

DEFENSIVE DRAFTING of HANDBOOKS



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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
- Consider using new Texas law definition of sexual harassment
- Report discrimination / harassment / retaliation (HR & Top Management)



Harassment Policy

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



Harassment Policy

The Company will investigate and take immediate and appropriate corrective action.

Employee cooperation in the investigation is mandatory.

Don't guarantee confidentiality.

X Information will be shared only with those who need to know

✓ While confidentiality cannot be guaranteed, the company will endeavor to limit the information to those with a need to know.



Harassment Policy

- Report again if conduct continues
- No retaliation for complaining or participating in investigation
- Retaliation – Report same way you would report harassment.



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Title search: Defensive Drafting of Handbooks

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