DEFENSIVE DRAFTING of HANDBOOKS

CORNELL SMITH MIERL BRUTOCAO BURTON

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EEO Policy

- Address Disability Accommodation Requests
- Address Religious Accommodation Requests
- Address Reporting of Discrimination Concerns (Not just harassment concerns)

Harassment Policy

- Sex, Race, Religion ……(Gender Stereotyping; Sexual Orientation; Transgender Status)
- Employees / Customers / Vendors
- Report discrimination / harassment to (HR & Top Management)

Harassment Policy

- Don’t encourage confronting the harasser!!!
- Confronting harassers is not a report!
- Don’t assume others know it is unwelcomed (Don’t rely on a witness to report for you)

Harassment Policy

- **Investigate / Take appropriate action.**

  "The Company may decide in some circumstances that in order to maintain the integrity of its investigation and our role in it in confidence."

- **No retaliation for complainant or witness**

- **Retaliation – report same way.**

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Dating & Workplace Romance

- Management prohibited from dating staff
- No favoritism
- No PDA
- Rules to break up (24/7 rules on harassment)

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Also available as part of the eCourse
2020 Essential Employment Law eConference

First appeared as part of the conference materials for the
2020 Essential Employment Law: A Practical Course in the Basics session
"Handbooks / Employment Policies"