Suicide after Cyber-Bullying by Co-workers;
- 2017, Petaluma Fire Department – Settled a Hostile Workplace Claim with a Female Firefighter for \$1,250,000 with an Additional \$500,000 in Legal Fees.
- 2017, Danbury EMS Coordinator Files Discrimination and Sexual Harassment Claim. Suit States the Plaintiff was Harassed Because he “didn’t fit the male macho stereotype”.
- 2010 to 2015, the City of Austin, Texas Experienced 37 Complaints Of Gender Discrimination, 84 Complaints Of Retaliation And 39 Harassment Complaints Including Gender Based Harassment. This Resulted in 5 Lawsuits Against the City.



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Hostile Workplace Prevention Program Goals

- Promote a Workplace Free of Harassment, Discrimination and the Threat of Violence;
- Create an Awareness of what Constitutes Harassment, Discrimination and the Threat of Violence;
- Understand the Impact Harassment, Discrimination and the Threat of Violence has on You, Your Co-Workers and the Work Environment;
- Understand Everyone's Responsibilities to Prevent Harassment, Discrimination and the Threat of Violence from Occurring;
- What to do should Harassment, Discrimination or the Threat of Violence Occur.



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Benefits Hostile Workplace Prevention

- Promotes a Productive Work Environment;
- Reduces Employee Turnover & Absenteeism;
- Reduces Costs Associated with Harassment:
 - Litigation Costs.
 - Disruption in Operations Costs.
 - Increased Insurance Costs.
- Maintains a Positive Public Opinion on the Organization;
- Reduces the Potential for Workplace Violence.



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Costs of a Hostile Workplace

For the Organization:

- Money Spent on Litigation and Settlement;
 - “The Equal Employment Opportunity Commission received 11,300 sexual harassment charges alone in 2011, and settled about 1,400 of them for a total of \$52 million.”
- Reduced Productivity;
- Low Morale Resulting in High Turnover & Absenteeism;
- Potential for Workplace Violence;
- Negative Publicity on a Local and Possible National Level;

For the Harasser:

- Loss of Position
- Loss of Future Income/Promotion
- Criminal Record
- Legal Costs



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What is Sexual Harassment?

Unwelcome Sexual Advances, Requests For Sexual Favors, And Other Verbal Or Physical Conduct Of A Sexual Nature Constitute Sexual Harassment When This Conduct Explicitly Or Implicitly Affects An Individual's Employment, Unreasonably Interferes With An Individual's Work Performance, Or Creates An Intimidating, Hostile, Or Offensive Work Environment.



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Types of Sexual Harassment



- **Quid Pro Quo Harassment** Occurs When Receiving Something (E.G., Promotion, Raise, Etc.) Is Contingent Upon Sexual Favors.
- **Hostile Environment** Harassment Occurs When The Behavior Of Another Creates A Hostile, Offensive, And/Or Intimidating Environment, Interfering With An Individual's Ability To Work.



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Examples of Workplace Sexual Harassment

- Sharing Sexually Inappropriate Images Or Videos, Such As Pornography, With Co-workers
- Sending Suggestive Letters, Notes, Or E-mails
- Displaying Inappropriate Sexual Images Or Posters In The Workplace
- Telling Lewd Jokes, Or Sharing Sexual Anecdotes
- Making Inappropriate Sexual Gestures
- Staring In A Sexually Suggestive Or Offensive Manner, Or Whistling
- Making Sexual Comments About Appearance, Clothing, Or Body Parts
- Inappropriate Touching, Including Pinching, Patting, Rubbing, Or Purposefully Brushing Up Against Another Person
- Asking Sexual Questions, Such As Questions About Someone's Sexual History Or Their Sexual Orientation
- Making Offensive Comments About Someone's Sexual Orientation Or Gender Identity



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What is Non-Sexual Harassment?

- Unwelcome Or Unwanted Conduct By A Co-Worker, Management and/or the Public, That Disrupts Or Substantially Interferes With Another's Work Performance Or Emotional Well-Being.
- Harassment Can Be Racial, Ethnic Or Aimed At Other Personal Differences.
- Harassment Can Be Verbal, Physical Or Environmental.
- Harassment Can Involve Bullying.
- Inappropriate Humor that could be Defined as Creating a Hostile Environment.



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Examples of Non-Sexual Harassment

- Making Negative Comments About An Employee's Personal Religious Beliefs, Or Trying To Convert Them To A Certain Religious Ideology
- Using Racist Slang, Phrases, Or Nicknames
- Making Remarks About An Individual's Skin Color Or Other Ethnic Traits
- Displaying Racist Drawings, Or Posters That Might Be Offensive To A Particular Group
- Making Offensive Gestures
- Making Offensive Reference To An Individual's Mental Or Physical Disability
- Sharing Inappropriate Images, Videos, E-mails, Letters, Or Notes In An Offensive Nature
- Offensively Talking About Negative Racial, Ethnic, Or Religious Stereotypes



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Harassment

- Harassed Employee(s) And The Harasser(s) May Be Male Or Female.
- Harassed Employee Does Not Have To Be Of The Opposite Sex.
- The Object Of The Harassment May Not Be The Only One Harassed.
- Harasser Can Be Anyone At Work, A Co-Worker, Management, A Vendor And/Or The Public.
- Harassed Employee(s) Can Be Anyone Affected By The Offensive Conduct In The Workplace.
- The Sexual Harassed Employee Does Not Have To Lose Their Job Or Have Psychological Injury Before They Can File A Complaint.
- Sexual Harassment Can Be Intentional Or Unintentional.



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Harassment Is Not

- Having a Different Point of View;
- Intellectual Disagreements
- Relationships of Mutual Consent
- Innocent Comments Stated Without Malice but May be Personally hurtful
- Management Direction of Staff
- Insistence of a Standard Work Performance
- Criticism of Substandard Work Performance
- Equal Enforcement of City Policies and Rules
- Singular and Trivial Behavior
 - *The key difference is when a comment is followed with a sexual reference because of an employee's sex, becomes pervasive and/or it creates a hostile work environment.*



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High Tech Harassment

Chevron Corporation recently paid \$2.2 million dollars to settle a sexual harassment case in which a list of the "Top Ten Reasons Why Beer Is Better Than Women" had been circulated on the company's e-mail network.

- City Communication Systems are Primarily for City Business Use. The City Reserves the Right to Review, Audit and Disclose All Matters Disseminated or Stored in it's System.
- Includes Texts, Tweets, Email, Facebook, LinkedIn, Voice-Mail and all Computer Files on City Systems.
- All Computer Files, E-mail, And Communications Stored On Company Computer Systems Are Company Property.
- Deletion Of A Message Or File Does Not Eliminate The Employer's Ability To Receive And Review It.



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High-Tech Harassment

All Electronic Communication Should Not Contain Threatening, Obscene, Derogatory, Defamatory, Or Other Inappropriate Messages, Including

- Sexually Explicit Material,
- Ethnic Or Racial Slurs, Or
- Anything That Could Be Interpreted As Disparaging Of Others Based On Race, National Origin, Gender, Sexual Orientation, Age, Disability, Or Religion.



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Bullying



• Examples of Bullying

- Shunning
- Verbal Abuse
- Threats Or Intimidation
- Sabotage
- Malicious Rumors Or Gossip
- Unreasonable Work Loads
- Mobbing By Other Co-workers
- Creating Unsubstantiated Performance Deficiencies In Attempt To Undermine A Target



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Addressing Bullying in the Workplace

• **Conduct A Self Assessment**

- How Do You Treat Others?
- Do People Respond Because They're Intimidated?

• **Practice And Support Ethical, Respectful Behavior In Yourself & Others**

- In Order To Receive Respect, You Must Give It.

• **Communicate.**

- If Someone Does Something That You Feel Is Disrespectful, Have A Conversation With Them (If You Feel It's Safe To Do So).

• **If You See Something, Say Something.**

- While You May Not Be The Target Of A Bully, If You Witness Disrespectful Or Uncivil Behavior, Say Something—either Directly To The Person If It's Safe To Do So Or To Your Supervisor, HR, Or Leadership Team.



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Retaliation

- Any Type Of Backlash To A Discrimination Or Harassment Claim Is Also Against The Law.
- Retaliation Can Take Many Forms:
 - Reassigning An Employee To A Less Desirable Position
 - Forcing A Victim To Take A Leave Of Absence.
 - Further Harassment
- A Proper Discrimination And Harassment Policy Should Safeguard The Rights Of The Accuser, As Well As Those Of The Accused, Until A Thorough Investigation Can Be Performed.



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If You are Harassed

- Don't Fail To Report The Issue
 - Contact Management
 - Contact Human Resources
- Provide As Much Information As Possible To The Investigator
 - Witnesses
 - Dates & Times
 - Documentation
- Understand That The Investigation May Take Time
 - Continue to Communicate With HR
- Don't Try To Retaliate Or Act Impulsively Against the Harasser



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Benefits of a Teamwork Atmosphere

- **Encourages Creative Thinking and a Better Learning Experience**
 - When People Aren't Afraid to Offer Opinions, Ideas and Suggestions, Creativity Flows;
 - When People Aren't Afraid to Ask Questions, Learning Increases
- **Allows for the Building on the Talents of Co-Workers;**
 - People want to Use Their Strengths and Talents to Help Others;
- **Inspires Workers to Trust Each Other;**
 - Open Communication Allows for the Free Flow of Creativity;
- **Makes for Better Conflict Resolution;**
 - Its OK to have a Different Opinion, Approach or Idea. A Teamwork Atmosphere Encourages Conflict without Confrontation;
- **Workers Feel More Empowered and have a Sense of Ownership;**
- **Promotes Healthy Risk Taking;**
 - Sometimes the Best Ideas come from Out of the Box Thinking.



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