PRESENTED AT

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UNLAWFUL HARASSMENT

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I. EEOC'S FY 2018 STATISTICS

The EEOC recently released its charge statistics from fiscal year 2018, which ran from October 1, 2017 through September 30, 2018. The EEOC's fiscal year 2017 ended before the #MeToo movement began. The 2018 statistics reflect a 13.6% increase in sexual harassment claims over 2017. Further, note that the EEOC's new online portal, launched in November 2017, which makes it incredibly easy for individuals to sign in and file charges.

Key Takeaways

- Take this heightened awareness as an opportunity to review and, if necessary, revise antiharassment, anti-discrimination and/or anti-retaliation policies. It is crucial that these policies provide multiple avenues for employees to report incidents of perceived harassment, discrimination and retaliation.

- In this current climate, there really is no time like the present to conduct sensitivity training and remind employees of company policies and reporting obligations.

- Consider specialized training for your HR workforce and management teams to ensure that any employee complaints of harassment, discrimination, retaliation and other inappropriate behavior are adequately investigated, documented and, if necessary, corrected.

- For multinational employers, consult counsel before proactively making a global policy statement against sexual harassment.

II. FIVE DISTURBING SEXUAL HARASSMENT STATISTICS THAT CANNOT BE IGNORED

An extraordinary percent of women has experienced sexual harassment at work—most women either have experienced it firsthand because they were harassed or know someone else who is a victim of sexual harassment.

And while every sexual harassment case after sexual harassment case may not be surprising, it is disturbing, and workplace sexual harassment is leading to a whole onslaught of other issues like post-traumatic stress disorder in victims who are now coping with the aftermath.

The viral hashtags #MeToo and #YesAllWomen, and the recent and increasing number of sexual assault allegations from many different industries make the prevalence of sexual assault in the workplace even more obvious. And we have the data to back it up. Companies are acting to put sexual harassment training in place and establish a sexual harassment policy they see fit, but women like Sheryl Sandberg suggest that the solution to stopping the cycle of sexual abuse and sex discrimination is to hire more women.

Also available as part of the eCourse
2019 Essential Employment Law eConference

First appeared as part of the conference materials for the
2019 Essential Employment Law: A Practical Course in the Basics session
"Discrimination and Harassment"