Sexual harassment training is not required under federal law. However, many states have enacted legislation specifically requiring sexual harassment training. Even if not required in a state in which you operate, the Supreme Court's landmark decisions in the 1998 Faragher and Ellerth sexual harassment cases, subsequent court decisions and EEOC Guidelines make it clear that sexual harassment training is essential. To raise a defense or avoid punitive damages in sexual harassment lawsuits, employers need to show that they have provided periodic sexual harassment training to all employees.

This sample presentation is intended for presentation to employees versus supervisors and managers. This presentation does not include detailed information on retaliation and employer liability – please see the supervisor version of this presentation. It is designed to be presented by an individual who is knowledgeable in sexual harassment and the employer's own policy on sexual harassment. This is a sample presentation that must be customized to include and match the employer's own policies and practices.
What is Sexual Harassment?

- Unwelcome sexual advances.
- Requests for sexual favors.
- Other verbal or physical conduct of a sexual nature that affects an individuals’ employment, unreasonably interferes with his/her work performance, or creates an intimidating, hostile or offensive work environment.
Two forms of sexual harassment:
- Quid Pro Quo
  - (Latin for “this for that” or “something for something”)
- Hostile Work Environment
Quid Pro Quo

- Tangible employment action against the victim.
- Involves monetary loss or change in job.
- Example: Mary Smith receives smaller pay increase based on performance than other employees with similar performance because she refused to go out with her supervisor, John Doe.
Hostile Work Environment

• Speech or conduct that is severe and/or pervasive enough to create an abusive or hostile work environment.

• Example: Mike Maloney is leering (elevator eyes) at and intentionally brushing against Sally Davis.
Hostile Work Environment (cont’d)

- In addition to speech and/or conduct, covers explicit or suggestive items displayed in the workplace that interfere with job performance or that create an abuse or hostile work environment
  - Example: Jill Jones has a 9” x 12” calendar of nude males on her cubicle wall visible to passerby.
Who can be involved in sexual harassment?

- Those who commit – employees at all levels, customers, members of the same sex.

- Those who are targeted – victims, bystanders and, in some cases, witnesses who are affected by the harassment.
Why is it important to prevent sexual harassment in our workplace?

- Sexual harassment harms us all. The most important part of our corporate values is to ensure all employees are treated with respect and dignity. Engaging in, condoning, or not reporting sexual harassment are in direct conflict with our values.
Why it’s Important (cont’d)

- Compliance with Title VII of the Civil Rights Act which prohibits sex discrimination (including gender identity, change of sex and/or transgender status).

- Compliance with similar state civil rights laws and fair employment laws.
Your Responsibilities

• Know and comply with our policy and procedure
• Report incidents that you experience directly or witness
• Cooperate with investigations
• Support victims
Sexual harassment is:

• Unwelcome sexual advances.
• Requests for sexual favors.
• Other verbal or physical conduct of a sexual nature that affects an individuals’ employment, unreasonably interferes with his/her work performance, or creates an intimidating, hostile or offensive work environment.
Summary (cont’d)

• It is important to prevent sexual harassment in our workplace because it harms us all. It conflicts with our corporate value that all employees are treated with respect and dignity.

• Sexual harassment (including gender identity, change of sex and/or transgender status) is illegal under federal and state laws.
Your responsibilities regarding prevention of sexual harassment at *(name of company)* are to:

- Know and comply with our policy and procedure.
- Report incidents that you experience directly or witness.
- Cooperate with investigations.
- Support victims.