

ISSUE ALERTS

PROTECT YOUR EMPLOYEES, AND YOUR ORGANIZATION, FROM HARASSMENT

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Each day's headlines and new Equal Employment Opportunity Commission (EEOC) guidance combine to send a strong reminder of employers' responsibilities to help prevent workplace harassment. All employers should take these steps to help protect their employees and themselves:

- **Review (and update, if needed) anti-harassment policies**, including appropriate reporting, investigation, and anti-retaliation policies.
- Remind employees of the **importance of reporting workplace harassment** and **how to do it**, and that **employees are protected from retaliation** for such reports.
- **Refresh workplace harassment training or introduce it** if not provided previously. Use recent news stories as an opportunity to **communicate and emphasize the importance of your policies**. All employees should be included in this training on preventing, spotting, and addressing harassment. Annual training on preventing workplace harassment is recommended to reinforce the message and introduce the topic to new employees.
- **Get buy-in from top leadership** and consider having the top executive send a written message to employees. Also have them speak at the start of training sessions to underscore that providing a harassment-free workplace is important to the organization, and harassment will not be tolerated.

While these recommendations help create a safe workplace, they also demonstrate an employer's commitment to preventing harassment. If a harassment complaint is filed, employers who have taken these types of preventive actions may be able to avoid or limit potential liability.

NEW GUIDELINES

The EEOC recently approved new sexual harassment guidelines for employers for the first time in 20 years. After the proposed guidelines receive approval from the Office of Management and Budget, they will be released to the public. In the meantime, the EEOC has reminded employers to proactively address their anti-harassment approach

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using five core principles that have generally proven effective in preventing and addressing harassment: committed and engaged leadership; consistent and demonstrated accountability; strong and comprehensive harassment policies; trusted and accessible complaint procedures; and regular, interactive training.

FOR MORE INFORMATION

For more information on harassment prevention and EEOC compliance, contact **Boyd Byers**, Foulston Siefkin's Employment and Labor Practice Group Leader, at 316.291.9716 or **bbyers@foulston.com**.

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PRACTICE AREAS

- Employment & Labor