



# Blueprints FOR MANAGERS

### Blueprints for Managers

Is a unique and comprehensive approach to help develop managers and supervisors. Providing the foundation, strategies, and tactics to better manage and lead their employees.

### Foundational Blueprints

In leadership, your belief system, attitudes, perceptions, and past experiences have a direct affect on how you lead others. Your Foundational Blueprints are areas to learn and grow, developing a strong leadership base or foundation to stand throughout your career.

### Strategic Blueprints

In management, strategy is the thinking process required to plan a change, or to organize something. What are the cause and effects of your management decisions? Strategic Blueprints are vital to the long term success of your organization and career.

### Tactical Blueprints

In management and leadership, Tactical Blueprints are the "who, when and where outlines" for obtaining your strategic goals. Managers need tactical plans to measure their successes.

## 7A - Preventing Sexual Harassment: The Manager's Role



- Legal requirements and survival skills for managers
- Eliminating hostile work environments
- Create a zero tolerance policy for harassment

### WHAT OTHERS HAVE TO SAY ABOUT LEGAL SURVIVAL SKILLS

*"If government can give you rights, government can take them away from you."*  
Roy Moore

*"If we must die, we die defending our rights."*  
Sitting Bull

*"America did not invent human rights. In a very real sense human rights invented America."*  
Jimmy Carter





## Session Learning Goals

- 1) Legal requirements and survival skills for managers
- 2) Eliminating hostile work environments
- 3) Create a zero tolerance policy for harassment

### Session Opener - Foundational Ideas:

How well do you know, practice and review your organization’s formal policies and procedures system including the 12 dangers zones for managers and supervisors? Refreshed every three years (Y/N)?

Two areas: Before and After Hire

Score 1-10

**BEFORE HIRE**

- 1) HIRING \_\_\_\_\_ Y/N
- 2) DISCRIMINATION \_\_\_\_\_ Y/N
- 3) WAGE AND HOUR LAW \_\_\_\_\_ Y/N
- 4) PRIVACY \_\_\_\_\_ Y/N
- 5) WORKPLACE VIOLENCE \_\_\_\_\_ Y/N

**AFTER HIRE**

- 6) DISCIPLINE \_\_\_\_\_ Y/N
- 7) DOCUMENTATION & EVALUATIONS \_\_\_\_\_ Y/N
- 8) SEXUAL HARASSMENT \_\_\_\_\_ Y/N
- 9) OTHER HARASSMENT \_\_\_\_\_ Y/N
- 10) SAFETY AND WORKERS COMP. \_\_\_\_\_ Y/N
- 11) FMLA \_\_\_\_\_ Y/N
- 12) FIRING \_\_\_\_\_ Y/N

Total Score

\_\_\_\_\_



## Blueprints for Preventing Sexual Harassment - The Manager's Role

**What is Sexual Harassment** - Is the \_\_\_\_\_ (a) conduct of a sexual nature. Sexual behavior is inappropriate and unwelcome because it is rude or disrespectful.

### **Unwelcome conduct.**

Unwanted sexual advances; leering or ogling “elevator eyes”. Making sexual gestures or displaying sexually suggestive objects, pictures, cartoons or posters; sending in an e-mail, note, card or invitation. Displaying pornography, making sexual comments, epithets, slurs, jokes or whistling. Physically touching someone in a sexual way, blocking or impeding someone's movements.

### **Who is the victim?**

Can be the person who is the target of the behavior or can be a \_\_\_\_\_ (b) - party who is not the intended recipient. This is a person who merely witnesses or overhears the behavior and finds it offensive.

Third party complaints are actually fairly common, especially where two or more people frequently joke around with each other and are unaware or just don't care how their behavior impacts others.

### **Who can be a “harasser”?**

The manager is responsible for providing a workplace \_\_\_\_\_ (c) from discrimination and harassment, regardless of the source of the problem. The harasser can be a supervisor, co-worker, it could also be a vendor, supplier, contractor, visitor and even a customer or client.

The law says that employers (management staff) must take all reasonable measures to protect their employees from illegal conduct.

Unlike freedom of speech rights that everyone enjoys in other aspects of their lives, it's not anyone's “right” to make discriminatory or harassing comments in the workplace. **Telling sexual jokes after work with their friends is legal but not in the workplace.**

The law recognizes that some very mild behavior or conduct actually doesn't create a violation. The US Supreme Court test for sexual harassment is, “could this conduct offend a **reasonable person in this person's situation**, taking into account the setting and context of the behavior?”



### **How do you know if behavior is “unwelcome”?**

Whether something is unwelcome or not is viewed from the perspective of the “victim”, even though someone tried to be funny or liven things up, **it is the recipients reaction that matters.**

Unfortunately unwelcome “cues” from the recipient are not always clear, especially if you are the boss.

**Be aware of how people are reacting:** Are they smiling and returning your remarks in kind? Are they frowning, walking away, or coming right out and telling you that they find your behavior offensive?

### **Harassment, retaliation and the law:**

Civil Rights of 1964 prohibits discrimination and harassment in the workplace because of RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE, DISABILITY or SEX.

These are “**Protected Characteristics**” and laws are clear about retaliation. It’s illegal to retaliate.

### **Two forms of sexual harassment:**

**Hostile work environment:** Is an ongoing, pervasive or severe behavior that unreasonable interferes with an individuals work performance, or create an intimidating, hostile or offensive work environment.

One joke or inappropriate comment is not likely to be considered illegal by the courts **but it usually violates your employer’s policy.** Managers are responsible for identifying unwelcome behavior long before it becomes ongoing, pervasive or severe.

**Quid Pro Quo:** “This for that”, exchanging job benefits for sexual favors or threatening to deny job benefits if sexual favors aren’t given.

This is a very serious form of harassment and is often quite costly for both the harasser and the employer.

Managers should be very careful not to engage in any behavior that could be deemed at Quid Pro Quo Harassment.



### **What if you feel you have been harassed?**

Say something immediately. If you don't say something, the behavior is likely to continue. Tell the harasser, your boss, get help from HR.

### **What if someone complains about your behavior?**

Stop immediately, don't wait for a chat with your boss, or HR. Don't wait for a formal complaint is filed and a lawsuit with your name on it.

### **Tips for making things better after someone complains about you:**

- If there has been an honest misunderstanding, you might want to consider an apology. It makes "moving forward" a lot easier in most cases.
- If you didn't know that your behavior was "unwelcome", now you do! Thank the person for informing you of this valuable information. Since you obviously didn't mean to offend, apologize.
- Don't retaliate, shun, avoid or start gossip about the person who complained about you. You don't need to be best friends with them but you do need to be cordial and professional.
- If it is someone you supervise, be extremely careful not to make retaliatory employment decisions that affect them negatively. Document everything.

**Your added responsibilities as a manager** - Your employer depends on you to enforce its policies and to set an example in the workplace.

### **Checklist for managers:**

- ◇ **Post company policy**
- ◇ **Post additional materials if required by state or local law**
- ◇ **Train all staff on a regular basis**
- ◇ **Workplace inspections / audits**
- ◇ **Prompt response to complaints**
- ◇ **Full and fair investigations**
- ◇ **Clear and complete written documentation**
- ◇ **Reasonable measures to resolve problems**
- ◇ **Appropriate discipline if necessary**



## What should I do if someone comes to me with a problem?

1. You will need to investigate to find out exactly what happened. This usually means talking to the complainant and to the person(s) who allegedly acted inappropriately. Identify any witnesses and gather all evidence (e-mail, text, notes). If the situation is serious or if there is a reason why others may think that you cannot be fair and impartial in this case, call in an outside investigator or another manager.
2. Counsel the victim and all other persons taking part in this investigation about confidentiality and warn them not to discuss it among themselves. All parties should also be warned against retaliation.
3. Come to a finding based upon what most likely occurred. You don't have to have proof beyond a reasonable doubt and you can rely on the credibility of your witnesses when making your findings. In other words:

*Who is more believable? Whose story is more plausible? Is there tangible evidence? If no evidence, why? Did the witnesses see it firsthand or from a third party? Are witnesses friends with either party? Bad blood between parties? Is there a motivation to lie? Does either party have a reputation that makes people assume that it "must have happened"? Does the alleged harasser claim not to remember? They don't deny it, they just don't recall what happened.*

4. If your findings are inconclusive, inform the parties of that and follow up with the victim later to make sure that any alleged offensive behavior has not continued.
5. If there has been a violation of the company policy or the law, look for appropriate ways to correct any harm that resulted, and take measures to prevent it from happening again. **Do not divulge details of any disciplinary actions to anyone including victim, but assure that "appropriate action is being taken".**
6. Document: Who, What, When and Where.
  - All witnesses, interviews and evidence.
  - Past problems or complaints.
  - Warning against retaliation.
  - What the victim wants.
  - What you are going to do.
  - Any disciplinary action you took or if victim wants to handle it themselves.



### GROUP DISCUSSION OF KEY IDEAS FROM PRESENTATION



List what you think are the most important ideas from the presentation and how you can apply them to your role. Share your thoughts in small groups.

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How does your natural behavior play a role in your ability to implement your key ideas?

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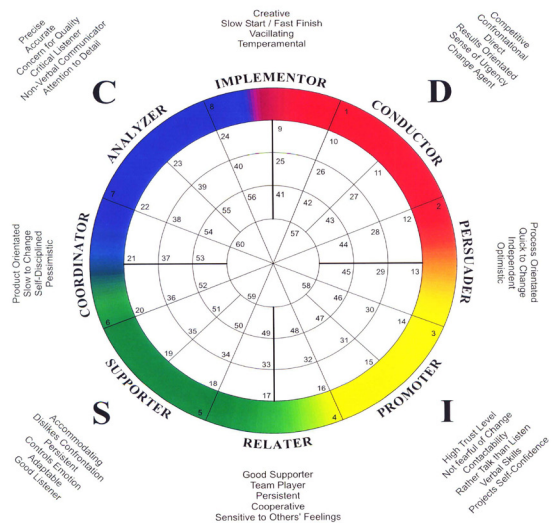
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| <ul style="list-style-type: none"> <li>a. unwelcome</li> <li>b. third</li> <li>c. free</li> </ul> |
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**Blueprint #1 - Sexual Harassment in the workplace**

In small groups. Can you think of some examples of inappropriate behavior you have personally witnessed in the past (current or prior job) that could offend one of your employees?

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Share some examples of inappropriate behavior you have personally witnessed in the past (current or prior job) from an “outsider” that could offend one of your employees?

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List some examples of things that might be acceptable behavior elsewhere, but would not be appropriate in your work setting?

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Can you think of some examples of friendly behavior at work that would most likely NOT offend a reasonable person?

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*continued:*

Think of other examples of behavior that would seem fine coming from a friend, but would make you uncomfortable coming from someone else you work with?

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Can you think of some reasons why your employees might hesitate to take a problem to you?

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In small groups, please share any personal investigation cases and results without actual names.

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**Blueprint #2 - Putting Out The Fire.** Read the helpful hints below to help you eliminate any potential harassment issues that are happening under your watch.

- Enforce the policy.
- Know what it is. Make sure your employees know what it is.
- Do everything you can to prevent it from happening in your workplace. Encourage your employees to speak up and let you know if someone’s behavior has “crossed the line”.
- Tell your employees that if someone complains about their behavior, they need to stop because of your “zero tolerance” for a safe working environment.
- Conduct prompt, fair and complete investigations.
- Come to a conclusion, and if there has been a violation of your “zero tolerance” policy or law, take actions to remedy any harm and prevent any further problems.
- If serious misconduct has occurred, take disciplinary action.
- By treating others with dignity and respect, we can all enjoy the benefits of a safe working environment.

*Answer the following questions:*

Is there sexual harassment occurring in your workplace?

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Who is involved? Use initials of perpetrators or write in code to be discrete.

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What specific behaviors and actions have taken place?

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How and what are you going to do to rectify the situation to make a comfortable, safe and productive workplace so all have the opportunity to flourish?

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# My Personal Blueprint for

## Preventing Sexual Harassment



Name: \_\_\_\_\_ Employer: \_\_\_\_\_

Date: \_\_\_\_\_ Manager's Name: \_\_\_\_\_

I plan to **implement (GOAL)**: \_\_\_\_\_

The expected **END** results for our organization, workgroup and personally include:

**Specifically**, I will \_\_\_\_\_

**Measurements** for success include (e.g. lower costs/increase retention/revenue targets/quality)

**Attainment** requires (e.g. staff/budget approvals) \_\_\_\_\_

**Relevant** to Company Goals, \_\_\_\_\_

**Time-based** plan is to be started by, evaluated by and accomplished by:

I will start this goal by: \_\_\_\_\_ I will evaluate this goal on: \_\_\_\_\_ I will complete this goal by: \_\_\_\_\_

**Action Steps** to be taken include:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

I/we need the following people/materials/resources to reach this goal: who, what, when & where:

\_\_\_\_\_  
\_\_\_\_\_