



#MeToo in the Workplace

Gray Reed & McGraw

June 7, 2018 – Dallas, Texas



Alyssa Milano ✓

@Alyssa_Milano

Follow



If you've been sexually harassed or assaulted write 'me too' as a reply to this tweet.

Me too.

Suggested by a friend: "If all the women who have been sexually harassed or assaulted wrote 'Me too.' as a status, we might give people a sense of the magnitude of the problem."

5:21 PM - 15 Oct 2017

21,160 Retweets 43,671 Likes



59K



21K



44K





1964

Title VII of the
Civil Rights Act
of 1964
enacted

1980s

U.S. Supreme Court
states workplace
sexual harassment is
an ongoing problem

1991

Anita Hill testifies at
Clarence Thomas
confirmation
hearings

2015

EEOC created the Select
Task Force on the Study
of Harassment in the
Workplace.

1970s

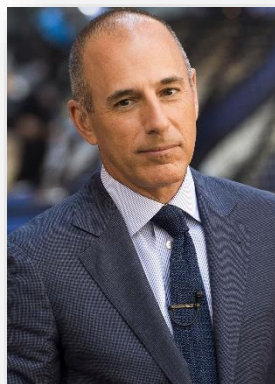
First claims brought
relating to quid pro quo
and environmental
harassment

1990s-2016

Development of legal standards and
defenses ("severe and pervasive,"
same sex harassment, employer
liability defenses)

2000s

Employers develop
policies and training
to follow case law



October 5, 2017

New York Times
reveals allegations of
sexual harassment by
Harvey Weinstein

Nov. 29, 2017

NBC fires Matt Lauer

Dec. 18, 2017

Ninth Circuit Judge Alex
Kozinsky retires

Nov. 20, 2017

CBS fires Charlie Rose



Dec. 18, 2017

The Silence Breakers named TIME
Person of the Year 2016



Jan. 2, 2018

Al Franken resigns from
Senate





March 7, 2018
Tony Tooke, Head of US
Forest Service resigns



April 26, 2018
Bill Cosby convicted by
jury of three counts of
sexual assault



May 8, 2018
New York Attorney
General Eric
Schneiderman resigns

Jan. 27, 2018
Steve Wynn resigns
from RNC and
Wynn Resorts



April 6, 2018
Texas Congressman
Blake Farenthold
resigns



April 27, 2018
Republican Patrick
Meehan of Penn.
resigns





**Roy Price – Head of
Amazon Studios**



**Larry Nassar – Former
USA Gymnastics Team
Doctor**



Kevin Spacey – Actor



**Roy Moore – Republican
Senate Nominee**

Louis C.K. - Comedian



**Garrison Keillor –
Minnesota Public Radio**



**Russell Simmons –
Producer and
Entrepreneur**



**Mario Batali –
Celebrity Chef**





How Should Employers Respond to the Issues Raised by the #MeToo Movement

Conclusions of the June 2016 EEOC Task Force Report

- Workplace harassment remains a persistent problem.
- It starts at the top—leadership and accountability are critical.
- Workplace harassment too often goes unreported.
- Training must change.
- Environmental risk factors can be identified.
- There is a compelling business case for stopping and preventing harassment.

**It starts at the top—
leadership and
accountability are
critical.**





LEADERSHIP and ACCOUNTABILITY, which demonstrate a company's culture, are crucial to harassment prevention.

Leadership

- Establish a sense of urgency about preventing harassment.
- Develop effective policies and procedures.
- Conduct effective trainings on those policies and procedures.
- Back up the commitment with money and time.
- Give those involved enough power to effectuate change.

Accountability

- Demonstrate that sexual harassment is taken seriously.
- Hold harassers responsible with appropriate sanctions.
- Hold managers and supervisors responsible for monitoring and stopping harassment by those they manage or supervise.
- Incentivize and reward responsiveness.

**Workplace
harassment too
often goes
unreported.**





**Policies, procedures,
investigations and
corrective actions are
essential components of a
holistic effort employers
must engage in to prevent
harassment.**

Training must
change.



Anti-Harassment Compliance Training

- Is training, without more, an effective tool in preventing sexual harassment?
- Training is an essential component of anti-harassment efforts.
- Training cannot stand alone, but must be part of a holistic effort which includes leadership and accountability.

What Makes For Successful Training?

Training should be ...

- Supported at the highest levels.
- Conducted and reinforced on a regular basis for all employees.
- Conducted by qualified, live and interactive trainers.
- Routinely evaluated for effectiveness.

A large iceberg floats in a deep blue ocean under a bright blue sky with scattered white clouds. The visible tip of the iceberg is jagged and white with some blue shading. The submerged portion is much larger, showing a complex, textured surface with many cracks and ridges, illustrating the concept of hidden risks.

**Environmental
risk factors can
be identified.**

Environmental Risk Factors

1. Homogenous workforces
2. Cultural and language differences in the workplace
3. Workforces with many young workers
4. Workplaces with “high value” employees
5. Workplaces with significant power disparities
6. Workplaces where work is monotonous or consists of low-intensity tasks
7. Workplace cultures that tolerate or encourage alcohol consumption
8. Decentralized workplaces

There is a
compelling
business case for
stopping and
preventing
harassment.



The Business Case for Stopping and Preventing Harassment

- Direct financial costs
- The diversion of time, energy and resources
- Decreased work performance
- Increased employee turnover
- Low morale
- Reputational harm



A man with a beard, wearing a dark suit and a maroon shirt, is holding a rectangular wooden sign with both hands. The sign has the words "THE TIME IS NOW" printed on it in a bold, black, sans-serif font. The background is a plain, light gray.

**THE TIME IS
NOW**

Gray Reed Dallas Employment Team



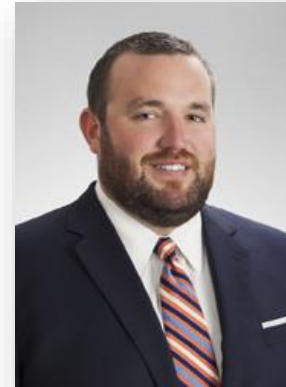
Ruth Ann Daniels



Michael Kelsheimer



Fred Gaona



Marcus Fetting



Jake Lewis



Jonni Walls



Gayla Crain



Amanda Inabnett