

Employer Checklist to Prevent Sexual Harassment Claims



ACTION CHECKLIST TO BETTER PROTECT AGAINST SEXUAL HARASSMENT CLAIMS:

- Display the appropriate state and federal sexual harassment posters.
- Provide information flyer to new hires and “all” employees about what sexual harassment is.
- Establish and publish in your employee handbook, a policy against sexual harassment including anti-harassment language. Include information on how, and to whom, harassment should be reported. *Do not require a formal complaint.*
- Train all employees about what sexual harassment is, your company’s “zero tolerance” for sexual harassment, your complaint processes and to whom they can report sexual harassment including state and federal agencies. Training to include the responsibilities and liabilities of employees who engage in sexual harassment or create a hostile environment.
- Train managers and supervisors to recognize sexual harassment, how to prevent it and what to do if sexual harassment is reported to them. State Law, AB1825, now requires employers of 50 or more employees to provide 2 hours of Sexual Harassment Prevention Training every two years. New managers within 6 months.
- Review your company’s “zero tolerance” policy on sexual harassment. Training to include the responsibilities and liabilities of managers for engaging in sexual harassment, creating a hostile environment or failing to report it.
- Obtain employee and supervisor agreements acknowledging the complaint process, potential liability and their agreement to follow procedure.
- Train those who will be conducting investigations of sexual harassment allegations in your company.

ALL COMPLAINTS OF SEXUAL HARASSMENT ARE FORMAL AND TAKEN SERIOUSLY:

- Do not require a formal complaint. However, have forms ready — including those for reporting sexual harassment, the investigation and witness interview forms.
- If an employee claims to have been subject to sexual harassment at your workplace, conduct an immediate and thorough investigation.
- If the investigation determines that sexual harassment did occur, take prompt action to stop the harassment, take appropriate remedial action and be vigilant to prevent retaliation against the subject of the harassment or anyone who reported it.
- Take disciplinary steps against the harasser as warranted by the conduct and circumstances.

