



Preventing Workplace Harassment US Managers Edition - (v7)

Choose one:



Video

Video and Audio



Audio

Audio and Images



Silent

No Audio, Images Only



Menu

Workplace Harassment Prevention: Your Role

Manager Simulation 2.0

Conclusion



Welcome to your training program on workplace harassment. This course will provide you with an overview of some important laws, as well as your employer's key policies and procedures.

You're now on the Main Menu. You must click on and complete each box to advance to the Final Certificate and get credit for this course. A check mark means you have completed the box.

[Continue](#)



Menu

Workplace Harassment Prevention: Your Role 

Manager Simulation 2.0

Conclusion



Help

If you want to exit the course, clicking the Exit button will bookmark your place and save your progress.

The next time you launch the course, you can return to the section where you left off.

[Continue](#)



Preventing Workplace Harassment



US Managers Edition - (v7)

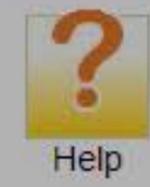
- 50 State Survey
- Policy
- Questions
- Report

Menu

Workplace Harassment Prevention: Your Role

Manager Simulation 2.0

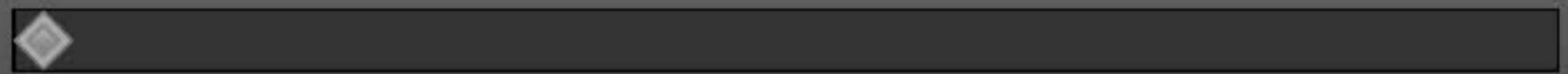
Conclusion



From the toolbar you can access important information such as your employer's policies, how to ask questions, and how to report a concern.

Continue

0:00



Silent



Menu

Workplace Harassment Prevention: Your Role



Manager Simulation 2.0

Conclusion



Help

You can return to this Main Menu at any point by clicking on the menu pop-up in the lower-left corner.

Continue





Preventing Workplace Harassment



US Managers Edition - (v7)

50 State Survey

Policy

Questions

Report

Menu

Workplace Harassment Prevention: Your Role 

Manager Simulation 2.0

Conclusion



Help

Okay, let's get started.

Continue

 0:00



 Silent 



Preventing Workplace Harassment



US Managers Edition - (v7)

50 State Survey

Policy

Questions

Report

Menu

Workplace Harassment Prevention: Your Role 

Manager Simulation 2.0

Conclusion



Help



0:00



Silent





Preventing Workplace Harassment US Managers Edition - (v7)



50 State Survey

Policy

Questions

Report

Menu

Introduction 

Harassment Basics

Workplace

Employee Room

Workplace, Anytime

Reporting

Workplace Relationships

Resources



Menu

 0:00



 Silent





Introduction



50 State Survey

Policy

Questions

Report



Bobbie:

Welcome to your course on workplace harassment. As you can see from the images behind me, I have some interesting information to share with you today.

Menu

0:01



Silent



Continue



Introduction



50 State Survey

Policy

Questions

Report

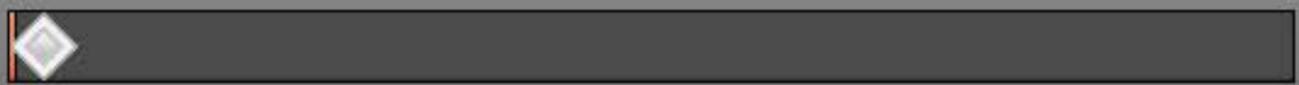


Bobbie:
Welcome to your course on workplace harassment. As you can see from the images behind me, I have some interesting information to share with you today.

As you move through this course, I will be presenting you with information and scenarios dealing with harassment. It's up to you to demonstrate that you know how to spot and respond to each scenario properly.

Menu

 0:01



 Silent 

Continue



Introduction



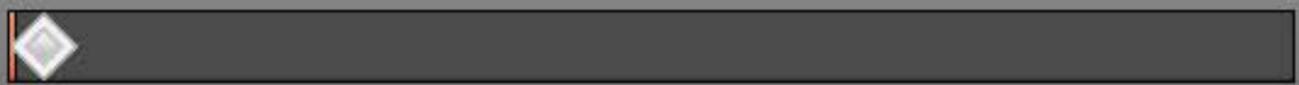
- 50 State Survey
- Policy
- Questions
- Report



Bobbie:
To assist you with this, you'll have access to a Harassment Handbook. It contains essentials on policy and best practices.

Menu

0:02



Silent

Continue



Introduction x

50 State Survey

Policy

Questions

Report



Bobbie:

To assist you with this, you'll have access to a Harassment Handbook. It contains essentials on policy and best practices.

We'll be referring to it throughout the course.

Menu

 0:02



 Silent



Continue



Introduction



- 50 State Survey
- Policy
- Questions
- Report



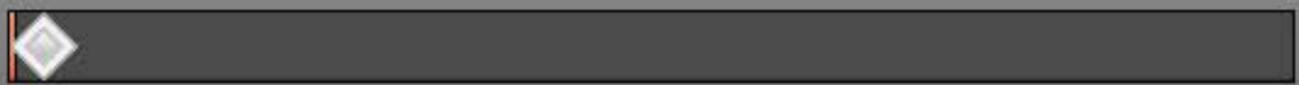
Bobbie:
To assist you with this, you'll have access to a Harassment Handbook. It contains essentials on policy and best practices.

We'll be referring to it throughout the course.

You must successfully complete each module to get credit for taking this course.

Menu

0:02



Silent

Continue



Introduction



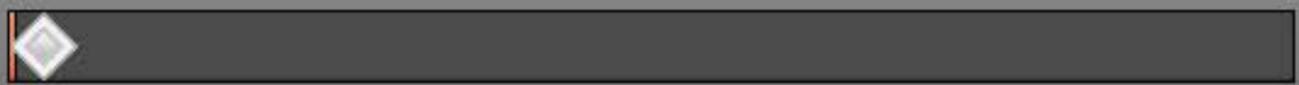
- 50 State Survey
- Policy
- Questions
- Report



Bobbie:
That's all you need for now. Let's get started.

Menu

0:02



Silent

Continue



Preventing Workplace Harassment US Managers Edition - (v7)



50 State Survey

Policy

Questions

Report

Menu

Introduction 

Harassment Basics 

Workplace

Employee Room

Workplace, Anytime

Sexual Harassment

Workplace Relationships

Resources



Menu

 0:02



 Silent





Harassment Basics x

50 State Survey

Policy

Questions

Report



Bobbie:

It's a bit surprising that harassment is still an ongoing challenge. But it is.

Menu

 0:03



 Silent



Continue



Harassment Basics x

50 State Survey

Policy

Questions

Report



Bobbie:

It's a bit surprising that harassment is still an ongoing challenge. But it is.

As technology continues to advance, people find new ways to use it to harass others. And new employees don't always understand that harassment is prohibited by policy and the law.

Menu

 0:03



 Silent



Continue



Harassment Basics



50 State Survey

Policy

Questions

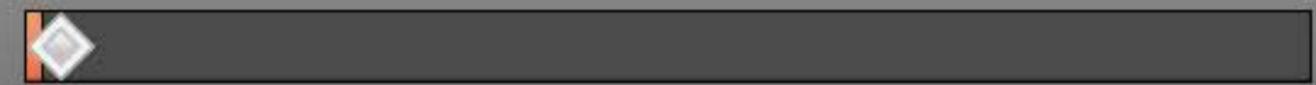
Report



Bobbie:
Which is why it's important that you continue to learn about harassment and what you can do to help put an end to it.

Menu

 0:03



 Silent 

Continue



Harassment Basics x

50 State Survey

Policy

Questions

Report



Bobbie:

Which is why it's important that you continue to learn about harassment and what you can do to help put an end to it.

Get started by reviewing the Harassment Handbook.

Menu

 0:03



 Silent



Continue



Harassment Basics x

50 State Survey

Policy

Questions

Report

Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



Menu

 0:03



 Silent



Harassment Handbook

Click each of the images on the left to reveal important content on this topic.

**1****2****3****4**

Employer harassment policies provide guidance on the kinds of behavior that are unacceptable in the workplace.

The policy generally identifies:

- The types of conduct that are prohibited
- The characteristics that are protected by law and policy
- Who the policy applies to
- The forms that harassment can take
- Rules relating to workplace dating
- The process for raising concerns
- That retaliation is strictly prohibited

The harassment policy protects all employees regardless of job or level. It also applies to interns and business partners and third parties.



Harassment Handbook

Click each of the images on the left to reveal important content on this topic.

1 2 

3

4

Prohibited Workplace Harassment is a term that has a specific meaning; it does not include generally rude or insensitive behavior.

Rather, it refers to conduct that is:

- Unwelcome
- Offensive to a reasonable person
- Severe or pervasive
- Related to or done because of a **protected characteristic**

While this is the general legal standard, most employers have policies that are much broader than the law. That means that employers prohibit offensive conduct even if it is not severe or pervasive enough to violate the law. Any employee who violates the policy can be subject to corrective action, up to termination of employment.



Harassment Basics



50 State Survey

Policy

Questions

Report

Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



1

Protected Characteristic

A protected class is a group of people who share a common characteristic and are protected by law and/or policy from discrimination or harassment in employment. Protected categories under federal law include race, religion, pregnancy, sex, gender, color, national origin, age (40 and over), citizenship status, military status, and disability (mental and physical). Federal law also prohibits discrimination in employment based on genetic information. Under state law, additional protected categories may exist (depending on that state), such as sexual orientation, gender identity or gender expression, marital status, and others.

Close X

is not include



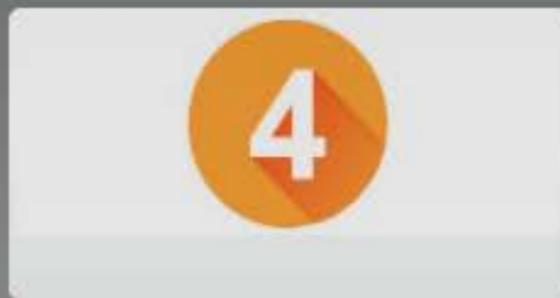
2

- Offensive to a reasonable person
- Severe or pervasive
- Related to or done because of a **protected characteristic**



3

While this is the general legal standard, most employers have policies that are much broader than the law. That means that employers prohibit offensive conduct even if it is not severe or pervasive enough to violate the law. Any employee who violates the policy can be subject to corrective action, up to termination of employment.



4

Menu

0:03



Silent

Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



There are two main forms of harassment. These include:

- Environmental harassment, which describes conduct tied to a protected category that is unwelcome and severe or pervasive enough that it makes the work environment hostile.
- Quid Pro Quo (or this-for-that) is most often associated with sexual harassment. It can occur when a manager or supervisor makes a request for sex, sexual favors, or a sexual relationship in exchange for a promise to give a benefit (such as a promotion, new job, or salary increase) or threatens to take a significant negative action (such as a demotion or pay cut) based on his or her response to the request.

Both kinds of harassment are strictly prohibited by policy and the law.



Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



The term protected category or protected characteristic also has a very specific meaning. For conduct to be considered prohibited harassment, it must be based on or because of a protected characteristic.

Characteristics protected by federal law include:

- Race
- Color
- Gender (including sexual orientation and gender identity or expression)
- Sex
- National origin
- Disability (including being regarded as disabled)
- Religion
- Age (40+)
- Pregnancy (including pregnancy, childbirth or related medical conditions)
- Genetic information
- Military status
- Citizenship status

Most states also have laws prohibiting harassment, and some provide broader protections.

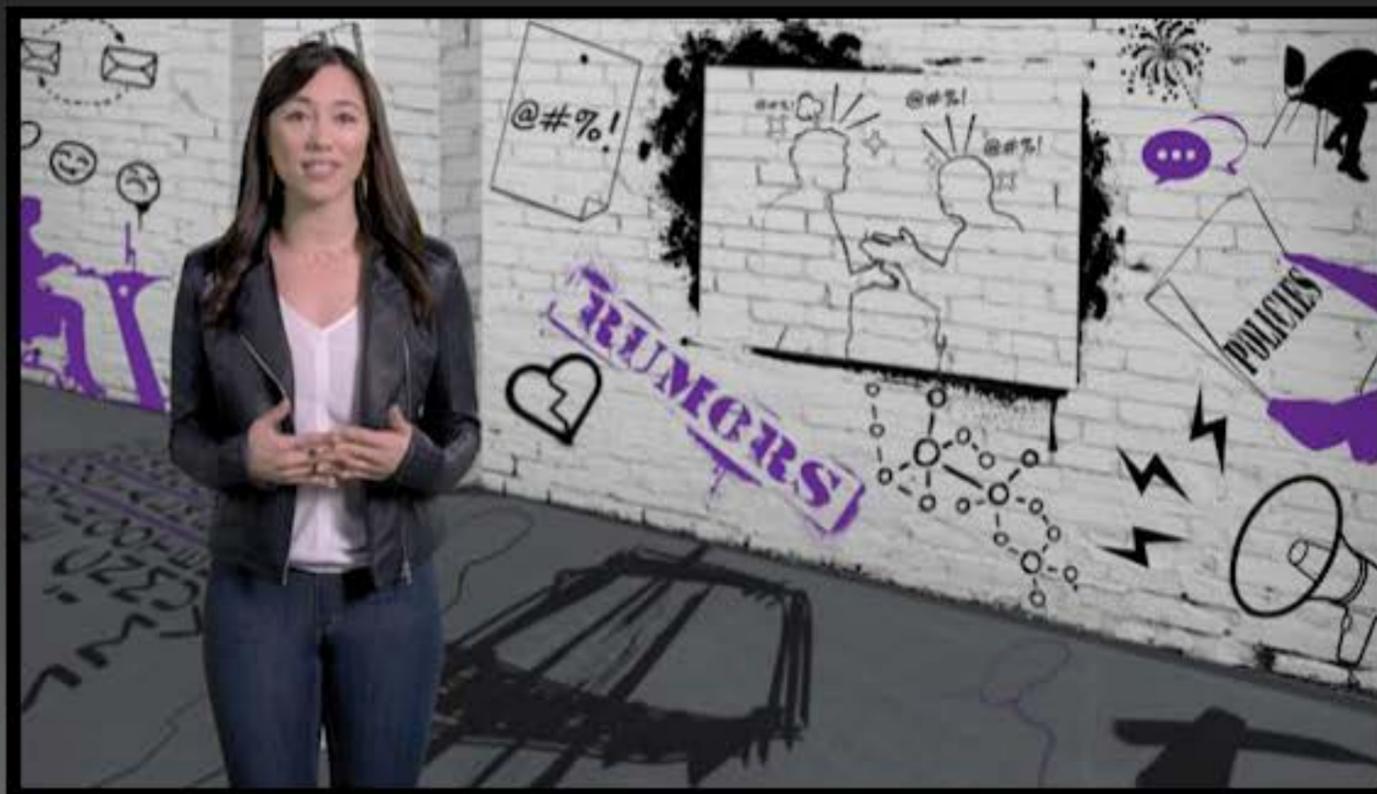




Harassment Basics



- 50 State Survey
- Policy
- Questions
- Report



Bobbie:
I've got a few additional pointers before you tackle your first scenario:

Menu

0:04



Silent

Continue



Harassment Basics

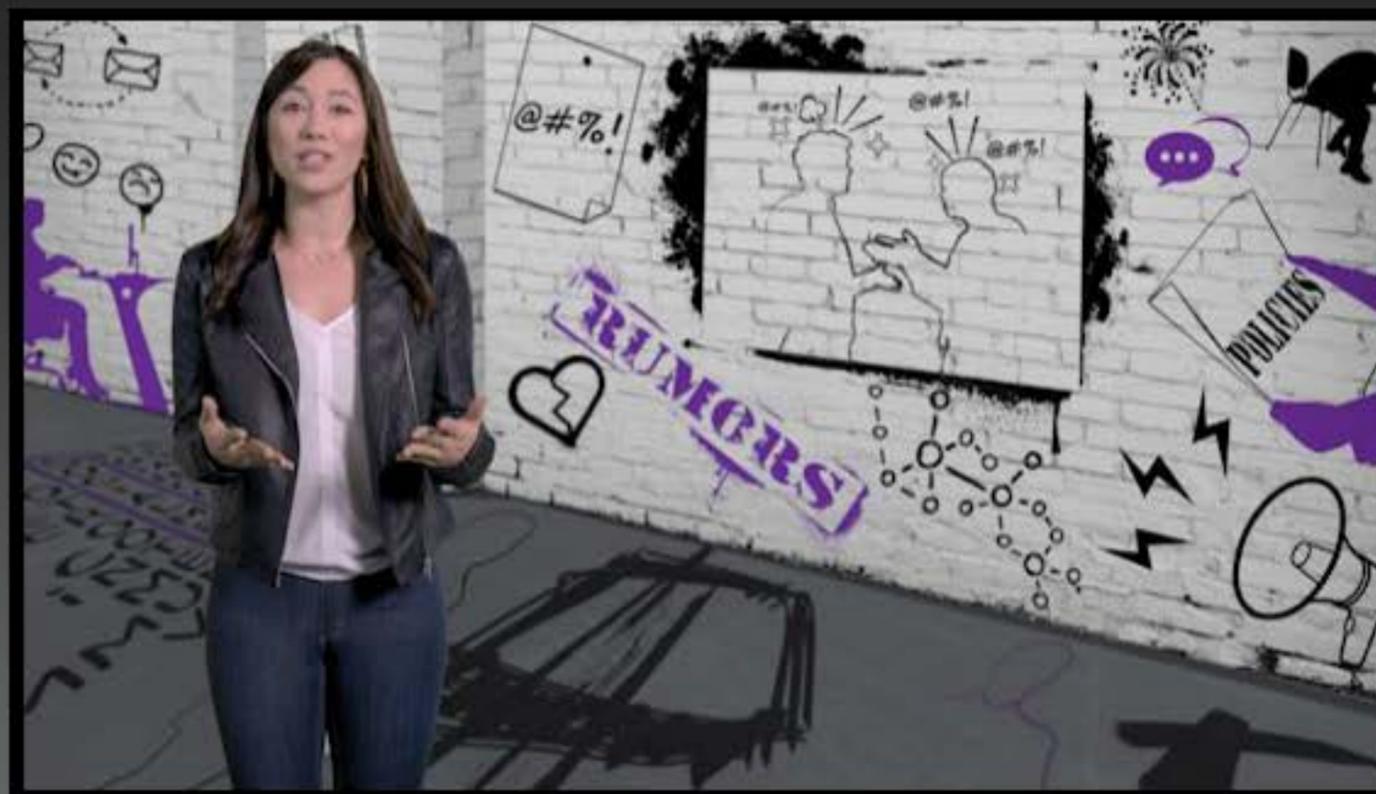


50 State Survey

Policy

Questions

Report



Bobbie:

- Harassment can happen in any organization—even those that are considered great places to work
- Intent doesn't matter—so even if an employee never meant to say or do something offensive, he or she can still violate policy

Menu

0:04



Silent



Continue



Harassment Basics

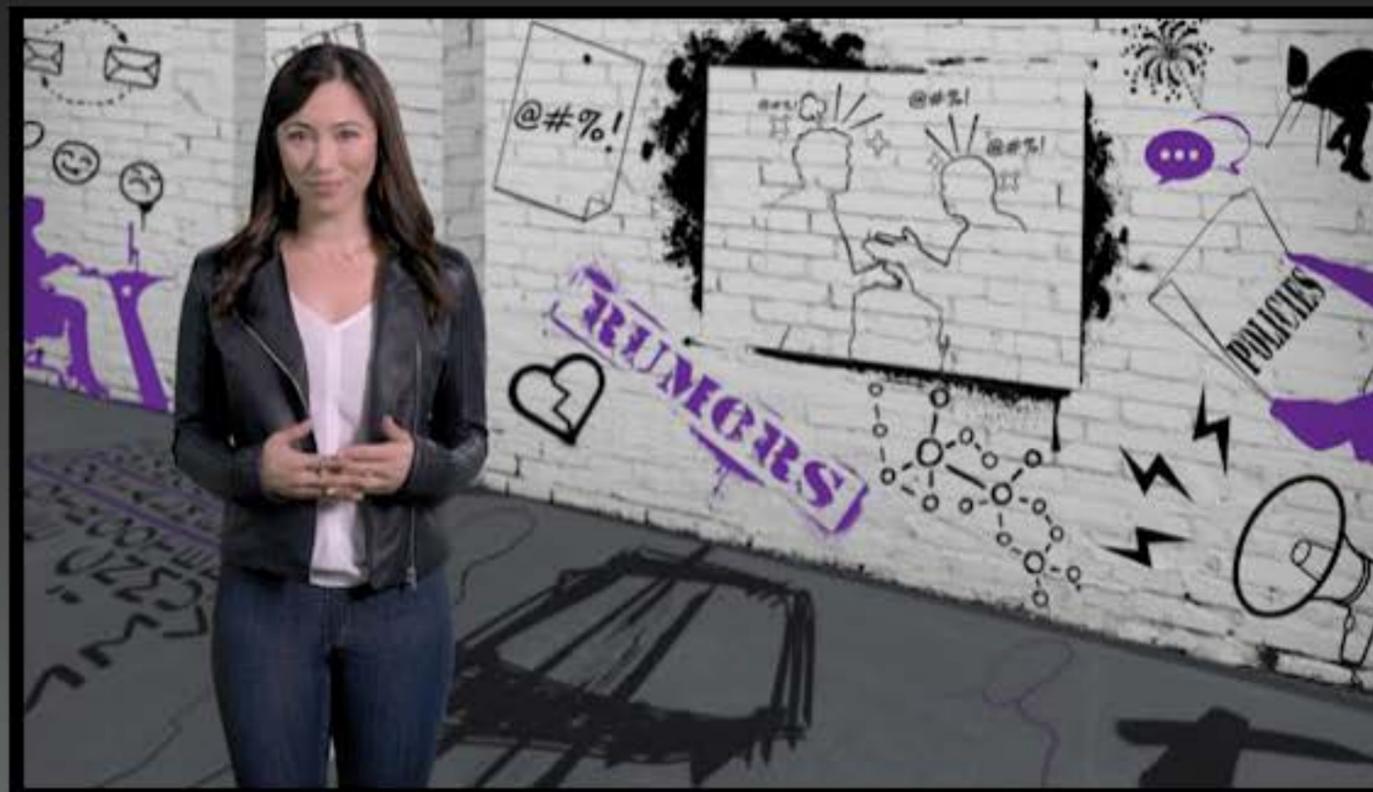


50 State Survey

Policy

Questions

Report



Bobbie:

- Not everything that's upsetting is harassment—so if a manager denies a vacation request or asks an employee to work extra hours, that doesn't necessarily make it harassment

Menu

0:04



Silent



Continue



Harassment Basics

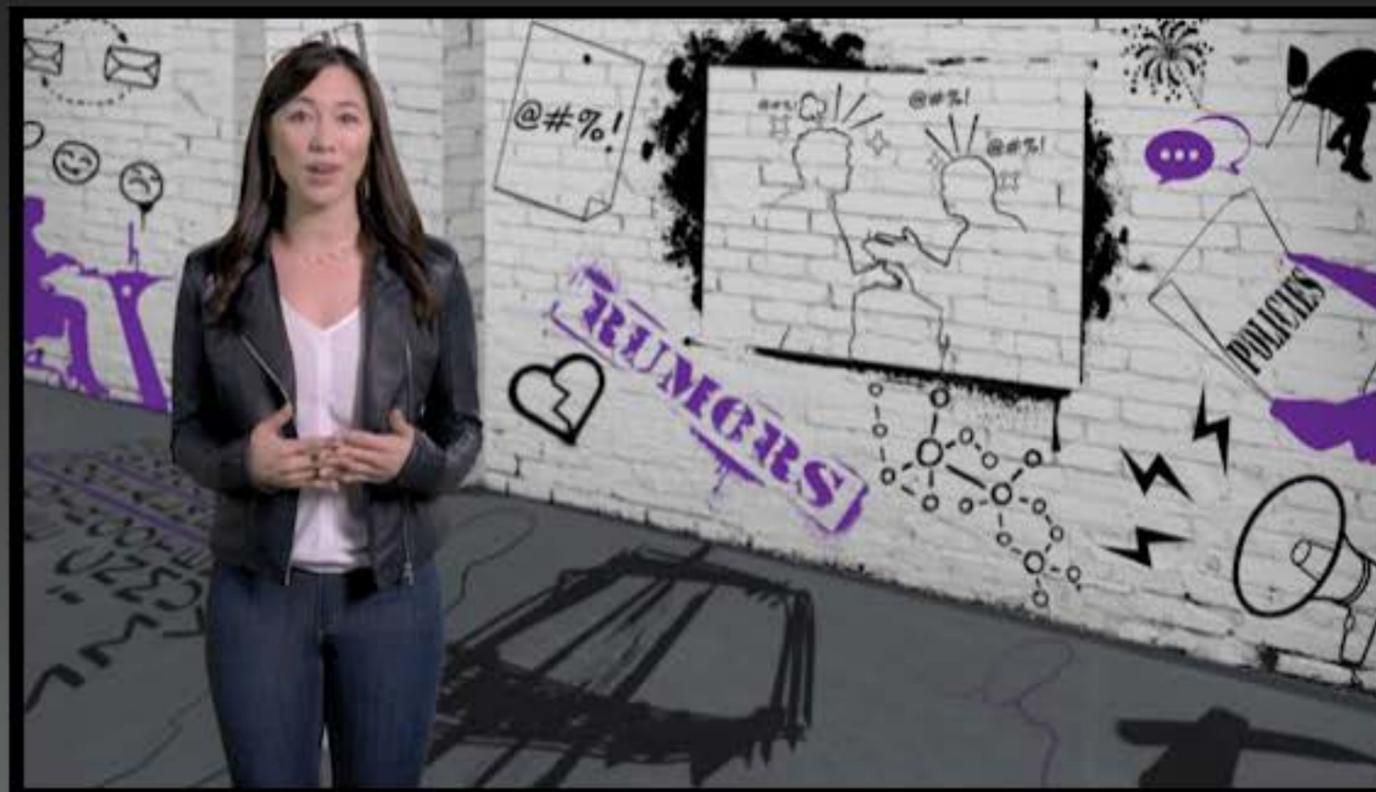


50 State Survey

Policy

Questions

Report



Bobbie:

Time for you to put your knowledge to work.

Menu

0:04



Silent



Continue



Preventing Workplace Harassment US Managers Edition - (v7)



50 State Survey

Policy

Questions

Report

Menu

Introduction



Harassment Basics



PAL@Work



Employee Rec Room

Available Anytime

Self-Reporting

Workplace Relationships

Feedback



Menu

0:04



Silent





PAL@Work



50 State Survey

Policy

Questions

Report



Bobbie:

As little as five years ago, the workplace was a very different place.

Menu

 0:05



 Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



Bobbie:

As little as five years ago, the workplace was a very different place.

Technology has dramatically changed how we interact with each other, and the types of information we have access to.

Menu

0:05



Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



Bobbie:

As little as five years ago, the workplace was a very different place.

Technology has dramatically changed how we interact with each other, and the types of information we have access to.

Some changes are good, and others not so much.

Menu

0:05



Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



Bobbie:

For instance, portability is a convenience but it can also create problems.

Menu

0:05



Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



Jan:
What is that?

Menu

0:05



Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



Jan:
What is that?

Adam:
It's my new PAL.

Menu

 0:05



 Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



Jan:
Uh-huh. So you bought a new friend?

Menu

 0:05



 Silent



Continue



Jan:
Uh-huh. So you bought a new friend?

Adam:
Well, not so much a friend as an assistant.





PAL@Work



50 State Survey

Policy

Questions

Report



Ron:
It stands for Personal Assistant Live.

Menu

0:05



Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



Ron:
It stands for Personal Assistant Live.

Adam:
Watch: PAL, what is the fastest animal on the face of the earth?

Menu

 0:06



 Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



PAL:
The fastest animal on Earth is the Cheetah.

Menu

 0:06



 Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



PAL:
The fastest animal on Earth is the Cheetah.

Ron:
PAL, What's the current temperature outside?

Menu

0:06



Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



PAL:
The temperature is a cool 68 degrees.

Menu

0:06



Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



PAL:
The temperature is a cool 68 degrees.

Adam:
PAL, are you married?

Menu

 0:06



 Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



PAL:

I am currently unattached but occasionally I'm plugged into a co-unit.

Menu

0:06



Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



PAL:

I am currently unattached but occasionally I'm plugged into a co-unit.

Jan:

Okay, let me try, let me try. PAL, I think I love you.

Menu

 0:06



 Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



PAL:
Is your name Wi-Fi? Because I am feeling a connection.

Menu

 0:06



 Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



PAL:
Is your name Wi-Fi? Because I am feeling a connection.

Ron:
Ooh, try this; PAL, tell us a dirty joke.

Menu

0:07



Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



PAL:
What's green and blue and lives in your—

Menu

0:07



Silent



Continue

Challenge Question



The employees in this scenario were interacting with a portable device capable of voice interaction. Let's apply the harassment policy to this situation. Are any of the statements below correct? Select the best answer.

- A. Both men and women are enjoying themselves, so it cannot be harassment
- B. No one has complained, so it cannot be harassment
- C. Because the employees did not target a specific person, it cannot be harassment
- D. Because the employees were using a personal device, it cannot be harassment
- E. None of the statements are correct



Challenge Question

 **Correct!**

That's right. The correct answer is E, none of the statements are correct.

Asking PAL comments about his dating or sex life, or asking PAL to tell a dirty joke, is just as inappropriate and offensive as it would be if an employee made these comments directly to another employee.

Employees have a responsibility to think about how their conduct could impact others before they act or speak. Employees should not assume that otherwise offensive behaviors are excusable because people are laughing along, no one has complained, because they did not intend to offend anyone, they did not target anyone, or because they are on a break using a personal device.



Challenge Question



In the scenario, none of the employees made sexual comments directly to another employee and no one made a sexual advance. Which statement below about this situation is correct? More than one answer option may be correct.

- A. Personal questions in the workplace are generally prohibited
- B. The actions violate policy because a woman was present in the room
- C. Sexual harassment can involve making offensive remarks in general, even if not directed at anyone
- D. Any discussion of dating or marriage in the workplace will trigger policy violations



Challenge Question

 **Correct!**

That's right. The correct answer is C.

Sexual harassment is not just about conduct that involves sexual advances like asking someone out. It's much broader than that.

Sexual harassment can include:

- Unwelcome sexual advances
- Requests for sexual favors
- Other verbal and physical harassment of a sexual nature

Sexual harassment can include such conduct as making offensive remarks about a person's appearance, making generally offensive comments about men or women, looking at offensive material such as pornography, or asking PAL questions that are inappropriate.

And remember, a harasser can be the same sex as the victim, and anyone can be a harasser or a victim.





Challenge Question



All employees play a role in helping improve their work environment. Sometimes employees must speak up to help stop harassment. Which of the following would be an appropriate employee response to this scenario? More than one answer option may be correct.

- A. Ask a few other employees if this is something they should report to a manager
- B. Speak up; let the employees know that what they're doing is unacceptable and offensive, and they should cut it out
- C. Text a coworker and tell him that he needs to put an end to it
- D. Talk to a manager about what just happened





Challenge Question

 **Correct!**

That's right. The correct answers are B and D.

All employees in this situation should have known that interacting with PAL in the way they did would violate policy; each employee had a responsibility to speak up about it.

It is not okay to stay silent or wait until someone else speaks up. Employees could have objected as the questions were being asked, and they can and should also speak with HR or a manager about what occurred.





PAL@Work



50 State Survey

Policy

Questions

Report

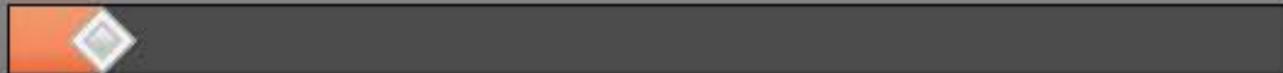


Bobbie:

For some people, this situation may not seem like that big of a deal; but for others, it crosses the line.

Menu

0:10



Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



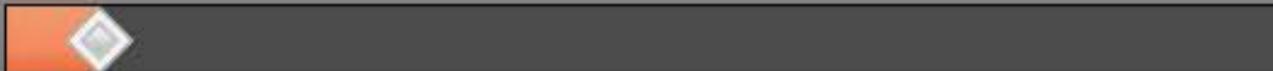
Bobbie:

For some people, this situation may not seem like that big of a deal; but for others, it crosses the line.

Regardless of your opinion, it's your responsibility to be respectful and considerate of others.

Menu

0:10



Silent



Continue



PAL@Work



50 State Survey

Policy

Questions

Report



Bobbie:
So think before you act or speak.

Menu

 0:10



 Silent



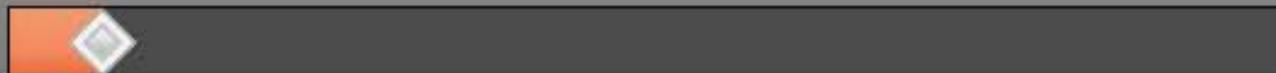
Continue



Bobbie:

So think before you act or speak.

If there's any chance that what you are about to say or do could be considered disrespectful or offensive, then don't say or do it.





Preventing Workplace Harassment US Managers Edition - (v7)



50 State Survey

Policy

Questions

Report

Menu

Introduction



Harassment Basics



PAL@Work



So Long Rec Room



Palmyra, Anytime

Spokane, WA

Workplace Relationships

Seattle, WA



Menu

 0:11



 Silent





So Long Rec Room



50 State Survey

Policy

Questions

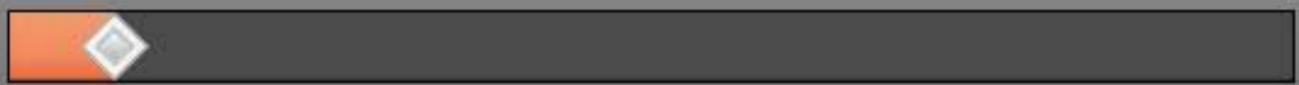
Report



Bobbie:
It's easy to believe that if you understand harassment basics, then you've got it all figured out.

Menu

0:11



Silent

Continue



So Long Rec Room



50 State Survey

Policy

Questions

Report

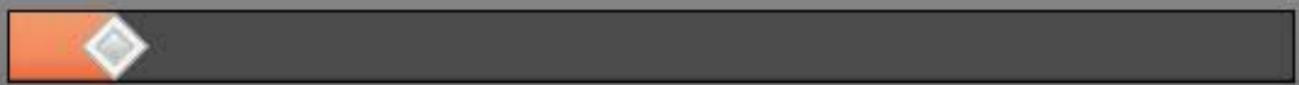


Bobbie:
It's easy to believe that if you understand harassment basics, then you've got it all figured out.

But that's just not true. Harassment can take many forms, and it's not always easy to spot.

Menu

0:11



Silent

Continue



So Long Rec Room



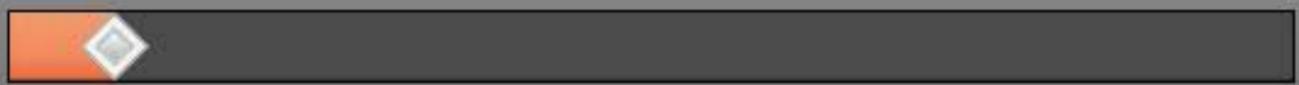
- 50 State Survey
- Policy
- Questions
- Report



Ally:
You are going down, sister.

Menu

0:11



Silent

Continue



So Long Rec Room x

50 State Survey

Policy

Questions

Report



Ally:
You are going down, sister.

Kathy:
I've been down and this is how I get back up.

Menu

 0:12



 Silent

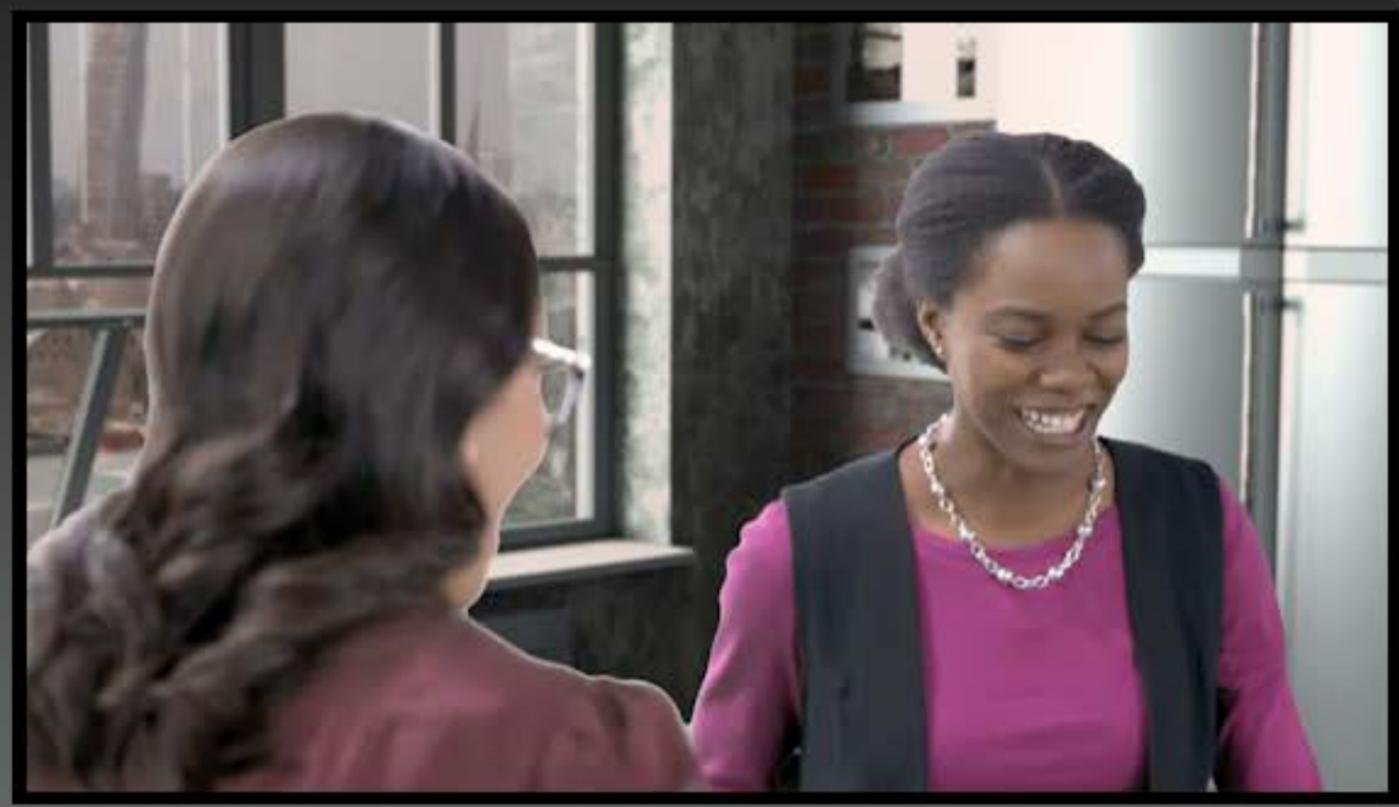


Continue



So Long Rec Room

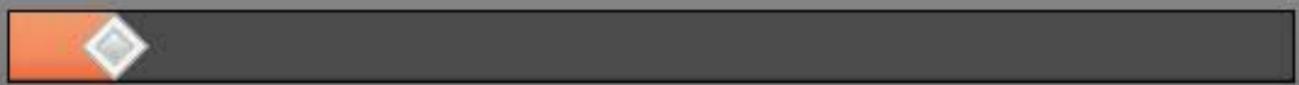
- 50 State Survey
- Policy
- Questions
- Report



Ally:
Oh I'm really going to miss this table.

Menu

0:12



Silent

Continue



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

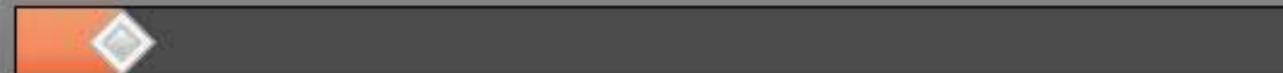


Ally:
Oh I'm really going to miss this table.

Kathy:
What? Wait a second. Where are you going?

Menu

0:12



Silent

Continue



So Long Rec Room

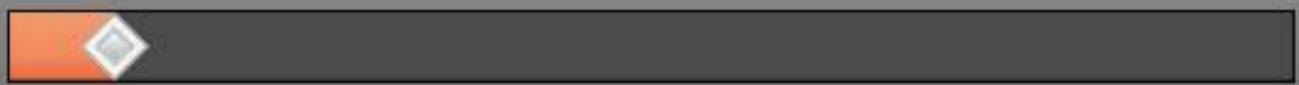
- 50 State Survey
- Policy
- Questions
- Report



Ally:
Not me. Didn't you hear? The whole room is getting cleared out.

Menu

0:12



Silent

Continue



So Long Rec Room x

50 State Survey

Policy

Questions

Report

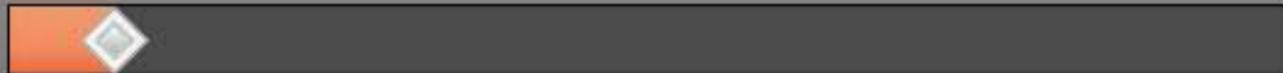


Ally:
Not me. Didn't you hear? The whole room is getting cleared out.

Kathy:
Why?

Menu

 0:12



 Silent



Continue



So Long Rec Room



50 State Survey

Policy

Questions

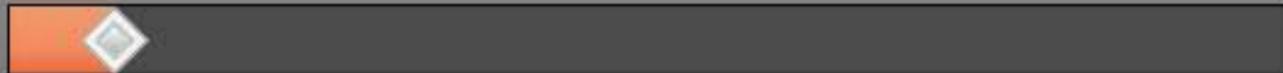
Report



Ally:
Apparently, it's getting converted into a prayer room.

Menu

0:12



Silent



Continue



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

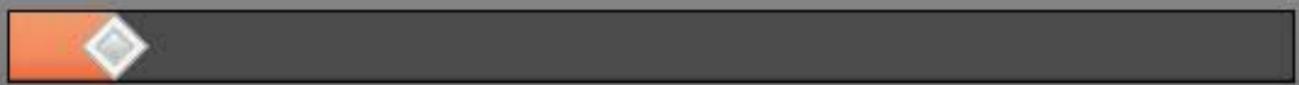


Ally:
Apparently, it's getting converted into a prayer room.

Kathy:
You got to be kidding me.

Menu

0:12



Silent

Continue



So Long Rec Room ✕

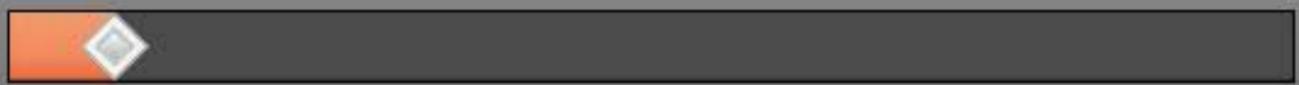
- 50 State Survey
- Policy
- Questions
- Report



Ally:
Nope. Apparently "someone" asked for a prayer room and this is the only spot available.

Menu

 0:12



 Silent 

Continue



So Long Rec Room



50 State Survey

Policy

Questions

Report

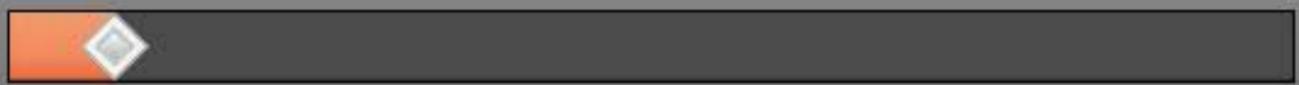


Ally:
Nope. Apparently "someone" asked for a prayer room and this is the only spot available.

Kathy:
What happened to the needs of the many outweighing the needs of the few?

Menu

0:12



Silent

Continue



So Long Rec Room x

50 State Survey

Policy

Questions

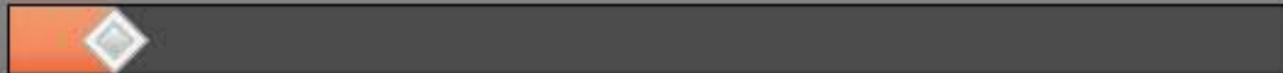
Report



Ally:
Or the one.

Menu

 0:12



 Silent



Continue



So Long Rec Room



50 State Survey

Policy

Questions

Report

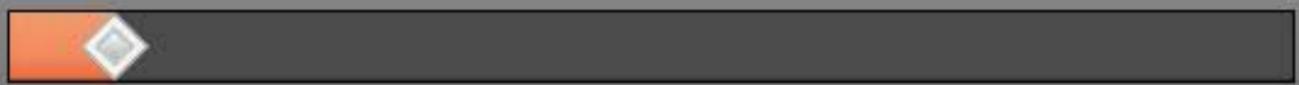


Ally:
Or the one.

Kathy:
I guess it's game over.

Menu

0:12



Silent

Continue



So Long Rec Room

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

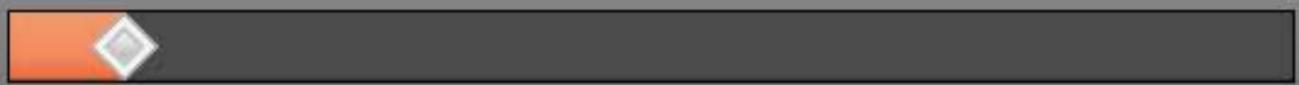
Verbal & Written	Physical	Visual
Click Here +	Click Here +	Click Here +

01 | Inappropriate cartoons, drawings, or images

01 of 15

Menu

0:14



Silent



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

<p>Verbal & Written</p> <hr/> <p>Click Here</p> <p>+</p>	<p>Physical</p> <hr/> <p>Click Here</p> <p>+</p>	<p>Visual</p> <hr/> <p>Inappropriate cartoons, drawings, or images</p>
---	---	---

That's Correct

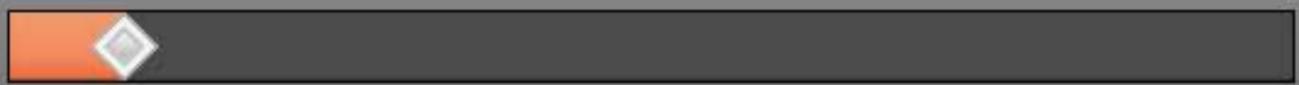
You found the correct location for this item.

[Next](#)

01 of 15

Menu

0:14



Silent



So Long Rec Room x

50 State Survey

Policy

Questions

Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

Verbal & Written	Physical	Visual
Click Here 	Click Here 	Click Here 

02

Making lewd gestures



02 of 15

Menu

 0:14



 Silent





So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

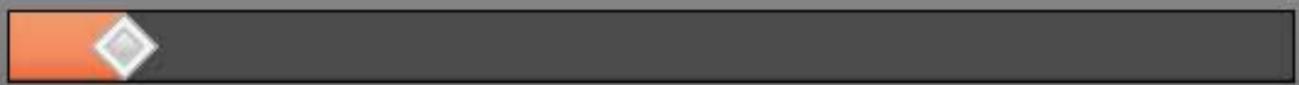
Verbal & Written Click Here +	Physical Click Here +	Visual Making lewd gestures
---	---	---

✔ That's Correct
You found the correct location for this item.
Next

02 of 15

Menu

0:14



Silent



So Long Rec Room

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

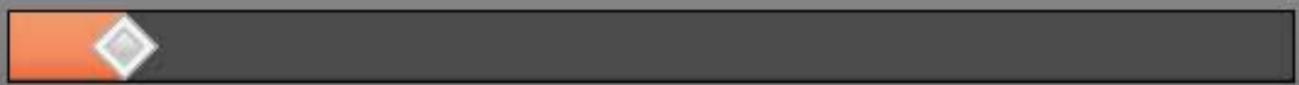
Verbal & Written	Physical	Visual
Click Here +	Click Here +	Click Here +

03 | Assaulting or physically blocking a person | ^

03 of 15

Menu

0:14



Silent



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

<p>Verbal & Written</p> <hr/> <p>Click Here</p> <p>+</p>	<p>Physical</p> <hr/> <p>Assaulting or physically blocking a person</p> <p>✓</p>	<p>Visual</p> <hr/> <p>Click Here</p> <p>+</p>
---	---	---

✓ **That's Correct**

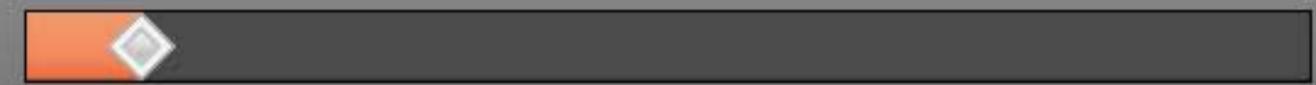
You found the correct location for this item.

Next

03 of 15

Menu

0:14



Silent



So Long Rec Room

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

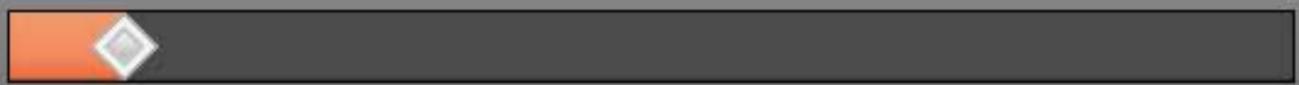
Verbal & Written	Physical	Visual
Click Here +	Click Here +	Click Here +

04 Visiting online porn sites

04 of 15

Menu

0:14



Silent



So Long Rec Room

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

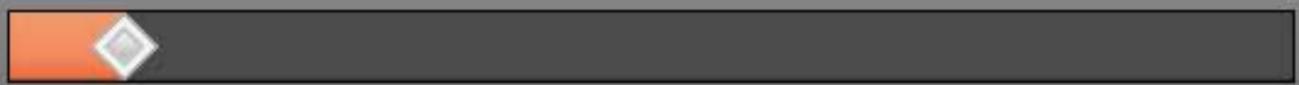
Verbal & Written Click Here +	Physical Click Here +	Visual Visiting online porn sites
--	--	---

✔ That's Correct
You found the correct location for this item.
[Next](#)

04 of 15

Menu

0:14



Silent



So Long Rec Room x

50 State Survey

Policy

Questions

Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

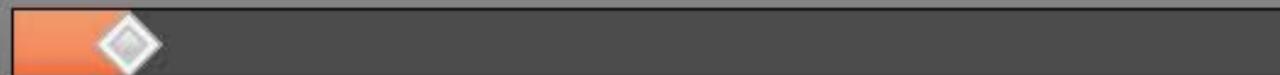
Verbal & Written	Physical	Visual
Click Here 	Click Here 	Click Here 

05 Leering 

05 of 15

Menu

 0:14



 Silent



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

Verbal & Written <hr/> <p>Click Here</p> <p>+</p>	Physical <hr/> <p>Click Here</p> <p>+</p>	Visual <hr/> <p>Leering</p>
---	---	---------------------------------------

That's Correct

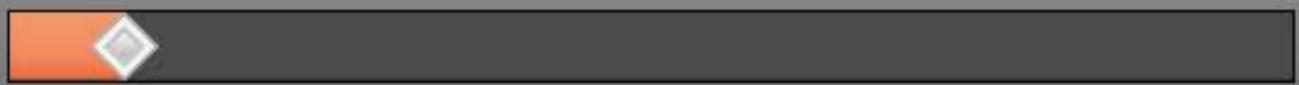
You found the correct location for this item.

[Next](#)

05 of 15

Menu

0:14



Silent



So Long Rec Room x

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

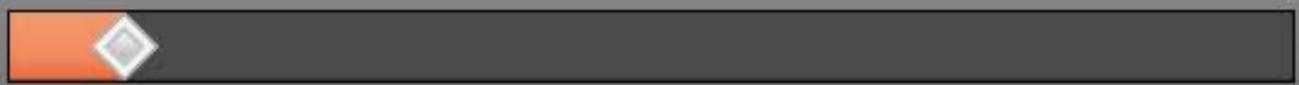
Verbal & Written	Physical	Visual
<p>Click Here</p> 	<p>Click Here</p> 	<p>Click Here</p> 

06 Making physical contact with or acting aggressively toward someone 

06 of 15

Menu

 0:14



 Silent 



So Long Rec Room

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

<p>Verbal & Written</p> <hr/> <p>Click Here</p> <p>+</p>	<p>Physical</p> <hr/> <p>Making physical contact with or acting aggressively toward someone</p>	<p>Visual</p> <hr/> <p>Click Here</p> <p>+</p>
---	--	---

That's Correct

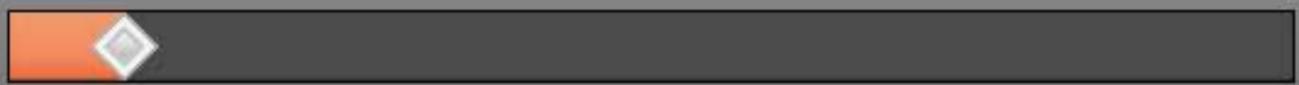
You found the correct location for this item.

[Next](#)

06 of 15

Menu

0:15



Silent



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

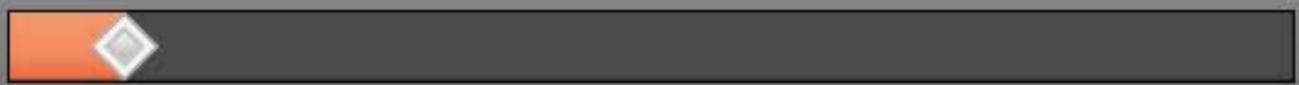
Verbal & Written	Physical	Visual
Click Here +	Click Here +	Click Here +

07 | Messaging another person | ^

07 of 15

Menu

0:15



Silent



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

<p>Verbal & Written</p> <hr/> <p>Click Here</p> <p>+</p>	<p>Physical</p> <hr/> <p>Massaging another person</p>	<p>Visual</p> <hr/> <p>Click Here</p> <p>+</p>
---	--	---

That's Correct

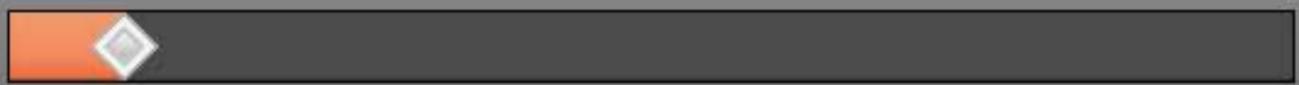
You found the correct location for this item.

[Next](#)

07 of 15

Menu

0:15



Silent



So Long Rec Room



50 State Survey

Policy

Questions

Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

Verbal & Written	Physical	Visual
Click Here +	Click Here +	Click Here +

08

Repeating negative stereotypes



08 of 15

Menu

0:15



Silent





So Long Rec Room

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

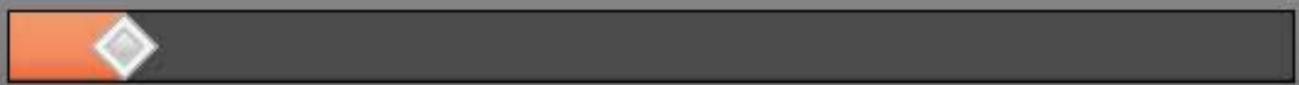
Verbal & Written Repeating negative stereotypes	Physical Click Here +	Visual Click Here +
---	------------------------------------	----------------------------------

That's Correct
You found the correct location for this item.
[Next](#)

08 of 15

Menu

0:15



Silent



So Long Rec Room

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

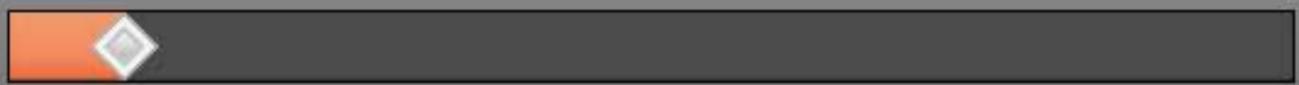
Verbal & Written	Physical	Visual
Click Here +	Click Here +	Click Here +

09 Asking inappropriate personal questions

09 of 15

Menu

0:15



Silent



So Long Rec Room

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

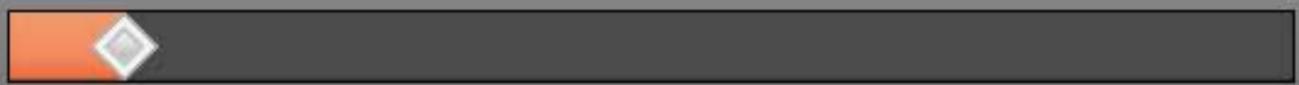
Verbal & Written Asking inappropriate personal questions	Physical Click Here +	Visual Click Here +
--	------------------------------------	----------------------------------

That's Correct
You found the correct location for this item.
[Next](#)

09 of 15

Menu

0:15



Silent



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

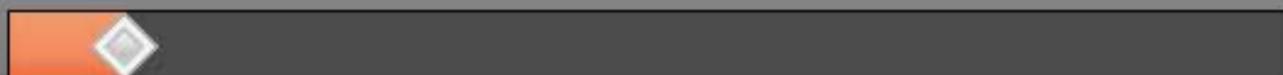
Verbal & Written	Physical	Visual
Click Here +	Click Here +	Click Here +

10 | Obscene notes, texts, online posts, or emails ⤴

10 of 15

Menu

0:15



Silent



So Long Rec Room

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

Verbal & Written Obscene notes, texts, online posts, or emails	Physical Click Here +	Visual Click Here +
--	------------------------------------	----------------------------------

That's Correct
You found the correct location for this item.
[Next](#)

10 of 15

Menu

0:15



Silent



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

Verbal & Written	Physical	Visual
Click Here +	Click Here +	Click Here +

11	Telling offensive jokes	⤴
----	-------------------------	---

11 of 15



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

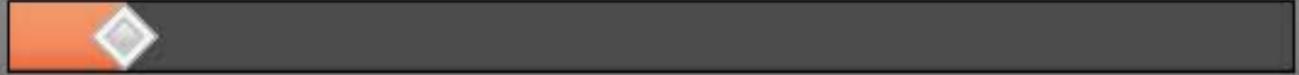
Verbal & Written Telling offensive jokes	Physical Click Here +	Visual Click Here +
--	------------------------------------	----------------------------------

That's Correct
You found the correct location for this item.
[Next](#)

11 of 15

Menu

0:15



Silent



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

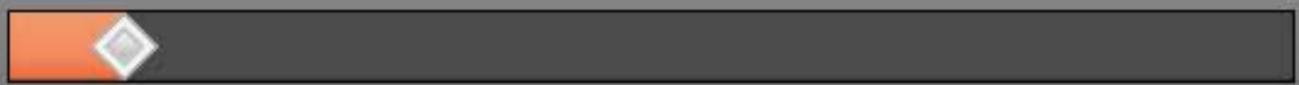
Verbal & Written	Physical	Visual
Click Here +	Click Here +	Click Here +

12 Using racial or ethnic slurs in conversation

12 of 15

Menu

0:15



Silent



So Long Rec Room

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

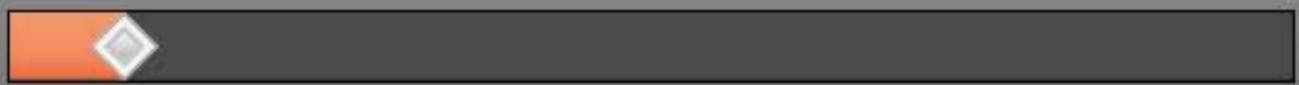
Verbal & Written Using racial or ethnic slurs in conversation	Physical Click Here +	Visual Click Here +
---	------------------------------------	----------------------------------

That's Correct
You found the correct location for this item.
[Next](#)

12 of 15

Menu

0:16



Silent



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

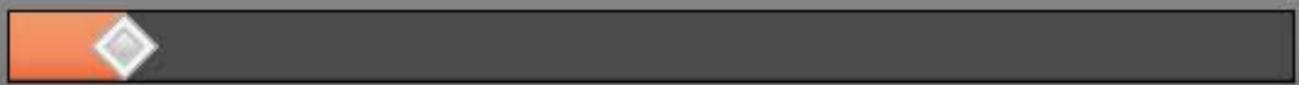
Verbal & Written	Physical	Visual
Click Here +	Click Here +	Click Here +

13 | Displaying a noose in the workplace | ^

13 of 15

Menu

0:16



Silent



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

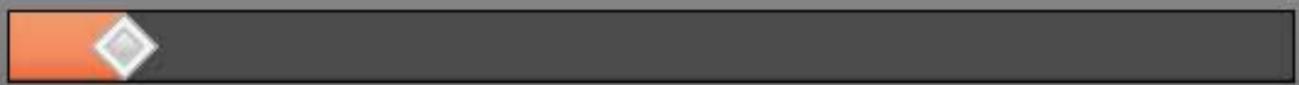
Verbal & Written Click Here +	Physical Click Here +	Visual Displaying a noose in the workplace ✓
--	--	---

✓ **That's Correct**
You found the correct location for this item.
[Next](#)

13 of 15

Menu

0:16



Silent



So Long Rec Room x

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

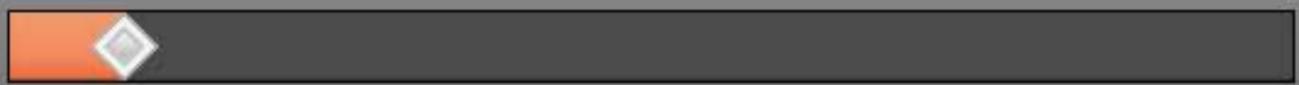
Verbal & Written	Physical	Visual
Click Here 	Click Here 	Click Here 

14	Sexual touching	
----	-----------------	---

14 of 15

Menu

 0:16



 Silent 



So Long Rec Room



50 State Survey

Policy

Questions

Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

Verbal & Written

Click Here

Physical

Sexual touching

Visual

Click Here

That's Correct

You found the correct location for this item.

[Next](#)

14 of 15



So Long Rec Room



50 State Survey

Policy

Questions

Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

Verbal & Written	Physical	Visual
Click Here +	Click Here +	Click Here +

15

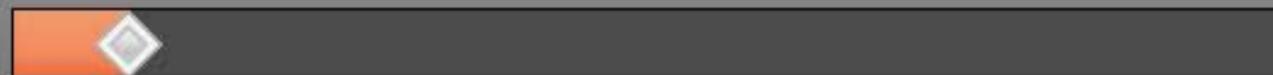
Intimidating or threatening another person



15 of 15

Menu

0:16



Silent





So Long Rec Room

- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

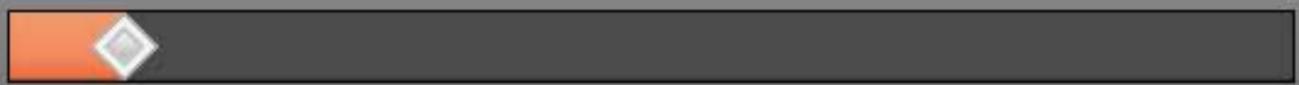
Verbal & Written Click Here +	Physical Intimidating or threatening another person ✓	Visual Click Here +
--	--	--------------------------------------

✓ That's Correct
You found the correct location for this item.
Next

15 of 15

Menu

0:16



Silent

So Long Rec Room x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)**Categorize It**

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

Verbal & Written

Repeating negative stereotypes

Asking inappropriate personal questions

Obscene notes, texts, online posts, or emails

Telling offensive jokes

Using racial or ethnic slurs in conversation

Physical

Assaulting or physically blocking a person

Making physical contact with or acting aggressively toward someone

Massaging another person

Sexual touching

Intimidating or threatening another person

Visual

Inappropriate cartoons, drawings, or images

Making lewd gestures

Visiting online porn sites

Leering

Displaying a noose in the workplace

Menu

 0:16 Silent

Continue



So Long Rec Room



- 50 State Survey
- Policy
- Questions
- Report

Categorize It

Before you assess the last scenario, see if you can categorize the following examples of harassment as verbal/written, visual, or physical. To move an item, click the item location.

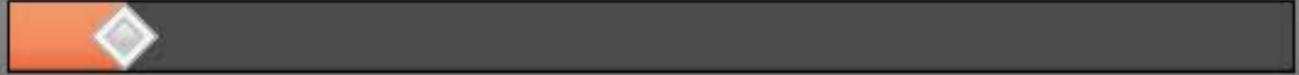
Congratulations. You found the correct location for each example.

The examples you just categorized represent only a small number of the many forms harassment can take.



Menu

0:16



Silent

Continue



So Long Rec Room



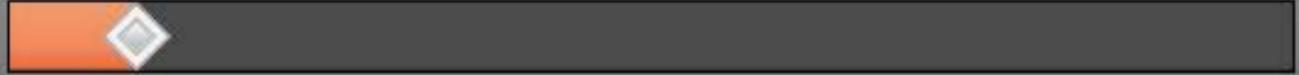
- 50 State Survey
- Policy
- Questions
- Report



Bobbie:
Well done. Now let's get back to the scenario with the prayer room. When an employer provides a religious accommodation, like a prayer room, other employees may respond poorly, like Ally and Kathy are predicting. Let's explore this situation a little deeper and see what happens.

Menu

0:17



Silent

Continue



So Long Rec Room x

- 50 State Survey
- Policy
- Questions
- Report

Challenge Question

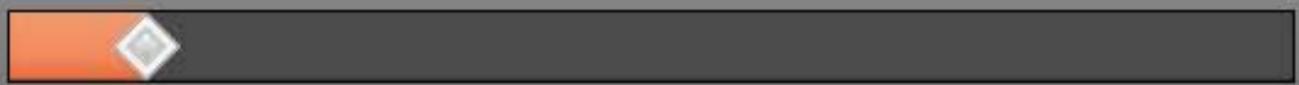


If coworkers make nasty comments to the employee who asked for a prayer room, and leave offensive images on her car, what forms of harassment would she be exposed to?

- A. Verbal Harassment
- B. Physical Harassment
- C. Visual Harassment
- D. None of the above

Menu

 0:17



 Silent 



So Long Rec Room



50 State Survey

Policy

Questions

Report

Challenge Question

Correct!

That's right. The correct answers are A and C.

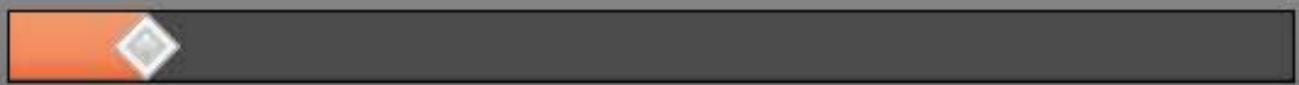
If coworkers respond with nasty comments and offensive images, they would be engaging in multiple forms of harassment, including verbal (the mean comments), and visual (offensive notes).

The employer in this case made a decision to provide an employee with a religious accommodation and all employees must show respect for the decision and the employee who made the request. Being rude, disrespectful, or retaliating in any way is not acceptable and violates policy.



Menu

0:17



Silent

Continue

So Long Rec Room x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

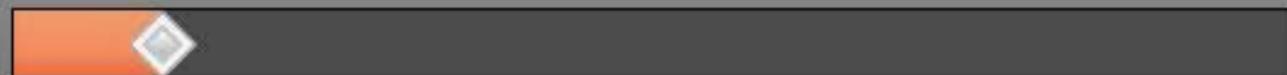
Challenge Question



Let's twist the scenario a bit and see what you think. What if the rec room was still available but Roger, a grumpy employee, insults anyone who uses the room—calling them lazy and slackers. He even posts a sign that reads, "Get Back To Work!" What forms of harassment are employees exposed to? Select all the forms of harassment that apply.

- A. Verbal Harassment
- B. Physical Harassment
- C. Visual Harassment
- D. None of the above

Menu

 0:17 Silent



So Long Rec Room



50 State Survey

Policy

Questions

Report

Challenge Question

Correct!

That's right. The correct answer is D.

On these facts, the conduct—although rude and upsetting—is not a form of prohibited harassment.

In this case, Roger has not acted because of a protected characteristic and he has not made comments or gestures that target a protected class of people.

Nonetheless, his rude conduct is abusive and should be addressed by management right away.

Click the icon in the lower right corner to learn more about abusive conduct and workplace rules prohibiting it.



Menu

0:18



Silent



Continue

Challenge Question

 Correct!

That's right.

On these facts

In this case, R
gestures that t

Nonetheless, f

Click the icon i

Close x

Although not protected categories, bullying and abusive conduct are detrimental to the workplace and violate policy. Abusive conduct is workplace conduct done with malice, that a reasonable person would find hostile, offensive, and unrelated to legitimate business.

Behaviors that could be considered abusive include:

- Repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets
- Verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating
- Gratuitous and unwarranted sabotage or undermining of another person's work performance

If you witness or experience abusive conduct, report it immediately to an internal resource.

So Long Rec Room x

50 State Survey

Policy

Questions

Report

Challenge Question



Let's tweak the scenario another way. The rec room is converted into a room for nursing mothers. Would negative comments about breastfeeding violate policy? Select the best answer.

- A. No, nursing mothers are not protected by policy or the law
- B. Not unless nursing mothers are specifically protected by policy
- C. Yes, if the comments are made by a male coworker
- D. Yes, nursing mothers are protected from workplace harassment

Menu

 0:18 Silent



So Long Rec Room



50 State Survey

Policy

Questions

Report

Challenge Question

 **Correct!**

That's right. The correct answer is D.

Negative comments about nursing mothers, how they are using the room, about breastfeeding in general, or about the fact that an employee has been provided with a room are unacceptable and offensive.

Nursing mothers have a right to a private and clean space to express breast milk while at work. Negative comments and disrespectful treatment can be a form of gender and pregnancy harassment in violation of policy and the law.

Discrimination and harassment on the basis of pregnancy, childbirth, and related medical conditions (such as lactation) are all prohibited by policy and the law.



Menu

 0:18



 Silent



Continue



Preventing Workplace Harassment US Managers Edition - (v7)



50 State Survey

Policy

Questions

Report

Menu

Introduction 

Harassment Basics 

PAL@Work 

So Long Rec Room 

Anywhere, Anytime 

Sexual Harassment

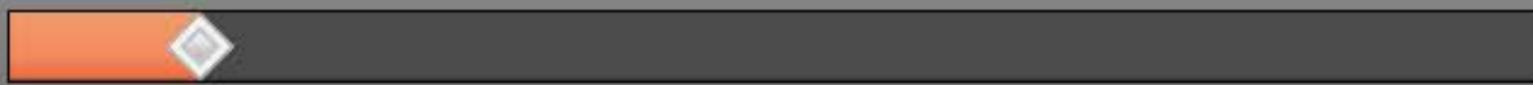
Workplace Relationships

Reporting



Menu

 0:18



 Silent





Anywhere, Anytime



50 State Survey

Policy

Questions

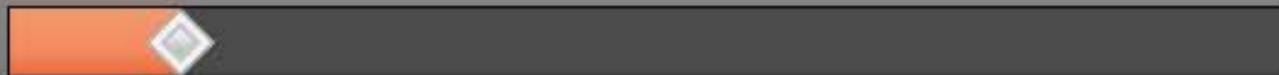
Report



Bobbie:
Unfortunately, harassment happens.

Menu

0:18



Silent



Continue



Anywhere, Anytime



50 State Survey

Policy

Questions

Report

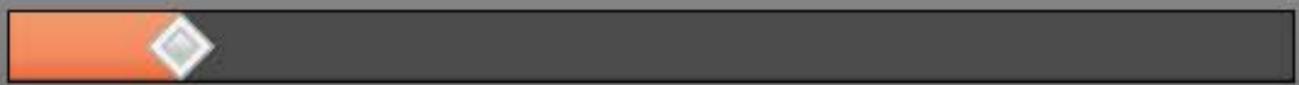


Bobbie:
Unfortunately, harassment happens.

It also has no bounds...it can occur at work and even away from the workplace. So if it does happen outside of work, does the harassment policy apply?

Menu

 0:19



 Silent 

Continue



Anywhere, Anytime



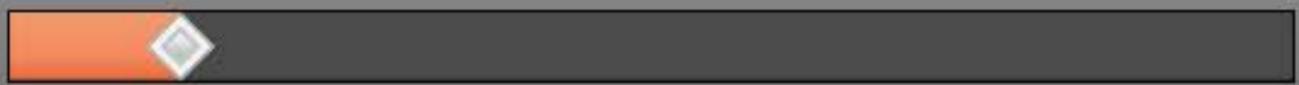
- 50 State Survey
- Policy
- Questions
- Report



Bobbie:
Let's check your knowledge with a quick quiz. Get all the questions right, and you get to skip part of this course.

Menu

0:19



Silent

Continue



Knowledge Assessment

01

While an employee is visiting a vendor or customer site

A.
Yes, the policy applies

B.
No, the policy does not apply



Submit



Knowledge Assessment

02

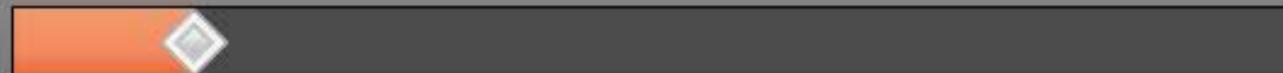
At an after-hours work party at a local restaurant

A.
Yes, the policy applies

B.
No, the policy does not apply



Submit





Knowledge Assessment

03

While attending a professional conference paid for by your employer

A.
Yes, the policy applies

B.
No, the policy does not apply



Submit



Knowledge Assessment

04 While on international travel for work in a country that does not have a law prohibiting harassment

A.
Yes, the policy applies

B.
No, the policy does not apply



Submit



Knowledge Assessment

05 While at home on your own time, not interacting with employees, coworkers, or business partners

A.
Yes, the policy applies

B.
No, the policy does not apply



Submit

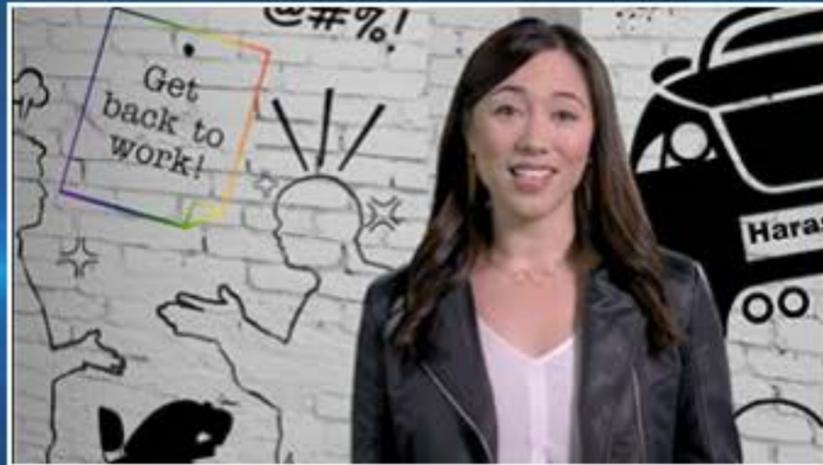


Anywhere, Anytime



- 50 State Survey
- Policy
- Questions
- Report

Knowledge Assessment



Bobbie:
 Good, but you can do better. It should be obvious after answering all of those questions that employer policies have a broad reach and that the policy can apply any time there is a connection back to the workplace or the employer.

YOUR SCORE

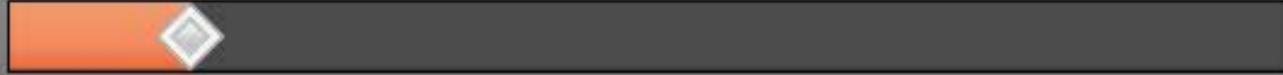
80%

Result:

- 01
- 02
- 03
- 04
- 05

Menu

0:20



Silent

Continue



Anywhere, Anytime



50 State Survey

Policy

Questions

Report

Knowledge Assessment



Bobbie:
It won't take long, but you need to review some additional materials on this topic to ensure that you understand it.

YOUR SCORE

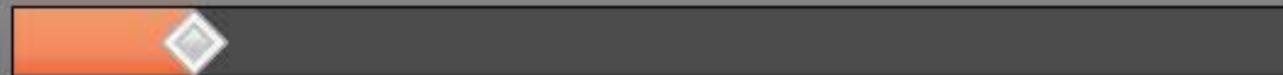
80%

Result:

- 01
- 02
- 03
- 04
- 05

Menu

0:20



Silent

Continue



Anywhere, Anytime



50 State Survey

Policy

Questions

Report

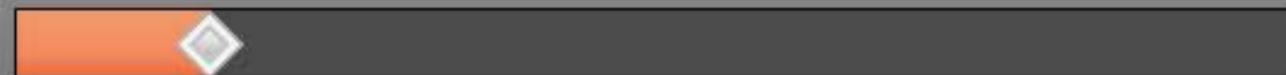
Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



Menu

 0:20



 Silent





Anywhere, Anytime x

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Harassment Handbook

Click each of the images on the left to reveal important content on this topic.

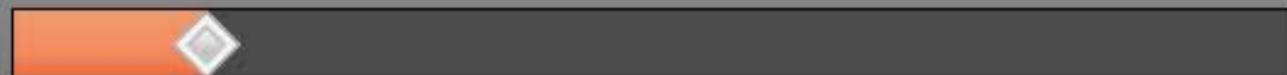


Harassment can happen anywhere, even at offsite locations.

For example, offensive conduct can violate the harassment policy when it occurs:

- At an after-hours work party
- While working at a customer or vendor site
- While interacting with employees at a conference
- While traveling for work, even if the travel is international

If harassment is work related, you have a responsibility to report it to your employer no matter where it happens.

[Menu](#) 0:20 Silent[Continue](#)



Challenge Question



**Which of the following employees is potentially being subjected to harassing conduct?
Select all that apply.**

- A. Cort is visiting a client site, and while he's there, the client makes unwanted advances
- B. As Viktor is leaving for the airport, a customer stops him to thank him for being so helpful
- C. Juliana's coworker makes comments about her body at an office dinner party at a local restaurant
- D. Kristin pulls her coworker aside after an offsite client meeting and asks why he was so unprepared
- E. During a meeting with a consultant at a café, the consultant tells Barry a racially insensitive joke



Anywhere, Anytime x

50 State Survey

Policy

Questions

Report

Challenge Question

 **Correct!**

That's right. The correct answers are A, C, and E.

Harassment can happen anywhere, even at offsite locations.

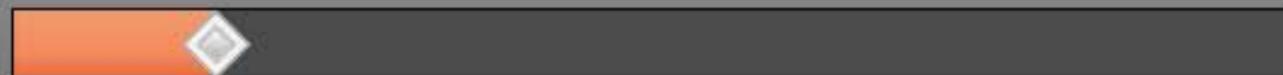
In this situation, Cort was subjected to unwanted sexual advances, Juliana was the victim of inappropriate comments, and Barry heard an inappropriate joke. It makes no difference that these events happened away from the workplace or that the harasser was a client, customer, vendor, or other nonemployee.

No matter where harassment takes place, report it.



Menu

 0:21



 Silent 

Continue



Preventing Workplace Harassment US Managers Edition - (v7)



50 State Survey

Policy

Questions

Report

Menu

Introduction 

Harassment Basics 

PAL@Work 

So Long Rec Room 

Anywhere, Anytime 

Speaking Up 

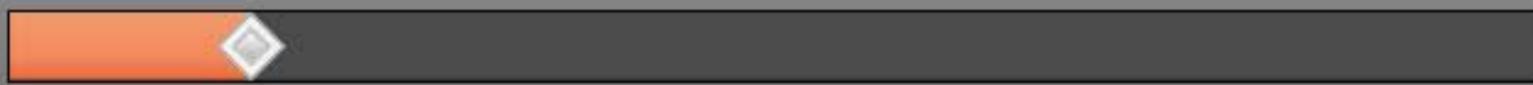
Workplace Relationships

Reporting



Menu

 0:21



 Silent 



Speaking Up



- 50 State Survey
- Policy
- Questions
- Report



Bobbie:
If you want to make your workplace better, you need to be willing to speak up for what's right and hold your coworkers accountable for their actions and words. And you need to be willing to let your employer step in and help out.

Menu

0:22



Silent

Continue



Speaking Up



50 State Survey

Policy

Questions

Report



Bobbie:

If you want to make your workplace better, you need to be willing to speak up for what's right and hold your coworkers accountable for their actions and words. And you need to be willing to let your employer step in and help out.

Let me show you what I mean.

Menu

0:22



Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report

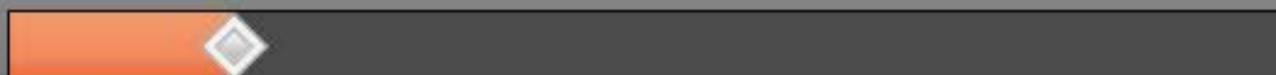


Mitch:

T-Minus fifteen seconds and counting. Best part of the work day.

Menu

 0:22



 Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report

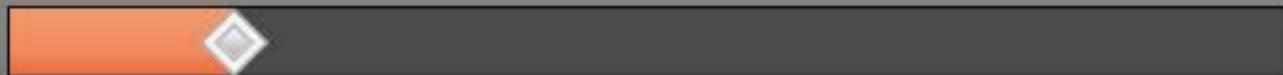


Mitch:
T-Minus fifteen seconds and counting. Best part of the work day.

Lorna:
Where's Ely today?

Menu

 0:22



 Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report

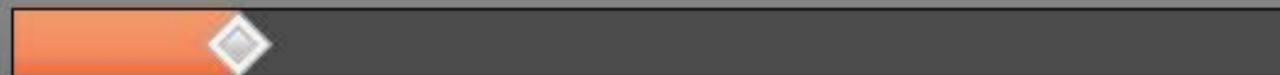


Mitch:

I don't know, I think he's in the city of brotherly love. Hey, first video is up; here we go.

Menu

 0:22



 Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report



Mitch:

I don't know, I think he's in the city of brotherly love. Hey, first video is up; here we go.

Lorna:

What? How does he manage to find so many politically incorrect employees everywhere he travels?

Menu

0:22



Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report



Mitch:

I do not know, it's like he's a bloodhound and he just has a knack for, you know, sniffing them out.

Menu

0:22



Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report



Mitch:

I do not know, it's like he's a bloodhound and he just has a knack for, you know, sniffing them out.

Daryl:

Hey. What are you guys doing?

Menu

 0:22



 Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

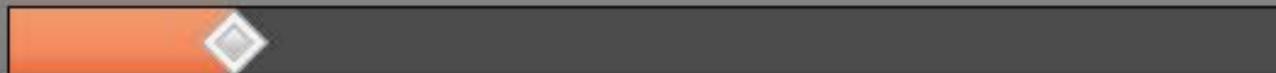
Report



Mitch:
Hey! Nothing, nothing.

Menu

 0:22



 Silent



Continue



Speaking Up



- 50 State Survey
- Policy
- Questions
- Report



Mitch:
Hey! Nothing, nothing.

Daryl:
Aw, come on, really?

Menu

0:22



Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report



Lorna:

What? Um, we were just looking at an email. No big deal.

Menu

 0:23



 Silent



Continue



Speaking Up



- 50 State Survey
- Policy
- Questions
- Report

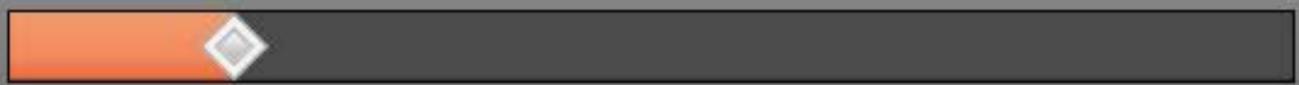


Lorna:
What? Um, we were just looking at an email. No big deal.

Daryl:
So then why'd you close the tablet when I walked up?

Menu

 0:23



 Silent 

Continue



Speaking Up



50 State Survey

Policy

Questions

Report



Mitch:

Because it crashed. And I should probably take it over to IT and have them take a look at it.

Menu

0:23



Silent



Continue



Speaking Up



- 50 State Survey
- Policy
- Questions
- Report

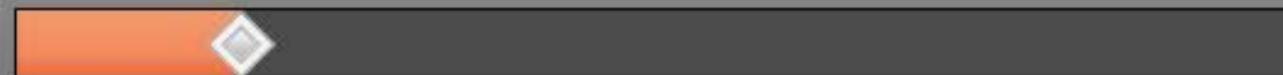


Mitch:
Because it crashed. And I should probably take it over to IT and have them take a look at it.

Lorna:
And I should probably go with him.

Menu

0:23



Silent

Continue



Speaking Up



50 State Survey

Policy

Questions

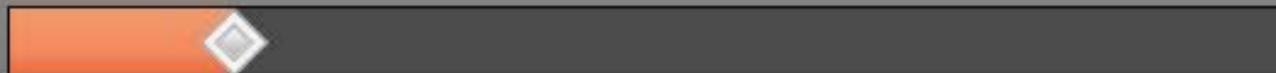
Report



Daryl:
Guys, I know what you were looking at.

Menu

0:23



Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report



Daryl:
Guys, I know what you were looking at.

Mitch:
You do?

Menu

 0:23



 Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

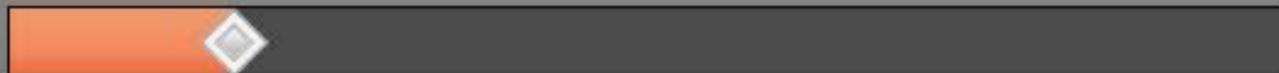
Report



Daryl:
Yeah, it's 2:00. You're watching Ely's E video of the day.

Menu

 0:23



 Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report

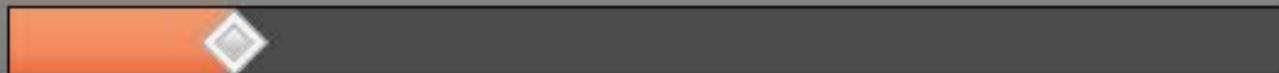


Daryl:
Yeah, it's 2:00. You're watching Ely's E video of the day.

Mitch:
You know about that?

Menu

 0:23



 Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report



Daryl:
Everybody knows about that.

Menu

 0:23



 Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report



Daryl:
Everybody knows about that.

Lorna:
So... you're okay with it?

Menu

 0:23



 Silent



Continue



Speaking Up x

50 State Survey

Policy

Questions

Report



Daryl:

Not really. What Ely's doing is incredibly offensive. Just because you decide to watch it when I'm not around or you close the tablet when I walk up doesn't make it any less offensive.

Menu

 0:23



 Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report

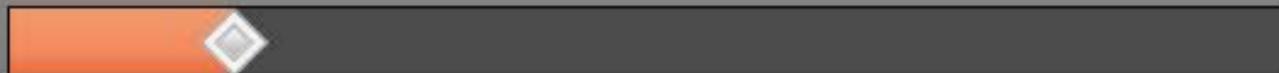


Lorna:

You're not going to say anything to anyone about it, are you?

Menu

 0:24



 Silent



Continue



Speaking Up x

50 State Survey

Policy

Questions

Report

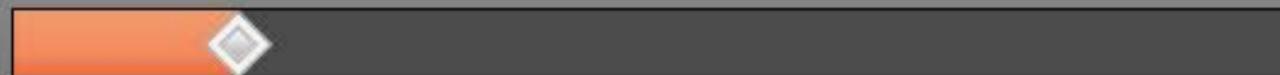


Lorna:
You're not going to say anything to anyone about it, are you?

Daryl:
Would you if the situation was reversed?

Menu

 0:24



 Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report

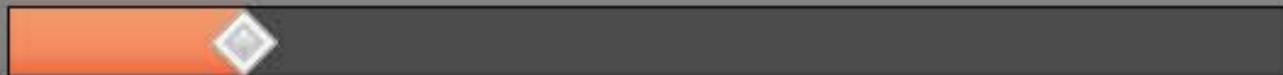
Point of View

Daryl has respectfully let Lorna and Mitch know that he is offended by their conduct. But what should be his next step? Hear from several employees who think they know the answer and then select the best answer.



Menu

0:24



Silent





Speaking Up



- 50 State Survey
- Policy
- Questions
- Report

Point of View

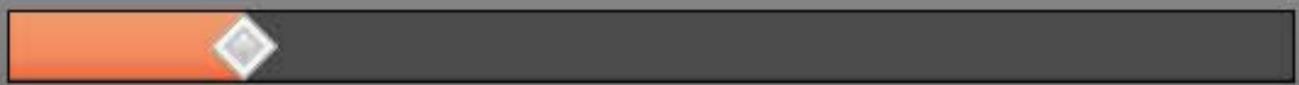
Daryl has respectfully let Lorna and Mitch know that he is offended by their conduct. But what should be his next step? Hear from several employees who think they know the answer and then select the best answer.



Randal: 
Daryl should not do anything else unless Lorna and Mitch retaliate against him. Then he should keep notes and make a report.

Menu

0:24



Silent 



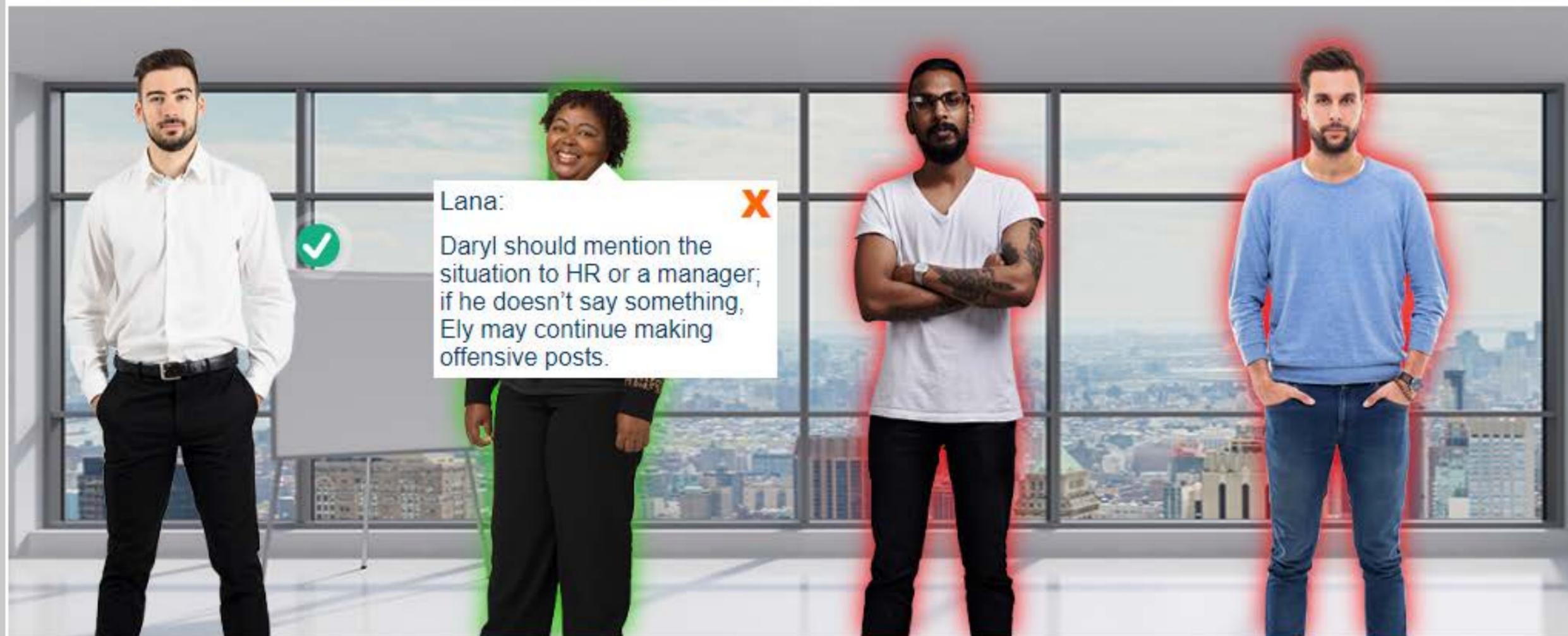
Speaking Up



- 50 State Survey
- Policy
- Questions
- Report

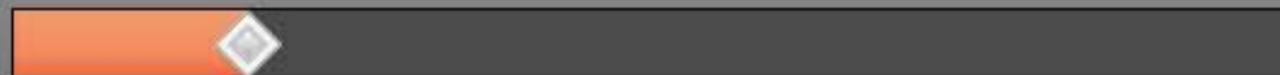
Point of View

Daryl has respectfully let Lorna and Mitch know that he is offended by their conduct. But what should be his next step? Hear from several employees who think they know the answer and then select the best answer.



Menu

0:24



Silent



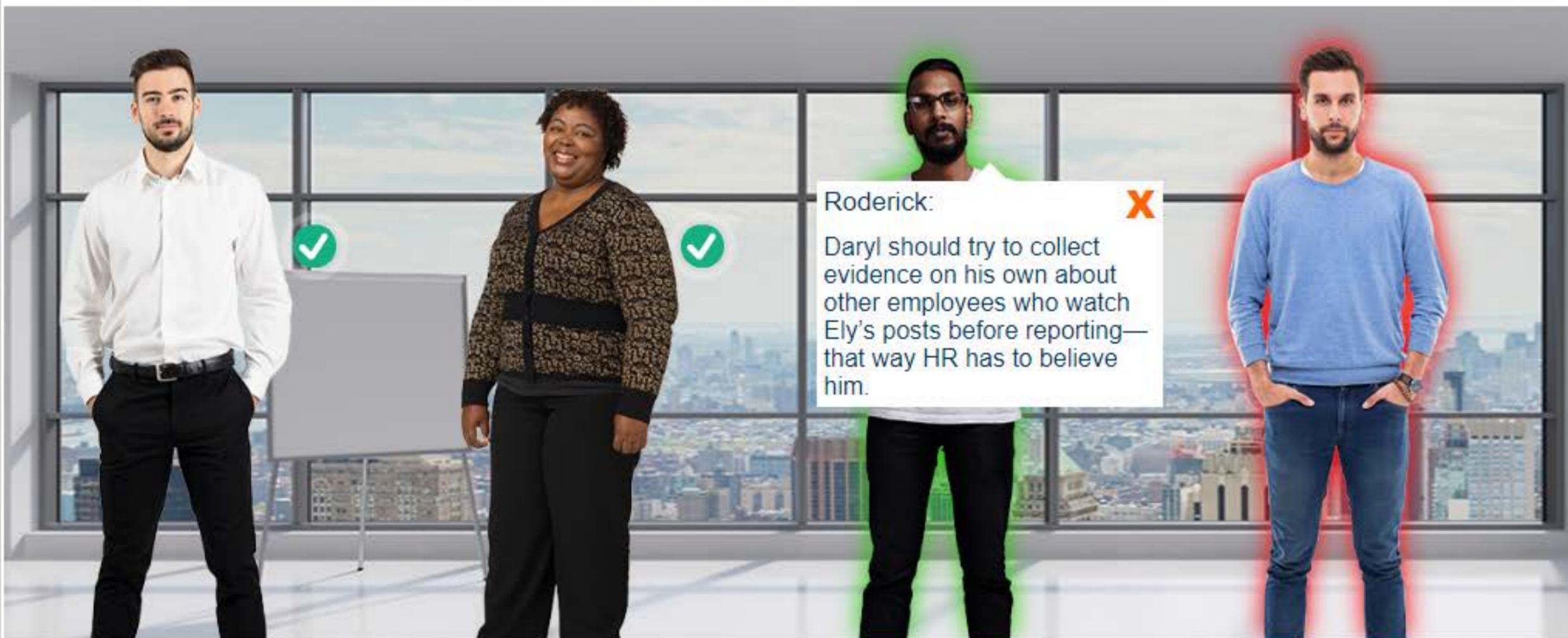
Speaking Up



- 50 State Survey
- Policy
- Questions
- Report

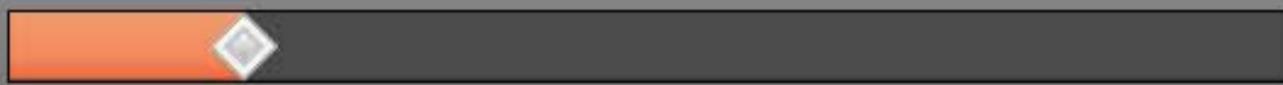
Point of View

Daryl has respectfully let Lorna and Mitch know that he is offended by their conduct. But what should be his next step? Hear from several employees who think they know the answer and then select the best answer.



Menu

0:24



Silent





Speaking Up



- 50 State Survey
- Policy
- Questions
- Report

Point of View

Daryl has respectfully let Lorna and Mitch know that he is offended by their conduct. But what should be his next step? Hear from several employees who think they know the answer and then select the best answer.

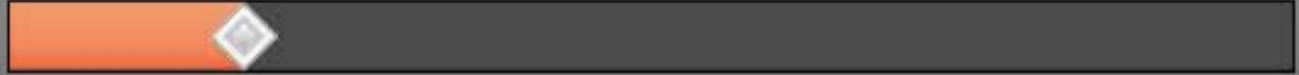


Emery: X

Daryl should ask around and find out if other employees are upset by Ely's posts before reporting it to HR; since they will get pulled into the investigation, they should be on board too.

Menu

0:24



Silent

Continue



Speaking Up x

- 50 State Survey
- Policy
- Questions
- Report

Challenge Question

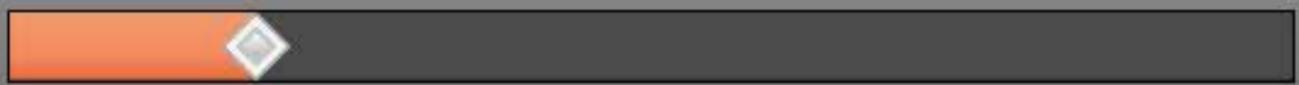


One of the employees offered some good advice. Who was it? Select the best answer.

- A. Randal, who suggests that Daryl wait until the coworkers retaliate
- B. Lana, who says he should make a complaint or Ely may continue to post
- C. Roderick, who says to gather evidence and then make a report
- D. Emery, who says to talk to other employees before making a report

Menu

 0:25



 Silent 

Challenge Question

 **Correct!****That's right. The correct answer is B.**

Reporting is not always easy, and sometimes it takes courage and requires an employee to place trust in their employer—trust that they will investigate and take appropriate action if someone is violating policy.

Once a report is made, HR and management can also monitor for and put an end to any retaliation that occurs.

Employers want to learn about misconduct early so they can put an end to it. They also want to hear about any retaliation against anyone who has made a report or helped out during an investigation.

In this case, it may be tough to speak up, especially since Mitch and Lorna now know that Ely's posts are offensive. However, it is clearly the right thing to do. By speaking up now, Daryl can alert HR to a bigger problem (Ely and his videos) that could be negatively impacting others at work.





Speaking Up



50 State Survey

Policy

Questions

Report

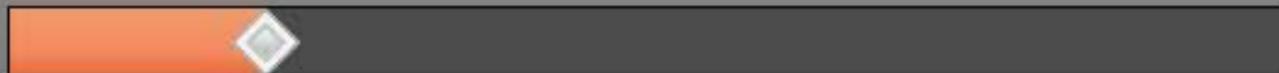


Bobbie:

Workplace culture is everyone's business, and sometimes employees need to be courageous and do what's right. They have to take a stand and speak up.

Menu

0:25



Silent



Continue



Speaking Up x

50 State Survey

Policy

Questions

Report



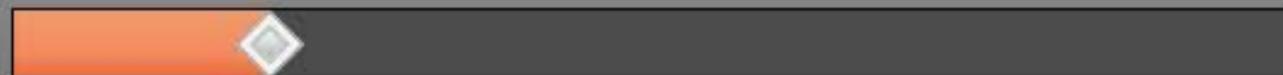
Bobbie:

Workplace culture is everyone's business, and sometimes employees need to be courageous and do what's right. They have to take a stand and speak up.

And when they do, they are protected by policy from retaliation for making reports or helping out with an investigation.

Menu

 0:25



 Silent



Continue



Speaking Up



50 State Survey

Policy

Questions

Report

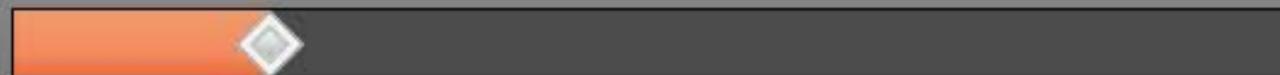


Bobbie:

Take a look at the next Harassment Handbook entry to find out more.

Menu

 0:25



 Silent



Continue



Speaking Up x

50 State Survey

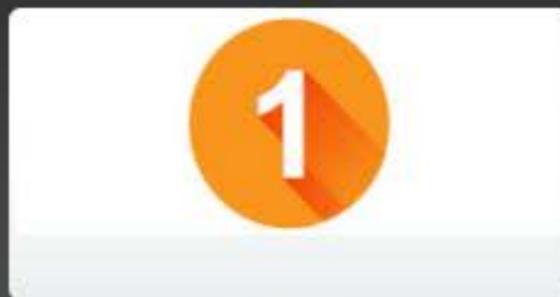
Policy

Questions

Report

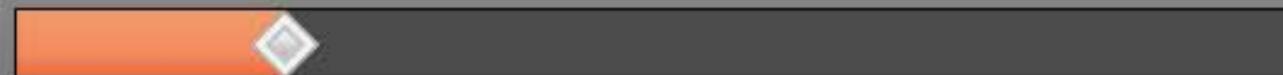
Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



Menu

 0:25



 Silent 

Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



Employees who witness or are victims of harassment or retaliation should immediately report their concerns to an **internal resource** such as:

- Their manager
- Another manager or more senior manager
- Human resources

Employees do not need their own proof or evidence. An honest belief that policy or the law has been violated is good enough.

When someone raises a concern, they'll be protected from retaliation.



Speaking Up



50 State Survey

Policy

Questions

Report

Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



Internal Resources

An organization's internal resources are available to discuss policies, answer questions, and help employees resolve challenges. These people are also available to receive reports about suspected violations of our policies. Internal resources can include the following:

- An employee's manager or another member of management
- An organization's human resources department
- A senior manager, including senior financial personnel
- The ethics and compliance office or other person designated to handle ethics issues
- An ethics hotline

Close X



Employees should review their organization's policy or talk with a manager or HR to learn more about their organization's internal resources.



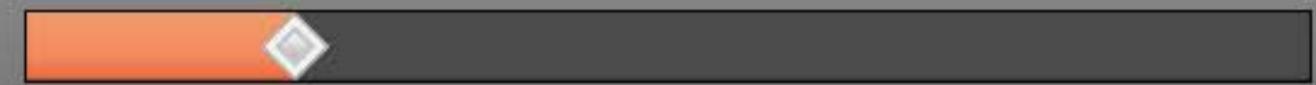
When someone raises a concern, they'll be protected from retaliation.

mediately

y or the law

Menu

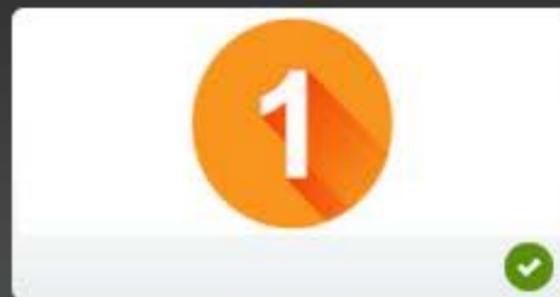
0:25



Silent

Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



Retaliation occurs when an employee does the right thing—like speaking up or assisting with an investigation—and his or her manager or employer lashes back because of it.

In some cases, a coworker can also engage in retaliatory conduct that will violate policy.

Retaliation can take many forms, including:

- A cut in pay
- Changes in shifts or hours
- Being excluded from meetings or other work events
- A demotion
- Ongoing harassment and mistreatment

Any employee who experiences suspected retaliation needs to make an immediate internal report to HR or management.



Speaking Up



50 State Survey

Policy

Questions

Report

Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



After receiving a complaint of harassment, an employer has an obligation to look into the complaint.

During the investigation, it's likely HR or senior management will need to disclose allegations and give involved employees a chance to respond.

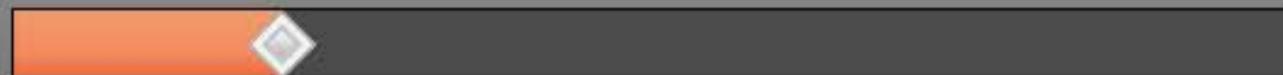
Your organization will treat issues with respect and discretion. Although complete confidentiality cannot be assured, everyone's privacy will be respected to the greatest extent possible.

Click the icon in the lower right corner to learn more about what you can expect during an investigation.



Menu

 0:25



 Silent



Continue

Harassment Handbook

Click each of the images on the left to reveal important content on this topic.

Close x

Our organization takes its responsibility to investigate allegations of harassment and discrimination seriously. Our policies on harassment and discrimination explain our process. You can expect that:

- Allegations of harassment and discrimination will be fully and effectively investigated by someone who is properly trained
- We will conduct an investigation promptly after learning of a complaint
- We will do our best to keep the investigation confidential; however, we cannot guarantee it
- If we conclude based on the evidence that a policy violation has occurred, we will take appropriate corrective action
- We will inform you about the results of our investigation
- We will also focus on identifying and implementing steps to prevent future harassment or discrimination

Finally, we prohibit retaliation against anyone who has raised a concern or participated in an investigation. Concerns should be reported immediately to an internal resource.



Preventing Workplace Harassment US Managers Edition - (v7)



50 State Survey

Policy

Questions

Report

Menu

Introduction



Harassment Basics



PAL@Work



So Long Rec Room



Anywhere, Anytime



Speaking Up

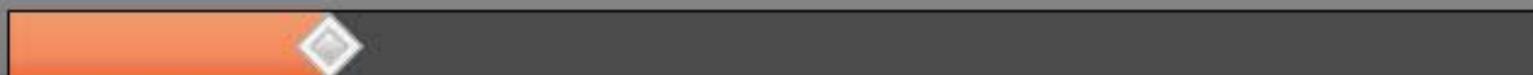


Workplace Relationships



Menu

0:26



Silent





Workplace Relationships x

50 State Survey

Policy

Questions

Report

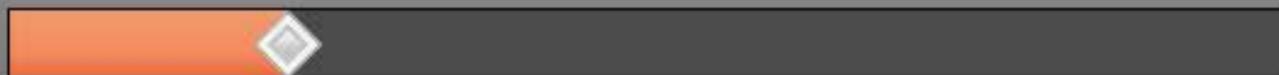


Bobbie:

Employees spend more than a third of their day with coworkers. That doesn't leave much time to meet new people outside of work. So, I guess it shouldn't be surprising that dating coworkers is fairly common.

Menu

 0:26



 Silent 

Continue



Workplace Relationships



50 State Survey

Policy

Questions

Report



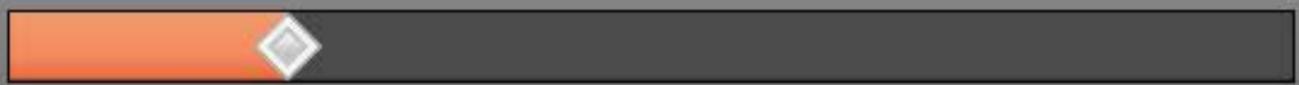
Bobbie:

Employees spend more than a third of their day with coworkers. That doesn't leave much time to meet new people outside of work. So, I guess it shouldn't be surprising that dating coworkers is fairly common.

But what most people don't realize is that dating someone at work can have a pretty big impact on the workplace. And sometimes, it can actually violate policy.

Menu

0:26



Silent

Continue



Workplace Relationships x

50 State Survey

Policy

Questions

Report



Bobbie:

Let's see how well you understand the rules. Get the questions correct and you get to move on. Get one wrong, and you'll need to do a little extra work.

Menu

 0:26



 Silent



Continue



Workplace Relationships x

- 50 State Survey
- Policy
- Questions
- Report

Knowledge Assessment

01

A female manager is having a consensual, sexual relationship with an employee she supervises

A.
Could violate policy

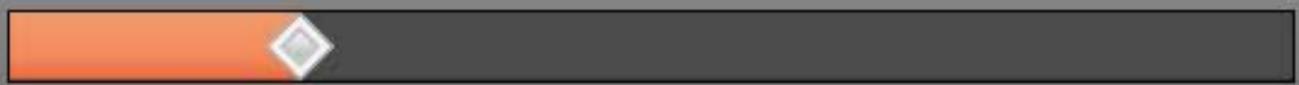
B.
Probably okay



Submit

Menu

 0:27



 Silent 



Workplace Relationships

- 50 State Survey
- Policy
- Questions
- Report

Knowledge Assessment

02 An employee sends sexual texts (while at work) to a coworker he is dating using his own personal phone

A.
Violates policy

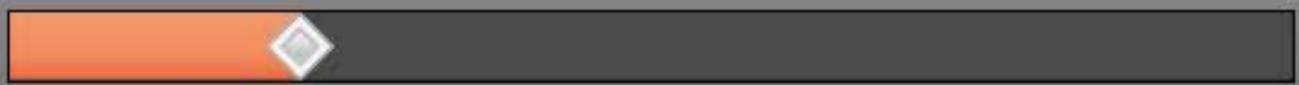
B.
Probably okay



Submit

Menu

0:27



Silent



Workplace Relationships



50 State Survey

Policy

Questions

Report

Knowledge Assessment

03

An employee makes life miserable for a coworker who dumped her by sabotaging his work

A.
Violates policy

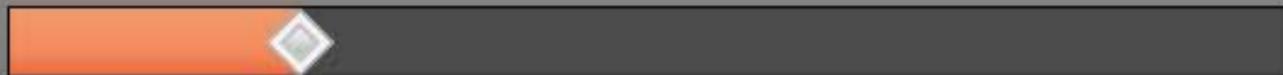
B.
Probably okay



Submit

Menu

0:28



Silent





Workplace Relationships



- 50 State Survey
- Policy
- Questions
- Report

Knowledge Assessment

04 An employee tries to embarrass a coworker she used to date by spreading nasty dating rumors about his sexual preferences

A.
Violates policy

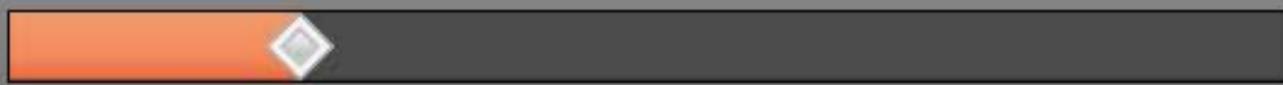
B.
Probably okay



Submit

Menu

0:28



Silent



Workplace Relationships x

- 50 State Survey
- Policy
- Questions
- Report

Knowledge Assessment

05 A manager pressures an employee to date him even though she has turned him down repeatedly; the manager threatens to demote her if she doesn't agree

A.
Violates policy

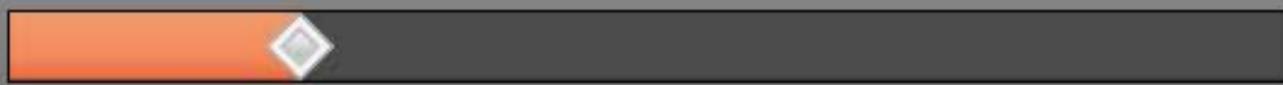
B.
Probably okay



Submit

Menu

 0:28



 Silent 



Workplace Relationships

- 50 State Survey
- Policy
- Questions
- Report

Knowledge Assessment



YOUR SCORE

80%

Result:

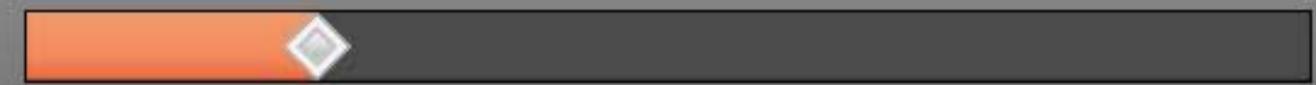
- 01 ✓
- 02 ✗
- 03 ✓
- 04 ✓
- 05 ✓

Bobbie:

It can be a tricky area, but you'll get there. Just think about the consequences that flow from dating someone you work with and you'll understand why employers discourage—and sometimes prohibit—workplace dating.

Menu

0:28



Silent

Continue



Workplace Relationships x

50 State Survey

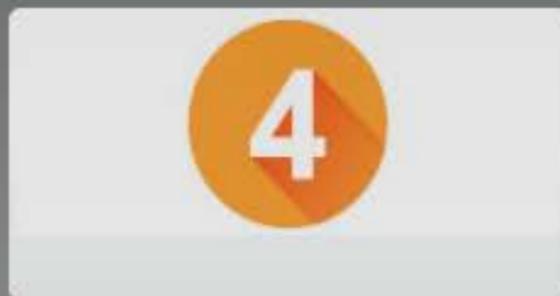
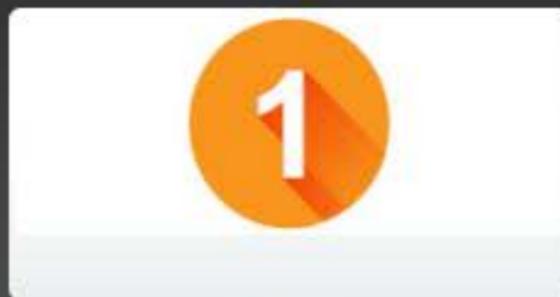
Policy

Questions

Report

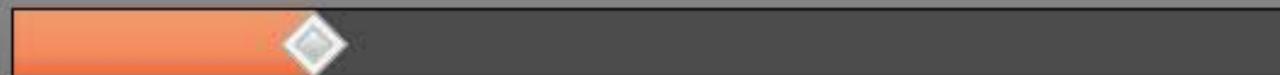
Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



Menu

 0:28



 Silent





Workplace Relationships



50 State Survey

Policy

Questions

Report

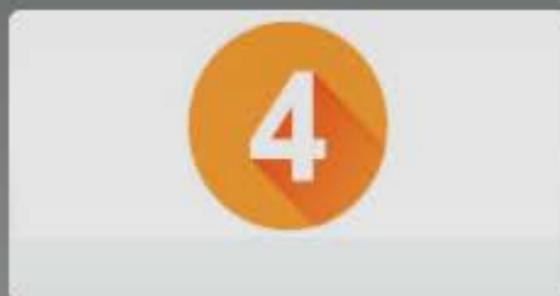
Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



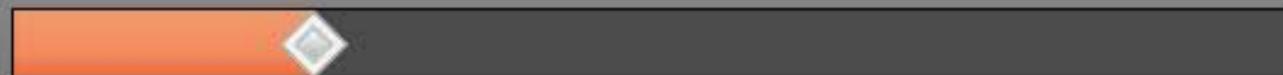
Many organizations prohibit workplace relationships—especially between supervisors and employees—or at least require the people involved to disclose the relationship.

Before starting a romantic relationship with someone at work, make sure to understand any applicable rules and limits. Keep the workplace professional, avoid conflicts, and don't disrupt business. Romantic gestures at work can create an awkward or uncomfortable atmosphere for others, and should be avoided.



Menu

0:28



Silent





Workplace Relationships

- 50 State Survey
- Policy
- Questions
- Report

Harassment Handbook

Click each of the images on the left to reveal important content on this topic.



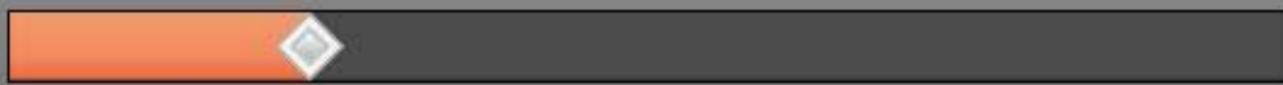
Dating a boss or supervisor is not a good idea, and can have serious consequences.

This type of situation can lead to accusations of favoritism by other employees or allegations of sexual harassment or retaliation, especially if the relationship sours.

In addition, there may be a perception by other employees of a conflict of interest, especially if the supervisor is responsible for assigning work or approving schedules or benefits.

Menu

0:28



Silent



Workplace Relationships

- 50 State Survey
- Policy
- Questions
- Report

Harassment Handbook

Click each of the images on the left to reveal important content on this topic.

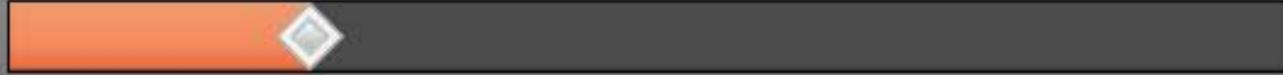


A boss or supervisor cannot demand a date or sexual favor in exchange for an employment benefit.

This is known as quid pro quo sexual harassment, and is strictly prohibited. For example, a boss cannot make approval of vacation time or a raise contingent on a dating relationship.

Menu

0:28



Silent



Workplace Relationships

- 50 State Survey
- Policy
- Questions
- Report

Harassment Handbook

Click each of the images on the left to reveal important content on this topic.

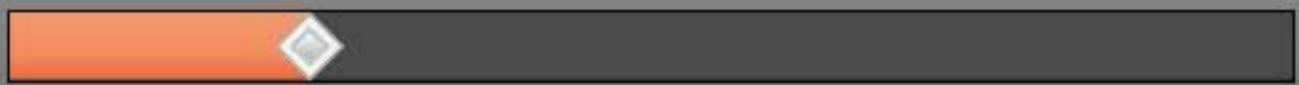
- 1
- 2
- 3
- 4

If you feel you have been subject to sexual harassment or retaliation, or you suspect harassment is taking place, report your concerns immediately to an internal resource.

If your manager is the alleged harasser or you are not comfortable making a report to your own manager, you can make your report to another manager or to human resources. You will not face retaliation for your report or for participating in an investigation.

Menu

0:28



Silent

Continue



Workplace Relationships



50 State Survey

Policy

Questions

Report

Point of View

Review what these managers and employees have to say about their experiences with dating in the workplace. Click each person to learn about their experience.



Menu

0:29



Silent





Workplace Relationships



50 State Survey

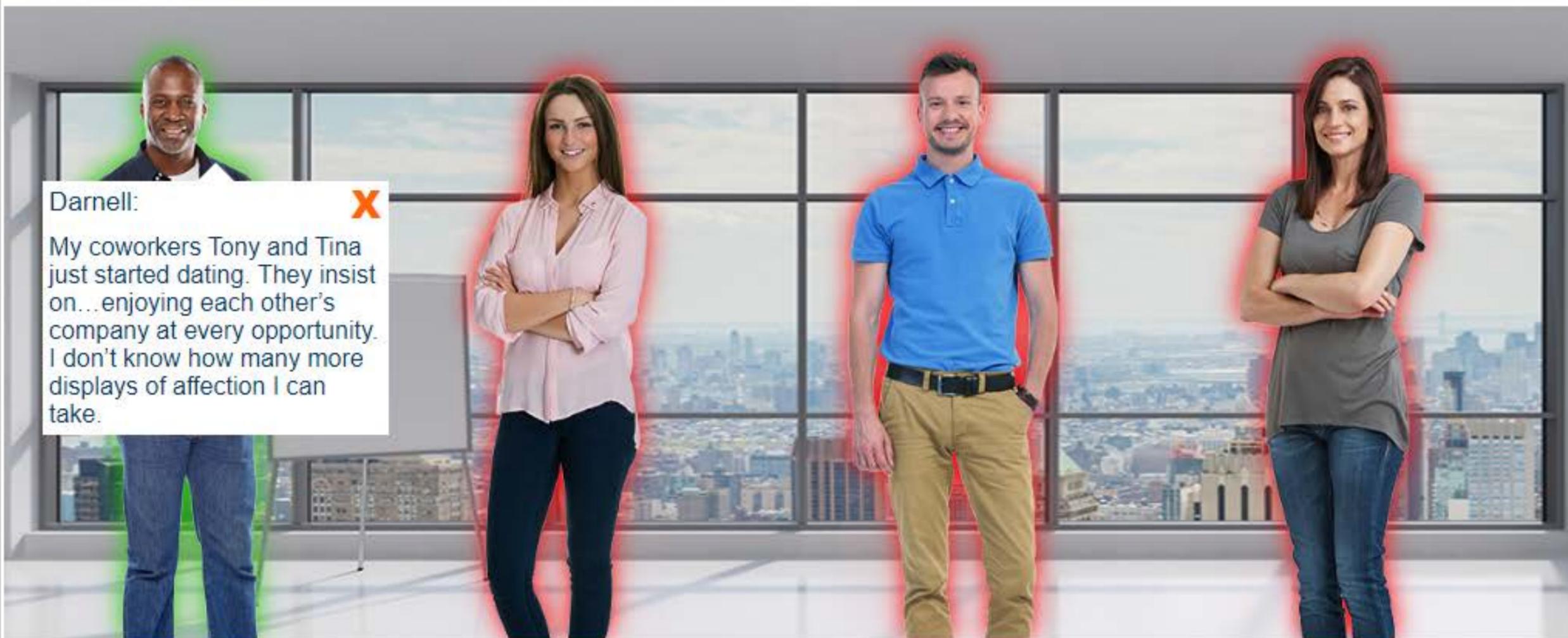
Policy

Questions

Report

Point of View

Review what these managers and employees have to say about their experiences with dating in the workplace. Click each person to learn about their experience.



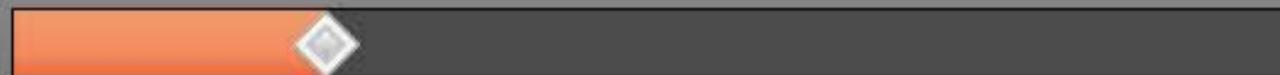
Darnell:



My coworkers Tony and Tina just started dating. They insist on... enjoying each other's company at every opportunity. I don't know how many more displays of affection I can take.

Menu

0:29



Silent





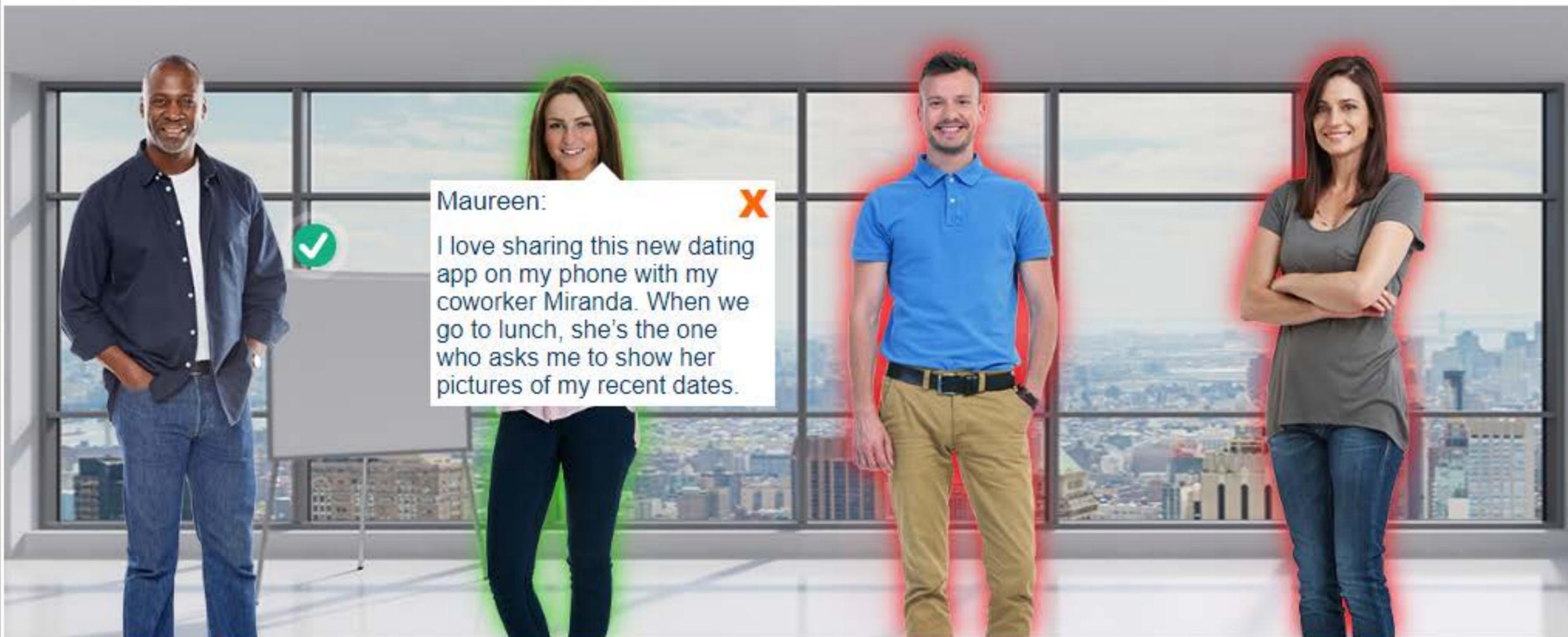
Workplace Relationships



- 50 State Survey
- Policy
- Questions
- Report

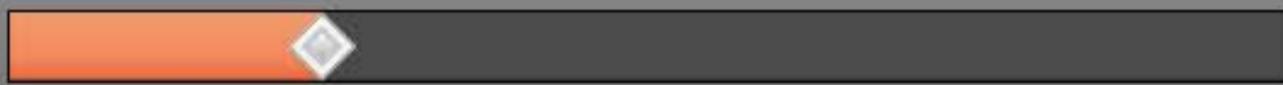
Point of View

Review what these managers and employees have to say about their experiences with dating in the workplace. Click each person to learn about their experience.



Menu

0:29



Silent



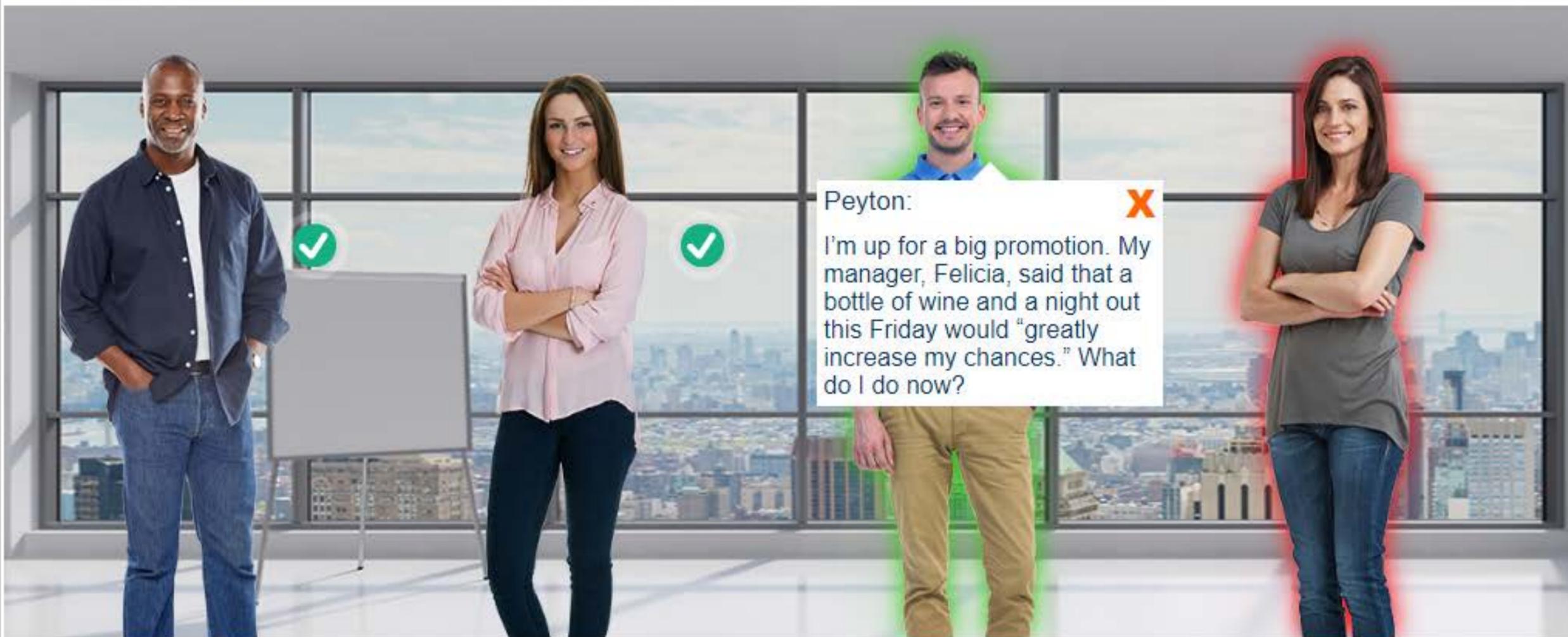
Workplace Relationships



- 50 State Survey
- Policy
- Questions
- Report

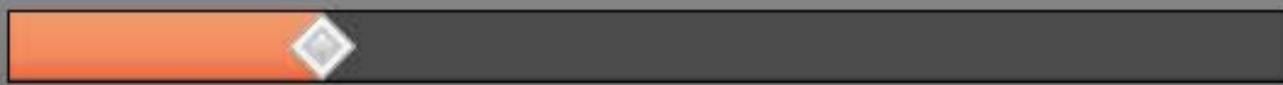
Point of View

Review what these managers and employees have to say about their experiences with dating in the workplace. Click each person to learn about their experience.



Menu

0:29



Silent



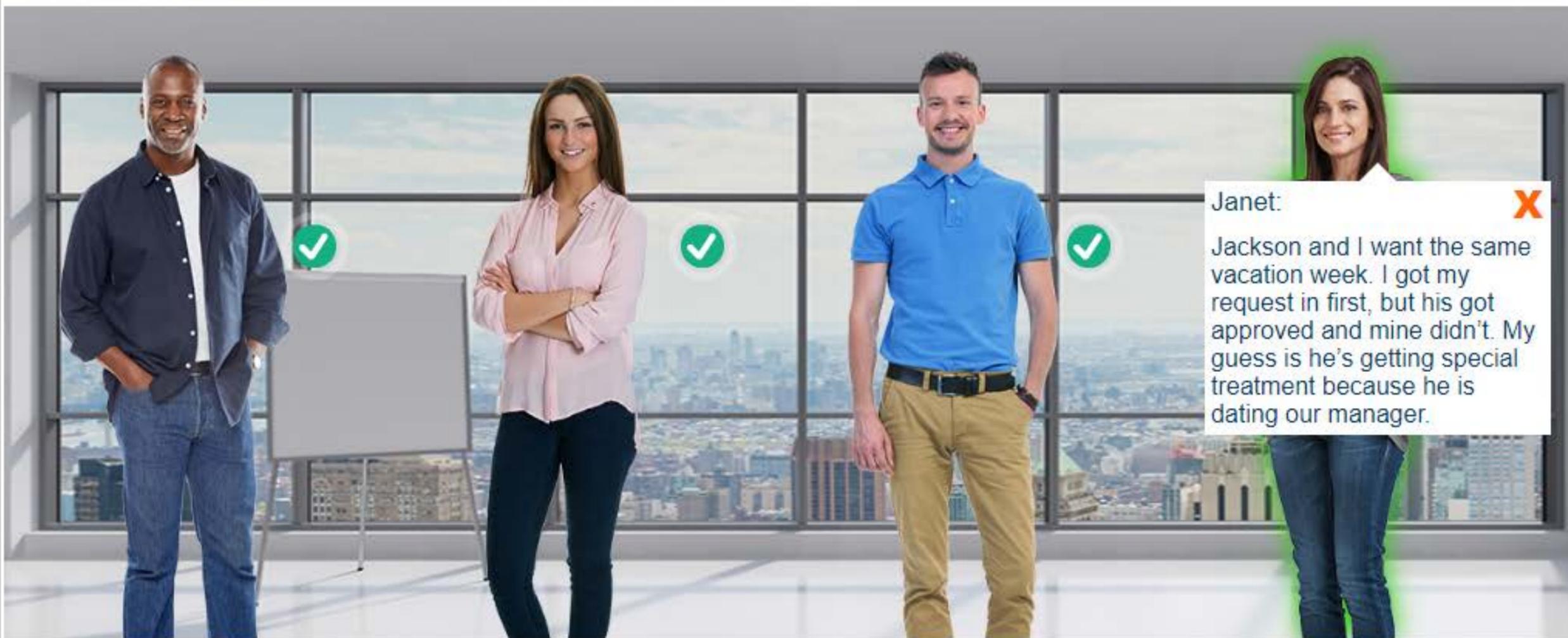
Workplace Relationships



- 50 State Survey
- Policy
- Questions
- Report

Point of View

Review what these managers and employees have to say about their experiences with dating in the workplace. Click each person to learn about their experience.

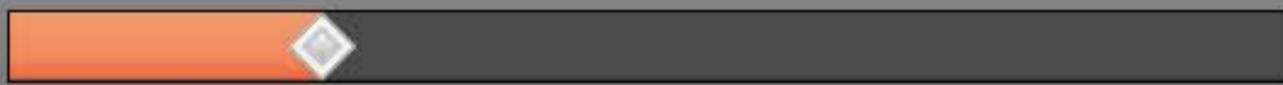


Janet: X

Jackson and I want the same vacation week. I got my request in first, but his got approved and mine didn't. My guess is he's getting special treatment because he is dating our manager.

Menu

0:29



Silent

Continue

Workplace Relationships x

50 State Survey

Policy

Questions

Report

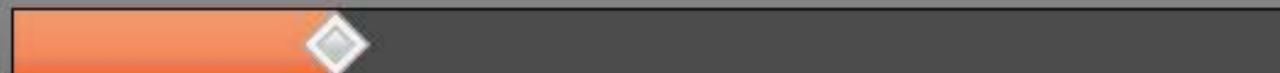
Challenge Question



You've heard from four individuals. Have any of the employees mentioned conduct that could violate the harassment policy? Select the best answer. More than one answer may be correct.

- A. Darnell, who works with coworkers who are dating and is tired of their constant displays of affection
- B. Maureen, who shows a coworker photos available on a dating app
- C. Peyton, whose boss wants a date in exchange for a promotion
- D. Janet, who lost out on a vacation request to a coworker who is dating the boss

Menu

 0:29 Silent



Workplace Relationships x

- 50 State Survey
- Policy
- Questions
- Report

Challenge Question

 **Correct!**

That's right. The correct answers are A, C, and D.

It's important to use caution when it comes to dating in the workplace.

Darnell is being subjected to unwanted public displays of affection that are distracting and awkward, Peyton is in a potential quid-pro-quo sexual harassment scenario, and Janet suspects a conflict of interest due to a coworker-supervisor dating relationship.

These employees should report their concerns to a manager or human resources.

Note that Maureen's actions could violate workplace policies on other grounds depending on the images that are shared and the conversation she has with Miranda.





Preventing Workplace Harassment US Managers Edition - (v7)



50 State Survey

Policy

Questions

Report

Menu

Introduction



Harassment Basics



PAL@Work



So Long Rec Room



Anywhere, Anytime



Speaking Up



Workplace Relationships

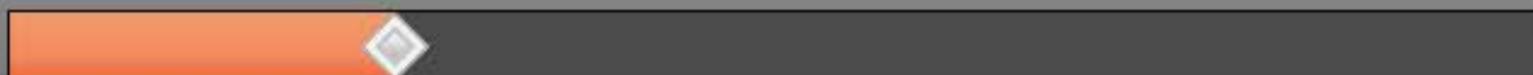


Conclusion



Menu

 0:29



 Silent





Conclusion



50 State Survey

Policy

Questions

Report



Bobbie:
So what do you think?

Menu

0:30



Silent



Continue



Conclusion



50 State Survey

Policy

Questions

Report



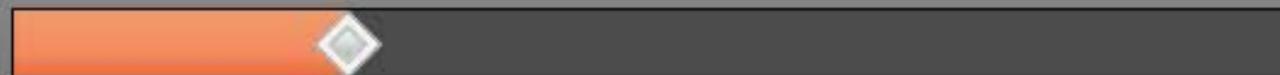
Bobbie:

So what do you think?

The life lesson here is that if harassing conduct has a connection back to the workplace, the employer wants to know about it and, if possible, address it.

Menu

 0:31



 Silent



Continue



Conclusion



50 State Survey

Policy

Questions

Report



Bobbie:

It doesn't really matter where the conduct took place, or whether it occurred during a regular workday or after hours.

Menu

 0:31



 Silent



Continue



Conclusion



50 State Survey

Policy

Questions

Report



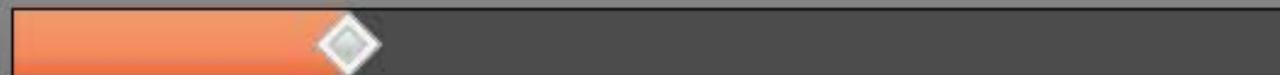
Bobbie:

It doesn't really matter where the conduct took place, or whether it occurred during a regular workday or after hours.

Even though we couldn't cover everything about harassment, we made it through several great lessons in a very short time.

Menu

0:31



Silent



Continue



Conclusion



50 State Survey

Policy

Questions

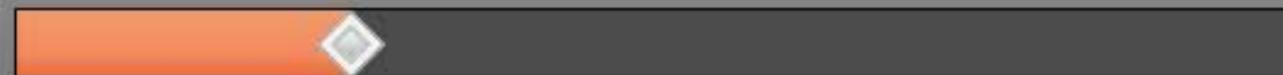
Report



Bobbie:
Remember:

Menu

 0:31



 Silent



Continue



Conclusion



50 State Survey

Policy

Questions

Report



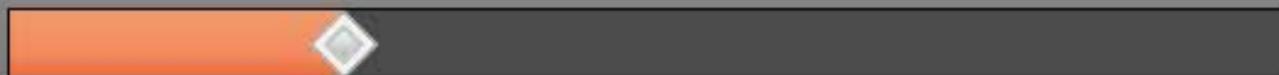
Bobbie:

Remember:

- Harassment isn't just about sex

Menu

0:31



Silent



Continue



Conclusion

50 State Survey

Policy

Questions

Report



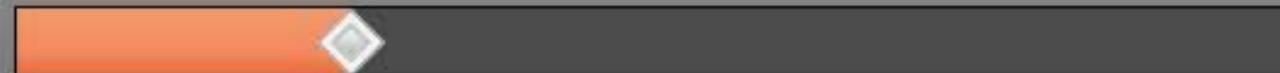
Bobbie:

Remember:

- Harassment isn't just about sex
- Both men and women can be harassers and victims

Menu

0:31



Silent

Continue



Conclusion



50 State Survey

Policy

Questions

Report

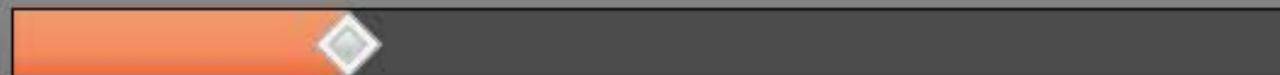


Bobbie:

- Even nonemployees can be harassers

Menu

0:31



Silent



Continue



Conclusion

50 State Survey

Policy

Questions

Report

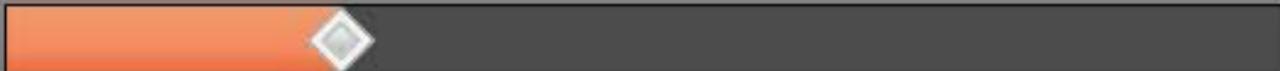


Bobbie:

- Even nonemployees can be harassers
- Be thoughtful and considerate

Menu

0:31



Silent

Continue



Conclusion



50 State Survey

Policy

Questions

Report

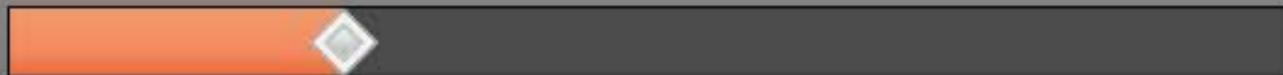


Bobbie:

- Even nonemployees can be harassers
- Be thoughtful and considerate
- When in doubt, don't say or do it

Menu

0:31



Silent



Continue



Conclusion



50 State Survey

Policy

Questions

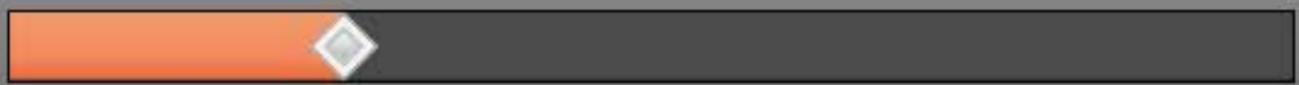
Report



Bobbie:
• Speak up for others and yourself

Menu

0:31



Silent

Continue



Conclusion



50 State Survey

Policy

Questions

Report

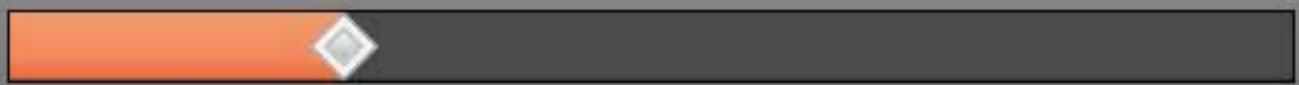


Bobbie:

- Speak up for others and yourself
- Report concerns to an internal resource

Menu

 0:31



 Silent 

Continue



Conclusion



50 State Survey

Policy

Questions

Report

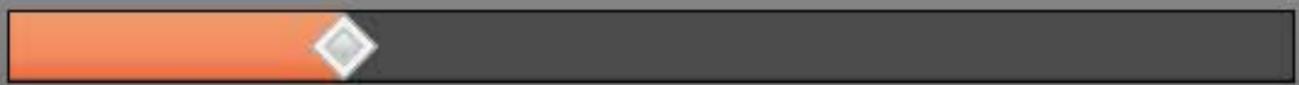


Bobbie:

- Speak up for others and yourself
- Report concerns to an internal resource
- Report any suspected retaliation

Menu

0:32



Silent

Continue



Conclusion

50 State Survey

Policy

Questions

Report



Bobbie:
Until next time.

Menu

0:32



Silent

Continue



Preventing Workplace Harassment



US Managers Edition - (v7)

50 State Survey

Policy

Questions

Report

Menu

Workplace Harassment Prevention: Your Role



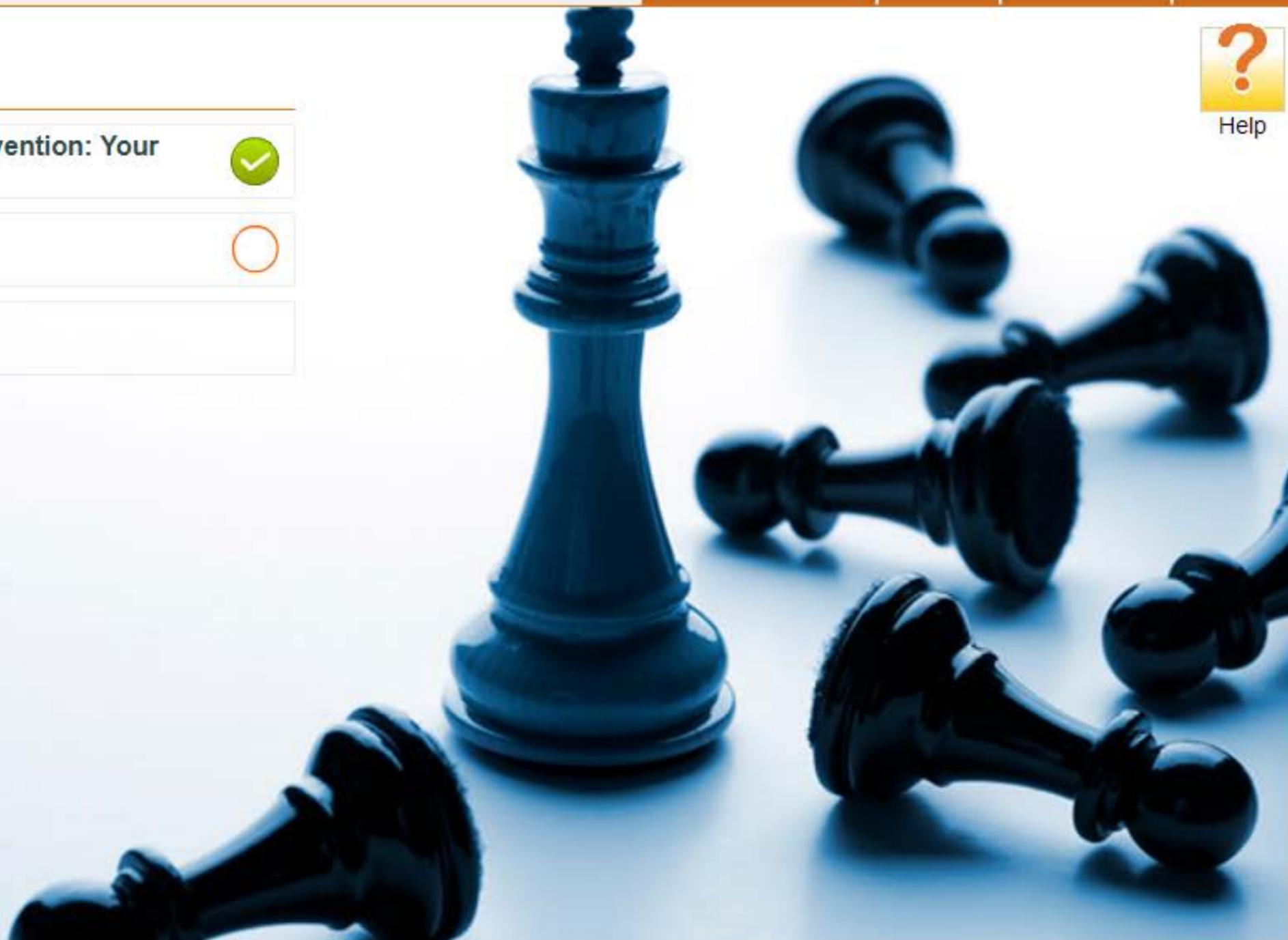
Manager Simulation 2.0



Conclusion



Help



 0:32



 Silent





Preventing Workplace Harassment US Managers Edition - (v7)



50 State Survey

Policy

Questions

Report

Menu

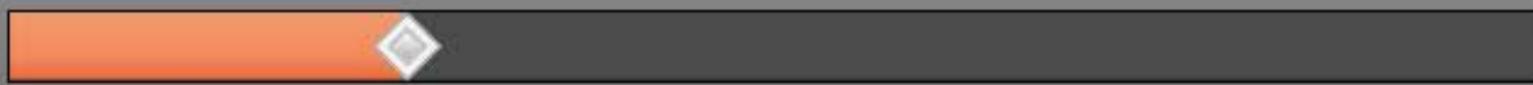
★ Introduction

🔒 Simulations

🔒 Conclusion

Menu

🕒 0:32



🔇 Silent





Introduction

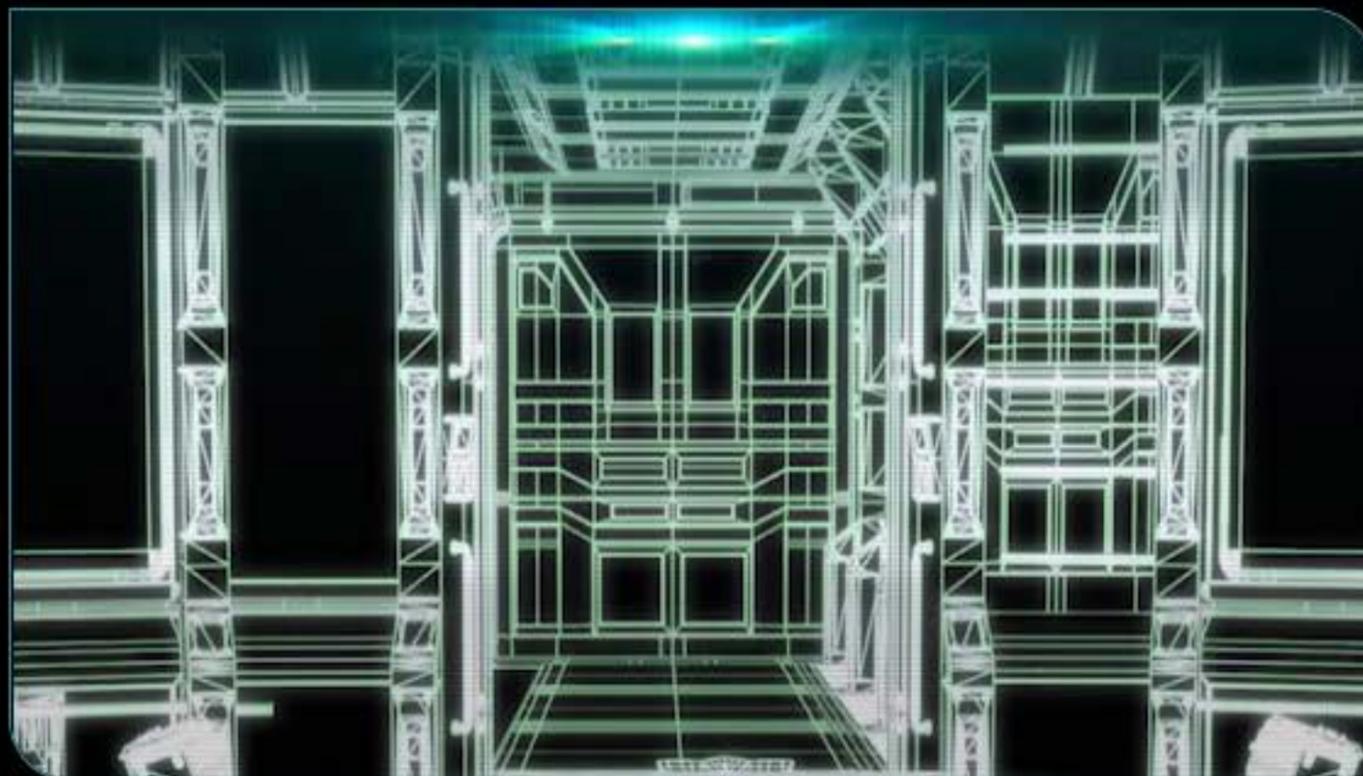


50 State Survey

Policy

Questions

Report

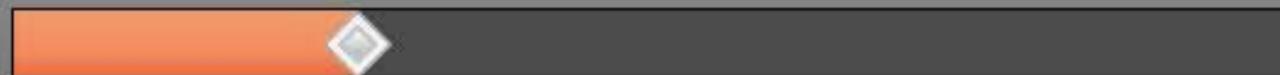


Female Computer Voice:

Welcome. Workplace Harassment 2.0 Simulation now in progress.

Menu

 0:33



 Silent



Continue



Introduction x

50 State Survey

Policy

Questions

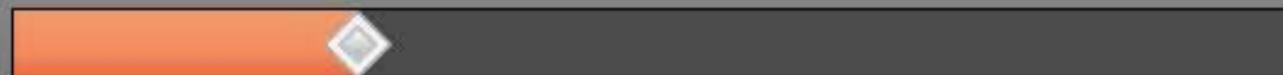
Report



AVATAR:
Welcome.

Menu

 0:34



 Silent



Continue



Introduction x

50 State Survey

Policy

Questions

Report

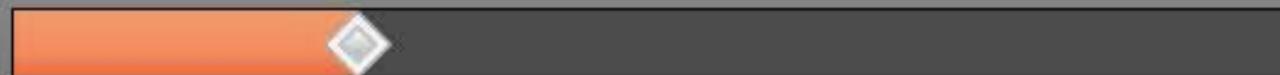


AVATAR:
Welcome.

You are here to explore the role you play, as a manager, in dealing with and preventing workplace harassment.

Menu

 0:34



 Silent



Continue



Introduction



50 State Survey

Policy

Questions

Report

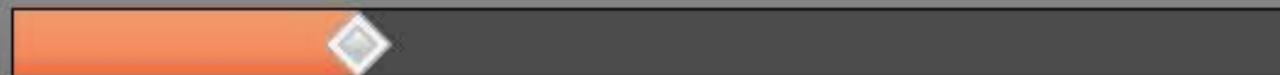


AVATAR:

During the course of this simulation, you will be presented with a series of real-life workplace simulations that will test your knowledge and ability to spot and deal with harassment.

Menu

0:34



Silent



Continue



Introduction x

50 State Survey

Policy

Questions

Report



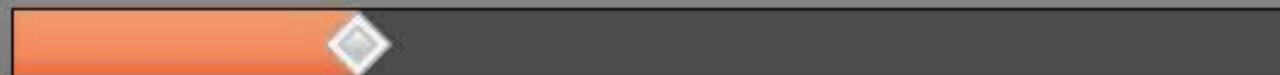
AVATAR:

During the course of this simulation, you will be presented with a series of real-life workplace simulations that will test your knowledge and ability to spot and deal with harassment.

A few things you'll need to know before you begin: The simulations are built to reflect real-life challenges facing managers today. The issues we will cover can arise in any workplace, including yours.

Menu

 0:34



 Silent



Continue



Introduction x

50 State Survey

Policy

Questions

Report



AVATAR:

Additionally, the employees you'll see in these simulations could easily be one of your own, or a fellow manager.

Menu

 0:34



 Silent



Continue



Introduction



50 State Survey

Policy

Questions

Report

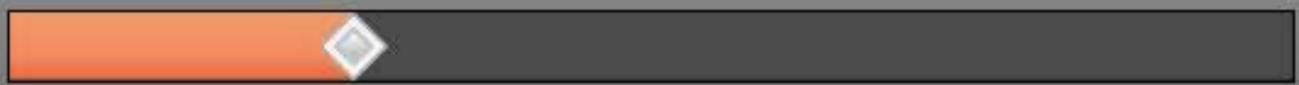


AVATAR:
Additionally, the employees you'll see in these simulations could easily be one of your own, or a fellow manager.

It's important that you recognize that anyone, anywhere, and at any time can be a victim or a harasser.

Menu

0:35



Silent

Continue



Introduction



50 State Survey

Policy

Questions

Report



AVATAR:
Your job today is to assess and determine how best to deal with each simulation.

Menu

 0:35



 Silent



Continue



Introduction



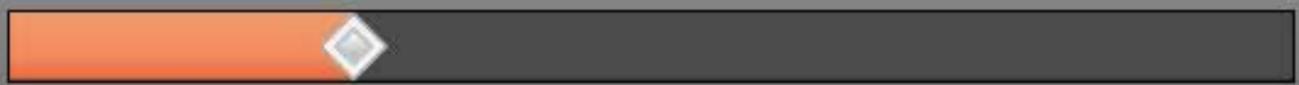
- 50 State Survey
- Policy
- Questions
- Report



AVATAR:
Your job today is to assess and determine how best to deal with each simulation.
Let's get to it.

Menu

0:35



Silent

Continue



Introduction

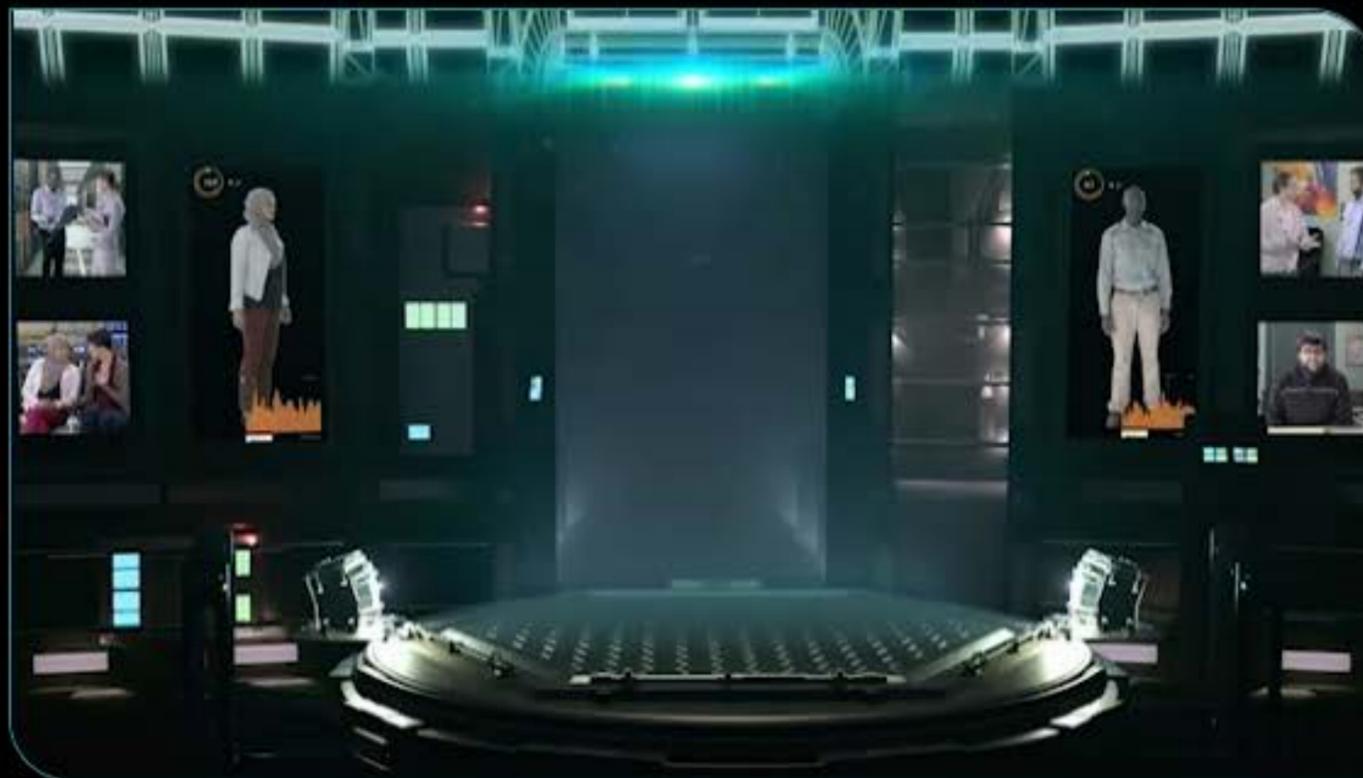


50 State Survey

Policy

Questions

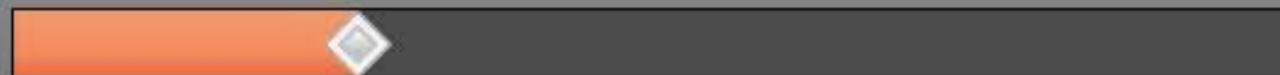
Report



Female Computer Voice:
Begin simulations.

Menu

 0:35



 Silent



Continue



Preventing Workplace Harassment US Managers Edition - (v7)



50 State Survey

Policy

Questions

Report

Menu

Introduction

★ Simulations

Conclusion



A Typical Day Part 1



A Typical Day Part 2



Cammy the Comedian

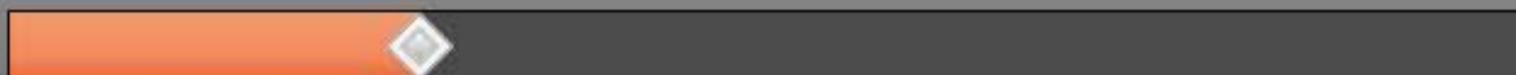


Nura's Headscarf



Menu

0:35



Silent



A Typical Day Part 1



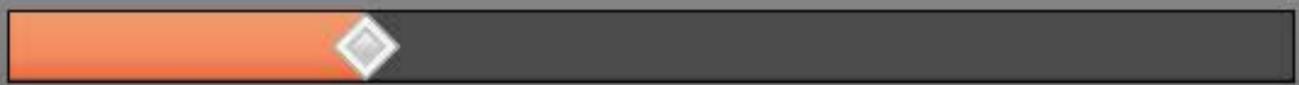
- 50 State Survey
- Policy
- Questions
- Report



AVATAR:
A typical day at work can present a number of challenges for a manager. In this simulation, you will take on the role of the manager. Let's see how well you handle your employees.

Menu

 0:36



 Silent 

Continue



A Typical Day Part 1

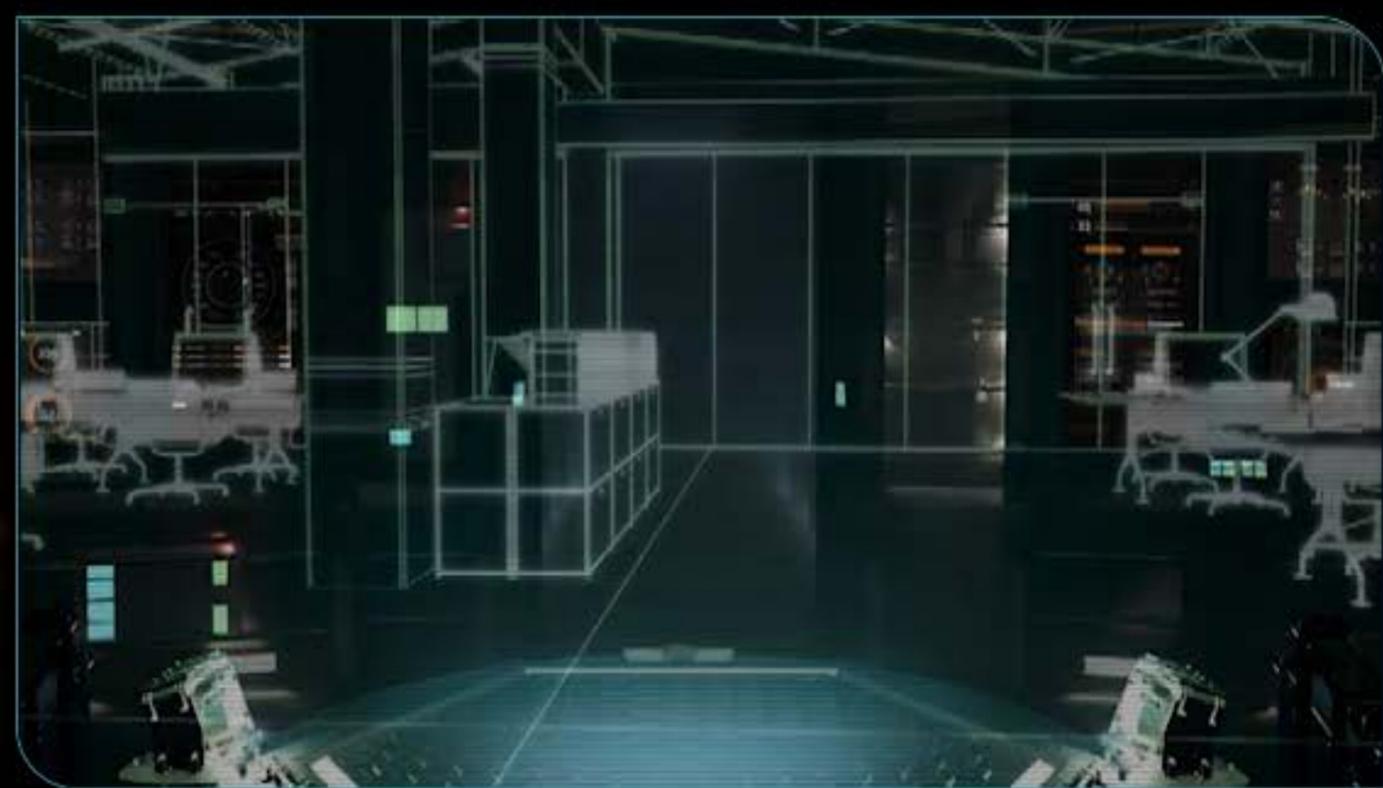


50 State Survey

Policy

Questions

Report

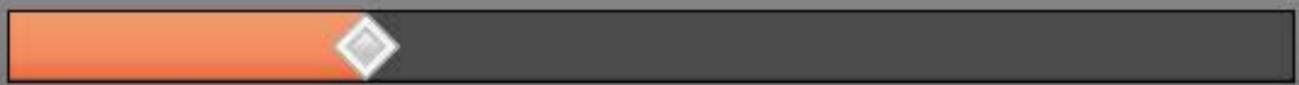


AVATAR:
A typical day at work can present a number of challenges for a manager. In this simulation, you will take on the role of the manager. Let's see how well you handle your employees.

Female Computer Voice:
Begin A Typical Day simulation.

Menu

 0:36



 Silent 

Continue



A Typical Day Part 1



50 State Survey

Policy

Questions

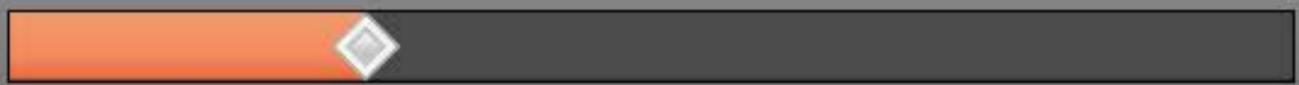
Report



Employee 1:
Hey. I have an irate customer complaining that she needs a delivery...yesterday. So, I need your signature in order to expedite the shipment.

Menu

 0:36



 Silent 

Continue



A Typical Day Part 1



- 50 State Survey
- Policy
- Questions
- Report

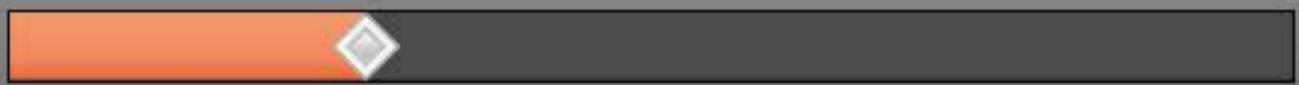


Employee 1:
Hey. I have an irate customer complaining that she needs a delivery...yesterday. So, I need your signature in order to expedite the shipment.

Employee 2:
Um, I don't know if you know this, but apparently, someone scribbled a sexual joke about Betty Ann on the wall of the women's bathroom.

Menu

0:36



Silent

Continue



A Typical Day Part 1



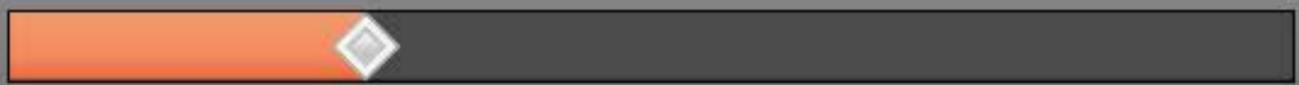
- 50 State Survey
- Policy
- Questions
- Report



Employee 3:
...so, I told Rachel she should just back off! Because I've had it with how rude that woman is.

Menu

0:36



Silent

Continue



A Typical Day Part 1



50 State Survey

Policy

Questions

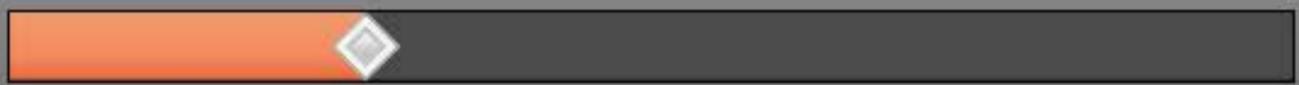
Report



Employee 1:
I swear, if I get one more complaint from this customer I'm going to pull out what little hair I have. No one should be expected to endure this kind of abuse. Can you reassign this account? Oh, and she's expecting a call from you personally.

Menu

0:36



Silent

Continue



A Typical Day Part 1



- 50 State Survey
- Policy
- Questions
- Report

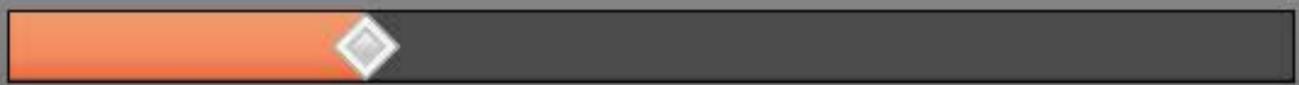


Employee 1:
I swear, if I get one more complaint from this customer I'm going to pull out what little hair I have. No one should be expected to endure this kind of abuse. Can you reassign this account? Oh, and she's expecting a call from you personally.

Employee 2:
You might want to have a look at the graffiti. It's not funny and it might be a problem.

Menu

 0:37



 Silent 

Continue



A Typical Day Part 1



50 State Survey

Policy

Questions

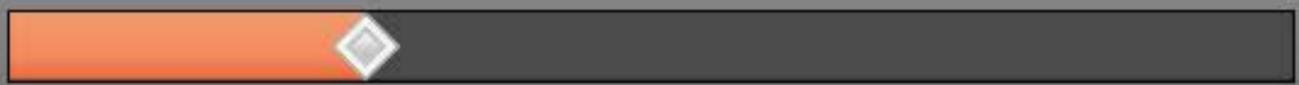
Report



Employee 3:
So I assume you caught the tail end of my conversation about Rachel. Well, you should know she is threatening to report me to her manager because, get this, she says I was rude to her.

Menu

 0:37



 Silent 

Continue



A Typical Day Part 1



50 State Survey

Policy

Questions

Report



Employee 3:
So I assume you caught the tail end of my conversation about Rachel. Well, you should know she is threatening to report me to her manager because, get this, she says I was rude to her.

Employees 1, 2, and 3:
What are you going to do about it?

Menu

 0:37



 Silent 

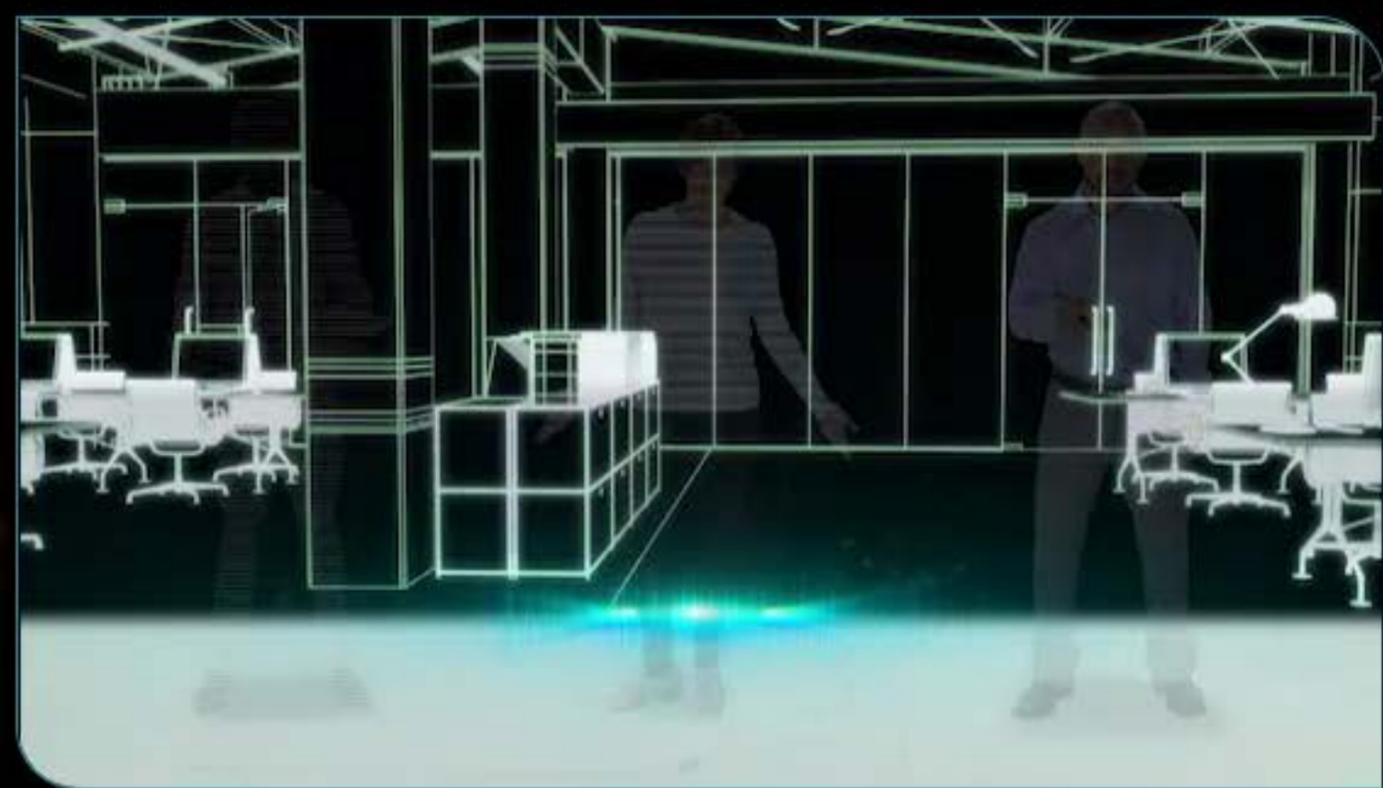
Continue



A Typical Day Part 1



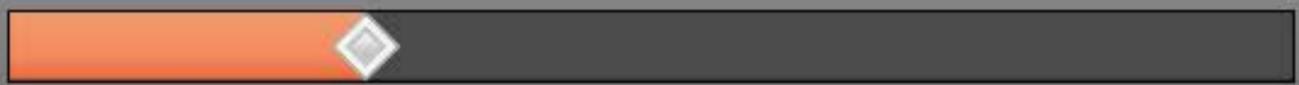
- 50 State Survey
- Policy
- Questions
- Report



Female Computer Voice:
End simulation.

Menu

0:37



Silent

Continue

A Typical Day Part 1 x

50 State Survey

Policy

Questions

Report

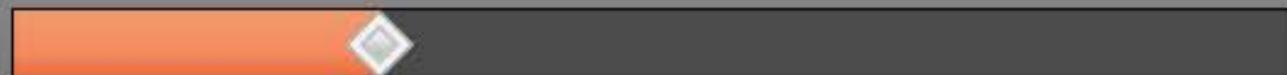
Challenge Question



It's challenging, but not uncommon, for a manager to receive multiple complaints in a single day. Do you think any of the employees in this simulation mentioned something that could be a potential harassment situation? Select the best answer.

- A. The employee who received a call from an irate customer about a product shipment
- B. The employee who said there may be a problem in the women's restroom
- C. The employee who is complaining about a coworker who is going to file a complaint about him

Menu

 0:37 Silent

Challenge Question

 **Correct!****That's right. The correct answer is B.**

A lot happened, and it all needs to be addressed. However, only the employee who mentioned the sexual graffiti in the bathroom has raised a potential harassment issue.

She has said enough to put a manager on notice of a potential violation of the harassment policy. And once on notice, managers must respond promptly and properly.

A call from an irate client is likely not harassment—unless, for example, the customer uses racial slurs or says something derogatory about women. And while the phone conversation with the coworker was not professional, it's not harassment.





A Typical Day Part 1



50 State Survey

Policy

Questions

Report

Quick Tips

For managers, understanding the concept of notice is incredibly important. That's because once a manager is on notice of a potential violation of policy or the law, the manager needs to respond right away. So what would put a reasonable manager on notice? Review the following examples. Click the arrow to see the next item.

01



An employee files a written harassment complaint



Show All

Menu

0:38



Silent



A Typical Day Part 1



- 50 State Survey
- Policy
- Questions
- Report

Quick Tips

For managers, understanding the concept of notice is incredibly important. That's because once a manager is on notice of a potential violation of policy or the law, the manager needs to respond right away. So what would put a reasonable manager on notice? Review the following examples. Click the arrow to see the next item.

02



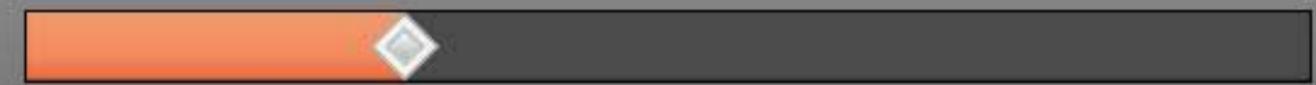
An employee makes an off-hand comment to a manager about a coworker who tells sexual jokes



Show All

Menu

0:38



Silent



A Typical Day Part 1



- 50 State Survey
- Policy
- Questions
- Report

Quick Tips

For managers, understanding the concept of notice is incredibly important. That's because once a manager is on notice of a potential violation of policy or the law, the manager needs to respond right away. So what would put a reasonable manager on notice? Review the following examples. Click the arrow to see the next item.

03



A manager overhears an offensive conversation relating to sexual orientation or gender identity



Show All

Menu

0:38



Silent



A Typical Day Part 1



- 50 State Survey
- Policy
- Questions
- Report

Quick Tips

For managers, understanding the concept of notice is incredibly important. That's because once a manager is on notice of a potential violation of policy or the law, the manager needs to respond right away. So what would put a reasonable manager on notice? Review the following examples. Click the arrow to see the next item.

04



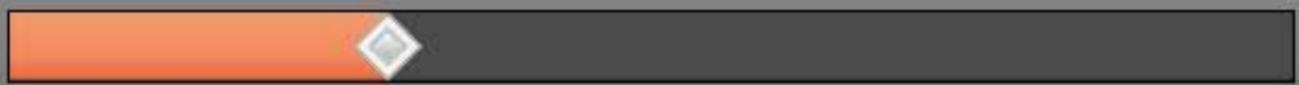
A manager receives a harassment complaint from an employee he does not supervise



Show All

Menu

0:38



Silent



A Typical Day Part 1



- 50 State Survey
- Policy
- Questions
- Report

Quick Tips

For managers, understanding the concept of notice is incredibly important. That's because once a manager is on notice of a potential violation of policy or the law, the manager needs to respond right away. So what would put a reasonable manager on notice? Review the following examples. Click the arrow to see the next item.

05



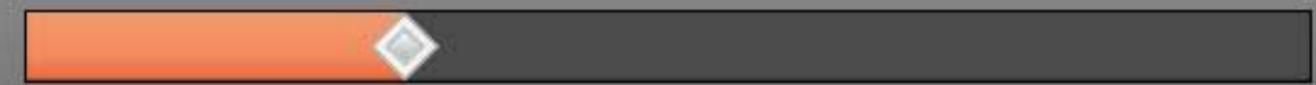
A manager receives an anonymous complaint about a vendor who has been making sexual comments about a female employee



Show All

Menu

0:38



Silent



A Typical Day Part 1



- 50 State Survey
- Policy
- Questions
- Report

Quick Tips

For managers, understanding the concept of notice is incredibly important. That's because once a manager is on notice of a potential violation of policy or the law, the manager needs to respond right away. So what would put a reasonable manager on notice? Review the following examples. Click the arrow to see the next item.

06



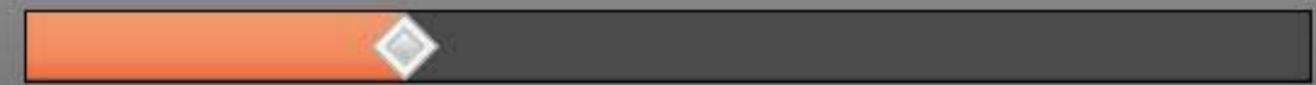
An employee makes a sexual harassment complaint on behalf of another worker



Show All

Menu

0:39



Silent



A Typical Day Part 1



- 50 State Survey
- Policy
- Questions
- Report

Quick Tips

For managers, understanding the concept of notice is incredibly important. That's because once a manager is on notice of a potential violation of policy or the law, the manager needs to respond right away. So what would put a reasonable manager on notice? Review the following examples. Click the arrow to see the next item.

07



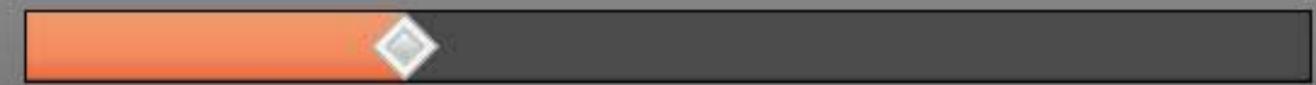
A manager witnesses conduct that could violate the harassment policy



Show All

Menu

0:39



Silent

Continue



A Typical Day Part 1



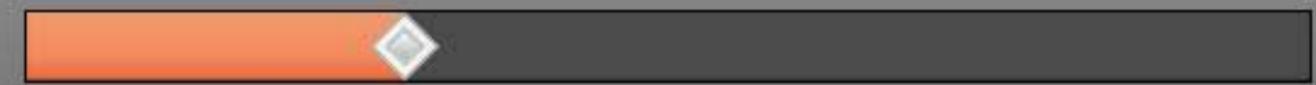
- 50 State Survey
- Policy
- Questions
- Report

Quick Tips

- 01 An employee files a written harassment complaint
- 02 An employee makes an off-hand comment to a manager about a coworker who tells sexual jokes
- 03 A manager overhears an offensive conversation relating to sexual orientation or gender identity
- 04 A manager receives a harassment complaint from an employee he does not supervise
- 05 A manager receives an anonymous complaint about a vendor who has been making sexual comments about a female employee
- 06 An employee makes a sexual harassment complaint on behalf of another worker
- 07 A manager witnesses conduct that could violate the harassment policy

Menu

 0:39



 Silent 

Continue



Leader Insight

When an employee complains, you must be prepared to effectively handle the initial meeting and answer questions. Being prepared will help put the employee at ease and get the process started on a good note.

- **Identify:** Identify and discuss key policies (harassment and retaliation) with the employee. Be sure that you understand the policies before you make statements about them. Identify the options available to the employee — objecting directly to the person who has offended them, and/or enlisting the organization's assistance to investigate the matter.
- **Inquire:** Ask the employee to explain his or her experience, and get details about the complaint. Take factual notes about what the employee told you. Ask, but don't require, the employee to provide a written statement.



Leader Insight

In addition, be prepared to help the employee understand what he or she can expect.

You can let the employee know that:

- You will bring the employee's concern to the attention of HR or senior management.
- That HR or senior management will contact the employee.
- That as part of that process the employee will be asked to talk about his or her concerns.
- The organization will keep everything as confidential as possible.
- The organization will determine whether policy has been violated.
- That **retaliation** is strictly prohibited and should always be reported right away.

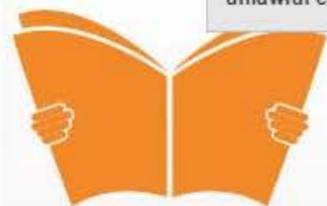
Leader Insight

In addition, be prepared to help the employee understand what he or she can expect.

Retaliation

Close X

Retaliation occurs when an employer takes a materially adverse action against an employee because he or she engaged in protected activity, such as filing a charge of discrimination or harassment, participating in an investigation into alleged unlawful conduct, or opposing conduct that is prohibited by law.



- The organization will keep everything as confidential as possible.
- The organization will determine whether policy has been violated.
- That **retaliation** is strictly prohibited and should always be reported right away.



A Typical Day Part 2

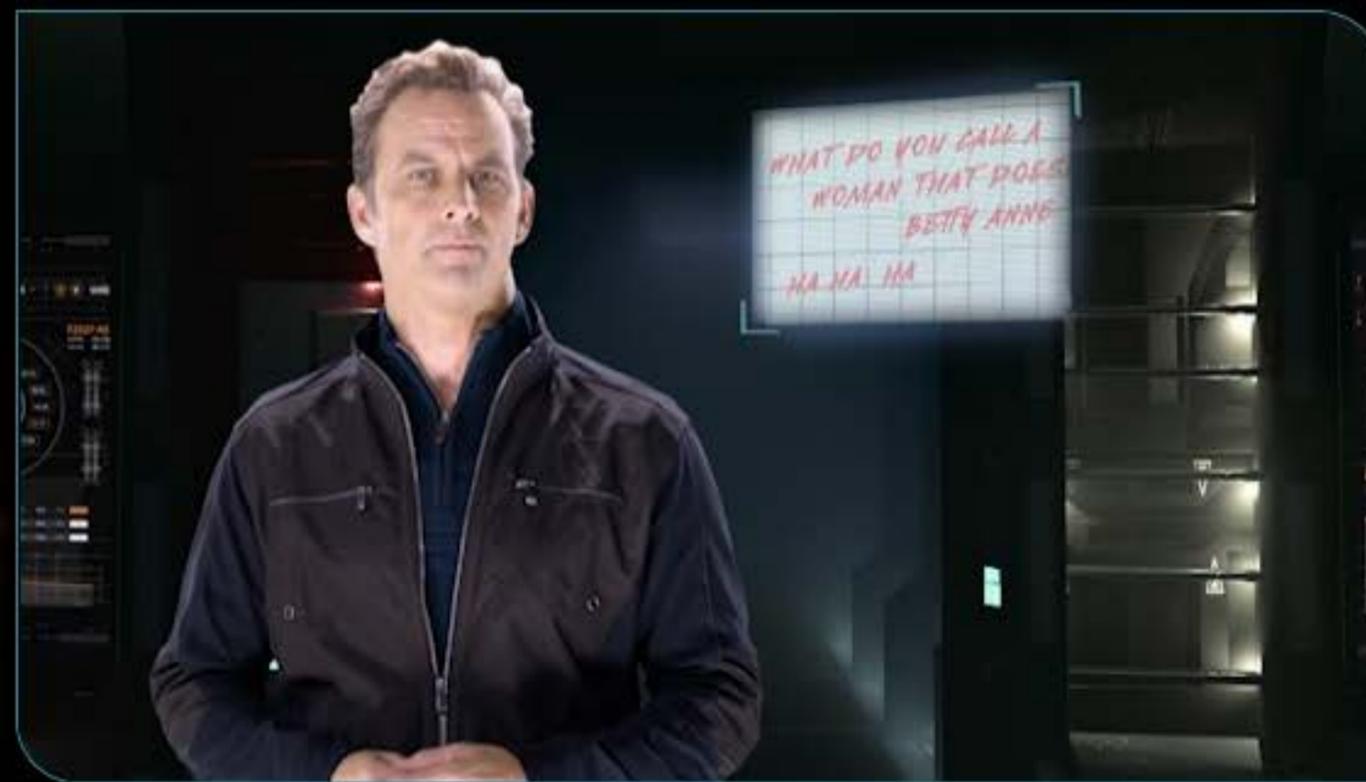


50 State Survey

Policy

Questions

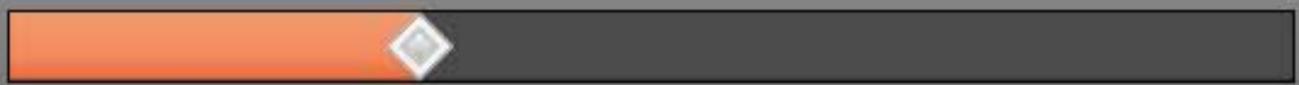
Report



AVATAR:
Let's continue with this simulation and find out what Betty Ann has to say about the offensive graffiti written on the bathroom wall.

Menu

0:40



Silent

Continue



A Typical Day Part 2



50 State Survey

Policy

Questions

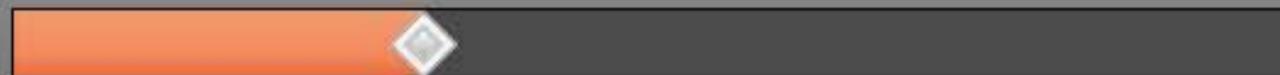
Report



Female Computer Voice:
Begin A Typical Day simulation part two.

Menu

 0:40



 Silent



Continue



A Typical Day Part 2



50 State Survey

Policy

Questions

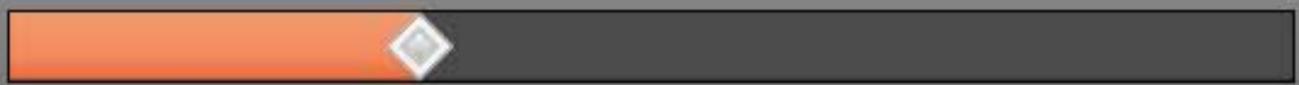
Report



Betty Ann:
...If I had to guess, I'd say Rose is responsible for the unflattering graffiti. Personally, I don't care what she thinks about me. The bigger issue is her "comments" are offensive, and she needs to be taught a lesson. And soon.

Menu

 0:40



 Silent 

Continue



A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report



Betty Ann:
On the other hand, putting all blame aside for a moment, I suppose I could have been nicer to Rose when she started here. I was just so...busy all the time! You know how it gets. Maybe you should just let it go. I mean, I wouldn't want to see anyone fired over this. I just want the graffiti removed.

Menu

 0:40



 Silent 

Continue



A Typical Day Part 2



50 State Survey

Policy

Questions

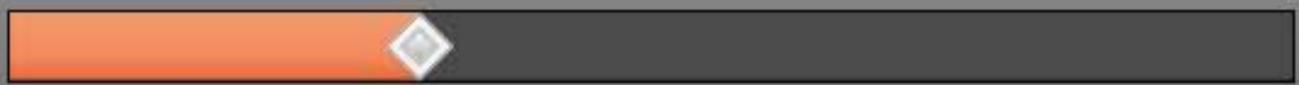
Report



Betty Ann:
What if it happens again? You know what? Maybe putting some distance between us could fix our issues. You should transfer Rose to another department. That way no one has to be penalized.

Menu

0:40



Silent

Continue



A Typical Day Part 2



50 State Survey

Policy

Questions

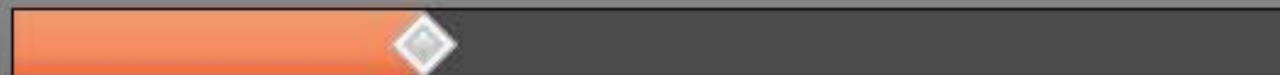
Report



Female Computer Voice:
End simulation.

Menu

0:40



Silent



Continue

A Typical Day Part 2 x

50 State Survey

Policy

Questions

Report

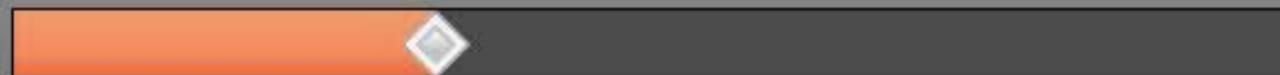
Challenge Question



So now what? **Betty Ann** is upset and has given you several suggestions on how to deal with the situation. What actions do you believe a manager should take at this point? Select the best answer.

- A. Transfer Rose in order to help calm the situation down
- B. Start an investigation right away
- C. Reach out to HR or senior management for guidance
- D. Suspend Rose with pay until an investigation is done
- E. Tell Betty Ann that since she caused the problem, she should fix it too

Menu

 0:40 Silent

Challenge Question

 **Correct!****That's right. The correct answer is C.**

Reaching out to HR or senior management is the correct next step. And it must be done right away.

A manager cannot allow the victim—in this case, Betty Ann—to handle the situation her own way. In addition, a manager should not take any premature disciplinary action (such as suspending someone or moving someone to a new job) unless HR or a senior manager is involved. And finally, managers should not start their own investigation unless instructed to do so by HR; HR is specifically trained to conduct investigations.





A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

Click Here

+

Do Not Say to an Employee

Click Here

+

01

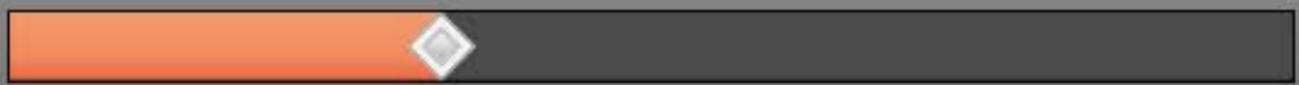
I am going to share your concerns with HR.

⤴

01 of 07

Menu

0:41



Silent



A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

I am going to share your concerns with HR.

Do Not Say to an Employee

Click Here

+

That's Correct

You found the correct location for this item.

[Next](#)

01 of 07



A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

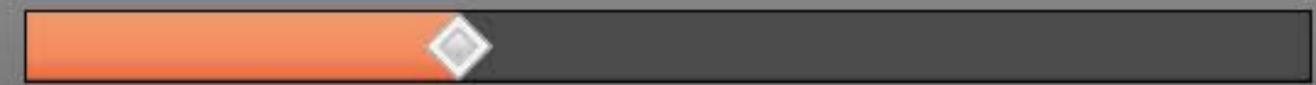
Okay to Say to an Employee	Do Not Say to an Employee
Click Here +	Click Here +

02 | I'm glad you brought this to my attention. | ^

02 of 07

Menu

0:42



Silent



A Typical Day Part 2

- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

I'm glad you brought this to my attention.

Do Not Say to an Employee

Click Here

+

That's Correct

You found the correct location for this item.

Next

02 of 07



A Typical Day Part 2

- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

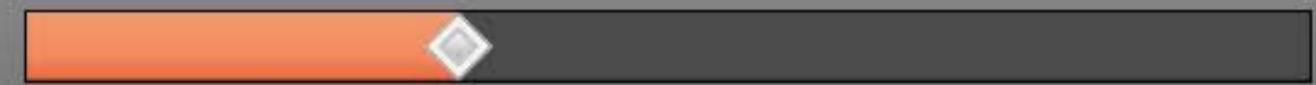
Okay to Say to an Employee	Do Not Say to an Employee
Click Here +	Click Here +

03 | I think we need to wait and see if this happens again; we don't want to make this into a big issue.

03 of 07

Menu

0:42



Silent



A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

Click Here

+

✓

Do Not Say to an Employee

I think we need to wait and see if this happens again; we don't want to make this into a big issue.

✓

That's Correct

You found the correct location for this item.

Next

03 of 07



A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

Click Here

+

Do Not Say to an Employee

Click Here

+

04

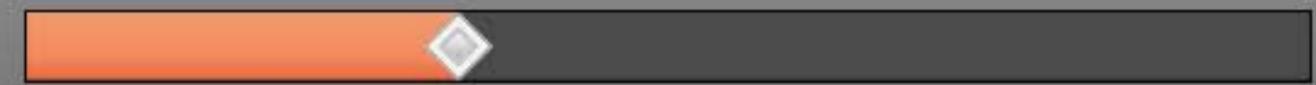
Do you think you may have done something to cause this?

⤴

04 of 07

Menu

0:42



Silent



A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

Click Here

+

✓

Do Not Say to an Employee

Do you think you may have done something to cause this?

✓

That's Correct

You found the correct location for this item.

[Next](#)

04 of 07



A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

Click Here

+

Do Not Say to an Employee

Click Here

+

05

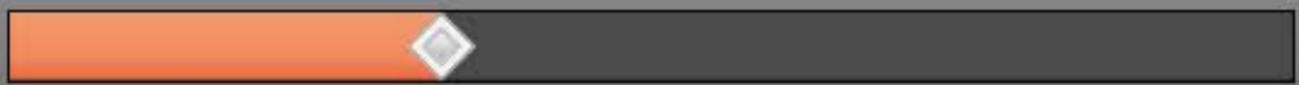
Isn't this an issue you can try to resolve on your own?

⤴

05 of 07

Menu

0:42



Silent



A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

Click Here

+

✓

Do Not Say to an Employee

Isn't this an issue you can try to resolve on your own?

✓ **That's Correct**

You found the correct location for this item.

Next

05 of 07



A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

Click Here

+

Do Not Say to an Employee

Click Here

+

06

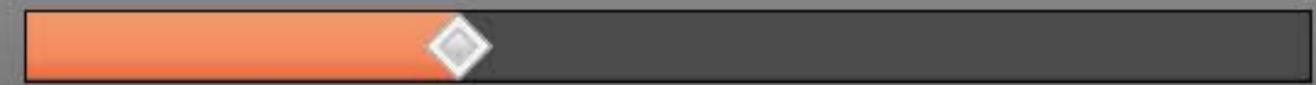
I'm too busy right now to deal with this. Can you come back tomorrow?

⤴

06 of 07

Menu

0:42



Silent



A Typical Day Part 2

- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

Click Here

+

Do Not Say to an Employee

I'm too busy right now to deal with this. Can you come back tomorrow?

That's Correct

You found the correct location for this item.

[Next](#)

06 of 07



A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

Click Here

+

Do Not Say to an Employee

Click Here

+

07

If you can get some proof, then I can look into it.

⤴

07 of 07

Menu

0:42



Silent



A Typical Day Part 2

- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

Click Here

+

✓

Do Not Say to an Employee

If you can get some proof, then I can look into it.

✓

That's Correct

You found the correct location for this item.

Next

07 of 07



A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

Click Here

+

Do Not Say to an Employee

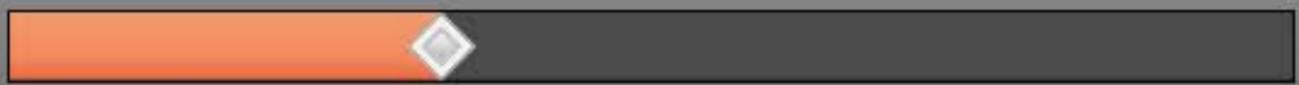
Click Here

+

Show All

Menu

0:42



Silent

Continue

A Typical Day Part 2 x

50 State Survey

Policy

Questions

Report

What Can You Say

When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Okay to Say to an Employee

I am going to share your concerns with HR.

I'm glad you brought this to my attention.

Do Not Say to an Employee

I think we need to wait and see if this happens again; we don't want to make this into a big issue.

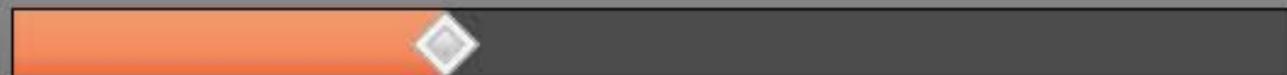
Do you think you may have done something to cause this?

Isn't this an issue you can try to resolve on your own?

I'm too busy right now to deal with this. Can you come back tomorrow?

If you can get some proof, then I can look into it.

Menu

 0:42 Silent

Continue



A Typical Day Part 2



- 50 State Survey
- Policy
- Questions
- Report

What Can You Say

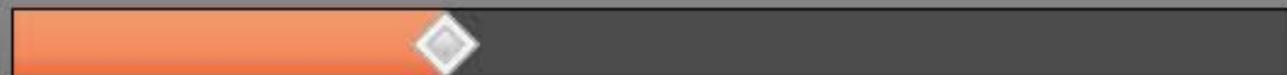
When an employee raises a concern, it's important to respond appropriately. Consider the following responses, and categorize them as either okay or not okay to say to an employee who has raised a concern. To move an item, click the location where you think the item should go.

Congratulations. You found the correct location for each example.



Menu

0:43



Silent



Continue



A Typical Day Part 2



50 State Survey

Policy

Questions

Report

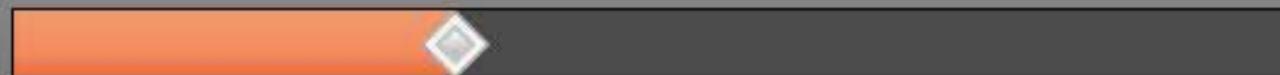


AVATAR:

When it comes to handling and preventing harassment, it's absolutely critical for managers to understand their role.

Menu

 0:43



 Silent



Continue



A Typical Day Part 2



50 State Survey

Policy

Questions

Report

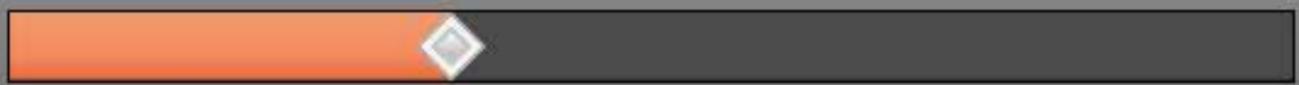


AVATAR:
When it comes to handling and preventing harassment, it's absolutely critical for managers to understand their role.

Take a look at the following tips and best practices.

Menu

 0:43



 Silent 

Continue



A Typical Day Part 2 x

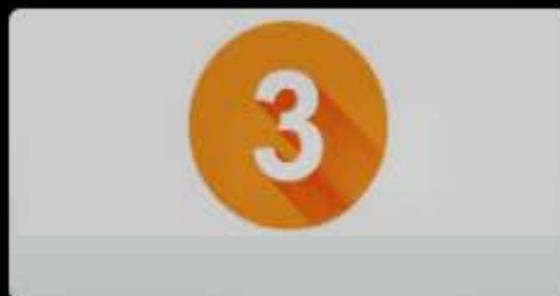
50 State Survey

Policy

Questions

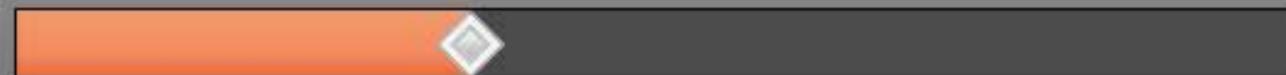
Report

Click each of the images on the left to reveal important content on this topic.



Menu

 0:43



 Silent





A Typical Day Part 2

- 50 State Survey
- Policy
- Questions
- Report

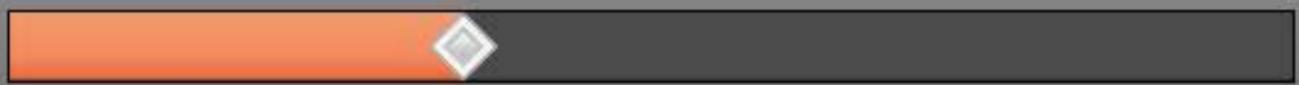
Click each of the images on the left to reveal important content on this topic.



Managers and supervisors have a significant impact on how employees view the organization and its commitment to a culture of respect.

Managers must lead by example and hold themselves to the highest standards of conduct. They must understand the harassment policy and know how to use it to resolve situations and prevent harassment.

If managers do not support a culture of respect and fairness, employees won't either.





A Typical Day Part 2

- 50 State Survey
- Policy
- Questions
- Report

Click each of the images on the left to reveal important content on this topic.



Managers must be observant. If a manager observes behavior that goes against a culture of respect, the manager must respond properly.



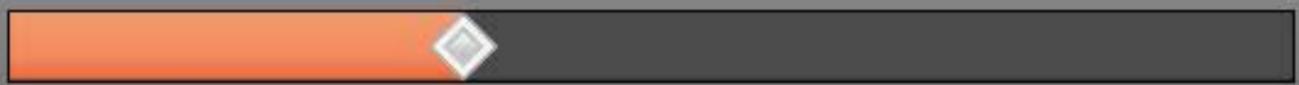
While some incidents will be easy to address, others will require managers to seek guidance from other internal resources such as senior managers or HR. When in doubt, managers should seek assistance.



Failure to respond appropriately can lead to serious consequences, including undermining organizational culture and morale and exposing the organization to legal risk.

Menu

0:43



Silent

Click each of the images on the left to reveal important content on this topic.



By being vigilant, holding employees accountable, and living organizational values, managers can help set expectations and prevent harassment.

Managers can help prevent harassment by:

- Discussing the harassment policy with employees
- Supporting harassment training efforts
- Building trust with employees
- Having an open-door policy
- Monitoring the workplace
- Watching for signs of harassment
- Not tolerating harassment or retaliation
- Immediately addressing harassment and retaliation



Leader Insight

Preventing harassment is an important manager responsibility. Follow these recommendations to help prevent offensive conduct:

- Review, understand, and enforce the organization's prohibited harassment policy.
- Talk about the prohibited harassment policy and your expectations during employee meetings.
- Train employees about the prohibited harassment policy.
- Lead by example (your employees will model your behavior).
- Do not wait for a complaint before you take action.
- Remove magazines, cartoons, graffiti, or other documents that could be offensive from work areas.



Leader Insight

You should also consider these additional prevention strategies:

- Remind employees not to use computers, email, cell phones, pagers, or the internet (including social media sites) to post or view harassing material.
- Put an end to offensive conduct even if you have not received a complaint.
- Put an end to conversations that may be offensive by politely breaking them up and talking privately with each employee who was a part of the conversation.

If you focus on prevention, you can have a dramatic and positive impact on the workplace.



Cammy the Comedian



50 State Survey

Policy

Questions

Report



Man on Video in Background:
Whaaat? That just never gets old.

Menu

 0:44



 Silent 

Continue



Cammy the Comedian



50 State Survey

Policy

Questions

Report

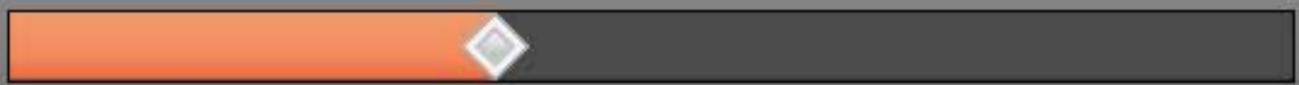


Man on Video in Background:
Whaaat? That just never gets old.

AVATAR:
While we may like to share a good laugh, we don't all find the same things funny.

Menu

0:44



Silent

Continue



Cammy the Comedian



50 State Survey

Policy

Questions

Report

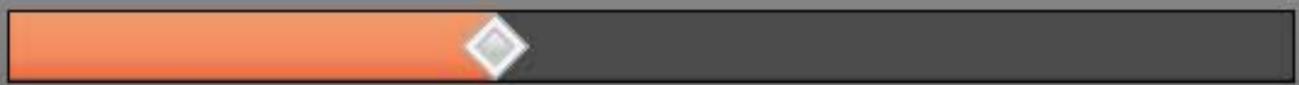


Man on Video in Background:
Whaaat? That just never gets old.

AVATAR:
While we may like to share a good laugh, we don't all find the same things funny.
This next simulation is a perfect illustration of this. See what you think.

Menu

0:44



Silent

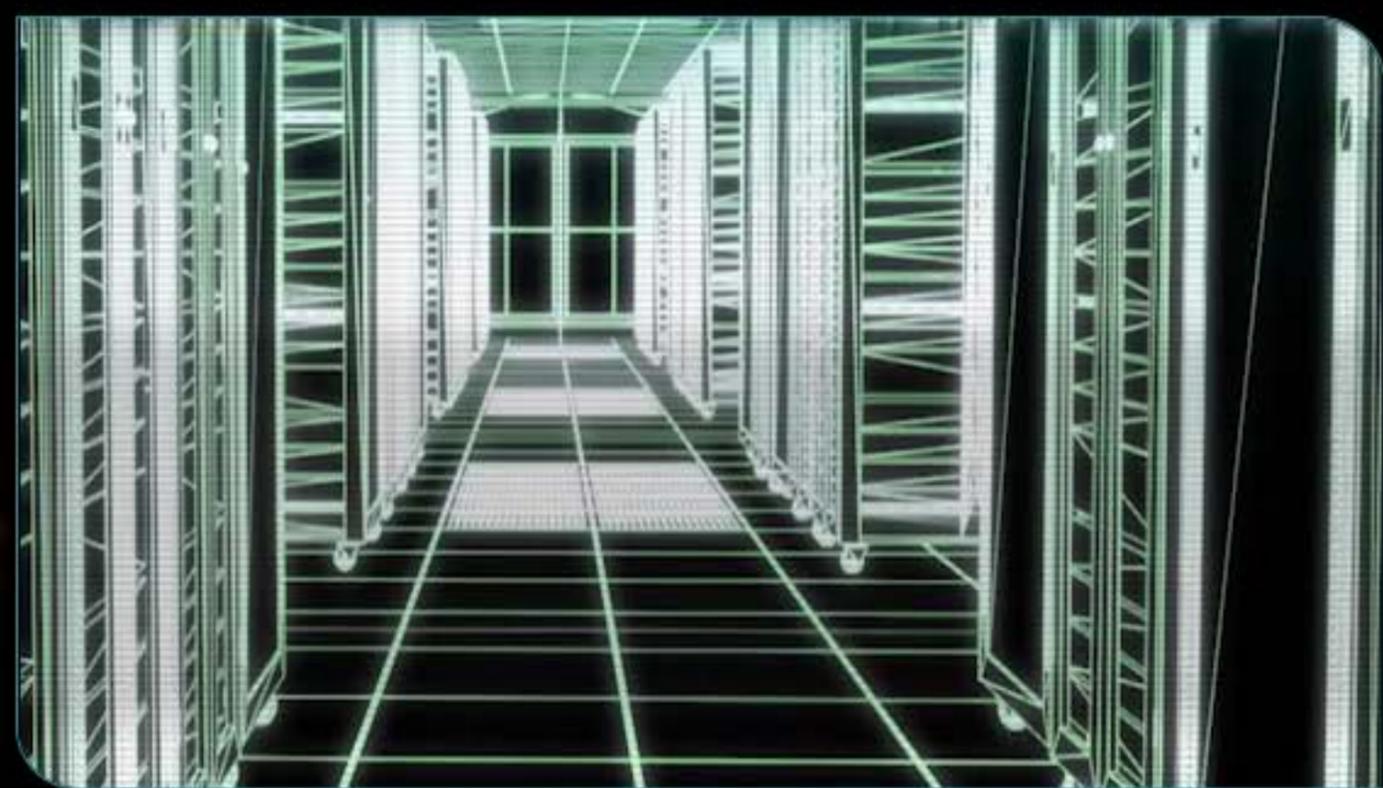
Continue



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report



Female Computer Voice:
Begin Cammy The Comedian simulation.

Menu

 0:44



 Silent 

Continue



Cammy the Comedian



50 State Survey

Policy

Questions

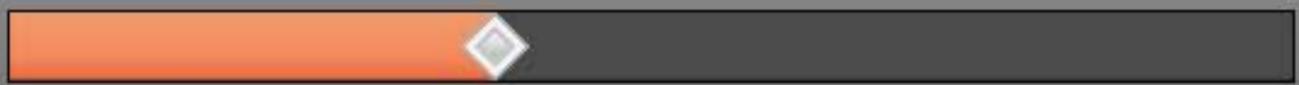
Report



Denise:
... So instead of just giving me her review of the show, Cammy starts acting out the whole episode!

Menu

0:45



Silent

Continue



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report



Denise:
... So instead of just giving me her review of the show, Cammy starts acting out the whole episode!

Nicholas:
I love when she does that. She only has to watch something once and she immediately has the entire episode memorized. Even her accents are spot on.

Menu

 0:45



 Silent 

Continue



Cammy the Comedian



50 State Survey

Policy

Questions

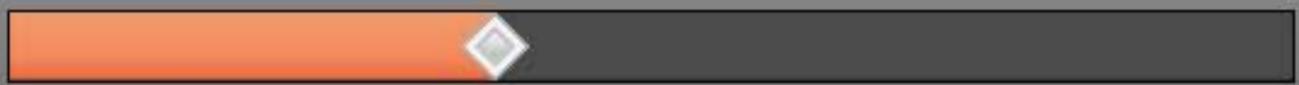
Report



Denise:
Right? She even nailed the stereotypical nuances of emotional women drivers.

Menu

0:45



Silent

Continue



Cammy the Comedian



50 State Survey

Policy

Questions

Report

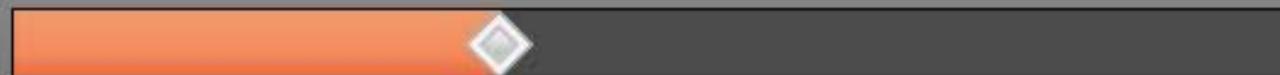


Denise:
Right? She even nailed the stereotypical nuances of emotional women drivers.

Nicholas:
I know. Classic Cammy!

Menu

 0:45



 Silent



Continue



Cammy the Comedian



50 State Survey

Policy

Questions

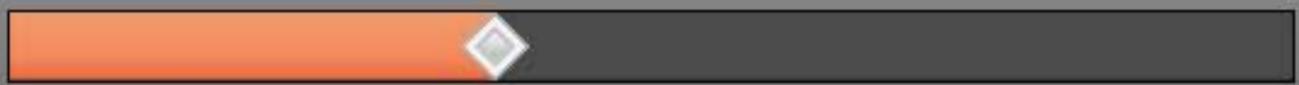
Report



Denise:
Oh, but get this; one of our clients was touring the facilities and overheard Cammy's performance and complained about it after she left.

Menu

0:45



Silent

Continue



Cammy the Comedian



50 State Survey

Policy

Questions

Report



Denise:

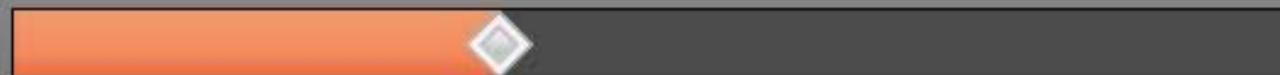
Oh, but get this; one of our clients was touring the facilities and overheard Cammy's performance and complained about it after she left.

Nicholas:

So?

Menu

0:45



Silent



Continue



Cammy the Comedian



50 State Survey

Policy

Questions

Report



Denise:
So I mentioned to Cammy it would probably be better if she toned it down at work before she got into any trouble.

Menu

 0:45



 Silent 

Continue



Cammy the Comedian



50 State Survey

Policy

Questions

Report



Denise:

So I mentioned to Cammy it would probably be better if she toned it down at work before she got into any trouble.

Nicholas:

Why? Everything she acts out is already on TV. Everyone watches TV!

Menu

 0:45



 Silent



Continue



Cammy the Comedian



50 State Survey

Policy

Questions

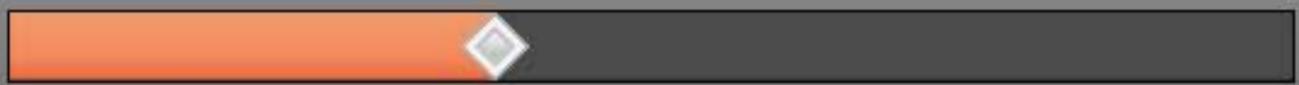
Report



Denise:
Right? And besides, we all know how sweet Cammy really is.

Menu

 0:45



 Silent 

Continue



Cammy the Comedian



50 State Survey

Policy

Questions

Report



Denise:

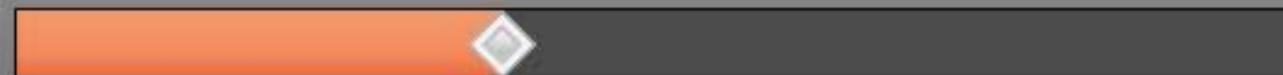
Right? And besides, we all know how sweet Cammy really is.

Nicholas:

Right? It's not like she's trying to insult anyone. If you think about it, it's actually empowering because she's making fun of stereotypes!

Menu

0:46



Silent



Continue



Cammy the Comedian



50 State Survey

Policy

Questions

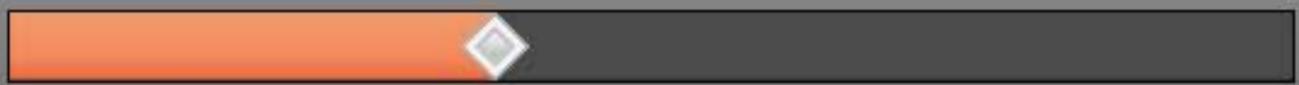
Report



Denise:
I know.

Menu

0:46



Silent

Continue



Cammy the Comedian



50 State Survey

Policy

Questions

Report

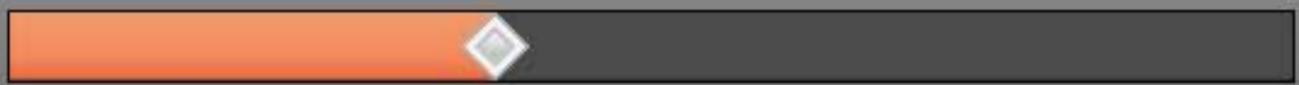


Denise:
I know.

Female Computer Voice:
End simulation.

Menu

0:46



Silent

Continue

Cammy the Comedian x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)**Challenge Question**

Cammy's coworkers have expressed different points of view about her behavior. Review the following justifications and determine whether any of them make Cammy's behavior acceptable. One or more of the following options may be correct.

- A. Cammy is simply repeating jokes she heard on public TV, so she has not violated policy
- B. Cammy is a woman repeating jokes told by a female comic, so her statements can't be considered harassment
- C. Cammy didn't mean any harm by her comments, so she cannot violate policy
- D. Cammy's comments could be considered by some to be empowering, so it's not harassment
- E. None of these excuse her behavior

Menu

 0:46 Silent 

Cammy the Comedian x

50 State Survey

Policy

Questions

Report

Challenge Question

 **Correct!**

That's right. The correct answer is E, none of the answer options excuse her behavior.

The key with all workplace behavior is to consider how others around you may feel in light of your comments or actions. Cammy's behavior did offend a customer, and had the potential to offend many more people.

It doesn't matter that she was simply repeating something she saw on TV, she did not intend to offend anyone, or that she is a woman repeating jokes about females. By reiterating gender-based, offensive jokes and stereotypes (even if she was making fun of them), Cammy engaged in conduct that could be (and was) considered offensive and disrespectful in the workplace.



Menu

 0:47 Silent 

Continue



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

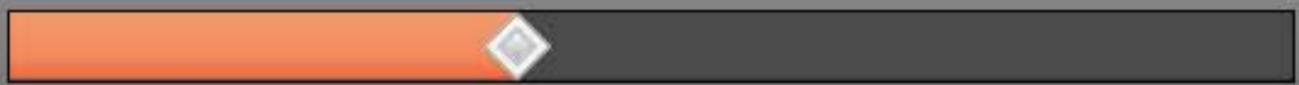
Okay	Not Okay
Click Here +	Click Here +

01 Share your concerns with HR or senior management and seek advice on next steps

01 of 07

Menu

0:47



Silent



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

Okay

Share your concerns with HR or senior management and seek advice on next steps

Not Okay

Click Here

That's Correct

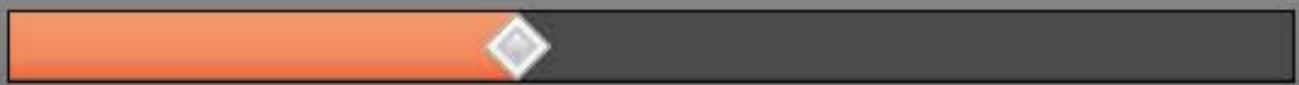
You found the correct location for this item.

Next

01 of 07

Menu

0:47



Silent



Cammy the Comedian



50 State Survey

Policy

Questions

Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

Okay

Click Here

Not Okay

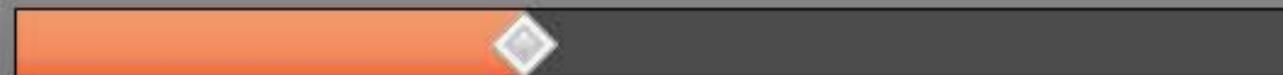
Click Here

02 Help HR with an investigation, if asked

02 of 07

Menu

0:47



Silent



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

Okay

Help HR with an investigation, if asked

Not Okay

Click Here

+

✔ That's Correct

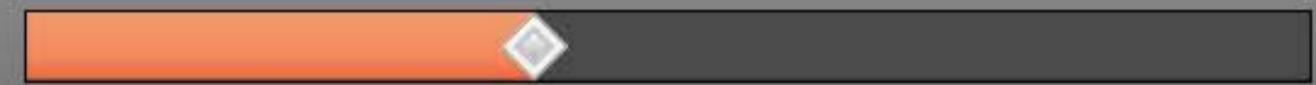
You found the correct location for this item.

Next

02 of 07

Menu

0:47



Silent



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

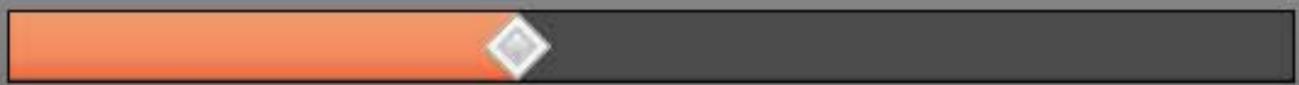
<p>Okay</p> <hr/> <p>Click Here</p> <p>+</p>	<p>Not Okay</p> <hr/> <p>Click Here</p> <p>+</p>
--	--

03 | Talk to all employees about respect and harassment at a team meeting ^

03 of 07

Menu

0:47



Silent



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

Okay

Talk to all employees about respect and harassment at a team meeting

Not Okay

Click Here

+

That's Correct

You found the correct location for this item.

[Next](#)

03 of 07



Cammy the Comedian x

- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

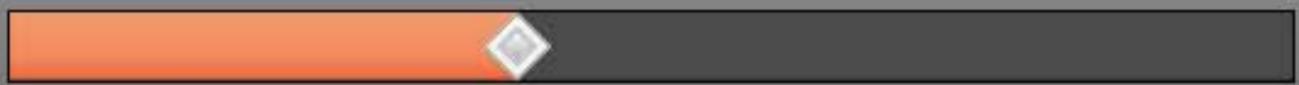
Okay	Not Okay
<p>Click Here</p> 	<p>Click Here</p> 

04 Explain to your employees the importance of reporting such conduct 

04 of 07

Menu

 0:47



 Silent 



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

Okay

Explain to your employees the importance of reporting such conduct

Not Okay

Click Here

That's Correct

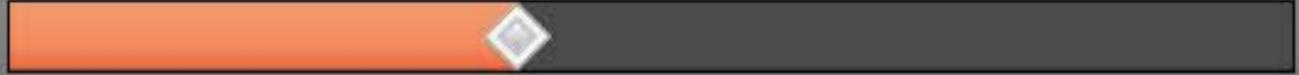
You found the correct location for this item.

[Next](#)

04 of 07

Menu

0:47



Silent



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

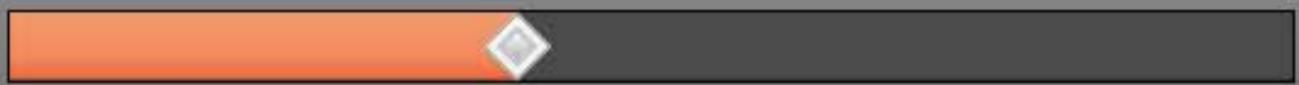
<p>Okay</p> <hr/> <p>Click Here</p> <p>+</p>	<p>Not Okay</p> <hr/> <p>Click Here</p> <p>+</p>
--	--

05 Issue immediate corrective action before HR conducts an investigation ^

05 of 07

Menu

0:47



Silent



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

Okay

Click Here

Not Okay

Issue immediate corrective action before HR conducts an investigation

That's Correct

You found the correct location for this item.

Next

05 of 07



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

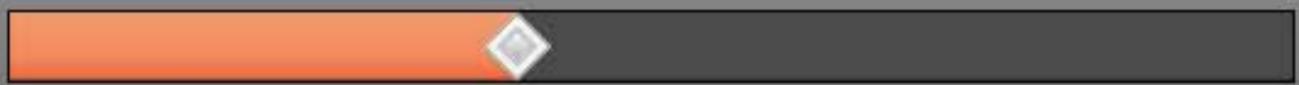
<p>Okay</p> <hr/> <p>Click Here</p> <p>+</p>	<p>Not Okay</p> <hr/> <p>Click Here</p> <p>+</p>
--	--

06 Stay quiet for now, but watch Cammy's behavior to see if it happens again

06 of 07

Menu

0:47



Silent



Cammy the Comedian

- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

Okay

Click Here



Not Okay

Stay quiet for now, but watch Cammy's behavior to see if it happens again

 **That's Correct**

You found the correct location for this item.

[Next](#)

06 of 07



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

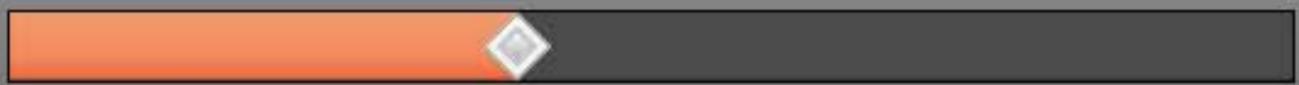
Okay	Not Okay
Click Here +	Click Here +

07 Wait to address Cammy's conduct until the next team meeting, and speak with her in front of the team

07 of 07

Menu

0:48



Silent



Cammy the Comedian

- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

Okay

Click Here

Not Okay

Wait to address Cammy's conduct until the next team meeting, and speak with her in front of the team

That's Correct

You found the correct location for this item.

Next

07 of 07



Cammy the Comedian



- 50 State Survey
- Policy
- Questions
- Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

Okay

Click Here

Not Okay

Click Here

Show All





Cammy the Comedian



50 State Survey

Policy

Questions

Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

Okay

Share your concerns with HR or senior management and seek advice on next steps

Help HR with an investigation, if asked

Talk to all employees about respect and harassment at a team meeting

Explain to your employees the importance of reporting such conduct

Not Okay

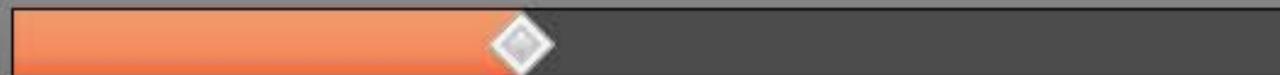
Issue immediate corrective action before HR conducts an investigation

Stay quiet for now, but watch Cammy's behavior to see if it happens again

Wait to address Cammy's conduct until the next team meeting, and speak with her in front of the team

Menu

0:48



Silent



Continue



Cammy the Comedian



50 State Survey

Policy

Questions

Report

Sort It

As a manager, you must address Cammy's behavior. I want you to consider the following possible actions and categorize them as either okay or not okay. To move an item, click the location where you think the item should go.

Well done. You found the correct location for each of the listed actions.



Menu

0:48



Silent



Continue

Cammy the Comedian x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question



When intervening and putting an end to an employee conversation that is inappropriate, such as Cammy's behavior, what can a manager say to employees to help them understand why certain types of jokes are off limits?

- A. The jokes are harmless and they help reduce stress, but we shouldn't reduce stress with humor
- B. Employees need to be more careful about who they joke around with
- C. Some people may find jokes funny, but others don't, and we need to think about how conduct impacts the whole team
- D. If you must joke around with people at work, make sure they tell you first that they won't be offended

Menu

 0:48 Silent 

Challenge Question

 **Correct!****That's right. The correct answer is C.**

Humor can help reduce stress and make the workplace more enjoyable. However, managers must take care to ensure that workplace humor is appropriate and that employees understand that they must consider the impact of conduct on the entire team.

Humor can alienate people and create an offensive work environment, which is likely what is going on in this situation. For those who are the "butt" of a joke, the experience is often not pleasant or enjoyable, even if the person appears to be laughing along. Insensitive jokes also tend to have a very negative effect on others who overhear the joke; just because they have not spoken up does not mean they are not offended.





Leader Insight

Jokes about someone's age, gender, race, sex, national origin, or other status protected by law can be a form of harassment, and expose the organization to potential legal liability.

Jokes that are disrespectful and that can contribute to a harassing environment include those about:

- Physical characteristics (cleavage, weight, hair, clothing)
- Social characteristics (alcohol use, dating, marital status)
- Personal hygiene (body odor, bodily functions, bad breath)



Leader Insight

If your employees like to joke around, help them keep it positive. To create the most productive environment, consider the following tips:

- Teach employees to think before they speak.
- Don't let inappropriate jokes circulating via email or texts (or on other platforms such as social media) go unaddressed.
- Humor that is intended to belittle someone (or a group of people) or make them look foolish doesn't belong in the workplace.
- Don't tolerate any joke or pranks about any protected categories.
- Think of jokes from the perspective of those who may be listening.
- Don't just draw the line at protected category jokes. Think about how employees feel about what they are hearing.
- If employees cross the line, hold them accountable.
- Hold customers, clients, and others who interact with your employees to the same standards.



Nura's Headscarf



50 State Survey

Policy

Questions

Report



AVATAR:

In this simulation, you will be presented with a situation that deals with religious attire. Let's see if this is beyond reasonable.

Menu

0:50



Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report



AVATAR:
In this simulation, you will be presented with a situation that deals with religious attire. Let's see if this is beyond reasonable.

Female Computer Voice:
Begin Nura's Headscarf simulation.

Menu

0:50



Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

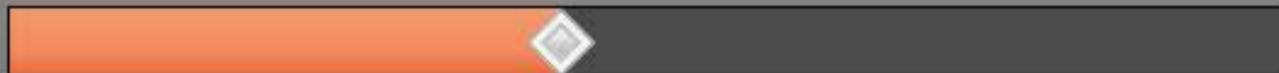
Report



Claire:
Hi Nura.

Menu

0:50



Silent



Continue



Nura's Headscarf



- 50 State Survey
- Policy
- Questions
- Report

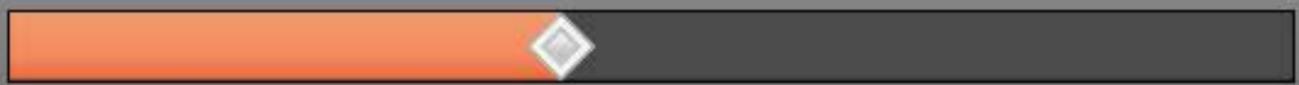


Claire:
Hi Nura.

Nura:
Hi Claire.

Menu

0:50



Silent

Continue



Nura's Headscarf

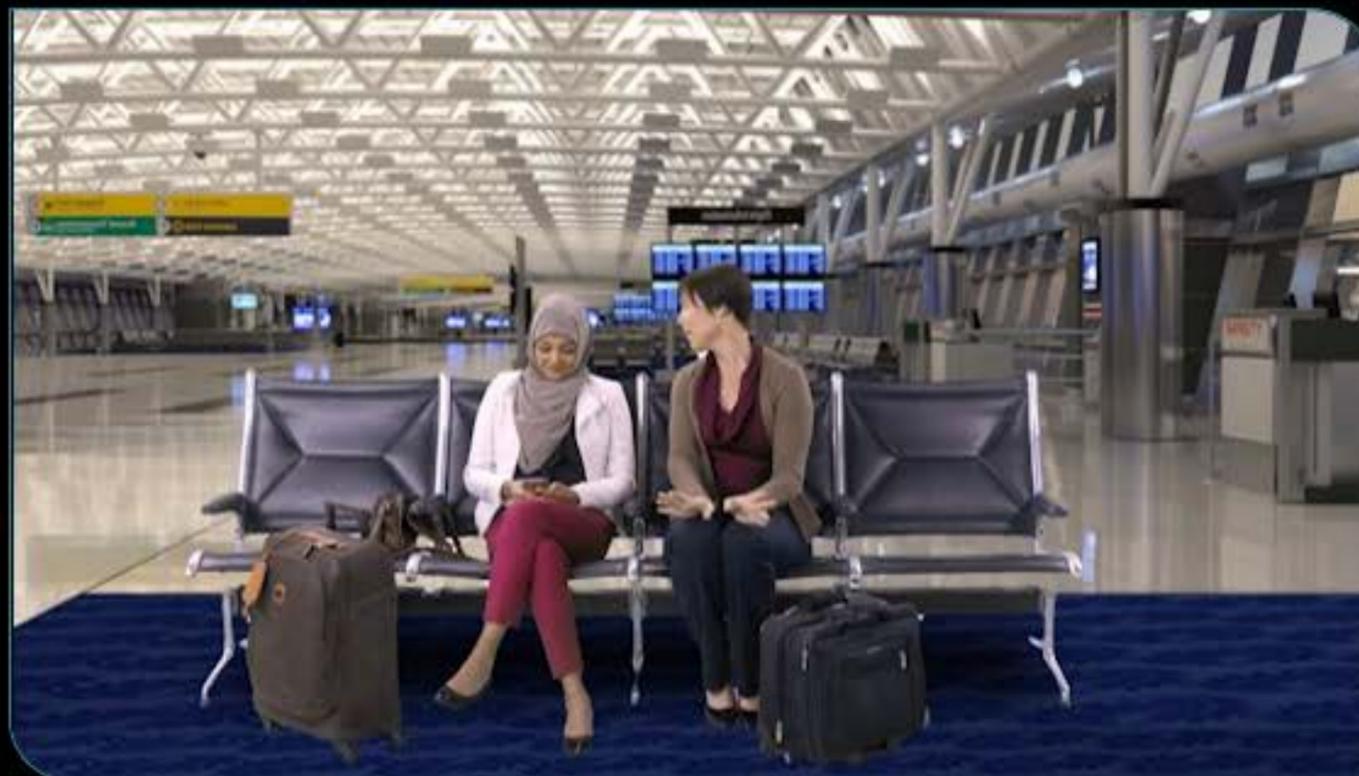


50 State Survey

Policy

Questions

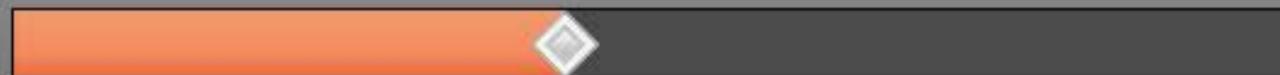
Report



Claire:
Crazy conference, huh?

Menu

0:50



Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report

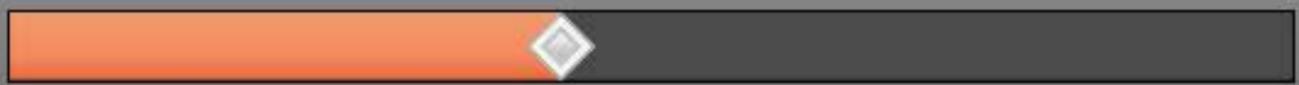


Claire:
Crazy conference, huh?

Nura:
Yeah, it ranks up there. Still, I can't believe I'm actually looking forward to getting back to the office.

Menu

0:50



Silent

Continue



Nura's Headscarf



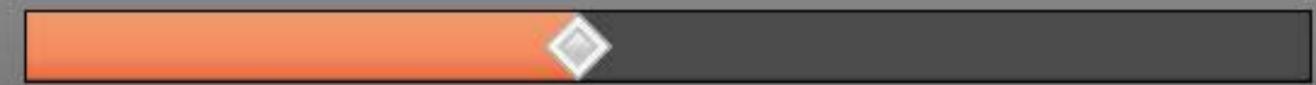
- 50 State Survey
- Policy
- Questions
- Report



Claire:
Well, I wouldn't go that far.

Menu

0:50



Silent

Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report



Claire:
Well, I wouldn't go that far.

Nura:
Well, you didn't attend the conference after holding a week-long seminar in Iran. I haven't been home for three weeks.

Menu

0:50



Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report

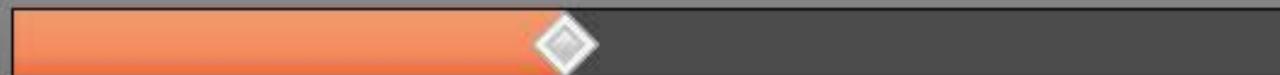


Claire:

Oh gosh. I feel for you, I really do. Well, it's kind of like a homecoming for you I guess, isn't it? Nura, you do know that wearing that headscarf really makes you stand out.

Menu

0:50



Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report



Claire:

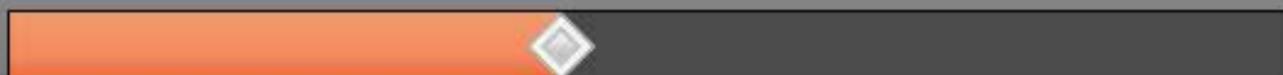
Oh gosh. I feel for you, I really do. Well, it's kind of like a homecoming for you I guess, isn't it? Nura, you do know that wearing that headscarf really makes you stand out.

Nura:

It's called a hijab.

Menu

0:50



Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

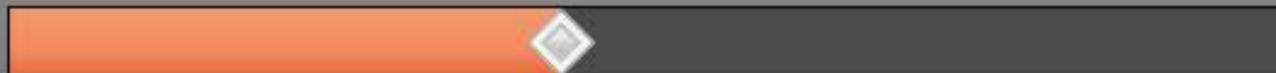
Report



Claire:
Oh, I know that.

Menu

0:51



Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report

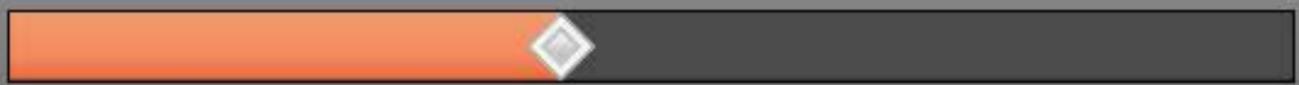


Claire:
Oh, I know that.

Nura:
Is there a problem here?

Menu

 0:51



 Silent 

Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report



Claire:

No. Not with me.

Menu

0:51



Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report

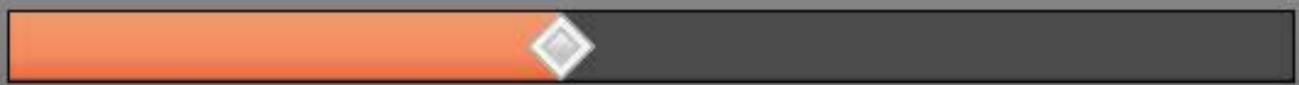


Claire:
No. Not with me.

I mean... Well, some of the people at the conference were commenting about it behind your back.

Menu

0:51



Silent

Continue



Nura's Headscarf



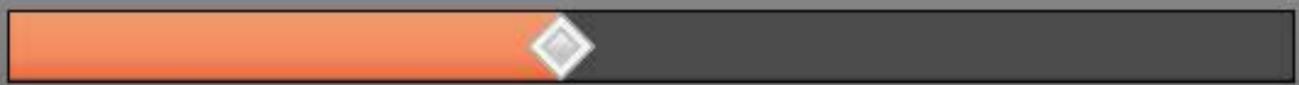
- 50 State Survey
- Policy
- Questions
- Report



Nura:
They were? What were they saying?

Menu

0:51



Silent

Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report

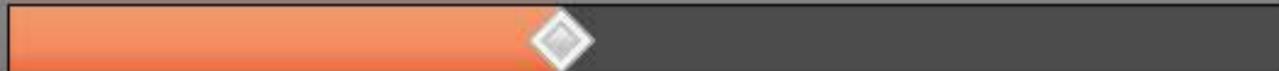


Nura:
They were? What were they saying?

Claire:
Well, I don't like to gossip, but some of the people were saying that you should leave the country and go back home. And someone even said that we should be careful around you because you might be a...

Menu

0:51



Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

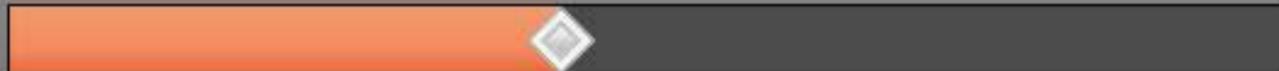
Report



Nura:
A terrorist?

Menu

0:51



Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report



Nura:
A terrorist?

Claire:
Well, I didn't say it, okay? But, yeah.

Menu

0:52



Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

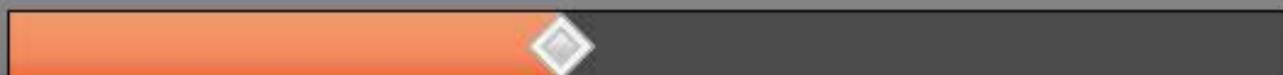
Report



Nura:
Well, it's not the first time I've heard it.

Menu

0:52



Silent



Continue



Nura's Headscarf



- 50 State Survey
- Policy
- Questions
- Report



Nura:
Well, it's not the first time I've heard it.

Claire:
Then why encourage it?

Menu

0:52



Silent

Continue



Nura's Headscarf



50 State Survey

Policy

Questions

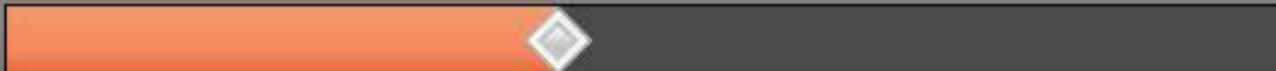
Report



Nura:
The hijab is an important part of my religion and my culture; that's why I wear it.

Menu

0:52



Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report



Nura:
The hijab is an important part of my religion and my culture; that's why I wear it.

Claire:
Well, I know that Nura, but I mean...with everything going on in the world today, I mean, aren't you...aren't you worried that someone might draw the wrong conclusion about you?

Menu

0:52



Silent



Continue



Nura's Headscarf



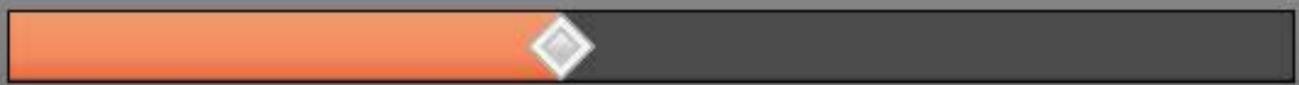
- 50 State Survey
- Policy
- Questions
- Report



Nura:
That's not my problem. It's their problem. And even your comments, they're insensitive. How would you like it if I asked you to stop wearing that cross around your necklace?

Menu

0:52



Silent

Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report



Nura:
That's not my problem. It's their problem. And even your comments, they're insensitive. How would you like it if I asked you to stop wearing that cross around your necklace?

Claire:
Um...

Menu

 0:52



 Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report



Female Computer Voice:
End simulation.

Menu

0:52



Silent



Continue

Nura's Headscarf x

50 State Survey

Policy

Questions

Report

Challenge Question



The comments made about Nura were inappropriate. Try to identify what type of harassment they are. Select the best answer. More than one answer may be correct.

- A. Religious harassment, because wearing the hijab is an important part of her religion
- B. Ethnicity and national origin harassment, because people were saying she didn't belong and that she could be a terrorist
- C. Disability harassment, because she has a hearing problem

Menu

 0:53 Silent 



Nura's Headscarf x

50 State Survey

Policy

Questions

Report

Challenge Question

 **Correct!**

That's right. The correct answers are A and B.

The negative comments about Nura's hijab can be a form of both national origin and religious harassment. Women who wear traditional religious attire can also be exposed to gender harassment.



Menu

 0:53



 Silent 

Continue

Nura's Headscarf x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)**Challenge Question**

Let's twist the facts of this situation. Assume that Nura's employer receives an anonymous complaint from someone who is not an employee. The person making the complaint states that a female employee wearing a headscarf was being mistreated by people at a conference. Can a nonemployee make a complaint on behalf of Nura (an employee)?

- A. No; the employee who was mistreated must be the one to complain
- B. No; only employees have the right to complain
- C. Yes; but the complaint cannot be anonymous
- D. Yes; anyone can raise a concern about harassment involving an employee

Menu

 0:53 Silent 



Nura's Headscarf



- 50 State Survey
- Policy
- Questions
- Report

Challenge Question

Correct!

That's right. The correct answer is D.

Anyone who witnesses harassment involving an employee is welcome to speak up about it—even if that person is a nonemployee. It also does not matter that the complaint is made anonymously.

Even if they are more difficult to investigate, anonymous complaints should be referred to HR or senior management right away. Anonymous complaints must be investigated to the extent possible.





Nura's Headscarf x

50 State Survey

Policy

Questions

Report

Quick Tips

In this case, some of the people who were saying offensive comments about Nura did not work for her organization. When a non-employee is the harasser, an organization may still have options for addressing the situation. Find out more about these options by clicking the arrow below.

01



Talk with HR or a senior manager at the harasser's organization.



Show All

Menu

 0:53



 Silent





Nura's Headscarf x

- 50 State Survey
- Policy
- Questions
- Report

Quick Tips

In this case, some of the people who were saying offensive comments about Nura did not work for her organization. When a non-employee is the harasser, an organization may still have options for addressing the situation. Find out more about these options by clicking the arrow below.

02



Request that the organization that employs the alleged harasser conduct its own investigation and share results as appropriate.



Show All

Menu

 0:53



 Silent 



Nura's Headscarf



50 State Survey

Policy

Questions

Report

Quick Tips

In this case, some of the people who were saying offensive comments about Nura did not work for her organization. When a non-employee is the harasser, an organization may still have options for addressing the situation. Find out more about these options by clicking the arrow below.

03



Ask the harasser to stop the conduct.



Show All

Menu

 0:53



 Silent





Nura's Headscarf x

- 50 State Survey
- Policy
- Questions
- Report

Quick Tips

In this case, some of the people who were saying offensive comments about Nura did not work for her organization. When a non-employee is the harasser, an organization may still have options for addressing the situation. Find out more about these options by clicking the arrow below.

04



Ban the harasser from your workplace and ensure no contact with your employees.



Show All

Menu

 0:54



 Silent 



Nura's Headscarf x

- 50 State Survey
- Policy
- Questions
- Report

Quick Tips

In this case, some of the people who were saying offensive comments about Nura did not work for her organization. When a non-employee is the harasser, an organization may still have options for addressing the situation. Find out more about these options by clicking the arrow below.

05



Discontinue working with the harasser's organization.



Show All

Menu

 0:54



 Silent 



Nura's Headscarf x

- 50 State Survey
- Policy
- Questions
- Report

Quick Tips

In this case, some of the people who were saying offensive comments about Nura did not work for her organization. When a non-employee is the harasser, an organization may still have options for addressing the situation. Find out more about these options by clicking the arrow below.

06



Speak with the event or conference organizer about the situation and ask for their assistance.



Show All

Menu

 0:54



 Silent 



Nura's Headscarf



- 50 State Survey
- Policy
- Questions
- Report

Quick Tips

In this case, some of the people who were saying offensive comments about Nura did not work for her organization. When a non-employee is the harasser, an organization may still have options for addressing the situation. Find out more about these options by clicking the arrow below.

07



If appropriate, stop supporting the conference or event by not sending any employee to future sessions.



Show All

Menu

0:54



Silent

Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report

Quick Tips

Examples of Corrective Action

01 Talk with HR or a senior manager at the harasser's organization.

02 Request that the organization that employs the alleged harasser conduct its own investigation and share results as appropriate.

03 Ask the harasser to stop the conduct.

04 Ban the harasser from your workplace and ensure no contact with your employees.

05 Discontinue working with the harasser's organization.

06 Speak with the event or conference organizer about the situation and ask for their assistance.

07 If appropriate, stop supporting the conference or event by not sending any employee to future sessions.

Menu

0:54



Silent



Continue



Nura's Headscarf x

50 State Survey

Policy

Questions

Report



AVATAR:

Now let's reexamine the conference scenario through a different lens. I'm going to mix up the facts a bit again and see how you handle it.

Menu

 0:54



 Silent 

Continue

Nura's Headscarf x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)**Challenge Question**

Let's assume that the offensive comments about Nura's headscarf surfaced months after the conference took place. Would the passage of time impact an employer's obligation to investigate? And if so, how?

- A. By law, a complaint older than three months is invalid and need not be investigated
- B. Reports about harassment, even if they seem old, should still be evaluated and investigated
- C. Complaints older than six months are stale and should not be pursued; it is okay for a manager to make that judgment call
- D. Check policy, and only report the complaint to HR if the policy says to report old complaints

Menu

 0:54 Silent 

Nura's Headscarf x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question

 **Correct!****That's right. The correct answer is B.**

From a manager's perspective, the time that has elapsed between the conduct and the complaint should not change your response. Managers must take all complaints seriously and make sure that they tell HR or a more senior manager about the complaint right away.

Although the passage of time can make it more difficult to investigate, HR is responsible for determining how best to investigate and respond to the complaint. In some cases, a very old complaint will be impossible to investigate (for example, if the employees no longer work for the organization and it was an isolated instance) and in others, an investigation may reveal ongoing harassment that needs to be addressed.



Menu

 0:54 Silent 

Continue



Nura's Headscarf



- 50 State Survey
- Policy
- Questions
- Report



Claire:
And someone even said that we should be careful around you because you might be a...

Menu

0:54



Silent

Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report



Claire:
And someone even said that we should be careful around you because you might be a...

Nura:
A terrorist?

Menu

0:54



Silent

Continue



Nura's Headscarf



- 50 State Survey
- Policy
- Questions
- Report



Claire:
Well, I didn't say it.

Menu

 0:54



 Silent 

Continue



Nura's Headscarf x

50 State Survey

Policy

Questions

Report



Claire:

Well, I didn't say it.

AVATAR:

Unfortunately, sometimes employees make stereotypical comments that can relate to one or more protected characteristics.

Menu

 0:55



 Silent



Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report



AVATAR:
These comments are often based on assumptions about race, color, ethnicity, gender, culture, and religious beliefs.

Menu

 0:55



 Silent 

Continue



Nura's Headscarf



50 State Survey

Policy

Questions

Report



AVATAR:

These comments are often based on assumptions about race, color, ethnicity, gender, culture, and religious beliefs.

As a manager, you need to learn how to spot and address harmful stereotypes.

Menu

 0:55



 Silent



Continue



Leader Insight

A stereotype represents an idea that all individuals or groups with a certain characteristic act or think in a similar manner.

For example, some common negative stereotypes that surface in the workplace include:

- Beliefs about what women “should” do in a family setting
- Assumptions about people from a particular country

Stereotypes based on gender, sex, race, religion, or any other protected characteristic should not be relied on or expressed by managers or employees.

Managers have a responsibility to see employees for who they are and what they can contribute on an individual level. Instead of relying on assumptions and stereotypes, managers should get to know each employee’s skills and strengths.



Nura's Headscarf x

- 50 State Survey
- Policy
- Questions
- Report



Leader Insight

Implicit bias refers to beliefs or stereotypes we hold that we may not be aware of. It's important to understand this type of bias in order to lessen its effect in the workplace.

We may have feelings or beliefs about people of a certain gender, race, ethnicity, age, or other characteristic that can affect our decisions and interactions with them, without knowing it. We may even favor people at work who share a set of characteristics or beliefs that are similar to our own.

Before you take an employment action, think about whether or not it is related to a bias you hold.

Menu

 0:55



 Silent 

Continue



Leader Insight

Managers play an important role in educating employees about the harmful impact that stereotypes can have on employee morale and the culture.

- **Lead by Example.** Be aware of your own personal biases. Don't use or rely on inappropriate stereotypes when talking with employees, clients, or others you may work with.
- **Listen.** Listen to what employees are saying. If they are drawing assumptions based on gender, race, national origin, disability or other protected category address it appropriately.
- **Get Help.** If you have questions or need advice or help, call HR or senior management.
- **Educate.** Teach employees about inappropriate stereotypes and the negative impact they have on others.



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report



AVATAR:
Eyes forward, people. In this simulation Jose has brought a concern to his manager about a fellow employee. Pay attention. This is not a drill.

Menu

 0:56



 Silent 

Continue



The Military Figurine

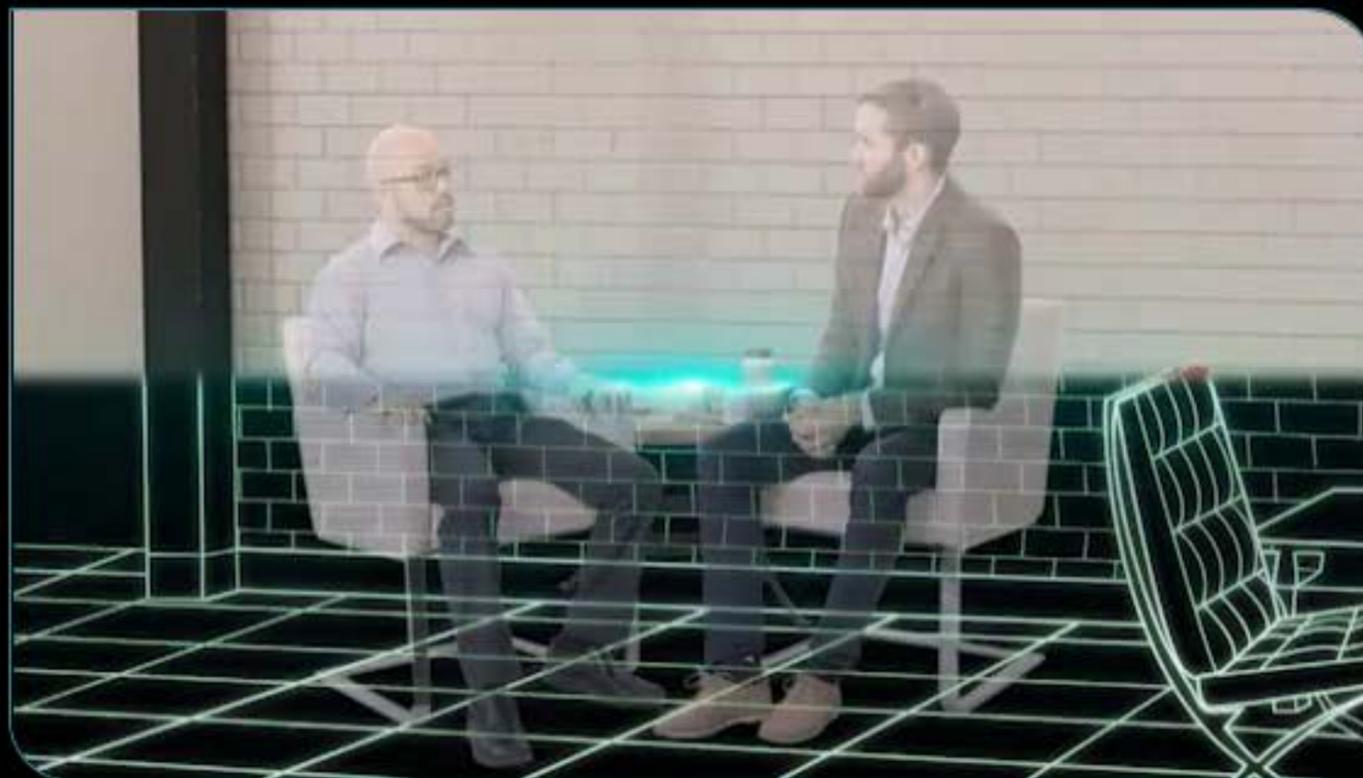


50 State Survey

Policy

Questions

Report



AVATAR:

Eyes forward, people. In this simulation Jose has brought a concern to his manager about a fellow employee. Pay attention. This is not a drill.

Female Computer Voice:

Begin The Military Figurine simulation.

Menu

 0:56



 Silent



Continue



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report



Jose:
Thanks for meeting me outside of the office.

Menu

0:56



Silent

Continue



The Military Figurine



50 State Survey

Policy

Questions

Report



Jose:
Thanks for meeting me outside of the office.

Manager:
No problem. So, what's up?

Menu

 0:56



 Silent



Continue



The Military Figurine



50 State Survey

Policy

Questions

Report



Jose:

Before I start, you need to know that if other people on my team find out what I'm about to tell you, I will never hear the end of it.

Menu

0:56



Silent



Continue



The Military Figurine



50 State Survey

Policy

Questions

Report



Jose:

Before I start, you need to know that if other people on my team find out what I'm about to tell you, I will never hear the end of it.

Manager:

I'll be as discreet as possible.

Menu

0:56



Silent



Continue



The Military Figurine



50 State Survey

Policy

Questions

Report



Jose:

The team has been going overboard with their practical jokes lately.

Menu

 0:56



 Silent



Continue



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report



Jose:
The team has been going overboard with their practical jokes lately.

Manager:
With you?

Menu

0:56



Silent

Continue



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report



Jose:
No. With Gunny.

Menu

0:56



Silent

Continue



The Military Figurine



50 State Survey

Policy

Questions

Report



Jose:
No. With Gunny.

Manager:
Tell me.

Menu

 0:56



 Silent



Continue



The Military Figurine



50 State Survey

Policy

Questions

Report



Jose:
You know that G.I. figurine that Gunny received from his platoon when he retired from the army? Somebody bought a toy wheelchair and placed the doll in it. They also uploaded the photos to an anonymous social media page called MySoCalledMilitaryLife and sent Gunny a link.

Menu

0:57



Silent

Continue



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report



Jose:
You know that G.I. figurine that Gunny received from his platoon when he retired from the army? Somebody bought a toy wheelchair and placed the doll in it. They also uploaded the photos to an anonymous social media page called MySoCalledMilitaryLife and sent Gunny a link.

Manager:
So, why is Gunny not telling me this?

Menu

0:57



Silent

Continue



The Military Figurine



50 State Survey

Policy

Questions

Report



Jose:

Because he already has to deal with enough insults from the people who don't think he was a "real" soldier—because he was stateside for most of his service after his injury.

Menu

0:57



Silent



Continue



The Military Figurine

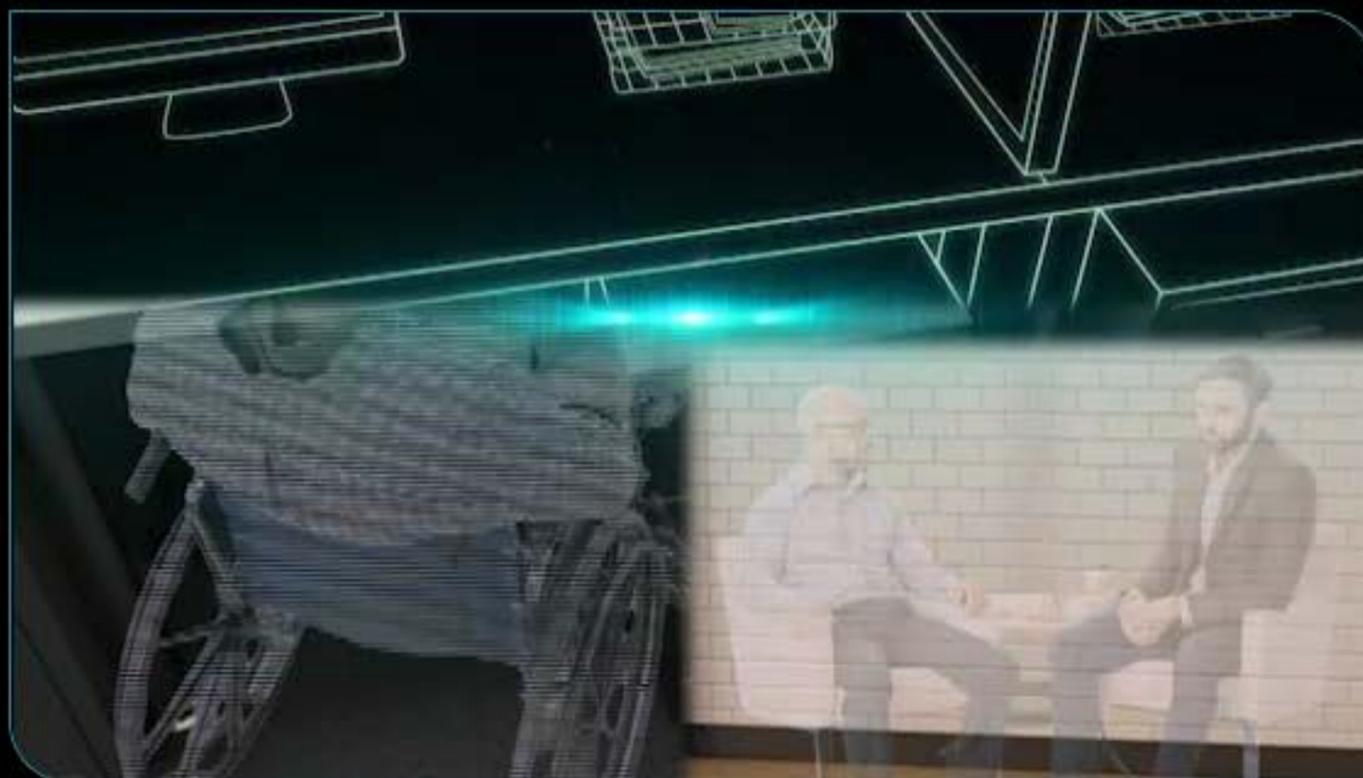


50 State Survey

Policy

Questions

Report



Jose:

Because he already has to deal with enough insults from the people who don't think he was a "real" soldier—because he was stateside for most of his service after his injury.

Female Computer Voice:

End simulation.

Menu

0:57



Silent



Continue



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

Challenge Question



What type of harassment, if any, has **Gunny** potentially been subjected to? More than one answer may be correct.

- A. Sexual harassment
- B. Veteran status harassment
- C. Disability harassment
- D. National origin harassment
- E. Gunny has not experienced any of these forms of harassment

Menu

0:57



Silent



The Military Figurine x

- 50 State Survey
- Policy
- Questions
- Report

Challenge Question

 **Correct!**

That's right. The correct answers are B and C.

The comments and mistreatment that Gunny is experiencing offer an insight into how broad harassment can be—often hitting on multiple protected categories at one time.

Gunny is potentially experiencing harassment based on his veteran status and disability. Teasing Gunny because of a disability accommodation or a medical condition are both potential forms of prohibited harassment and are not tolerated. In addition, ridiculing or demeaning another person based on their time or status in the armed forces is also inappropriate and strictly prohibited.



Expert Interview



Your job's not over yet. HR has asked you to sit in with them as they talk with Gunny.

Click the questions below to hear from Gunny.

- 1 **Have you told anyone else about this? Have you called the hotline or spoken to HR?**
- 2 We received a complaint from a coworker who was concerned about how you were being treated. The organization needs to investigate. We'd like to ask you some questions about the allegations. Are you okay with that?
- 3 I understand you may be reluctant, but it's important we look into the complaint. Can you tell us whether anyone has made offensive comments to you, or done anything disrespectful to any of your personal items?

Expert Interview



Are you kidding? I have it bad enough out there. No way I'm lodging a formal complaint. I mean, who told you about what was going on, anyway? I never said anything to anyone.

Click the questions below to hear from Gunny.

- Have you told anyone else about this? Have you called the hotline or spoken to HR?
- 2 We received a complaint from a coworker who was concerned about how you were being treated. The organization needs to investigate. We'd like to ask you some questions about the allegations. Are you okay with that?**
- 3 I understand you may be reluctant, but it's important we look into the complaint. Can you tell us whether anyone has made offensive comments to you, or done anything disrespectful to any of your personal items?

Expert Interview



Look, I don't want to pursue this. I don't even know who told you about what's going on. I would prefer to let the matter drop.

Click the questions below to hear from Gunny.

- Have you told anyone else about this? Have you called the hotline or spoken to HR?
- We received a complaint from a coworker who was concerned about how you were being treated. The organization needs to investigate. We'd like to ask you some questions about the allegations. Are you okay with that?
- 3** **I understand you may be reluctant, but it's important we look into the complaint. Can you tell us whether anyone has made offensive comments to you, or done anything disrespectful to any of your personal items?**

Expert Interview



I don't want to talk about this anymore. It's just a case of guys being guys. Nothing I can't handle on my own. End of story.

Click the questions below to hear from Gunny.

- Have you told anyone else about this? Have you called the hotline or spoken to HR?
- We received a complaint from a coworker who was concerned about how you were being treated. The organization needs to investigate. We'd like to ask you some questions about the allegations. Are you okay with that?
- I understand you may be reluctant, but it's important we look into the complaint. Can you tell us whether anyone has made offensive comments to you, or done anything disrespectful to any of your personal items?

The Military Figurine x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question



During the course of your initial questioning, Gunny made a request that HR drop their investigation. Can HR honor his request?

- A. No; the organization must investigate even if the victim or other witnesses are reluctant to participate
- B. Yes; once an employee makes this request, the organization must stop investigating
- C. Not fully; the organization must investigate, but HR can promise to keep the matter completely confidential

Menu

 0:59 Silent

Challenge Question

 **Correct!****That's right. The correct answer is A.**

The organization must look into allegations of harassment, even if the victim or key witnesses are reluctant to participate. And it is not appropriate to guarantee that all information will be kept confidential.

Investigations are complex, and those involved need to be given an opportunity to respond to allegations. As such, managers cannot promise to keep a complaint strictly confidential.

HR can tell Gunny the organization will treat his issue with respect and discretion and that everyone's privacy will be respected to the greatest extent possible. They can also assure him that retaliation against anyone who raises an issue, or who helps out with an investigation, is prohibited and will be dealt with.





The Military Figurine



50 State Survey

Policy

Questions

Report



AVATAR:

Coming forward with a complaint or concern is not always easy to do. Employers want their employees to speak up and raise concerns.

Menu

 0:59



 Silent



Continue



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

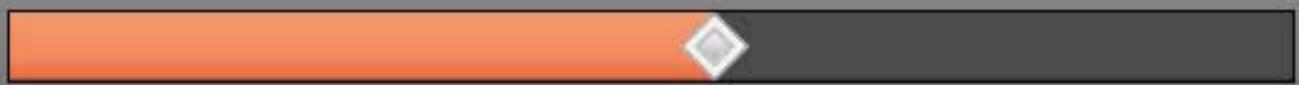


AVATAR:
Coming forward with a complaint or concern is not always easy to do. Employers want their employees to speak up and raise concerns.

As a manager, you must help to make that process a positive experience by knowing how to respond and provide accurate information about what an employee should expect.

Menu

 0:59



 Silent 

Continue



The Military Figurine



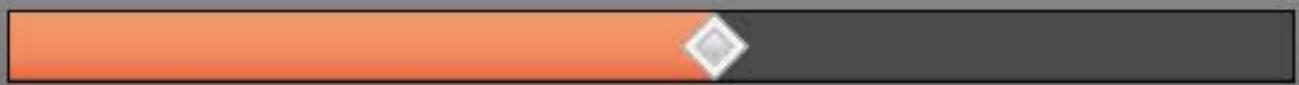
- 50 State Survey
- Policy
- Questions
- Report



AVATAR:
Review the following tips about what to do if an employee comes to you with a concern about harassment.

Menu

0:59



Silent

Continue



Leader Insight

When an employee first comes to you with a concern, explain what they can expect once HR starts an investigation. Let the employee know the following:

- HR or senior management will be in touch in a timely manner
- He or she will be asked questions
- The organization will keep everything as confidential as possible but cannot guarantee confidentiality
- The organization will conduct an impartial investigation as quickly as it can
- The organization will determine whether a policy was violated
- Retaliation is strictly prohibited and should be reported right away
- The organization will take appropriate corrective action if there is a violation of policy
- HR will keep them posted on the status of the investigation or remedial actions, if appropriate



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

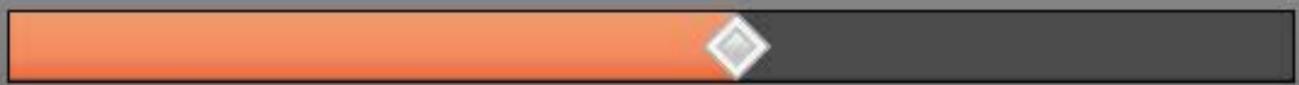
APPROPRIATE RESPONSE	INAPPROPRIATE RESPONSE
<p>Click Here</p>	<p>Click Here</p>

01 Ask the employee if he or she did something to encourage the harassing behavior.

01 of 08

Menu

1:00



Silent



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE

Click Here

+

INAPPROPRIATE RESPONSE

Ask the employee if he or she did something to encourage the harassing behavior.

That's Correct

You found the correct location for this item.

[Next](#)

01 of 08



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE	INAPPROPRIATE RESPONSE
<p>Click Here</p> <p>+</p>	<p>Click Here</p> <p>+</p>

02

Issue corrective action at the conclusion of an investigation.

02 of 08

Menu

1:00



Silent



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE

Issue corrective action at the conclusion of an investigation.

INAPPROPRIATE RESPONSE

Click Here

+

That's Correct

You found the correct location for this item.

[Next](#)

02 of 08



The Military Figurine x

- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE	INAPPROPRIATE RESPONSE
<p>Click Here</p> <p>+</p>	<p>Click Here</p> <p>+</p>

03 Tell the employees to resolve the problem on their own. 

03 of 08

Menu

 1:00



 Silent 



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE

Click Here

+

INAPPROPRIATE RESPONSE

Tell the employees to resolve the problem on their own.

That's Correct

You found the correct location for this item.

[Next](#)

03 of 08



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE	INAPPROPRIATE RESPONSE
<p>Click Here</p> <p>+</p>	<p>Click Here</p> <p>+</p>

04

Review the harassment policy with employees.

⤴

04 of 08

Menu

🕒 1:00



🔇 Silent



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE

Review the harassment policy with employees.

INAPPROPRIATE RESPONSE

Click Here

+

That's Correct

You found the correct location for this item.

[Next](#)

04 of 08



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

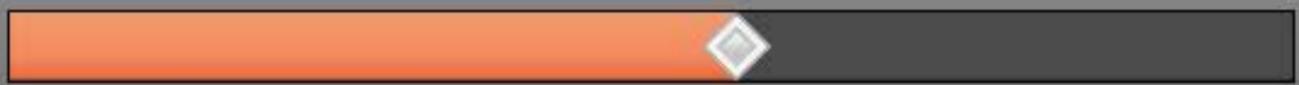
APPROPRIATE RESPONSE	INAPPROPRIATE RESPONSE
Click Here +	Click Here +

05 Meet with the employees individually. ^

05 of 08

Menu

1:00



Silent



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE

Meet with the employees individually.

INAPPROPRIATE RESPONSE

Click Here

+

That's Correct

You found the correct location for this item.

[Next](#)

05 of 08



The Military Figurine x

- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE	INAPPROPRIATE RESPONSE
<p>Click Here</p> 	<p>Click Here</p> 

06 Tell the employee you want to wait and see if the situation resolves itself. 

06 of 08

Menu

 1:00



 Silent 



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE

Click Here

+

INAPPROPRIATE RESPONSE

Tell the employee you want to wait and see if the situation resolves itself.

That's Correct

You found the correct location for this item.

[Next](#)

06 of 08



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE	INAPPROPRIATE RESPONSE
<p>Click Here</p>	<p>Click Here</p>

07 Tell the complaining employee to try to ignore the alleged harasser.

07 of 08

Menu

1:00



Silent



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE

Click Here

+

INAPPROPRIATE RESPONSE

Tell the complaining employee to try to ignore the alleged harasser.

That's Correct

You found the correct location for this item.

[Next](#)

07 of 08



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE

Click Here

+

INAPPROPRIATE RESPONSE

Click Here

+

08

Call HR for help.

^

08 of 08



The Military Figurine



- 50 State Survey
- Policy
- Questions
- Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE

Call HR for help.

INAPPROPRIATE RESPONSE

Click Here

+

That's Correct

You found the correct location for this item.

[Next](#)

08 of 08



The Military Figurine x

50 State Survey

Policy

Questions

Report

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE

Click Here

+

INAPPROPRIATE RESPONSE

Click Here

+

Show All

Menu

 1:01



 Silent



Continue



The Military Figurine x

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.

APPROPRIATE RESPONSE

Issue corrective action at the conclusion of an investigation.

Review the harassment policy with employees.

Meet with the employees individually.

Call HR for help.

INAPPROPRIATE RESPONSE

Ask the employee if he or she did something to encourage the harassing behavior.

Tell the employees to resolve the problem on their own.

Tell the employee you want to wait and see if the situation resolves itself.

Tell the complaining employee to try to ignore the alleged harasser.

[Menu](#) 1:01 Silent [Continue](#)



The Military Figurine x

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

What Can Managers Do?

Let's test your knowledge about how to respond when an employee raises a concern. There are many actions a manager can take. Categorize the manager actions below. To move an action item, click the location where you think the item should go.



Congratulations. You found the correct location for each item.

As a manager, you should reach out to HR or senior management for help to give everyone an opportunity to have their say in private and to issue corrective action if appropriate.

Managers should not suggest that the complaining employee is at fault, that the employees must fix the situation on their own, or that the complaining employee must be careful who she dates.

Also, it's not appropriate to ignore the situation or wait and see if the issue resolves on its own.

[Menu](#) 1:01 Silent[Continue](#)



Complaints Against the Manager



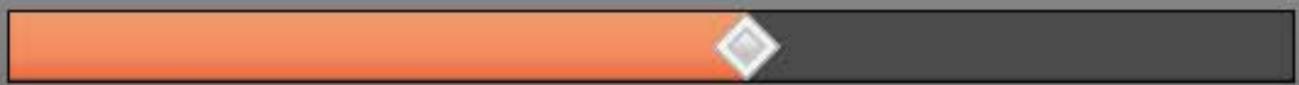
- 50 State Survey
- Policy
- Questions
- Report



AVATAR:
Being a manager comes with real responsibility. Some managers, however, think this gives them flexibility to abuse their role. Observe this next simulation and you'll see what I mean.

Menu

1:01



Silent

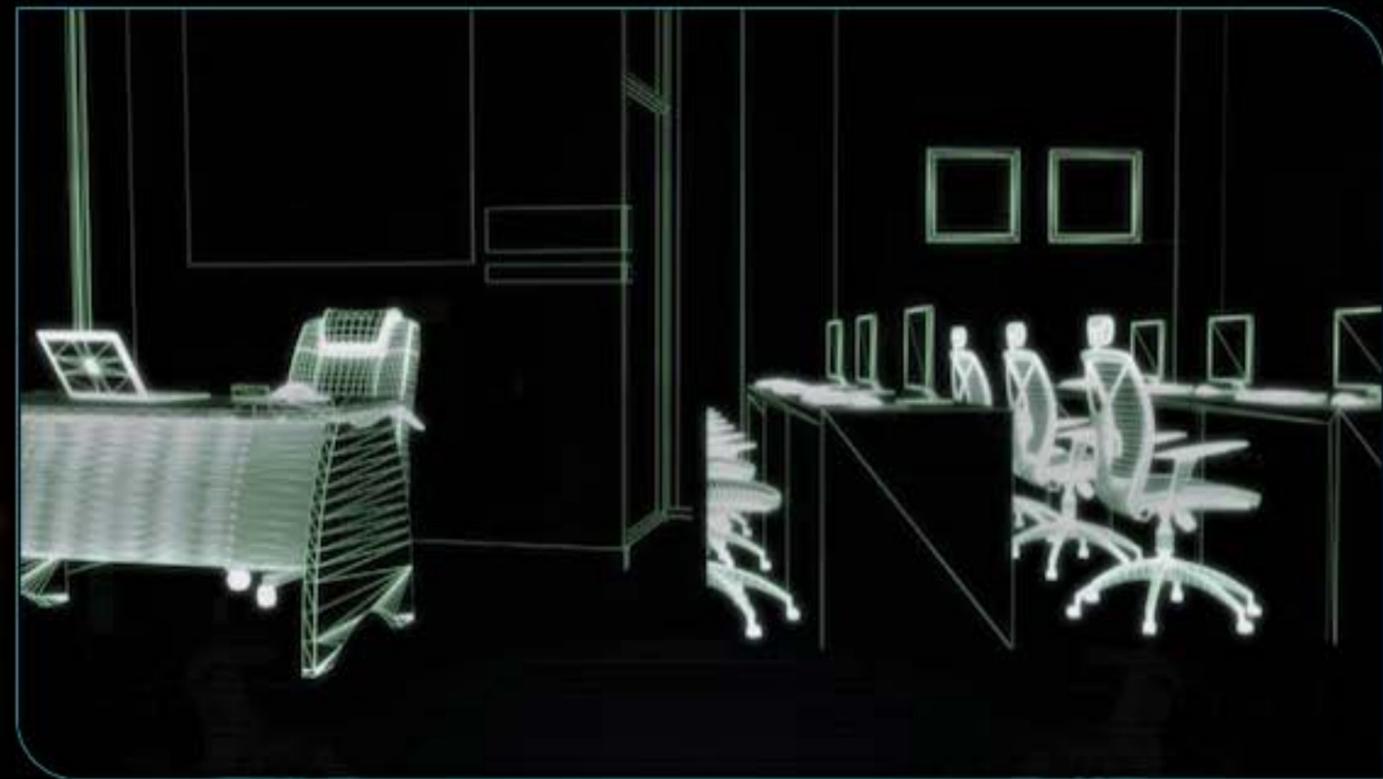
Continue



Complaints Against the Manager



- 50 State Survey
- Policy
- Questions
- Report



Female Computer Voice:
Begin Complaints Against the Manager simulation.

Menu

1:01



Silent

Continue



Complaints Against the Manager



50 State Survey

Policy

Questions

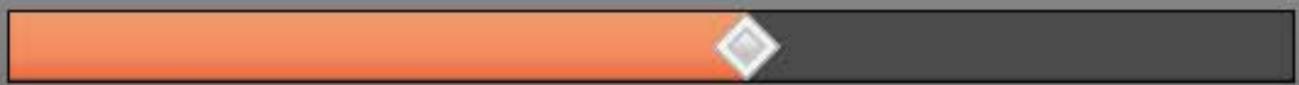
Report



Manager:
You are going to love working here, if you know what I mean. I started at your position and it only took me ten years to become a supervisor. And hey, trust me when I say that being in charge comes with perks, if you know what I mean. We're talking about flexibility and bonuses; including the respect of all of my employees. Especially the ladies, if you know what I mean.

Menu

1:01



Silent

Continue



Complaints Against the Manager



50 State Survey

Policy

Questions

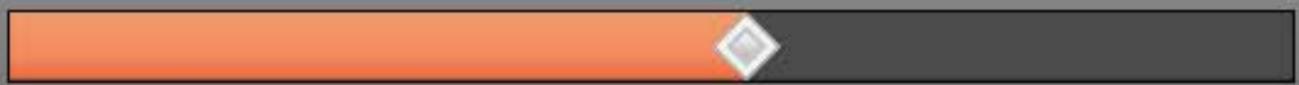
Report



Lena:
I'm telling you, he's clueless. How he got to be a supervisor is beyond me. He has no idea how offensive it is that he hits on us, and acts like we adore him. He actually thinks our organization revolves around him. Look, I'm used to it, but the new employees, they don't know how to respond to him.

Menu

1:02



Silent

Continue



Complaints Against the Manager



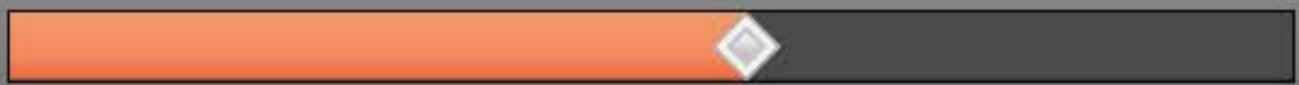
- 50 State Survey
- Policy
- Questions
- Report



New Recruit:
Couldn't it be considered harassment for you to ask an employee out on a date?

Menu

1:02



Silent

Continue



Complaints Against the Manager

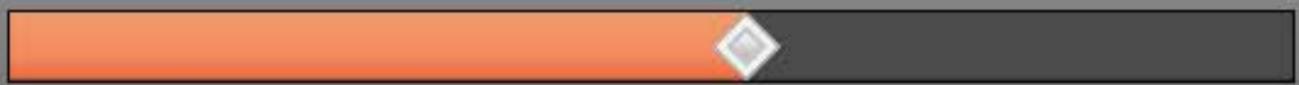
- 50 State Survey
- Policy
- Questions
- Report



Manager:
Noooo. Not if it's harmless. Besides, I'm a single guy who works a lot so it's not like I have a lot of opportunities to meet women outside of the workplace. Sure, sometimes someone gets a little bent out of shape, but, you know, I just consider that part of the job, if you know what I mean. And like I said, being a supervisor comes with perks. If anyone complains, I just transfer them to another department. Out of sight, out of mind, know what I mean?

Menu

1:03



Silent

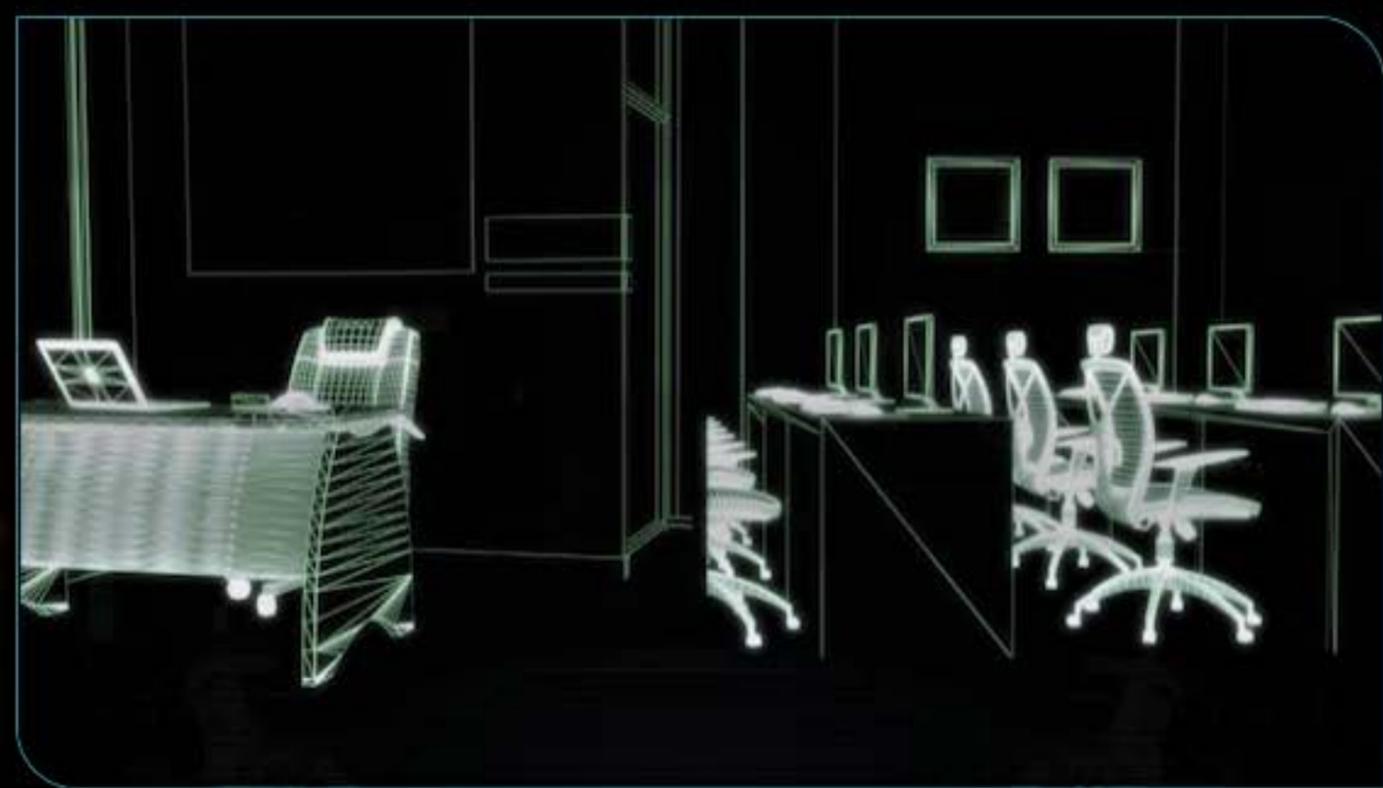
Continue



Complaints Against the Manager



- 50 State Survey
- Policy
- Questions
- Report



Female Computer Voice:
End simulation.

Menu

1:03



Silent

Continue

Complaints Against the Manager x

50 State Survey

Policy

Questions

Report

Challenge Question



The manager's actions (trying to date his employees) clearly violate the prohibited harassment policy, and must be addressed by the organization. But how about his decision to transfer employees who turn him down. Is that okay? Select the best answer.

- A. Yes; trying to keep the peace at work is a great idea
- B. No; transferring an employee who refuses a date request is not okay
- C. It depends; if the employee's duties in the new role are similar, it is okay to move her

Menu

 1:03 Silent



Complaints Against the Manager

- 50 State Survey
- Policy
- Questions
- Report

Challenge Question

✔ Correct!

That's right. The correct answer is B.

The manager's behavior is entirely unacceptable. Treating his employees as his personal dating pool is highly inappropriate and violates policy. And his approach to dealing with employees who don't want to date him also violates policy.

Taking actions such as changing an employee's hours or transferring an employee can be viewed as a form of retaliation for opposing harassment. It makes no difference that the manager sees the change as positive.



Menu

🕒 1:03



🔇 Silent

Continue

Complaints Against the Manager x

50 State Survey

Policy

Questions

Report

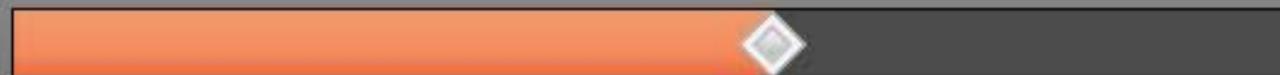
Challenge Question



Employer policies strictly prohibit managers and employees from engaging in retaliation. Which statement about retaliation is true? Select the best answer.

- A. The employer must be able to prove a policy violation for retaliation protections to apply
- B. Only people who make an internal report about harassment are protected from retaliation
- C. Retaliation can apply to employees who make a complaint and who are asked questions as part of an investigation
- D. An employee must be terminated before the retaliation policy is violated

Menu

 1:03 Silent



Complaints Against the Manager

- 50 State Survey
- Policy
- Questions
- Report

Challenge Question

✔ Correct!

That's right. The correct answer is C.

Retaliation occurs when an employee does the right thing—like speaking up or filing a report or even helping out with an investigation—and their manager or employer takes action against them because of it.

Retaliation can take many forms. It's not limited to termination of employment. It can also include cuts in pay, changes in shifts or hours, a demotion, or ongoing harassment or mistreatment. Employees should report suspected retaliatory actions taken by a manager, and even conduct by coworkers (such as verbal abuse or mistreatment).



Menu

🕒 1:04



🔇 Silent

Continue

Complaints Against the Manager x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question



What if an employee makes harassment allegations against a manager that turn out to have no merit? In other words, the manager did not sexually harass employees. Could the manager's actions—such as transferring the employee—still constitute retaliation? Select the best answer.

- A. Yes; even if the manager is cleared of wrongdoing, there is still a risk of retaliation
- B. No; if an employee makes a complaint that turns out not to have merit, any action taken by the manager is okay
- C. It depends; it's okay if the manager first gets approval from HR

Menu

 1:04 Silent



Complaints Against the Manager

- 50 State Survey
- Policy
- Questions
- Report

Challenge Question

✔ Correct!

That's right. The correct answer is A.

An employee does not have to prove that harassment occurred to be protected from retaliation.

That's because opposing harassment and raising a concern are both considered protected activities. If a manager takes action against an employee because he or she made a complaint or opposed harassment, that is a form of prohibited retaliation.



Menu

1:04



Silent

Continue



Complaints Against the Manager x

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Leader Insight

Working with an employee who has made a complaint against you can be uncomfortable, but it's critical that you keep a level head and a calm demeanor.

Seek guidance from HR or senior management when developing a plan for supervising the employee. Recommendations may include the following:

- If the employee wants to talk about the complaint, politely tell him or her that you can discuss work-related topics, but that an appropriate internal resource is handling the complaint
- Don't avoid the employee or avoid eye contact
- Consult HR or senior management before making significant changes to the employee's assignments or work conditions
- Consult with HR or senior management on how to handle ongoing performance concerns

[Menu](#) 1:04 Silent [Continue](#)



Complaints Against the Manager x

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Leader Insight

Other practical tips include the following:

- Read and understand your organization's retaliation policy
- Don't discuss the complaint with those who don't have a need to know
- Silence rumors or gossip around the complaint
- Treat the employee in the same manner you treat other employees
- Keep the employee involved in routine business matters and social events
- Allow future complaints to go to another manager or HR

[Menu](#) 1:04 Silent [Continue](#)



Complaints Against the Manager x

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question



What if an employee who had made an unsubstantiated harassment complaint against her current manager applied for a transfer to another department? She asks her current manager to provide a reference to the hiring manager. What approach do you think would be best for the manager to take?

- A. Provide a glowing reference, even if it is not accurate
- B. Provide an honest reference and tell the truth about what the investigation into the employee's harassment complaint revealed
- C. Refuse to provide a reference, but hint that the employee could be a performance problem
- D. Provide strictly need-to-know information...so check with HR first

[Menu](#) 1:04 Silent



Complaints Against the Manager x

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question

 **Correct!**

That's right. The correct answer is D.

You should give HR a call first, rather than sharing any details about the complaint with the new manager.

Providing a false or misleading reference (whether internal or external) with the intent of interfering with the employee's new position could be considered prohibited retaliation. And providing a glowing reference that is not accurate (especially if the employee has performance problems) could be used against your organization if the employee ever took legal action.

Also, sharing details of a confidential investigation could create serious risk for the organization. Information should be shared only on a need-to-know basis. HR should help determine if any information should be shared with the hiring manager.

[Menu](#) 1:05 Silent [Continue](#)



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



AVATAR:
They say seeing is believing, but we don't always want to believe what we see. Don't believe me? Watch the next simulation and then be ready to discuss what you saw.

Menu

 1:05



 Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Female Computer Voice:
Begin I Can't Forget What I Saw simulation.

Menu

 1:05



 Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Lana:
Tracy, it's 2pm and I am so—

Menu

 1:05



 Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Lana:
Tracy, it's 2pm and I am so—
—embarrassed and sorry.

Menu

1:05



Silent

Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

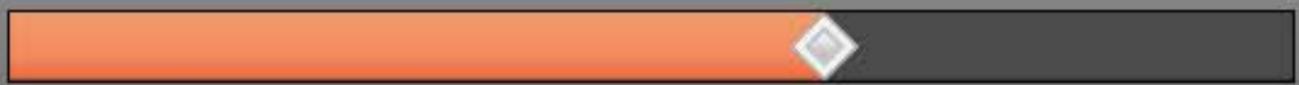
Report



Tracy:
Lana! Kent and I were just going over his quarterly review. Yes, and we can pick this up later. Thank you.

Menu

1:05



Silent

Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Lana:
So you and Kent, huh?

Menu

 1:05



 Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report

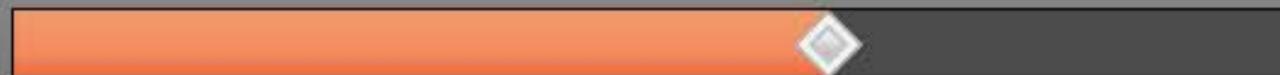


Tracy:

Yeah, me and Kent.

Menu

1:06



Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Lana:
This been going on a while?

Menu

 1:06



 Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Tracy:

Sort of. Look Lana, I would really appreciate it if you didn't say anything about what you saw to anyone. You understand how it could look...

Menu

 1:06



 Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Lana:
Yeah, yeah. I'll just— I'll just back out and forget I saw anything.

Menu

 1:06



 Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Tracy:
Thanks.

Menu

1:06



Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Lana:
Um. Hang on. Is— Is this why I lost two accounts to Kent?

Menu

1:06



Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Tracy:
Um...

Menu

1:06



Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

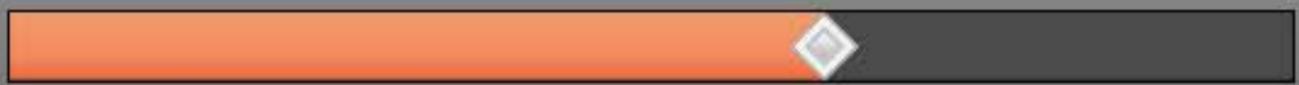
Report



Lana:
Yeah and actually come to think of it, I was dinged last quarter for sending "inappropriate emails" over my company phone, and Kent wasn't.

Menu

 1:06



 Silent 

Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Tracy:
It's not what you think...

Menu

 1:06



 Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Lana:
Are you sure?

Menu

 1:06



 Silent



Continue



I Can't Forget What I Saw

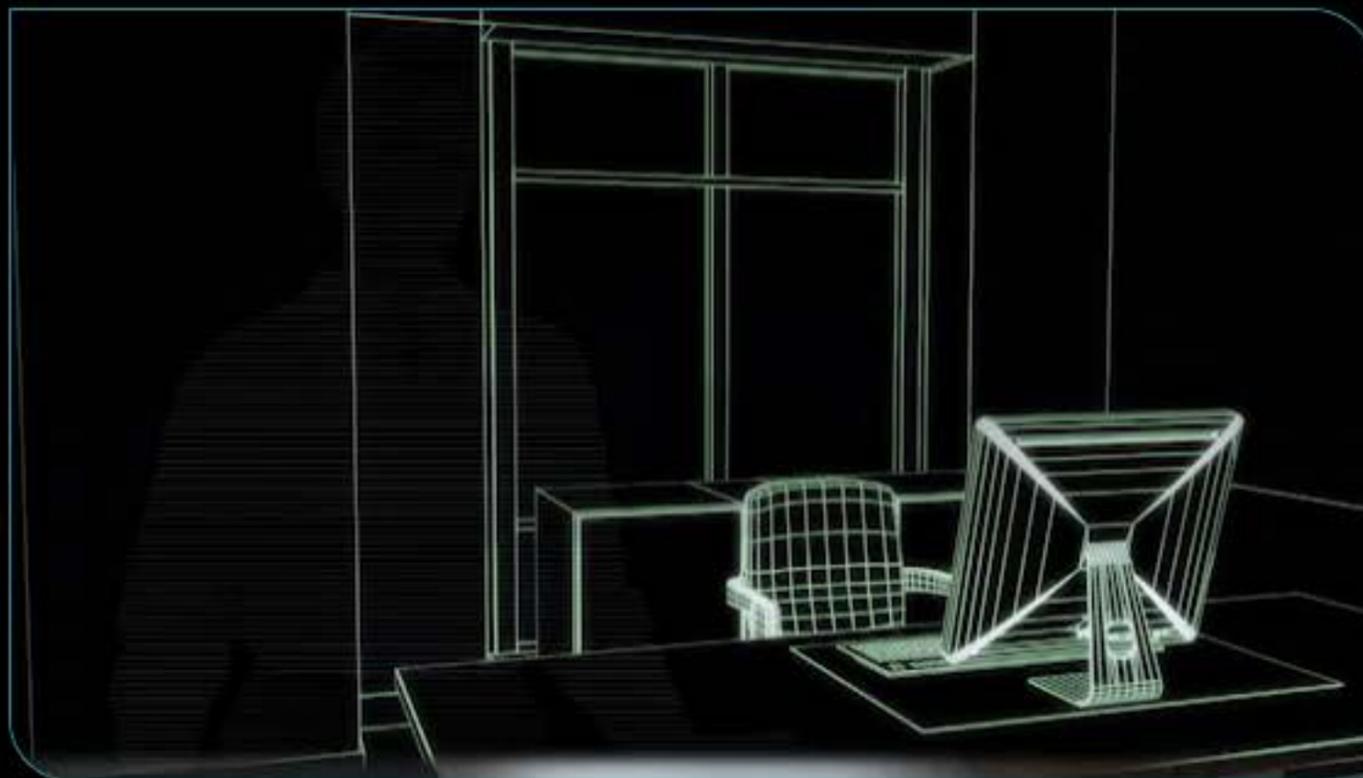


50 State Survey

Policy

Questions

Report



Female Computer Voice:
End Simulation.

Menu

1:06



Silent



Continue

I Can't Forget What I Saw x

50 State Survey

Policy

Questions

Report

Challenge Question



Dating someone at work can create major complications. In this case, Tracy's relationship with Kent has created at least one problem. Can you identify it? More than one answer may be correct.

- A. Tracy is creating a potential conflict of interest by dating a direct report
- B. Tracy is having a relationship that is undermining her ability to lead
- C. Tracy either is—or is perceived to be—showing favoritism for Kent
- D. Tracy is conducting multiple employee reviews in the same day

Menu

 1:06 Silent



I Can't Forget What I Saw x

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question

 **Correct!**

That's right. The correct answers are A, B, and C.

Supervisor-subordinate relationships are not a good idea—whether or not they violate policy. Most organizations prohibit managers from dating people who work for them.

Dating someone at work can have a negative impact on team morale and create potential conflicts of interest (such as not fairly enforcing policy, or showing favoritism). The relationship can also lead to allegations of sexual harassment and retaliation after a break-up.

In this case, Tracy's relationship with Kent has created a perception of favoritism and inequity, which are undermining her credibility and ability to effectively lead her team. Tracy may also be overlooking policy violations that should be addressed with Kent.

[Menu](#) 1:07 Silent [Continue](#)



I Can't Forget What I Saw



50 State Survey

Policy

Questions

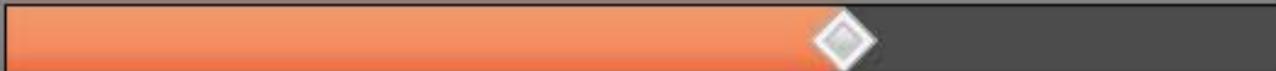
Report



AVATAR:
Now let's see what happens when we extend the simulation beyond Tracy's office.

Menu

 1:07



 Silent



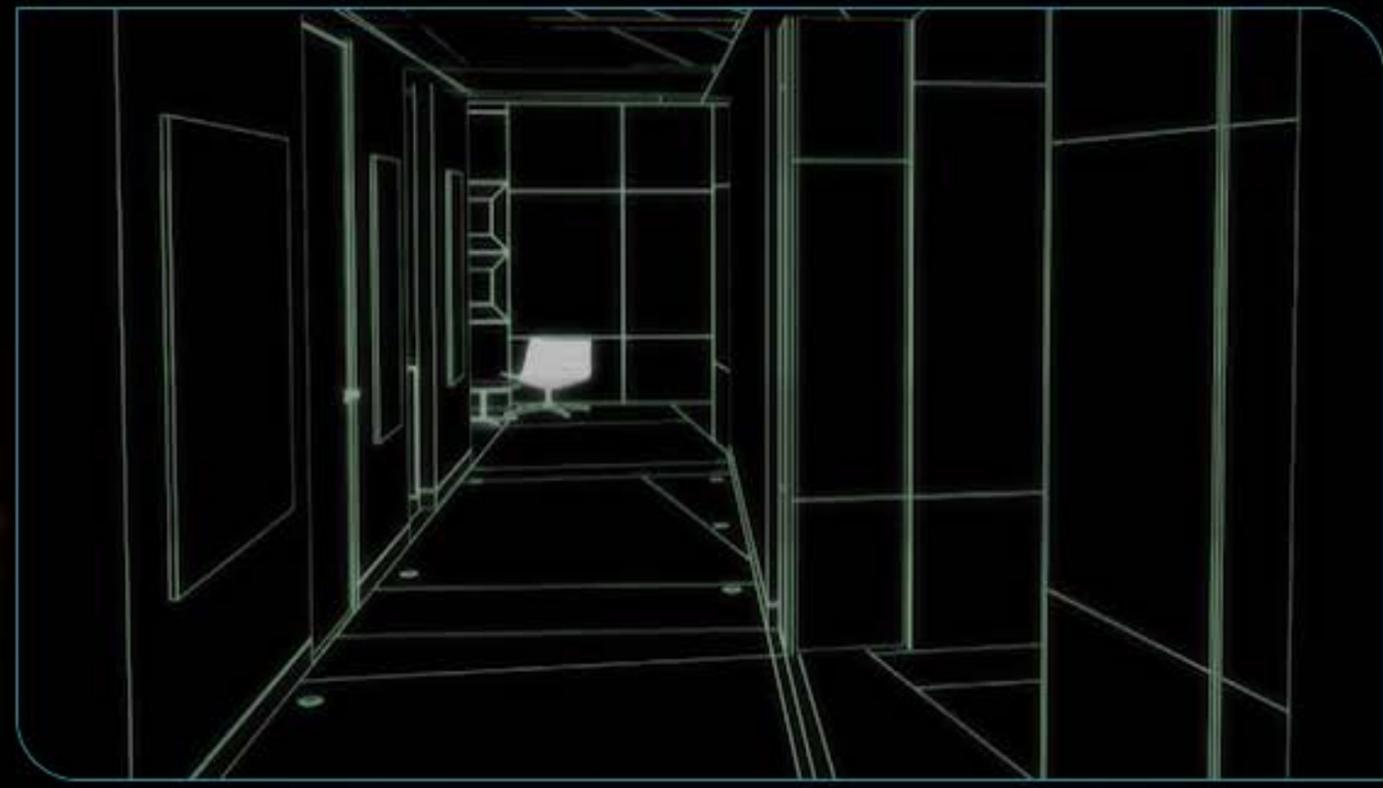
Continue



I Can't Forget What I Saw



- 50 State Survey
- Policy
- Questions
- Report



Female Computer Voice:
Begin I Can't Forget What I Saw simulation part two.

Menu

1:07



Silent

Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Carmen:
In her office?

Menu

1:07



Silent



Continue



I Can't Forget What I Saw



- 50 State Survey
- Policy
- Questions
- Report



Lana:
Yup.

Menu

1:07



Silent

Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Carmen:
So what are you going to do?

Menu

1:07



Silent

Continue



I Can't Forget What I Saw



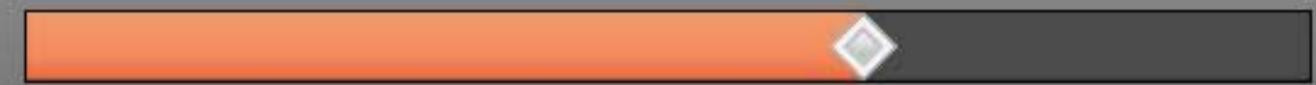
- 50 State Survey
- Policy
- Questions
- Report



Lana:
Well, I was going to go to HR...but...

Menu

1:07



Silent

Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Carmen:
But?

Menu

 1:07



 Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Lana:

But then I thought about it, I mean, if I do go to HR she'll probably just skate by with a slap on the wrist. Now, if her relationship happens to find its way online, with a few choice photos, that could make a larger impact.

Menu

 1:07



 Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

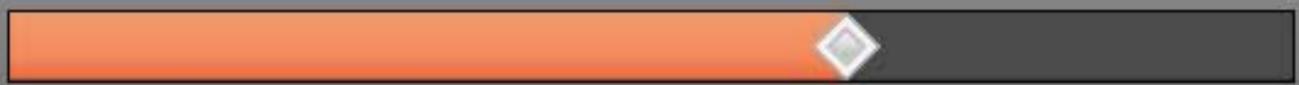
Report



Carmen:
It could also damage her reputation.

Menu

1:07



Silent

Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report



Lana:
Hey, she brought this on herself when she decided to start an office romance with one of her employees.

Menu

1:07



Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report

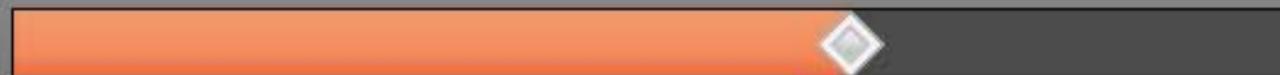


Carmen:

You realize Kent's going to get caught in the crossfire.

Menu

1:07



Silent



Continue



I Can't Forget What I Saw



50 State Survey

Policy

Questions

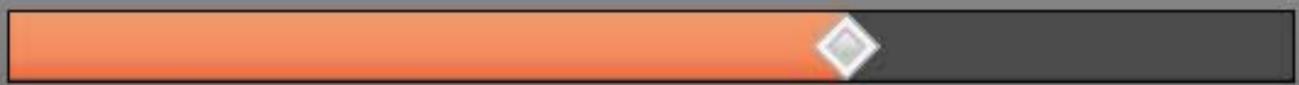
Report



Lana:
Well he knew the risks. There's always a chance of collateral damage when you date a manager.

Menu

1:07



Silent

Continue



I Can't Forget What I Saw

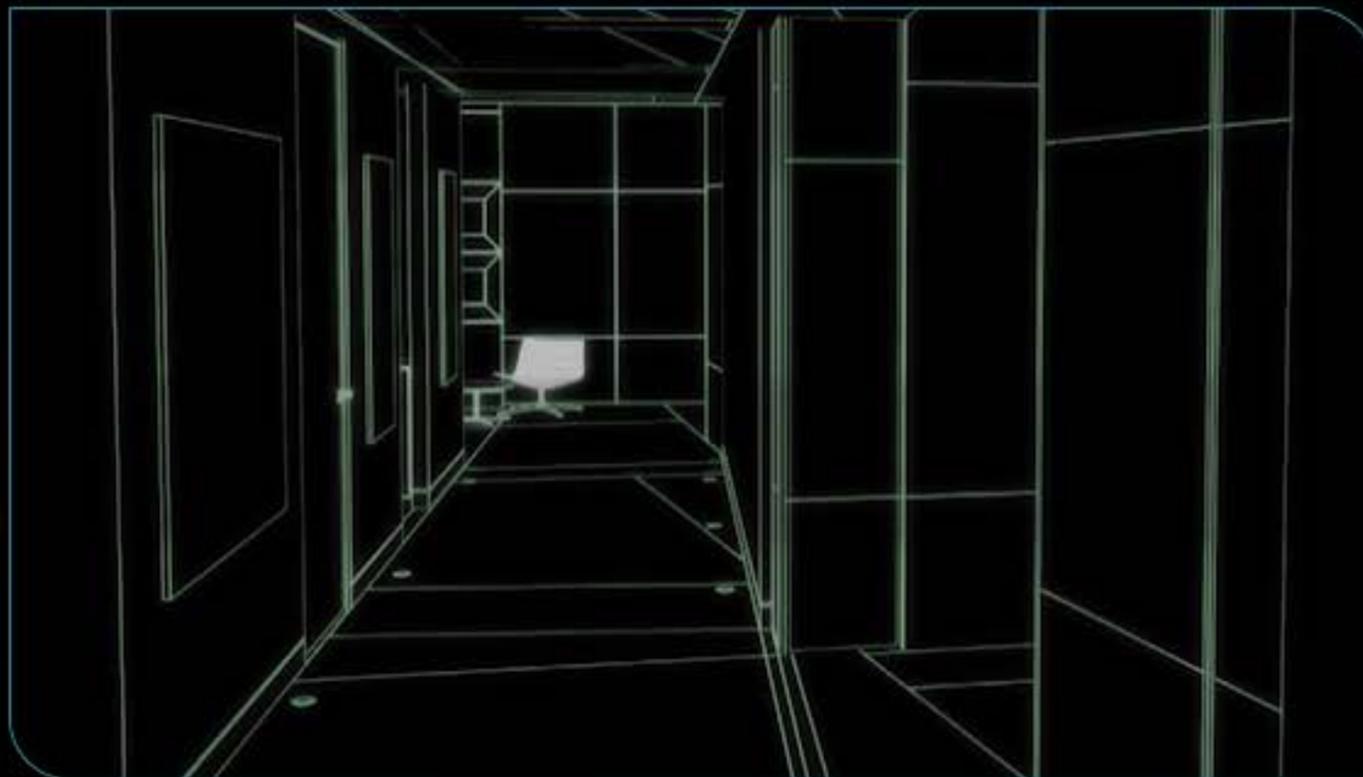


50 State Survey

Policy

Questions

Report



Female Computer Voice:
End simulation.

Menu

 1:08



 Silent



Continue



I Can't Forget What I Saw x

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question



As you heard, Lana is planning to post photos and information online about her manager's relationship with Kent. What are Tracy's options in this situation? More than one answer may be correct.

- A. Attempt to ruin Lana's credibility by doing the same to Lana
- B. Confront Lana as soon as possible and try to reason with her
- C. Tell Carmen privately that she must provide updates on Lana's behavior or she is fired
- D. Go to Lana and offer to end the relationship with Kent in exchange for Lana's silence
- E. None of the above are good ideas

[Menu](#) 1:08 Silent 



I Can't Forget What I Saw



- 50 State Survey
- Policy
- Questions
- Report

Challenge Question

 **Correct!**

That's right. The correct answer is E, none of the above.

Tracy's poor decisions have led her down a path to an even more troubling situation. The only option for Tracy is to seek help from HR or a senior manager, and this means she will need to be truthful about her relationship with Kent.

Tracy should be careful not to take any immediate actions against Lana, such as threatening her, terminating her, or moving her to another department. These could be viewed as retaliatory, especially if Lana or Carmen make a report.





Leader Insight

Sexual favoritism, specifically in manager-employee relationships, can create a significant disruption. It can leave employees second-guessing a manager's integrity and fairness, and can lead to workplace morale issues. To avoid potential claims of favoritism, you should follow these guidelines:

- Review policy and understand the rules about dating; if the relationship is prohibited, abide by policy.
- If a manager's own conduct creates a potential conflict of interest or other issues, he or she should talk with HR or senior management immediately to find an appropriate solution.
- If two employees are in a relationship that violates policy, contact HR or senior management right away, and ensure that the situation is addressed.



I Can't Forget What I Saw



- 50 State Survey
- Policy
- Questions
- Report

Leader Insight

Sexual favoritism, specifically in manager-employee relationships, can create a significant disruption.



Sexual Favoritism

Sexual favoritism occurs when a supervisor or manager gives preferential treatment to an employee because the employee is involved in a romantic relationship with that manager or supervisor. While generally isolated instances of favoritism are not unlawful, sexual favoritism may violate policy. If sexual favoritism is based upon the granting of sexual favors, and is severe or pervasive, it may be viewed as a form of hostile environment sexual harassment. Both male and female employees can object to sexual favoritism.

Close X

- If two employees are in a relationship that violates policy, contact HR or senior management right away, and ensure that the situation is addressed.

Menu

1:08



Silent

Continue



I Can't Forget What I Saw

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Leader Insight

Here are some additional strategies that can help managers avoid claims of favoritism:

- Don't allow employees in an intimate relationship to make work-related decisions that would create morale issues or a conflict of interest.
- If policy does not prohibit managers from dating subordinates, they should not flaunt it or provide their partner with special treatment at work.

Remember that perceptions can be as strong as reality for employees. So even if a manager is not playing favorites, employees who believe it is happening will likely have many of the same concerns and reactions.

[Menu](#) 1:08 Silent[Continue](#)



I Can't Forget What I Saw



50 State Survey

Policy

Questions

Report

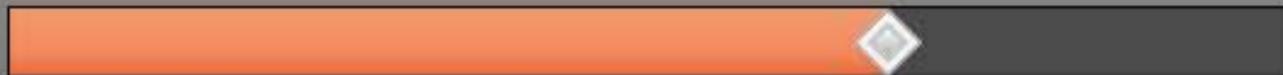


AVATAR:

As you saw, workplace romances can be perilous. Even if you are having a relationship and avoiding all forms of bias, others may not believe that's the case. Perceptions are reality, for some.

Menu

 1:08



 Silent



Continue



Disrespecting Joy



50 State Survey

Policy

Questions

Report



AVATAR:

These days, employees are more open about their sexual orientation and gender identity. But often, their coworkers aren't sure how to react to them. For instance, take a look at this next simulation.

Menu

 1:09



 Silent



Continue



Disrespecting Joy

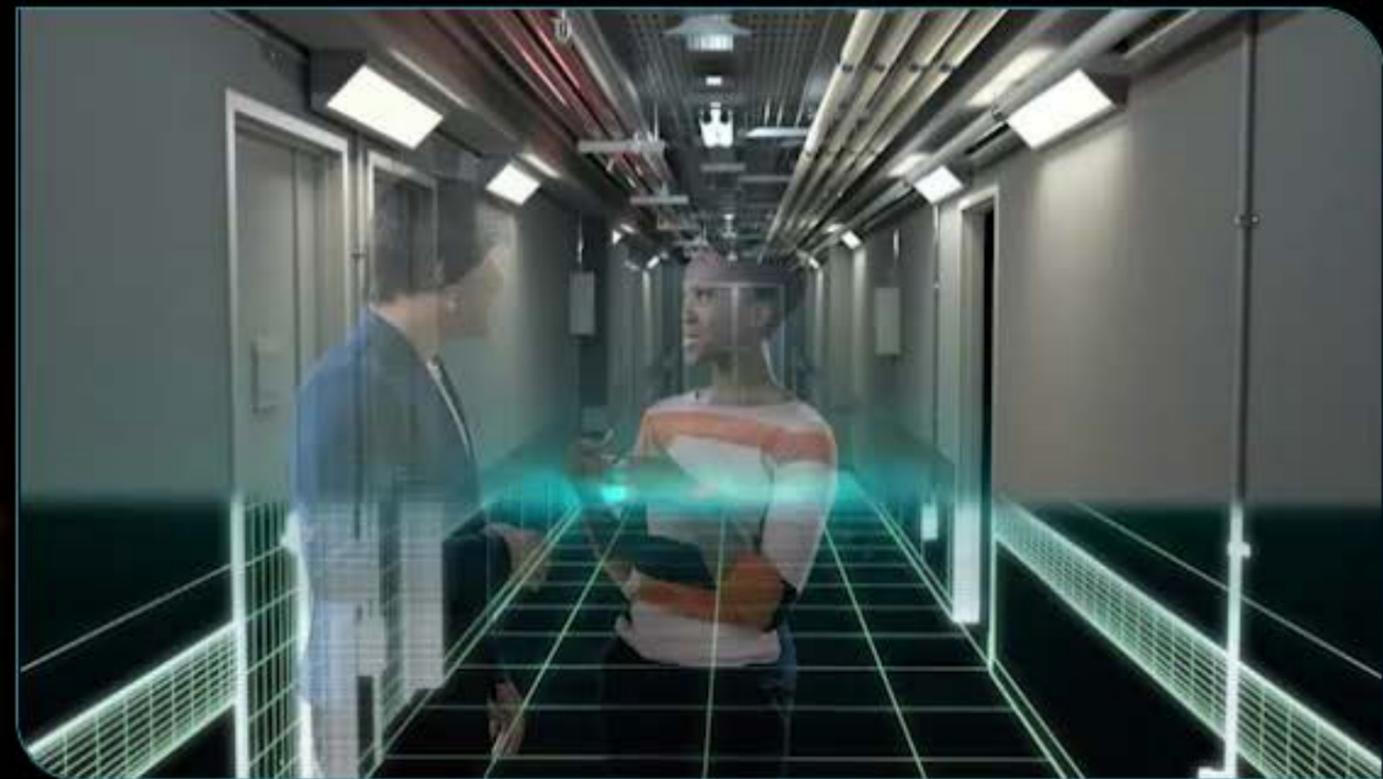


50 State Survey

Policy

Questions

Report



AVATAR:
These days, employees are more open about their sexual orientation and gender identity. But often, their coworkers aren't sure how to react to them. For instance, take a look at this next simulation.

Female Computer Voice:
Begin Disrespecting Joy simulation.

Menu

1:09



Silent

Continue



Disrespecting Joy



50 State Survey

Policy

Questions

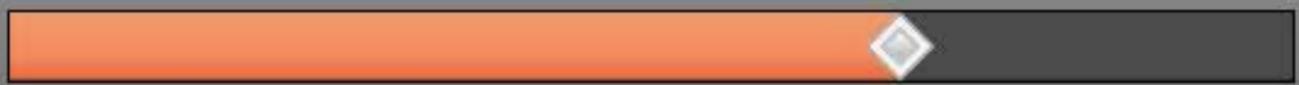
Report



Ned:
There he is! Hey, John! John!

Menu

 1:09



 Silent 

Continue



Disrespecting Joy



50 State Survey

Policy

Questions

Report

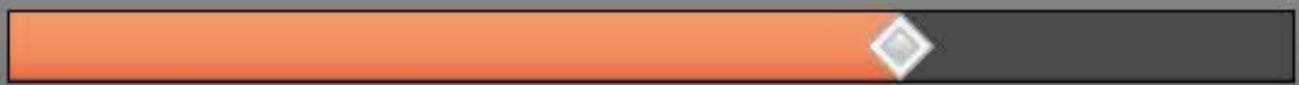


Ned:
There he is! Hey, John! John!

Joy:
Ned, I've told you a hundred times.

Menu

1:10



Silent

Continue



Disrespecting Joy



- 50 State Survey
- Policy
- Questions
- Report



Ned:
I know, I know. It's Joy now. Listen man, do you have your paperwork from yesterday completed?

Menu

 1:10



 Silent 

Continue



Disrespecting Joy



50 State Survey

Policy

Questions

Report



Ned:
I know, I know. It's Joy now. Listen man, do you have your paperwork from yesterday completed?

Joy:
Finished, and emailed right before lunch. And Ned, please don't call me "man." It's insulting.

Menu

 1:10



 Silent 

Continue



Disrespecting Joy



50 State Survey

Policy

Questions

Report



Ned:
I was just joking with you Joy. You know you used to think I was funny.

Menu

 1:10



 Silent



Continue



Disrespecting Joy



50 State Survey

Policy

Questions

Report

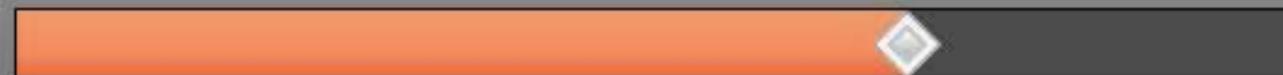


Ned:
I was just joking with you Joy. You know you used to think I was funny.

Joy:
Not really. I used to tolerate you.

Menu

 1:10



 Silent



Continue



Disrespecting Joy



50 State Survey

Policy

Questions

Report



Ned:
Wow. Now that's insulting. You know what I think?

Menu

 1:10



 Silent 

Continue



Disrespecting Joy



- 50 State Survey
- Policy
- Questions
- Report

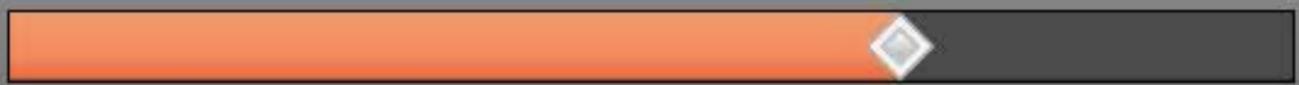


Ned:
Wow. Now that's insulting. You know what I think?

Joy:
I haven't a clue.

Menu

 1:10



 Silent 

Continue



Disrespecting Joy



50 State Survey

Policy

Questions

Report



Ned:

I'll tell you, I think you need to lighten up...Joy. Get it? But hey, we're good, right?

Menu

 1:10



 Silent



Continue



Disrespecting Joy



50 State Survey

Policy

Questions

Report



Ned:
I'll tell you, I think you need to lighten up...Joy. Get it? But hey, we're good, right?

Female Computer Voice:
End simulation.

Menu

 1:10



 Silent



Continue



Disrespecting Joy



- 50 State Survey
- Policy
- Questions
- Report

Point of View

Joy has come to you with concerns about how Ned is treating her. Review how four different managers think this situation should be handled by clicking on each one. Then determine if any of them have offered good advice.



Menu

1:10



Silent



Disrespecting Joy



50 State Survey

Policy

Questions

Report

Point of View

Joy has come to you with concerns about how Ned is treating her. Review how four different managers think this situation should be handled by clicking on each one. Then determine if any of them have offered good advice.



Alvin:



Ned has a great way with people. He breaks tension with humor. I'd tell Joy to let this go this time, but if he does it again, make another report.

Menu

1:10



Silent



Disrespecting Joy



- 50 State Survey
- Policy
- Questions
- Report

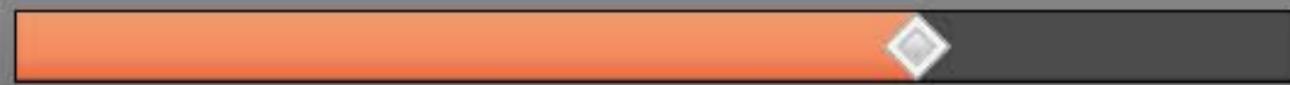
Point of View

Joy has come to you with concerns about how Ned is treating her. Review how four different managers think this situation should be handled by clicking on each one. Then determine if any of them have offered good advice.



Menu

1:10



Silent



Disrespecting Joy



50 State Survey

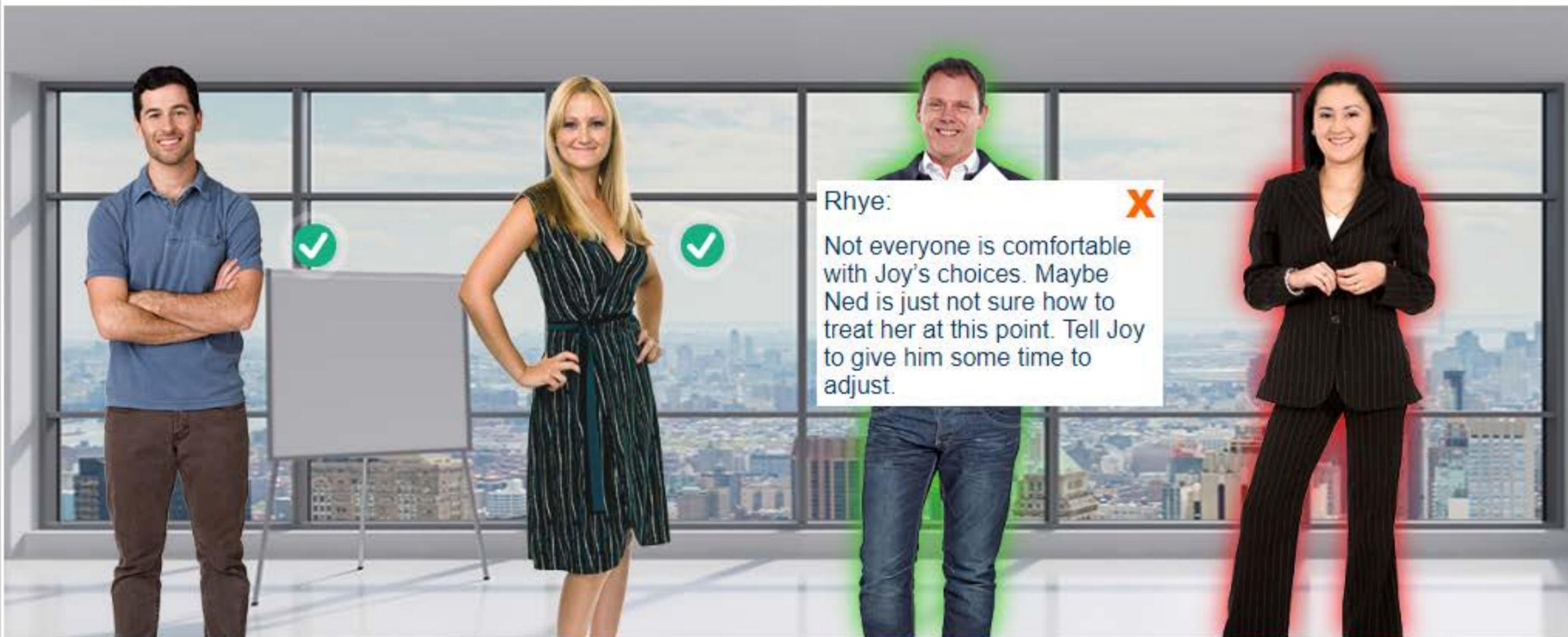
Policy

Questions

Report

Point of View

Joy has come to you with concerns about how Ned is treating her. Review how four different managers think this situation should be handled by clicking on each one. Then determine if any of them have offered good advice.



Menu

1:10



Silent



Disrespecting Joy



- 50 State Survey
- Policy
- Questions
- Report

Point of View

Joy has come to you with concerns about how Ned is treating her. Review how four different managers think this situation should be handled by clicking on each one. Then determine if any of them have offered good advice.



Cassandra: X

Look, Ned needs to respect Joy and use her proper name. It's not up to him to choose whether to call Joy by her name or some other name. Even if he's joking around, he is being disrespectful.

Menu

1:10



Silent

Continue

Disrespecting Joy x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question



Is it advisable to follow the advice of any of the managers? Select the best answer.

- A. No one provided correct advice
- B. Alvin, who says Ned's humor should be allowed in the workplace
- C. Rhonda, who says people cannot be forced to use a certain pronoun or name
- D. Rhye, who says Joy needs to give Ned time to adjust
- E. Cassandra, who says Ned's behavior is disrespectful

Menu

 1:11 Silent

Disrespecting Joy x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question



Is it advisable to follow the advice of any of the managers? Select the best answer.

- A. No one provided correct advice
- B. Alvin, who says Ned's humor should be allowed in the workplace
- C. Rhonda, who says people cannot be forced to use a certain pronoun or name
- D. Rhye, who says Joy needs to give Ned time to adjust
- E. Cassandra, who says Ned's behavior is disrespectful

Menu

 1:11 Silent

Disrespecting Joy x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question

 **Correct!****That's right. The correct answer is E.**

By teasing Joy about her name and using masculine terminology to refer to her, Ned is being insulting and disrespectful and is violating the harassment policy. He may think he is being funny, but actually he is creating an unpleasant work atmosphere.

And even if Ned did not support Joy or her decision to transition from male to female, he does not have a right to express insensitive opinions in the workplace or be disrespectful. His employer has a right and a responsibility to tell Ned to stop and take other appropriate corrective action.



Menu

 1:11 Silent 

Continue

Disrespecting Joy x

50 State Survey

Policy

Questions

Report

Challenge Question



If a manager overhears an employee making negative statements about a transgender employee, and expressing concerns about sharing a bathroom with the transgender employee, could such comments be a form of prohibited harassment? Select the best answer.

- A. Yes; if the comments were derogatory or offensive, they could be a form of prohibited harassment
- B. Yes, but only if gender identity is protected by state law
- C. Yes, but only if the transgender employee files a complaint about the comments
- D. Not if the comments are tied to religious views

Menu

 1:11 Silent 

Challenge Question

 **Correct!****That's right. The correct answer is A.**

Making derogatory comments to or about a transgender employee can be a form of prohibited harassment. This is true even if an employee is merely expressing a personal opinion, a religious opinion, or his or her fears.

The more constructive approach is for the concerned employee to speak directly with his or her manager or HR and find a solution to address the employee's concerns.

Dealing with concerns about bathroom usage can be an important issue for an organization to address. Forcing a transgender employee to use a different bathroom may create both legal and employee-relations issues. Instead, employers should consider making a single-stall, unisex bathroom available to all employees. Another option is to provide another restroom to employees who object to sharing a restroom with the transgender employee.



Disrespecting Joy x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question



If a transgender employee chooses to disclose his or her gender identity to coworkers, what should a manager do to limit the likelihood of a harassment complaint? Select the best answer. More than one answer choice may be correct.

- A. Tell employees not to ask personal questions at all; this could create an uncomfortable situation
- B. Consider opportunities to educate employees about what it means to be transgender
- C. Explain to employees that expressing personal opinions can be offensive and violate policy

Menu

 1:11 Silent

Disrespecting Joy x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question

 **Correct!**

That's right. The correct answers are B and C.

A manager can help support a transgender employee and prevent harassment by educating other employees.

In some instances, a respectful and open discussion or a short training program on this topic can help diffuse the situation. It may be appropriate to talk about what it means to be transgender, and explain that expressing personal opinions can be offensive. A manager shouldn't plan this training alone. He or she should enlist the help of HR and talk with the transgender employee before doing anything.

While asking questions can be inappropriate, allowing employees to ask some questions may help break down barriers and overcome fears and misperceptions that an employee may have about transgender individuals. However, employees should not be permitted to ask questions about a person's sex life, personal preferences, or medical procedures.



Menu

 1:12 Silent 

Continue



Leader Insight

Both managers and employees need to understand more about gender identity and gender expression, and treat all employees with respect and dignity.

The term gender identity is one's internal sense of self as male, female, a blend of both or neither and includes how individuals see themselves and how they refer to themselves. One's gender identity can be the same or different from the sex the individual was assigned at birth.

The term **gender expression** is a broader term and refers to the physical manifestation of one's gender identity, usually expressed through clothing, mannerisms, and chosen names.



Disrespecting Joy



- 50 State Survey
- Policy
- Questions
- Report

Leader Insight

Both managers and employees need to understand more about gender identity and gender

Gender Expression Close X

Gender expression is the physical manifestation of one's gender identity, usually expressed through clothing, mannerisms, and chosen names. Transgender people usually have a gender expression that matches their gender identity but often does not match their birth sex.

or neither and
der identity can



The term **gender expression** is a broader term and refers to the physical manifestation of one's gender identity, usually expressed through clothing, mannerisms, and chosen names.

Menu

1:12



Silent

Continue



Leader Insight

For some individuals, internal gender identification as male or female doesn't match the person's body or their designated sex at birth.

A person's **gender identity** is not necessarily related to a person's physical appearance or **sexual orientation**.

A **transgender** individual may be any of the following:

- A transsexual, or someone who, with or without medical treatment, identifies and lives as a member of the gender opposite to the one he or she was assigned at birth.
- A person who has gender-reassignment surgery so that his or her outward physical appearance better matches his or her internal sense of gender identity.

Leader Insight

For some individuals, internal gender identification as male or female doesn't match the person's body

Gender Identity

[Close X](#)

Gender identity is a person's sense of identification as male or female. It is not related to his or her physical appearance or [sex](#) or [sexual orientation](#).



A [transgender](#) individual may be any of the following:

- A transsexual, or someone who, with or without medical treatment, identifies and lives as a member of the gender opposite to the one he or she was assigned at birth.
- A person who has gender-reassignment surgery so that his or her outward physical appearance better matches his or her internal sense of gender identity.



Disrespecting Joy



50 State Survey

Policy

Questions

Report

Leader Insight

For some individuals, internal gender identification as male or female doesn't match the person's body

Sexual Orientation

Close X

Sexual orientation involves sexual or emotional attraction toward others. Sexual orientation includes heterosexuality (attraction to those of the opposite sex), homosexuality (attraction to those of the same sex), and bisexuality (attraction to both sexes).



A **transgender** individual may be any of the following:

- A transsexual, or someone who, with or without medical treatment, identifies and lives as a member of the gender opposite to the one he or she was assigned at birth.
- A person who has gender-reassignment surgery so that his or her outward physical appearance better matches his or her internal sense of gender identity.

Menu

1:13



Silent

Continue



Disrespecting Joy



50 State Survey

Policy

Questions

Report

Leader Insight

For some individuals, internal gender identification as male or female doesn't match the person's body

Transgender Close X

Transgender is an umbrella term that refers to anyone who experiences and/or expresses their gender differently from conventional or cultural expectations. The term can include the following:

- transsexuals
- intersex individuals
- those who exhibit characteristics that are commonly associated with people of the opposite sex
- those perceived to be androgynous



- A person who has gender-reassignment surgery so that his or her outward physical appearance better matches his or her internal sense of gender identity.

Menu

1:13



Silent

Continue



Take Me Out of the Ballgame



50 State Survey

Policy

Questions

Report

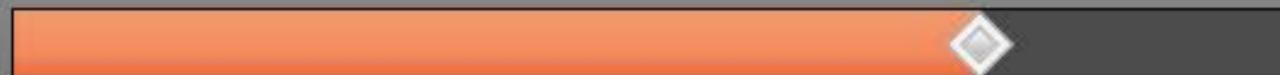


AVATAR:

Workplace bullying is abusive conduct that takes the form of threats, humiliation, and intimidation and it can make work miserable for anyone who is impacted by it. To illustrate, observe the next simulation. I'll be watching this one closely to see if you'll strike out or hit a home run.

Menu

 1:13



 Silent



Continue



Take Me Out of the Ballgame



50 State Survey

Policy

Questions

Report



AVATAR:

Workplace bullying is abusive conduct that takes the form of threats, humiliation, and intimidation and it can make work miserable for anyone who is impacted by it. To illustrate, observe the next simulation. I'll be watching this one closely to see if you'll strike out or hit a home run.

Female Computer Voice:

Begin Take Me Out of the Ballgame simulation.

Menu

 1:13



 Silent



Continue



Take Me Out of the Ballgame x

50 State Survey

Policy

Questions

Report

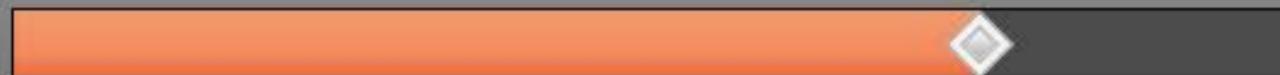


Oscar:

Everyone has a breaking point, right? I get picked on a lot by my coworkers. My hobbies, my lack of a social life, the fact that I'm not very athletic make me an obvious target. So I make a habit of keeping my head low.

Menu

 1:13



 Silent



Continue



Take Me Out of the Ballgame



50 State Survey

Policy

Questions

Report

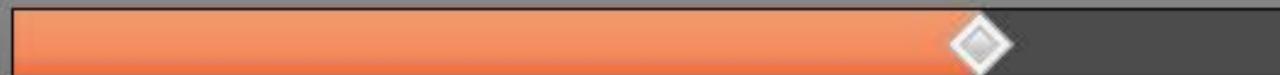


Oscar:

But all that changed when Jed got injured. It meant he couldn't play on the company softball team... and the team was in the playoffs. They needed a substitute player desperately or else they'd be forced to forfeit the game. You see where this is going, right?

Menu

 1:13



 Silent



Continue



Take Me Out of the Ballgame



50 State Survey

Policy

Questions

Report

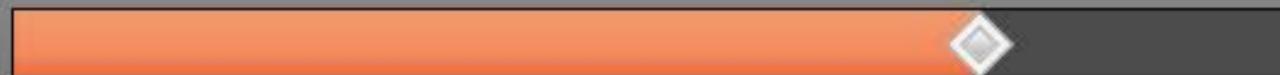


Oscar:

Long story short it was the bottom of the ninth, we were down by one run, with bases loaded, two outs and it was my turn at bat. Some people would consider this a defining moment. I just wanted it to be over.

Menu

 1:13



 Silent



Continue



Take Me Out of the Ballgame



50 State Survey

Policy

Questions

Report



Oscar:
Long story short it was the bottom of the ninth, we were down by one run, with bases loaded, two outs and it was my turn at bat. Some people would consider this a defining moment. I just wanted it to be over.

Voice in the Background:
Whiffer! Whiffer!

Menu

 1:13



 Silent 

Continue



Take Me Out of the Ballgame



50 State Survey

Policy

Questions

Report



Oscar:

That was the first time I heard it. Whiffer. I get it. I lost the game. We were out of the playoffs. They were angry. I assumed once the weekend was over things would just go back to normal.

Menu

 1:13



 Silent



Continue



Take Me Out of the Ballgame



50 State Survey

Policy

Questions

Report

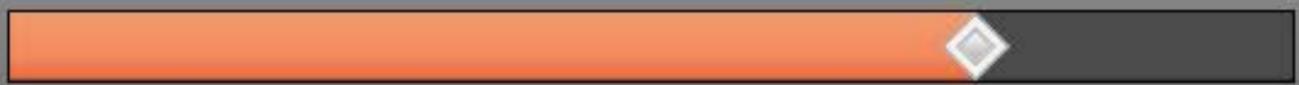


Oscar:
That was the first time I heard it. Whiffer. I get it. I lost the game. We were out of the playoffs. They were angry. I assumed once the weekend was over things would just go back to normal.

I was wrong. The hazing got worse. And it wasn't contained to just around the office. They were stalking me on social media, humiliating me anytime anyone saw me online.

Menu

 1:13



 Silent 

Continue



Take Me Out of the Ballgame



50 State Survey

Policy

Questions

Report



Oscar:

But the real final straw was my manager sharing my shame with several of our clients. That...that was my breaking point.

Menu

 1:14



 Silent



Continue



Take Me Out of the Ballgame



50 State Survey

Policy

Questions

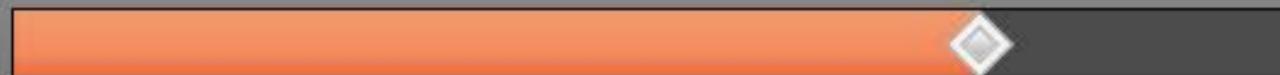
Report



Female Computer Voice:
End simulation.

Menu

1:14



Silent



Continue

Take Me Out of the Ballgame x

50 State Survey

Policy

Questions

Report

Challenge Question



Although bullying may not be unlawful, it can violate policy and should be addressed right away. Now it's your turn at bat. Which bullying behaviors did the employee in this situation endure? More than one answer may be correct.

- A. Repeated infliction of verbal abuse, such as use of derogatory remarks, insults, and epithets
- B. Verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating
- C. Gratuitous sabotage or undermining of a person's work performance
- D. None of the above

Menu

 1:14 Silent

Take Me Out of the Ballgame x

50 State Survey

Policy

Questions

Report

Challenge Question

 **Correct!****That's right. The correct answers are A and B.**

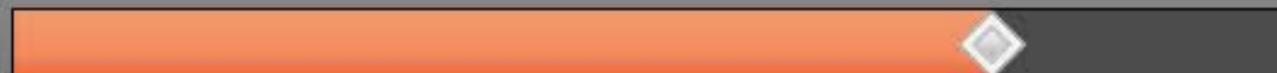
Abusive and bullying behaviors can take many forms, and the effects can be devastating. In this case, Oscar was subjected to verbal abuse, such as insults and name calling that he found humiliating and demoralizing.

Abusive conduct and bullying must be addressed immediately. Employees need to understand the impact of their behaviors and that they will be held accountable. Managers should never tolerate or join in such conduct.

Even if abusive conduct doesn't violate the harassment policy, deal with it immediately. Left unchecked, it will be a drain on productivity, increase employee turnover, and could escalate into unlawful harassment.



Menu

 1:14 Silent

Continue



Take Me Out of the Ballgame x

50 State Survey

Policy

Questions

Report



Leader Insight

Unfortunately, most managers have to deal with a bully at some point in their career. Addressing the problem head-on will improve the work environment and, ideally, correct the situation before it gets too serious.

Bullying or abusive conduct can create a work environment that can range from unpleasant to intolerable—for our employees and our organization—impacting the work environment in very negative ways. Victims of workplace bullying can suffer stress, depression, mental breakdowns, illness, and shame, all of which can affect work performance and lead to absenteeism, low productivity, poor morale, and employee turnover.

In some states, including California, prevention of abusive conduct is an area of focus. Abusive conduct is defined as: conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests.

Menu

 1:15



 Silent 

Continue



Take Me Out of the Ballgame

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Leader Insight

Managers should watch for, and quickly address, behaviors that could be considered abusive or bullying. These behaviors include:

- Repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets
- Verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating
- The gratuitous sabotage or undermining of a person's work performance

While a single act is not sufficient to constitute abusive conduct (unless the act is especially severe or egregious), managers should not wait for abusive conduct to become severe. Managers should deal with even minor behavioral issues right away.

[Menu](#) 1:15 Silent[Continue](#)



Take Me Out of the Ballgame x

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Leader Insight

To effectively address workplace bullying, managers should follow these additional guidelines:

- Be clear with employees what's expected of them, including proper tone, words, and body language
- Explain the consequences if an employee continues to mistreat coworkers
- Hold the employee accountable for his or her conduct, and follow through with corrective action, if necessary
- Monitor the workplace to make sure the employee's behavior has improved
- Use HR or senior management as a resource when you have questions

[Menu](#) 1:15 Silent[Continue](#)



Social Media and Free Speech



50 State Survey

Policy

Questions

Report



AVATAR:

What do you think? These new devices can help us do some pretty amazing things, like staying connected and sharing our ideas. But in this next simulation, see if you think technology is being used to dig an intern out of a hole or into one.

Menu

1:15



Silent



Continue



Social Media and Free Speech x

50 State Survey

Policy

Questions

Report



AVATAR:

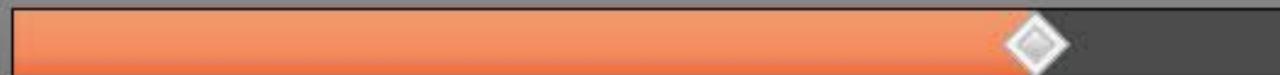
What do you think? These new devices can help us do some pretty amazing things, like staying connected and sharing our ideas. But in this next simulation, see if you think technology is being used to dig an intern out of a hole or into one.

Female Computer Voice:

Begin Social Media and Free Speech simulation.

Menu

 1:15



 Silent



Continue



Social Media and Free Speech



50 State Survey

Policy

Questions

Report



LuAnn:
Hey, Jared.

Menu

1:15



Silent



Continue



Social Media and Free Speech



50 State Survey

Policy

Questions

Report

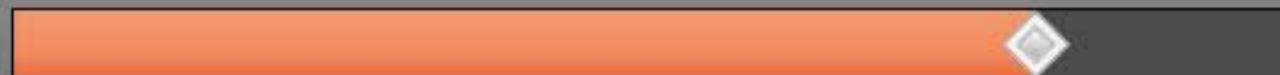


LuAnn:
Hey, Jared.

Jared:
Hey, LuAnn.

Menu

 1:15



 Silent



Continue



Social Media and Free Speech



50 State Survey

Policy

Questions

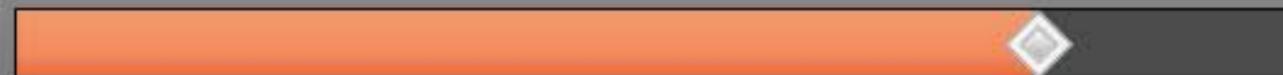
Report



LuAnn:
You settling in okay?

Menu

1:15



Silent



Continue



Social Media and Free Speech



50 State Survey

Policy

Questions

Report



LuAnn:
You settling in okay?

Jared:
Are you kidding? This internship couldn't be more perfect.

Menu

1:15



Silent



Continue



Social Media and Free Speech



50 State Survey

Policy

Questions

Report



LuAnn:
Great. Well, we're happy to have you on the team. And I saw that you already linked to our organization on Micro Social.

Menu

1:15



Silent



Continue



Social Media and Free Speech



50 State Survey

Policy

Questions

Report



LuAnn:

Great. Well, we're happy to have you on the team. And I saw that you already linked to our organization on Micro Social.

Jared:

Yeah, it's a great site.

Menu

 1:16



 Silent



Continue



Social Media and Free Speech



50 State Survey

Policy

Questions

Report



LuAnn:
It is the best way to stay current and connected to what's going on around here.

Menu

1:16



Silent



Continue



Social Media and Free Speech



50 State Survey

Policy

Questions

Report



LuAnn:
It is the best way to stay current and connected to what's going on around here.

Jared:
Way ahead of you. In fact, I already uploaded my first post.

Menu

1:16



Silent



Continue



Social Media and Free Speech



50 State Survey

Policy

Questions

Report



LuAnn:
Yes... I saw it.

Menu

1:16



Silent



Continue



Social Media and Free Speech



50 State Survey

Policy

Questions

Report



LuAnn:

Yes... I saw it.

I'm glad Jared is passionate about his work. But unfortunately, his opinions about immigrants could be considered controversial.

Menu

1:16



Silent



Continue



Social Media and Free Speech



50 State Survey

Policy

Questions

Report



Jared:

Too much? As a major in political science with a focus on immigration policy, my professor encourages us to openly dialogue about it. That's not a problem, is it?

Menu

1:16



Silent



Continue



Social Media and Free Speech



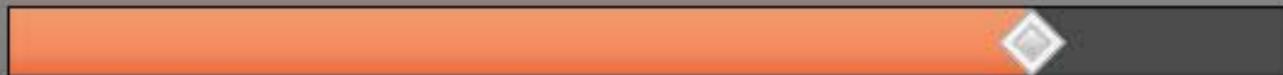
- 50 State Survey
- Policy
- Questions
- Report



Juan:
I followed Jared on Micro Social, so I see everything he posts and comments on. He seemed like a good guy when we first met. But after we connected online, I'm not so sure anymore. Apparently, it's his opinion that foreigners interning at the company are somehow taking jobs away from his friends. He didn't mention any names, but it's not hard to figure out he was referring to me.

Menu

1:16



Silent

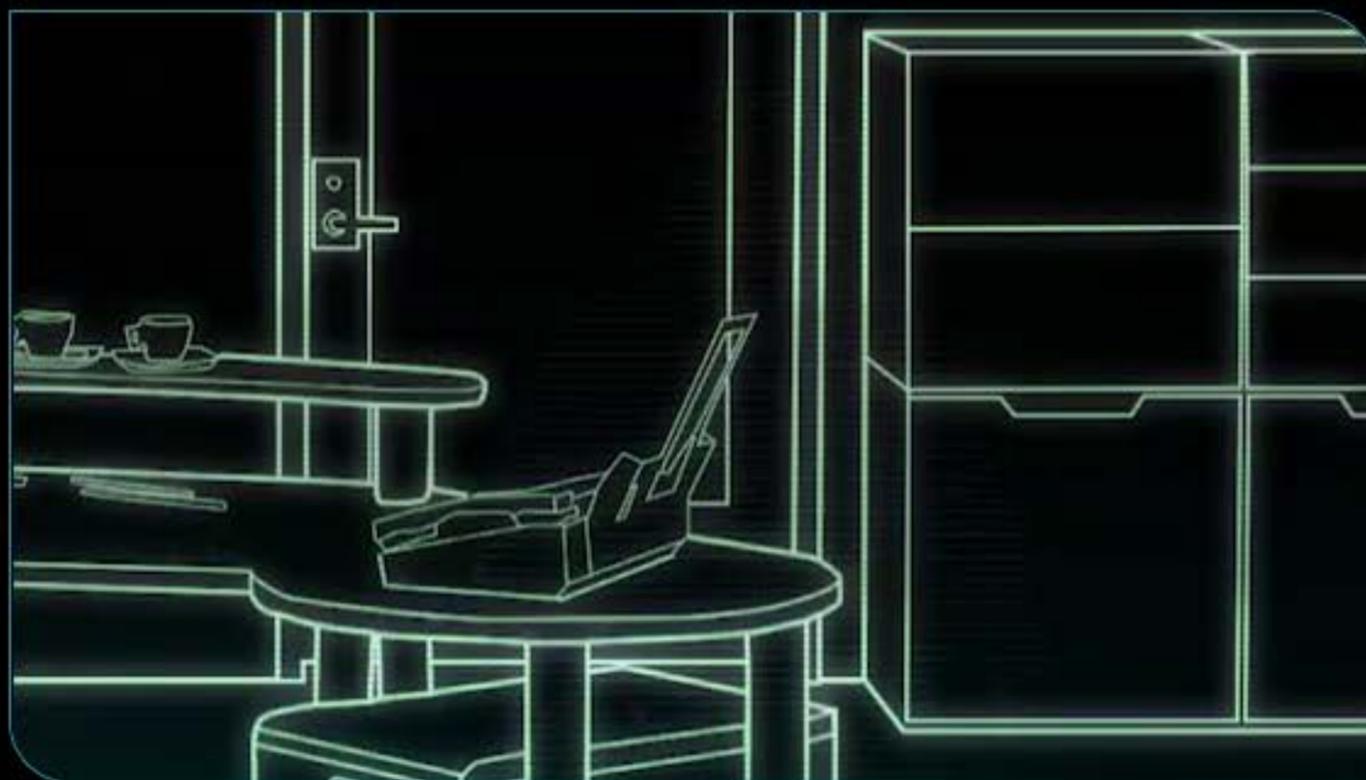
Continue



Social Media and Free Speech



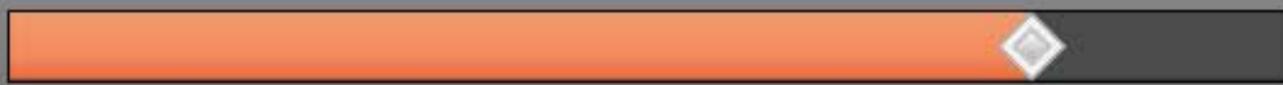
- 50 State Survey
- Policy
- Questions
- Report



Female Computer Voice:
End simulation.

Menu

1:16



Silent

Continue



Social Media and Free Speech



- 50 State Survey
- Policy
- Questions
- Report

Challenge Question

Move the slider by clicking on a box and then click Submit.



Before you deal with Juan's situation, what do you think about Jared's post in general? Is Jared free to post anything he wants on social media while employed as an intern?



Yes; Jared has the right to post what he wants on social media

Maybe; as long as Jared does not directly name coworkers, he is free to post what he wants

No; there are limits on what Jared can post, even on social media

Slider bar with a circular handle positioned at the far left end.

Submit

Menu

1:16

Progress bar with a diamond-shaped slider in the middle.

Silent



Social Media and Free Speech

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question

Move the slider by clicking on a box and then click Submit.



Before you deal with Juan's situation, what do you think about Jared's post in general? Is Jared free to post anything he wants on social media while employed as an intern?



That's right.

There are limits on what Jared can post on social media—especially if it is offensive, related to a protected characteristic, and impacts the workplace or work relationships.

Employer policies on bullying, professional behavior, harassment, and retaliation apply to online behaviors. In this situation, Jared's post refers to his workplace and coworkers, so it would be subject to his employer's policies.

[Menu](#) 1:16 Silent[Continue](#)



Social Media and Free Speech



50 State Survey

Policy

Questions

Report

Challenge Question

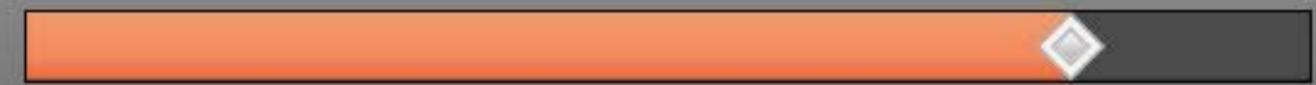


What about Juan? Does his intern status affect his ability to report his concerns?

- A. No; interns and seasonal employees are protected from harassment
- B. It depends; interns are covered by policy only if they are mentioned in the policy
- C. Only paid interns are protected; unpaid interns are not employees so they are not protected
- D. Yes; but an intern must be on the job for at least 90 days before the harassment policy applies to them

Menu

1:17



Silent



Social Media and Free Speech



- 50 State Survey
- Policy
- Questions
- Report

Challenge Question

Correct!

That's right. The correct answer is A.

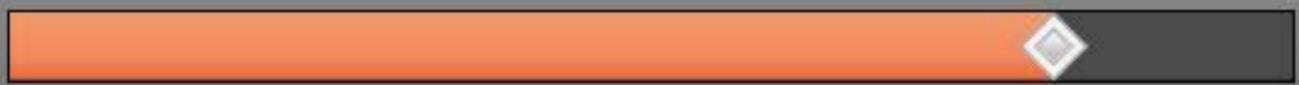
The prohibited harassment policy applies to and protects interns and seasonal employees.

It does not matter how long they have worked for the organization, or in the case of interns, if they are paid or volunteer their time. They can raise concerns about harassment.



Menu

1:17



Silent

Continue



Social Media and Free Speech x

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Challenge Question



What if Jared had posted offensive, racial comments about coworkers on a social media site from home and after hours, using his own smartphone? Can the prohibited harassment policy apply?

- A. Yes, but it depends on whether the offensive post was read by someone at work.
- B. No; the policy cannot apply to employees when they use their own technology.
- C. No, as long as the posts are being made on a personal laptop, after hours.
- D. Yes. Even conduct away from work and using a personal device may be covered by the policy.

[Menu](#) 1:17 Silent 



Social Media and Free Speech



- 50 State Survey
- Policy
- Questions
- Report

Challenge Question

 **Correct!**

That's right. The correct answer is D.

Generally, the [prohibited harassment policy](#) does not apply to conduct that takes place entirely outside of work. But if the conduct negatively affects the workplace or working relationships, the policy may apply.

So even conduct that occurs away from work and involves personal devices can violate the prohibited harassment policy. Because multiple laws can impact an employer's right to take action, managers should always work with HR when dealing with situations like this.



Menu

 1:17



 Silent 

Continue



Social Media and Free Speech



50 State Survey

Policy

Questions

Report

Challenge Question

Correct!

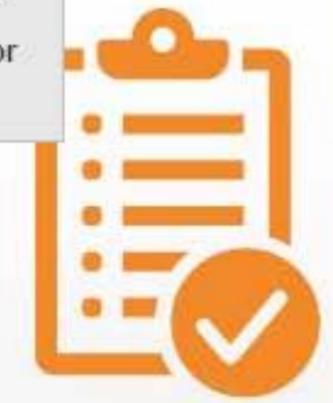
That's right. T

Generally, the pr
work. But if the c

So even conduct that occurs away from work and involves personal devices can violate the prohibited harassment policy. Because multiple laws can impact an employer's right to take action, managers should always work with HR when dealing with situations like this.

Prohibited Harassment Policy Close X

A *prohibited harassment policy* is an employer's unique policy that identifies the type of conduct that is unacceptable, the protected categories, how to make a complaint, and the consequences of violating policy. In some instances, employer policies are broader than the law. This means that conduct that is not unlawful may still violate an employer's policy. For example, a single offensive statement could violate an employer's policy, but not the law.



Menu

1:17



Silent

Continue



Social Media and Free Speech

[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

Leader Insight

Technology is constantly advancing, and managers will never see the end to the challenges it presents. Employees are expected to treat each other with respect in the workplace and online.

Employees should avoid posting comments about coworkers, managers, clients, or customers that can be viewed as:

- Hate speech
- Harassment
- Threatening or bullying
- Sexually explicit or pornographic
- Knowingly or recklessly false

Online content in these categories could result in corrective action, including termination, and should be immediately reported to an internal resource.

[Menu](#) 1:18 Silent[Continue](#)



Leader Insight

There is no absolute right to share opinions and beliefs at work, especially those that are negative and relate to protected characteristics.

If a discussion turns heated in the workplace, address the behavior without attacking the employees personally. You should:

- Talk with each employee separately
- Focus on the offensive nature of the conduct or speech
- Explain that personal beliefs can be controversial and there are strong points of view on all sides of an issue
- Be clear that employees don't have an absolute right to share opinions at work
- Explain the goal of a dignified and respectful workplace
- Explain consequences for repeat conduct
- Hold the employees accountable for violating policy by issuing corrective action



Introduction

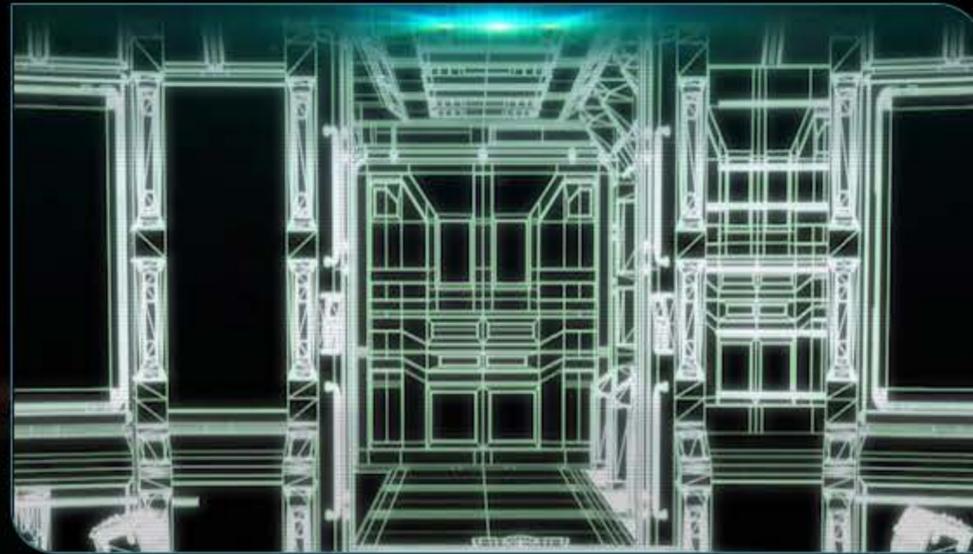


50 State Survey

Policy

Questions

Report



Female Computer Voice:
Welcome. Workplace Harassment 2.0 Simulation now in progress.

Menu

 1:25



 Silent 

Continue

ORACLE

Introduction



50 State Survey

Policy

Questions

Report



AVATAR:
Welcome.

Menu

 1:25



 Silent



Continue

© 2018 NAVEX GLOBAL MCF 6.9.0



Introduction



50 State Survey

Policy

Questions

Report



AVATAR:
Welcome.

You are here to explore the role you play, as a manager, in dealing with and preventing workplace harassment.

Menu

 1:25



 Silent



Continue

ORACLE

Introduction



50 State Survey

Policy

Questions

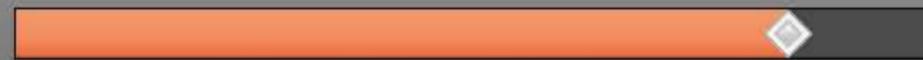
Report



AVATAR:
During the course of this simulation, you will be presented with a series of real-life workplace simulations that will test your knowledge and ability to spot and deal with harassment.

Menu

1:25



Silent

Continue



Introduction



50 State Survey

Policy

Questions

Report



AVATAR:
During the course of this simulation, you will be presented with a series of real-life workplace simulations that will test your knowledge and ability to spot and deal with harassment.

A few things you'll need to know before you begin: The simulations are built to reflect real-life challenges facing managers today. The issues we will cover can arise in any workplace, including yours.

Menu

 1:25



 Silent 

Continue



Introduction



50 State Survey

Policy

Questions

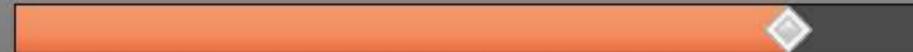
Report



AVATAR:
Additionally, the employees you'll see in these simulations could easily be one of your own, or a fellow manager.

Menu

 1:25



 Silent 

Continue



Introduction



50 State Survey

Policy

Questions

Report



AVATAR:
Additionally, the employees you'll see in these simulations could easily be one of your own, or a fellow manager.

It's important that you recognize that anyone, anywhere, and at any time can be a victim or a harasser.

Menu

1:26



Silent

Continue

ORACLE

Introduction



50 State Survey

Policy

Questions

Report



AVATAR:
Your job today is to assess and determine how best to deal with each simulation.

Menu

 1:26



 Silent 

Continue



Introduction



50 State Survey

Policy

Questions

Report



AVATAR:
Your job today is to assess and determine how best to deal with each simulation.
Let's get to it.

Menu

1:26



Silent

Continue

ORACLE

Introduction



50 State Survey

Policy

Questions

Report



Female Computer Voice:
Begin simulations..

Menu

1:26



Silent



Continue



Preventing Workplace Harassment US Managers Edition - (v7)



50 State Survey

Policy

Questions

Report

Menu

✔ Introduction

★ Simulations

🔒 Conclusion



A Typical Day Part 1



A Typical Day Part 2



Cammy the Comedian



Nura's Headscarf



Menu

🕒 1:27



🔇 Silent



Leader Insight

There is no absolute right to share opinions and beliefs at work, especially those that are negative and relate to protected characteristics.

If a discussion turns heated in the workplace, address the behavior without attacking the employees personally. You should:

- Talk with each employee separately
- Focus on the offensive nature of the conduct or speech
- Explain that personal beliefs can be controversial and there are strong points of view on all sides of an issue
- Be clear that employees don't have an absolute right to share opinions at work
- Explain the goal of a dignified and respectful workplace
- Explain consequences for repeat conduct
- Hold the employees accountable for violating policy by issuing corrective action



The Podcast



50 State Survey

Policy

Questions

Report



AVATAR:

When it comes to harassment, it's often hard to know where to draw the line. What's acceptable for one person may be highly offensive to another. See if this next simulation sheds a little more light on this subject.

Menu

1:29



Silent



Continue

ORACLE

The Podcast

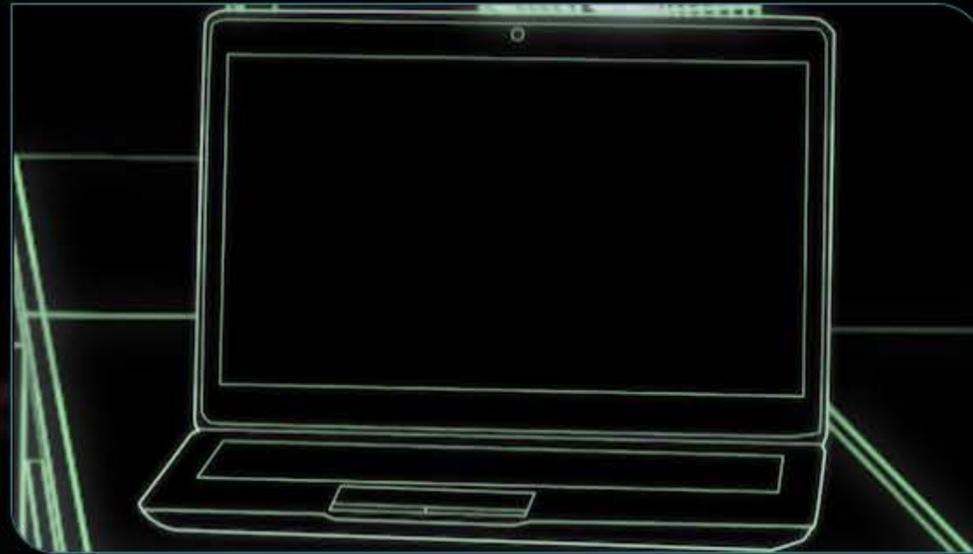


50 State Survey

Policy

Questions

Report



Female Computer Voice:
Begin the Podcast simulation.

Menu

 1:59



 Silent 

Continue

© 2018 NAVEX GLOBAL MCF 6.9.0



The Podcast



50 State Survey

Policy

Questions

Report



Talk Show Host:
If you think that was outrageous, then get ready to have your socks knocked off, because it only gets wilder from here.

Menu

1:59



Silent

Continue



The Podcast



50 State Survey

Policy

Questions

Report



Denny:

Okay, so trust me when I tell you, you do not want to hear what this guy's going to say next. Or maybe you do. But I don't. Okay look, I have nothing against you or anyone else who enjoys that kind of show. But why should I have to listen to that at work?

Menu

1:59



Silent



Continue



The Podcast



50 State Survey

Policy

Questions

Report



Denny:

I mean, the thing is, we're allowed to listen to the radio during the day. Which is fine, except for the woman in the cubicle next to me likes to listen to that guy that I just turned off. I mean, how often do I have to hear him discuss his sex life, over and over and over again. I mean, come on.

Menu

1:59



Silent



Continue



The Podcast



50 State Survey

Policy

Questions

Report

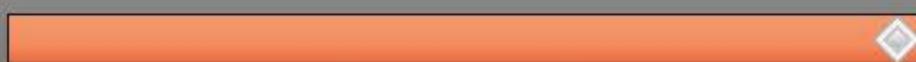


Denny:
Look, I'm usually the last person to criticize someone else's taste in entertainment, but there has to be some limits. Doesn't there?

She should be wearing headphones.

Menu

 1:59



 Silent



Continue

ORACLE

The Podcast

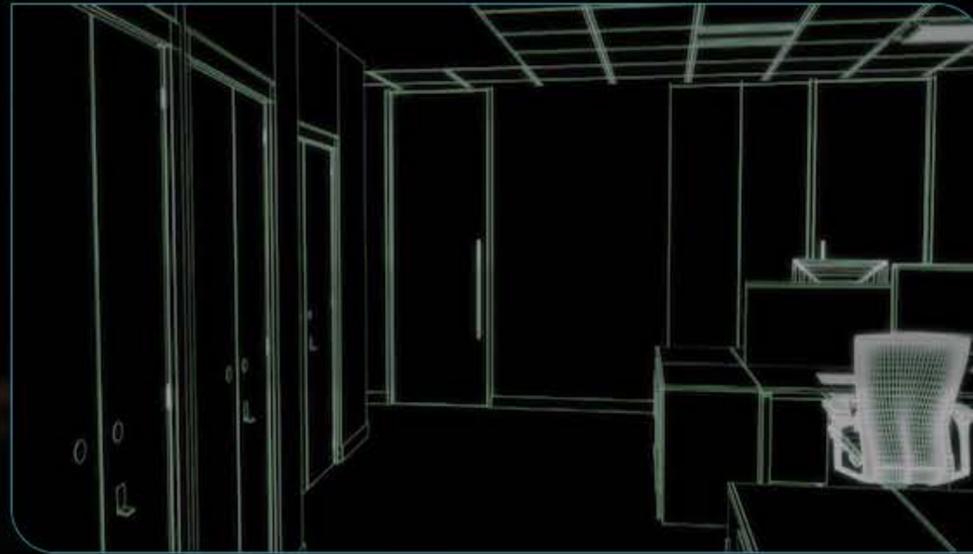


50 State Survey

Policy

Questions

Report



Female Computer Voice:
End simulation.

Menu

 1:59



 Silent 

Continue

Expert Interview



Let's explore this simulation a little further. You're seated in a room with HR, who is leading an investigation into Denny's complaint. Denny's clearly not happy, but before you can assist him, ask him a few questions.

Click each question to hear his responses.

- 1 **Has Angie personally made offensive statements to you?**
- 2 Have you discussed the issue with anyone else?
- 3 Has anyone else complained about this situation?

Menu

1:59



Silent



Expert Interview



No. But I hear the host saying offensive things every day. Isn't that enough? Someone needs to buy Angie a pair of headphones

Click each question to hear his responses.

- ✓ Has Angie personally made offensive statements to you?
- 2 Have you discussed the issue with anyone else?
- 3 Has anyone else complained about this situation?

Menu

1:59



Silent



Expert Interview



Like who? I've overheard my manager saying he likes the same kind of programs! No way I would talk to him about this. That's why I called you.

Click each question to hear his responses.

- Has Angie personally made offensive statements to you?
- Have you discussed the issue with anyone else?
- 3 Has anyone else complained about this situation?**

Menu

1:59



Silent



Expert Interview



You mean besides me? I don't know. I think most people just tune it out or they put on headphones.

Click each question to hear his responses.

- ✔ Has Angie personally made offensive statements to you?
- ✔ Have you discussed the issue with anyone else?
- ✔ Has anyone else complained about this situation?

Menu

1:59



Silent



Continue



The Podcast



50 State Survey

Policy

Questions

Report

Challenge Question

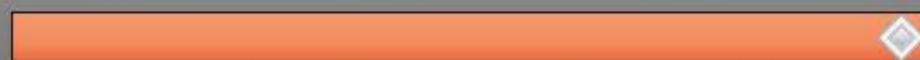


You and HR have gathered some good information and have learned that Denny never reported his concerns to his own manager. Should HR tell Denny to talk with his own manager first? Select the best answer.

- A. Yes; speaking with his own manager is the best approach, as he likely knows Denny and Angie the best
- B. No; Denny can speak with another manager or HR even if he has not spoken with his own manager about his concerns
- C. It depends; if Denny has made a prior complaint and his manager has ignored it, then he doesn't have to go to his own manager first

Menu

1:59



Silent



The Podcast



50 State Survey

Policy

Questions

Report

Challenge Question

 **Correct!**

That's right. The correct answer is B.

Denny doesn't have to approach his own manager (or Angie) first. He can raise a concern with another manager or HR before going to his own manager. He can also use an organization's hotline or helpline to raise a concern.

Sharing concerns with HR ensures the situation will be properly reviewed and investigated. Advising Denny to speak with his own manager could be a mistake, as Denny has made it clear his manager may not be receptive. Advising Denny to speak with his manager could also mean Denny may choose to say nothing.



Menu

 1:31



 Silent



Continue



The Podcast



50 State Survey

Policy

Questions

Report

Challenge Question



Denny is upset about the types of online programs that his coworker listens to while at work. Do you think Denny has raised a concern that needs to be addressed? Select the best answer.

- A. No, because employees are allowed to listen to music or podcasts while at work
- B. Yes, but only with respect to Angie, the employee
- C. Yes, HR will need to speak with both Angie and her manager
- D. Yes, but only with respect to the manager; he should not have said he likes offensive programming

Menu

1:59



Silent

Challenge Question

 **Correct!**

That's right. The correct answer is C.

If an employer allows employees to listen to music or even use the internet during the workday, employees must ensure that what they look at or listen to is appropriate and not offensive.

Graphic lyrics, controversial topics or discussions that relate to a protected category, or language or lyrics that are racially or sexually derogative, for example, are never permissible.

HR will want to speak with Angie about the content of the programs she is listening to, and how they are impacting people around her. HR will also want to speak with Angie's manager about being more aware of what is going on in the group, and about making comments in support of those who express offensive beliefs. And even if headphones could solve this problem, it's not enough. Employees should not be listening to offensive programming while at work.



Menu

 1:31



 Silent 

Continue



The Podcast



50 State Survey

Policy

Questions

Report

Challenge Question



What if an employee is merely expressing an opinion or personal belief? For example, telling a coworker who is gay that he is a sinner, or that same-sex marriage is morally wrong. Can an employee say what he or she wants at work so long as their comments reflect true political or religious beliefs?

- A. Yes. Employees have a right to freely express themselves if their comments are tied to a religious belief.
- B. No. Even if the beliefs are religious-based or deeply personal, negative statements like these are not okay.
- C. Yes. If sexual orientation is not protected under state law, the employer cannot prohibit comments that are based on religious beliefs.

Menu

1:59



Silent





The Podcast



50 State Survey

Policy

Questions

Report

Challenge Question

Correct!

That's right. The correct answer is B.

Even if what is said is based on religious or other deeply personal beliefs, it is not okay to share negative thoughts and opinions relating to sexual orientation with a coworker, whether or not he is gay.

Employers, including government employers, have an obligation to put an end to offensive, harassing workplace conduct. That means employees do not have the right to express personal beliefs or opinions at work (even if they stem from personal or religious beliefs) if they're tied to a protected category and are offensive.

Under our policies and under many laws, harassment on the basis of sexual orientation is not allowed. Negative comments about being gay, same-sex marriage, or same-sex couples raising children are off limits.



Menu

1:32



Silent



Continue



The Podcast



50 State Survey

Policy

Questions

Report



Leader Insight

In some workplaces, employees may also create issues when they spread rumors or gossip about coworkers; this kind of behavior can create some tense and offensive situations, damage team morale, and undermine the core values of mutual respect and dignity.

When this kind of conduct is tied to a **protected category**, it can also violate the prohibited harassment policy.

You should help all employees understand that gossip and rumors are not appropriate. Tell employees to report this kind of conduct and to avoid contributing to the "rumor mill".

Menu

1:32



Silent



Continue



The Podcast



50 State Survey

Policy

Questions

Report

Leader Insight

In some workplaces, employees may also create issues when they spread rumors or gossip about coworkers; this kind of behavior can create some tense and offensive situations, damage team morale,

Protected Category

Close X

A *protected category* is a group of people who share a common characteristic and are protected by law and/or policy from discrimination or harassment in employment. Protected categories under federal law include race, religion, pregnancy, sex, gender, color, national origin, age (40 and over), veteran status, and disability (mental and physical). Federal law also prohibits discrimination in employment based on genetic information. Under state law, additional protected categories may exist (depending on that state), such as sexual orientation, gender identity or gender expression, marital status, and others.



oited

Tell employees

Menu

1:32



Silent



Continue



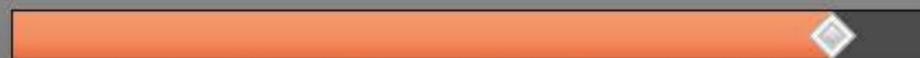
Leader Insight

Consider the following guidelines when you're dealing with an employee who gossips or spreads rumors:

- Tell the employee to stop immediately.
- Emphasize that gossiping and spreading rumors are not productive uses of his or her time.
- Stress that you expect him or her to always be respectful of coworkers.
- Explain how the conduct impacts others.
- Explain the consequences if the behavior continues.
- Hold the employee accountable with **corrective action**.

Menu

1:32



Silent



Continue

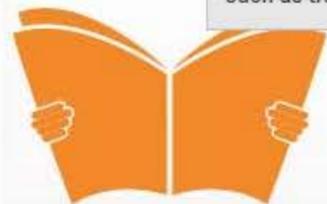
Leader Insight

Consider the following guidelines when you're dealing with an employee who gossips or spreads rumors:

Corrective Action

Close X

Corrective action is any action taken by the employer to correct unwanted workplace conduct. It can include disciplinary actions such as written warnings, suspensions, or termination of employment. It can also include non-disciplinary actions such as training, policy modification, and coaching.



- Explain the consequences if the behavior continues.
- Hold the employee accountable with **corrective action**.

Menu

1:32



Silent

Continue



Easy Street



50 State Survey

Policy

Questions

Report



AVATAR:
Sometimes a person who jokingly harasses an employee thinks it's just a harmless game. But trust me, for those employees being mistreated, it's not enjoyable. The next simulation should leave no doubt that this type of harassment is not all fun and games.

Menu

1:32



Silent

Continue



Easy Street

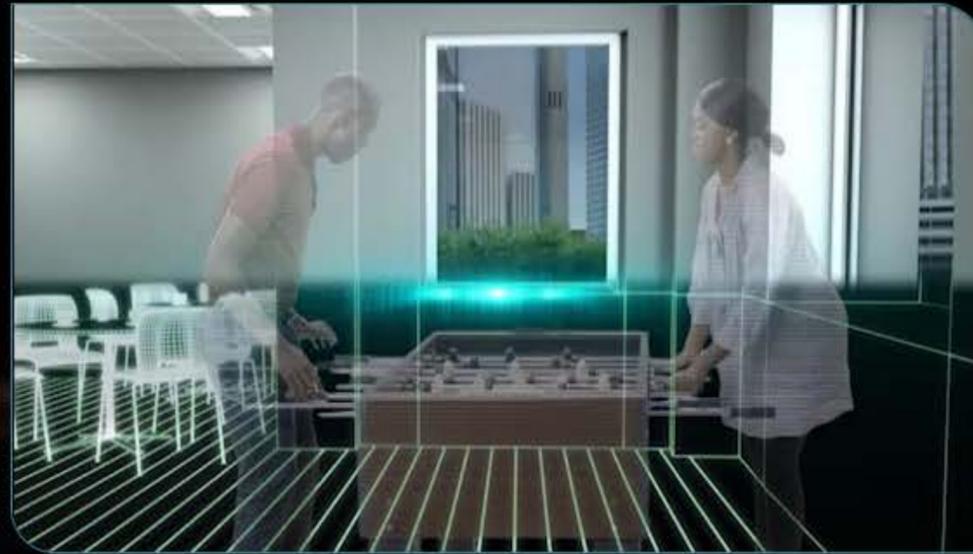


50 State Survey

Policy

Questions

Report

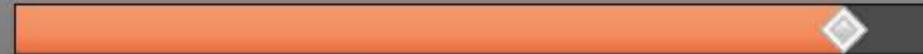


AVATAR:
Sometimes a person who jokingly harasses an employee thinks it's just a harmless game. But trust me, for those employees being mistreated, it's not enjoyable. The next simulation should leave no doubt that this type of harassment is not all fun and games.

Female Computer Voice:
Begin Easy Street simulation.

Menu

 1:33



 Silent 

Continue

ORACLE

Easy Street



50 State Survey

Policy

Questions

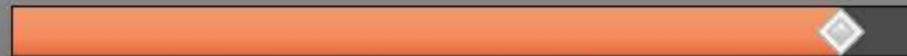
Report



Ryan:
Your head's not in the game today, Darlene. What's up?

Menu

1:33



Silent



Continue



Easy Street



50 State Survey

Policy

Questions

Report



Ryan:
Your head's not in the game today, Darlene. What's up?

Darlene:
Just tired.

Menu

1:33



Silent



Continue

ORACLE

Easy Street



50 State Survey

Policy

Questions

Report



Ryan:
What? Is the take-it-easy-on-the-pregnant-woman policy taking a heavy toll on you and the baby?

Menu

1:33



Silent

Continue



Easy Street



50 State Survey

Policy

Questions

Report



Ryan:
What? Is the take-it-easy-on-the-pregnant-woman policy taking a heavy toll on you and the baby?

Darlene:
It's called light duty accommodations, buddy.

Menu

1:33



Silent

Continue

ORACLE

Easy Street



50 State Survey

Policy

Questions

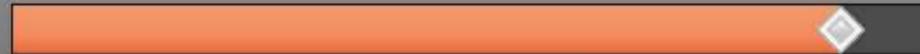
Report



Ryan:
More like a vacation at your desk accommodations!

Menu

1:33



Silent



Continue

© 2018 NAVEX GLOBAL MCF 6.9.0



Easy Street



50 State Survey

Policy

Questions

Report



Ryan:
More like a vacation at your desk accommodations!

Darlene:
And you have a problem with that?

Menu

1:33



Silent



Continue



Easy Street



50 State Survey

Policy

Questions

Report



Ryan:

To be honest, yeah. It's not like I get special accommodations when I get tired. And you wonder why women don't get paid as much as men for doing the same job? Because you don't.

Menu

1:33



Silent



Continue



Easy Street



50 State Survey

Policy

Questions

Report



Ryan:

To be honest, yeah. It's not like I get special accommodations when I get tired. And you wonder why women don't get paid as much as men for doing the same job? Because you don't.

Darlene:

I may be pregnant, but I still work harder than you. Some might say that I'm working for two!

Menu

 1:33



 Silent



Continue



Easy Street



50 State Survey

Policy

Questions

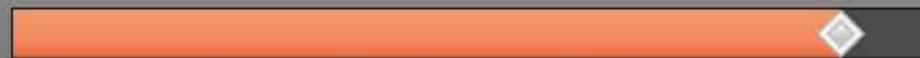
Report



Ryan:
Yeah, pregnant people who want "light desk duty accommodations."

Menu

 1:34



 Silent 

Continue

ORACLE

Easy Street



50 State Survey

Policy

Questions

Report



Ryan:
Yeah, pregnant people who want "light desk duty accommodations."

Darlene:
You have some real issues.

Menu

1:34



Silent



Continue

ORACLE

Easy Street



50 State Survey

Policy

Questions

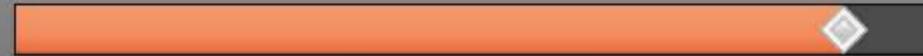
Report



Ryan:
Who doesn't? New game?

Menu

1:34



Silent



Continue

© 2018 NAVEX GLOBAL MCF 6.9.0



Easy Street



50 State Survey

Policy

Questions

Report



Ryan:
Who doesn't? New game?

Female Computer Voice:
End simulation.

Menu

1:34



Silent



Continue

Challenge Question



It should be obvious that some of Ryan's statements crossed the line. Which comments below could violate policy? More than one answer may be correct.

- A. Mentioning that his coworker is pregnant.
- B. Saying that it's not okay that a pregnant woman is given an accommodation.
- C. Teasing his coworker about being pregnant and not carrying her weight at work.



Challenge Question

 **Correct!**

That's right. The correct answers are B and C.

In this simulation, most of what Ryan said and the tone he used was condescending and derogatory, and violated policy.

Statements about special treatment at work or teasing about work performance were intended as insults. Making such remarks can be a form of pregnancy harassment.

Darlene did the right thing in the moment when she objected to Ryan's behavior. But since she did not likely have an impact on Ryan, she should talk with her manager about his attitude.



Challenge Question



Should Darlene tell her manager about the situation, or is she expected to deal with this one on her own?

- A. Darlene needs to deal with it on her own because she is dealing with a coworker
- B. Darlene must deal with it herself, unless she has told her coworker in writing that he is bothering her
- C. Her manager can only get involved if Darlene is concerned about her own safety
- D. Darlene is not required to deal with the offensive comments on her own

Challenge Question

 **Correct!**

That's right. The correct answer is D.

In this scenario, the coworker said some very upsetting things to Darlene. And while she can object directly to him, she is not required to say anything. She could have taken her concerns directly to her manager.

Speaking up and objecting directly to an offensive employee can be effective, but it's not for everyone. Some employees are simply not comfortable doing it or want the help of management.



Menu

 1:34



 Silent 

Continue



Easy Street



50 State Survey

Policy

Questions

Report



AVATAR:

Employees who care for sick family members, such as kids and parents, can also experience harassment at work. Important laws provide employees with the right to take time off to care for sick family members. These laws also protect employees from unfair discrimination and harassment.

Menu

 1:35



 Silent



Continue



Easy Street



50 State Survey

Policy

Questions

Report



AVATAR:

Employees who care for sick family members, such as kids and parents, can also experience harassment at work. Important laws provide employees with the right to take time off to care for sick family members. These laws also protect employees from unfair discrimination and harassment.

The following tips will help you spot and prevent family responsibility harassment.

Menu

1:35



Silent

Continue

Quick Tips

You can often prevent problems by following some important guidelines. Click the arrow on the right to review these recommendations.

01



Don't treat men and women caregivers differently (apply all policies fairly and consistently)

Show All

Menu

1:35



Silent

Quick Tips

You can often prevent problems by following some important guidelines. Click the arrow on the right to review these recommendations.

02



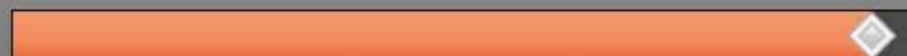
Reject stereotypes about which gender should assume caregiving responsibilities



Show All

Menu

1:35



Silent



Quick Tips

You can often prevent problems by following some important guidelines. Click the arrow on the right to review these recommendations.

03



Don't deny leave requests based on assumptions about who should provide care



Show All

Menu

1:35



Silent

Quick Tips

You can often prevent problems by following some important guidelines. Click the arrow on the right to review these recommendations.

04



Don't discriminate against women because they are pregnant or could become pregnant



Show All

Menu

1:35



Silent



Quick Tips

You can often prevent problems by following some important guidelines. Click the arrow on the right to review these recommendations.

05



Don't hold men and women to different performance standards



Show All

Menu

1:35



Silent



Quick Tips

You can often prevent problems by following some important guidelines. Click the arrow on the right to review these recommendations.

06



Don't refuse employment to someone simply based on their caregiver status



Show All

Menu

1:35



Silent

Quick Tips

You can often prevent problems by following some important guidelines. Click the arrow on the right to review these recommendations.

07



Don't retaliate against an employee for raising concerns or filing a claim



Show All

Menu

1:35



Silent

Quick Tips

You can often prevent problems by following some important guidelines. Click the arrow on the right to review these recommendations.

08



Ensure that all employees show respect for coworkers who are pregnant or taking leave to care for an ill family member



Show All

Menu

1:35



Silent



Continue



Easy Street ✕

50 State Survey

Policy

Questions

Report

Quick Tips

01 Don't treat men and women caregivers differently (apply all policies fairly and consistently)

02 Reject stereotypes about which gender should assume caregiving responsibilities

03 Don't deny leave requests based on assumptions about who should provide care

04 Don't discriminate against women because they are pregnant or could become pregnant

05 Don't hold men and women to different performance standards

06 Don't refuse employment to someone simply based on their caregiver status

07 Don't retaliate against an employee for raising concerns or filing a claim

08 Ensure that all employees show respect for coworkers who are pregnant or taking leave to care for an ill family member

Menu

 1:36



 Silent



Continue

Challenge Question



What if the facts were adjusted, and Darlene was the one ridiculing Ryan because he had to take his son to the doctor and Darlene thought that was work his wife should be doing? Which of the following statements is true?

- A. Being a family caregiver is not a protected category, so while it was wrong to ridicule him, it's not prohibited harassment
- B. Since Ryan was being teased because he is doing work that a coworker thought should be done by a woman, the interaction would violate policy
- C. If a woman makes comments that stereotype other women, that cannot be harassment

Challenge Question

✔ Correct!

That's correct.

Being a caregiver is not yet technically a [protected category](#) in most jurisdictions, but teasing or harassing someone because he is a caregiver could still be a form of [prohibited harassment](#) and could violate other policies that provide leave for employees.

The employee in the revised situation is being teased because of his gender and because he is fulfilling duties that have traditionally been done by women. This kind of teasing can be a form of prohibited gender harassment.





Challenge Question

✔ Correct!

That's correct

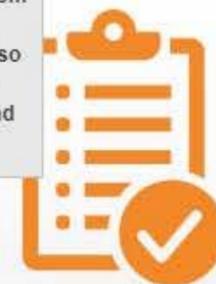
Being a caregiver
someone because
policies that prov

The employee in
duties that have
harassment.

Protected Category

A *protected category* is a group of people who share a common characteristic and are protected by law and/or policy from discrimination or harassment in employment. Protected categories under federal law include race, religion, pregnancy, sex, gender, color, national origin, age (40 and over), veteran status, and disability (mental and physical). Federal law also prohibits discrimination in employment based on genetic information. Under state law, additional protected categories may exist (depending on that state), such as sexual orientation, gender identity or gender expression, marital status, and others.

Close X



Menu

🕒 1:59



🔇 Silent



Continue



Challenge Question

Correct!

That's correct!

Being a caregiver
someone because
policies that prov

The employee in
duties that have traditionally been done by women. This kind of teasing can be a form of prohibited gender harassment.

Prohibited Harassment

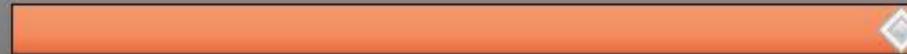
Prohibited harassment is a very broad term that includes all forms (such as written, spoken, verbal, and nonverbal) of offensive conduct related to a protected category. Since employer policies are often broader than the law, prohibited harassment could include conduct that is not unlawful but is still against policy. For example, a limited number of sexist remarks is not likely to violate the law, but those remarks will generally be considered prohibited harassment under an employer's policy.

Close X



Menu

1:59



Silent



Continue



Leader Insight

Family responsibilities discrimination (or FRD) is not a new form of discrimination. Rather, it's a new term that describes a type of discrimination that can come up under some long-established laws, such as [Title VII](#) of the Civil Rights Act, the [Pregnancy Discrimination Act](#), the [Americans with Disabilities Act \(ADA\)](#), and even as retaliation under [the Family Medical Leave Act \(FMLA\)](#).

Collectively, these laws protect workers from unfair treatment and harassment and guarantee that eligible employees are able to take certain job-protected leave to care for loved ones.

The term FRD is broad enough to apply to people who care for children and spouses and those who care for parents. It can apply to both men and women, as well as employees of all ages.

Leader Insight

Family responsibilities discrimination (or FRD) is not a new form of discrimination. Rather, it's a new term that describes a type of discrimination that can come up under some less-established laws, such as the Americans with Disabilities Act (ADA) and the Family and Medical Leave Act (FMLA).

Family Responsibilities Discrimination (FRD)

Close X

Family responsibilities discrimination (FRD) is discrimination against employees because of their family care-giving obligations. FRD is not itself a protected category. Rather, FRD cases are brought under a variety of existing laws, such as Title VII, the Family & Medical Leave Act (FMLA), and the Pregnancy Discrimination Act. Claims arise under a wide range of circumstances but generally involve an employment decision based on an employee's real or perceived family responsibilities, or stereotypes about motherhood or masculinity. The term FRD is broad enough to include people who care for children and those who care for parents. It includes both men and women, and employees of all ages, education levels, and protected categories.



Menu

1:36



Silent

Continue

Leader Insight

Family responsibilities discrimination (or FRD) is not a new form of discrimination. Rather, it's a new term that describes a type of discrimination that can come up under some less-established laws, such as the **Americans with Disabilities Act (ADA)** and the **Family and Medical Leave Act (FMLA)**.

Title VII

Title VII is part of the federal Civil Rights Act of 1964 that prohibits discrimination in employment based on a variety of protected categories, including race, color, sex, national origin, and religion.

Close X



Similarly, these laws protect workers from unfair treatment and harassment and guarantee that eligible employees are able to take certain job-protected leave to care for loved ones.

The term FRD is broad enough to apply to people who care for children and spouses and those who care for parents. It can apply to both men and women, as well as employees of all ages.

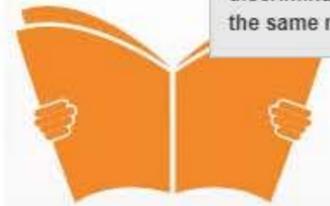
Leader Insight

Family responsibilities discrimination (or FRD) is not a new form of discrimination. Rather, it's a new term that describes a type of discrimination that can come up under some less-established laws, such as the **Family and Medical Leave Act (FMLA)**.

Pregnancy Discrimination Act

The Pregnancy Discrimination Act is an amendment to Title VII. It prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions. Discrimination on any of these bases constitutes unlawful sex discrimination under Title VII. The law also requires that women affected by pregnancy or related conditions be treated in the same manner as other applicants or employees with similar abilities or limitations.

Close X



The term FRD is broad enough to apply to people who care for children and spouses and those who care for parents. It can apply to both men and women, as well as employees of all ages.

Leader Insight

Family responsibilities discrimination (or FRD) is not a new form of discrimination. Rather, it's a new term that describes a type of discrimination that can come up under some less-established laws, such as the Americans with Disabilities Act (ADA) and the Family and Medical Leave Act (FMLA). Many states have laws that protect disabled workers from discrimination. These laws may provide equal or greater protections to disabled employees and applicants. Care for parents: it can apply to both men and women, as well as employees of all ages.



Americans With Disabilities Act (ADA)
 The Americans With Disabilities Act (ADA) is a federal civil-rights law that in part prohibits discrimination against people with disabilities in employment. The law also requires employers to provide reasonable workplace accommodations to qualified individuals with a disability. Under the law, both employees and applicants for employment are covered.

Many states have laws that protect disabled workers from discrimination. These laws may provide equal or greater protections to disabled employees and applicants.

Close X

Leader Insight

Family responsibilities discrimination (or FRD) is not a new form of discrimination. Rather, it's a new term that describes a type of discrimination that can come up under some less-established laws, such as the **Family Medical Leave Act (FMLA)**.

Family Medical Leave Act (FMLA)

Close X

The Family Medical Leave Act (FMLA) is a federal law that provides "eligible" employees of a "covered employer" the right to take up to 12 workweeks of unpaid, job-protected leave during any 12 months for one or more of the following reasons:

- the birth of a newborn child of the employee
- the placement with the employee of a son or daughter for adoption or foster care
- the care of an immediate family member with a serious health condition
- medical leave when the employee is unable to work because of a serious health condition

Recent additions to the FMLA also provide for leave for the nearest blood relative to care for a covered service member who was seriously injured in the line of duty. The law also provides for leave for a spouse, child, or parent of a covered military member who is on active duty for a qualifying exigency (as defined by the Department of Labor).





Leader Insight

You can often prevent issues from arising by following some important guidelines.

- Don't treat men and women with caregiving responsibilities any differently (apply all policies fairly and consistently to all employees).
- Abandon **stereotypes** about which gender should assume caregiving responsibilities, and respect personal choices.
- Don't deny leave requests based on assumptions about who should provide care.
- Don't discriminate against women because they are pregnant or could become pregnant.
- Don't hold women and men in similar jobs to different performance standards.
- Don't refuse to hire someone because he or she must provide care for someone with a disability.
- Don't retaliate against an employee for raising concerns or filing a claim.

Leader Insight

You can often prevent issues from arising by following some important guidelines.

Stereotype

Close X

Stereotypes are assumptions that people with similar attributes all hold the same beliefs and act and think in the same way. Often, stereotypes are negative or prejudicial.



- Don't deny leave requests based on assumptions about who should provide care.
- Don't discriminate against women because they are pregnant or could become pregnant.
- Don't hold women and men in similar jobs to different performance standards.
- Don't refuse to hire someone because he or she must provide care for someone with a disability.
- Don't retaliate against an employee for raising concerns or filing a claim.

all policies fairly
lities, and

ORACLE

Conclusion



50 State Survey

Policy

Questions

Report



AVATAR:
Congratulations. You've reached the conclusion of the workplace harassment simulation.

Menu

1:39



Silent

Continue



Conclusion



50 State Survey

Policy

Questions

Report



AVATAR:
Congratulations. You've reached the conclusion of the workplace harassment simulation.

I have no doubt that you've picked up some valuable insights and knowledge while completing this course. But before you sign off, I have a few parting thoughts about harassment:

Menu

1:39



Silent

Continue



Conclusion



50 State Survey

Policy

Questions

Report



AVATAR:

- It impacts employee morale and productivity
- It increases employee turnover rates
- It damages organizational reputation
- It can lead to costly litigation and settlements

Menu

 1:39



 Silent



Continue



Conclusion



50 State Survey

Policy

Questions

Report



AVATAR:
The good news is that you now have the skills and knowledge needed to create a workplace that is free of harassment and retaliation. And that's also good for your organization and its employees. Now, get out there and make it so.

Menu

1:39



Silent



Continue



Conclusion



50 State Survey

Policy

Questions

Report



Female Computer Voice:

End Workplace Harassment 2.0. This simulation is now terminated. Goodbye.

Menu

 1:39



 Silent



Continue



Conclusion



50 State Survey

Policy

Questions

Report

Which of the following best describes my organization's prohibited harassment policy?

- 1 The policy only prohibits conduct that is illegal under federal or state law.
- 2 The policy prohibits discrimination and harassment on the basis of any protected category and is broader than the law.
- 3 The policy prohibits all offensive conduct that would be disruptive and upsetting, even if it is not based on membership in a protected category.

Menu

 1:40



 Silent





Conclusion



50 State Survey

Policy

Questions

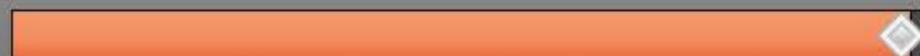
Report

If I witness offensive conduct, which of the following actions is appropriate for me to take?

- 1 Object directly to the person who made the offensive comment, as long as I feel comfortable doing so.
- 2 Tell other employees about the conduct and get their opinion before taking any action.
- 3 Report the matter to HR and/or senior management immediately.
- 4 Answers 1 & 3.
- 5 Answers 1, 2, & 3.

Menu

 1:40



 Silent





Conclusion



50 State Survey

Policy

Questions

Report

Which of the following statements best describes how your organization's policy applies to nonemployees?

- ① A nonemployee cannot file a complaint if he or she is exposed to offensive conduct while interacting with one of your organization's employees.
- ② The policy does not apply to people who are not employed by your organization.
- ③ The policy applies to all nonemployees who interact with employees or are present on the worksite. This includes customers, clients, vendors, and applicants.

Menu

 1:40



 Silent





Conclusion



50 State Survey

Policy

Questions

Report

It is clear that the harassment policy applies while you are at work or engaging in work. Which of the following statements about after work or social events is true?

- ① The policy applies whenever employees are attending or participating in work-sponsored events, even if the event is after work. This can include retirement parties, holiday parties, and employee picnics.
- ② The policy only applies to formal work-sponsored events; if the event is social or informal such as a happy hour, the policy will never apply.
- ③ The policy only applies while you are at work and performing tasks that are part of your job.

Menu

 1:40



 Silent





Conclusion



50 State Survey

Policy

Questions

Report

Which test should I use when I am trying to determine whether conduct is inappropriate in the workplace?

- ① As long as sensitive people cannot overhear the comments or see offensive material, then it is okay to share it with coworkers.
- ② If other employees laugh or enjoy the conduct, then it is okay because they are not offended and the conduct is welcome.
- ③ If a reasonable person could find the conduct offensive, and it is related to a protected category, the conduct can violate the prohibited harassment policy.

Menu

 1:41



 Silent





Conclusion



50 State Survey

Policy

Questions

Report

Which of the following statements about retaliation is true?

- ① Retaliation against someone for making a report of harassment or for participating in an investigation is strictly prohibited.
- ② Retaliation is only prohibited if an employee files a charge with a state or federal agency.
- ③ Only a supervisor can engage in retaliation; coworkers cannot retaliate because they cannot hire or fire an employee.

Menu

 1:41



 Silent





Conclusion



50 State Survey

Policy

Questions

Report

We know that investigations play an important role in enforcing the prohibited harassment policy. Which of the following statements is true?

- 1 My organization does not expect me to participate fully in an investigation if I am asked to do so.
- 2 If I don't want to participate in an investigation, I can opt out by telling HR or my manager.
- 3 If I participate in an investigation, I am protected from retaliation.

Menu

 1:41



 Silent





Conclusion



50 State Survey

Policy

Questions

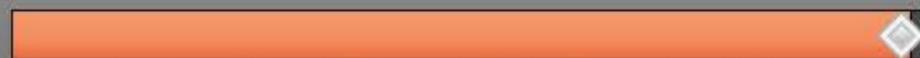
Report

Which of the following can constitute prohibited sexual harassment under your organization's policy?

- 1 A manager threatening to fire an employee if she will not have sex with him.
- 2 Graffiti, notes, or email messages of a sexual nature.
- 3 Making demeaning, stereotypical statements about women in the workplace.
- 4 Leering or making inappropriate sexual gestures at a male coworker.
- 5 All of the above.

Menu

 1:42



 Silent





Conclusion



50 State Survey

Policy

Questions

Report

After you report harassment, what can you expect?

- 1 The organization will investigate, but it will not be able to protect you from coworker retaliation.
- 2 If the organization determines that the policy has been violated, the harasser will be fired.
- 3 The organization will conduct an investigation, determine whether the prohibited harassment policy has been violated, and take appropriate corrective action.

Menu

 1:42



 Silent





Conclusion



50 State Survey

Policy

Questions

Report

Which of the following statements about employee use of personal technology (such as a smart phone or tablet) while at work is true?

- 1 Employees have an absolute privacy right to use their personal technology in any way they want at work as long as they don't use their employer's network.
- 2 It is a violation of federal law for an employer to prevent an employee from using his smart phone while at work.
- 3 Employees must comply with the harassment policy even when using their own personal technological devices at work.

Menu

 1:42



 Silent





Conclusion



50 State Survey

Policy

Questions

Report

Managers have a special duty when it comes to preventing workplace harassment. Which of the following statements accurately summarizes some of your obligations?

- 1 I must understand and consistently apply the prohibited harassment policy.
- 2 I am not expected to try to prevent harassment. I am only expected to respond to it once I learn of it or witness it myself.
- 3 I must take all complaints seriously and make sure that I immediately report complaints to HR or senior management.
- 4 Answers 1 & 3.
- 5 All of the above.

Menu

 1:42



 Silent



As a manager, it is important to respond immediately to complaints of harassment. Which of the following complaints should you report to HR or senior management immediately?

- 1 Those brought by employees that I do not supervise.
- 2 Those brought by the chronic complainer who has made several false complaints before.
- 3 Those that relate to any form of illegal conduct, even if it is not technically harassment.
- 4 Answers 1 & 3.
- 5 Answers 1, 2, & 3.

When it comes to sexual harassment, managers can create significant liability for the organization. Which of the following can constitute prohibited sexual harassment under the policy?

- ① Dating a subordinate and/or giving him or her any special treatment because of the relationship.
- ② Joking around with coworkers about primetime television programs that contain offensive sexual stereotypes.
- ③ Engaging in private sexual discussions at work, even when the conversation is truly consensual.
- ④ Answers 1 & 2.
- ⑤ Answers 1, 2, & 3.



Conclusion



50 State Survey

Policy

Questions

Report

If an employee complains to me about harassment, I should take the following steps:

- 1 Start an investigation immediately and then contact HR or senior management when I have more information.
- 2 Let the employee know about the prohibited harassment and retaliation policies, and the basics of what to expect during an investigation. Then contact HR or senior management immediately.
- 3 Preserve evidence such as notes, pictures, email messages, or other documents. These will be very important during the investigation.
- 4 Answers 2 & 3.
- 5 Answers 1, 2, & 3.

Menu

 1:43



 Silent





Conclusion



50 State Survey

Policy

Questions

Report

As a manager I should take an active role not only in responding to inappropriate workplace conduct but also in preventing it because:

- 1 It's the law, and my organization is committed to creating a workplace free of harassment based on membership in a protected category.
- 2 If I do not take action, harassment can negatively impact the workplace and damage employee morale and productivity.
- 3 Fostering positive workplace values will give my organization a competitive advantage.
- 4 All of the above.
- 5 Answers 1 & 2.

Menu

 1:43



 Silent





Conclusion



50 State Survey

Policy

Questions

Report

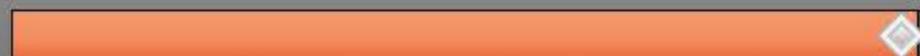


Before you can complete this program and get credit for taking it, you must review some additional information.

- Remedies
- Policy
- Your Questions
- Report

Menu

 1:43



 Silent



Understanding Remedies

How is prohibited harassment in the workplace remedied?

The best way to remedy prohibited harassment is to focus on prevention. Teaching you how to spot and report misconduct and showing you how you play a role in preventing harassment are primary objectives of this course and your employer's policy against prohibited harassment. Unfortunately, even in the best workplaces, employees can engage in conduct that violates the harassment policy. If and when an employee is exposed to offensive conduct, the most effective and efficient way to address this conduct is to report it immediately using the employer's internal complaint procedures.

In most cases, the most immediate remedy is to use your employer's internal complaint procedures, cooperate with the investigation, and support any corrective action that is taken.

The internal complaint procedures are carefully designed to ensure that complaints are investigated fairly and appropriately and that violations of the employer's prohibited harassment policy are dealt with properly. When an employer takes appropriate corrective action, it also helps prevent similar conduct from occurring again. If an employee chooses not to use an employer's internal complaint procedures, he or she may lose valuable legal rights or remedies.

Understanding Remedies

Are other remedies available?

Yes. Prohibited harassment, discrimination, and retaliation can also violate the law. While it is still preferred that complaints are handled internally, every employee has a right to make a report of suspected unlawful harassment, discrimination, or retaliation to federal and/or state agencies, as well as the courts.

For contact information of federal and state agencies, [click here](#).

There are several remedies available if someone has been subjected to unlawful harassment, but these remedies may be severely limited if the employer's internal complaint procedures have been improperly ignored by the employee and can vary depending on the employee's state

The best way to remedy prohibited harassment is to focus on prevention. Teaching you how to spot and report misconduct and showing you how you play a role in preventing harassment are primary objectives of this course and your employer's policy against prohibited harassment. Unfortunately, even in the best workplaces, employees can engage in conduct that violates the harassment policy. If and when an employee is exposed to offensive conduct, the most effective and efficient way to address this conduct is to report it immediately using the employer's internal complaint procedures.

In most cases, the most immediate remedy is to use your employer's internal complaint procedures, cooperate with the investigation, and support any corrective action that is taken.

The internal complaint procedures are carefully designed to ensure that complaints are investigated fairly and appropriately and that violations of the employer's prohibited harassment policy are dealt with properly. When an employer takes appropriate corrective action, it also helps prevent similar conduct from occurring again. If an employee chooses not to use an employer's internal complaint procedures, he or she may lose valuable legal rights or remedies.

Understanding Remedies

Are other remedies available?

Yes. Prohibited harassment, discrimination, and retaliation can also violate the law. While it is still preferred that complaints are handled internally, every employee has a right to make a report of suspected unlawful harassment, discrimination, or retaliation to federal and/or state agencies, as well as the courts.

For contact information of federal and state agencies, [click here](#).

There are several remedies available if someone has been subjected to unlawful harassment, but these remedies may be severely limited if the employer's internal complaint procedures have been improperly ignored by the employee and can vary depending on the employee's state location. For example, an employee who does not use the employer's internal complaint system may be barred from bringing a claim entirely or may have his or her damage award significantly reduced.

Remedies can include back pay, front pay, damages for emotional distress and other types of injuries flowing from the unlawful harassment, and attorney fees. In some cases, remedies can also include injunctive relief, a cease and desist order, reinstatement, hiring, promotion, policy changes, and training.

In some states, like Connecticut, both civil and criminal penalties are also possible, and in certain situations, an individual may be held personally liable for engaging in unlawful harassment. In California, individual employees—even those in nonmanagement and nonsupervisory positions, may be held individually liable for engaging in unlawful harassment.

50-State Survey Federal & State Fair Employment Practices Laws

[Federal](#) | [Alabama](#) | [Alaska](#) | [Arizona](#) | [Arkansas](#) | [California](#) | [Colorado](#) | [Connecticut](#) | [Delaware](#) | [District of Columbia](#) | [Florida](#) | [Georgia](#) | [Hawaii](#) | [Idaho](#) | [Illinois](#) | [Indiana](#) | [Iowa](#) | [Kansas](#) | [Kentucky](#) | [Louisiana](#) | [Maine](#) | [Maryland](#) | [Massachusetts](#) | [Michigan](#) | [Minnesota](#) | [Mississippi](#) | [Missouri](#) | [Montana](#) | [Nebraska](#) | [Nevada](#) | [New Hampshire](#) | [New Jersey](#) | [New Mexico](#) | [New York](#) | [North Carolina](#) | [North Dakota](#) | [Ohio](#) | [Oklahoma](#) | [Oregon](#) | [Pennsylvania](#) | [Rhode Island](#) | [South Carolina](#) | [South Dakota](#) | [Tennessee](#) | [Texas](#) | [Utah](#) | [Vermont](#) | [Virginia](#) | [Washington](#) | [West Virginia](#) | [Wisconsin](#) | [Wyoming](#)

The information provided in this survey about state and federal Fair Employment Practices (FEP) laws is for informational purposes only. It is not for the purpose of providing legal advice, and it should not be relied on as legal advice. Labor and employment law is a dynamic area.

This publication is not all-inclusive. Local ordinances, state and federal regulations and Executive Orders may also provide additional protection to employees, especially public employees or government contractors. Some states also have separate statutes that protect employee conduct, including political activity, use of lawful products such as tobacco, reporting illegal practices of any kind, or retaliation for exercising various rights under the labor and employment laws. To the extent that those activities are listed in the states' fair employment statute, we have identified them. If those categories are elsewhere in the statutes, we have not included them in this survey. This survey also does not address the Family and Medical Leave Act, the Uniformed Services Employment and Reemployment Rights Act, or the Equal Pay Act or similar state statutes.

Exceptions, the interplay of federal and state laws, and other laws may impact your obligations. Always speak with HR or senior management to verify the current status of the law, to determine whether the law applies to your employees, and to determine how to deal with a particular issue or problem. Generally, employers have an obligation to comply with both federal and state wage and hour laws. In instances where the federal law provides greater protections or rights, federal law applies. If state law provides greater rights (and is not inconsistent with federal law), employees are entitled to the benefits of state law. When you consider your obligations, it is best to evaluate both federal and state law obligations together.

FEDERAL

Covered Employers

Employers with more than 15 employees are covered by Title VII, the Americans With Disabilities Act (ADA), and the Genetic Information Nondisclosure Act (GINA), and employers with more than 20 employees are covered by the Age Discrimination in Employment Act (ADEA). The following are not included in Title VII coverage: religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities. 42 U.S.C. §§ 2000e, 200e-1. Bona fide private membership clubs (other than a labor organization) that are 501(c) tax-exempt organizations under federal law are exempt from coverage under the ADA. 42 U.S.C. § 12103.

Categories Protected by FEP Statutes

The following does not cover case law that may expand on or define categories listed under federal statutes.

Race, color, national origin (includes ancestry), religion, sex (including pregnancy and childbirth, or related medical conditions) and genetic information. (The collection, use and disclosure of genetic information, with some limited exceptions, are prohibited.) *See* 42 U.S.C. §§ 2000e *et seq.* (Title VII), 2000ff *et seq.* (GINA), 12101 *et seq.* (disability); 29 U.S.C. §§ 621 *et seq.* (ADEA); *see also* 29 C.F.R. § 1606.1 (National origin).

Age (40+) under the ADEA. *See* 29 U.S.C. § 621, *et seq.*

Physical and mental disabilities (includes being “regarded as disabled”) under the ADA. *See* 42 U.S.C. § 12101, *et seq.*

Training & Education

While not expressly mandated by federal statute or regulation, training on Equal Employment Opportunity (EEO) topics has become *de facto* mandatory for all covered employers. Multiple decisions of the United States Supreme Court (*Faragher/Ellerth/Kolstad*), in 1998 and 1999, and subsequent lower court decisions, have made clear that employers who do not conduct effective training (1) will be unable to assert the affirmative defense; and (2) will subject themselves to the risk of punitive damages.

The EEOC Guidance on employer liability, issued in 1999, reinforces the important role that training plays in establishing a legal defense to claims of supervisory harassment and discrimination. The EEOC also encourages employers to provide training on harassment, as training is one tool employers can use to eliminate sexual harassment in the workplace.

Numerous lower court decisions have stressed the importance of providing all employees, not just managerial and supervisory employees, with training on harassment. Such training evidences an employer’s good faith efforts to prevent harassment.

Passed in 2002, the No FEAR (Notification and Federal Employee Anti-Discrimination and Retaliation) Act mandates training of federal agency employees. See Pub. L. No. 107–174. A proposed rule, issued in 2005 by the Office of Personnel Management, mandates that all federal agencies are required to train all employees on discrimination, retaliation, and whistleblowing, by September 30, 2005. New employees must be trained within 60 days of hire and must have refresher training every 2 years thereafter. See 70 Fed. Reg. 9544, 2/28/05.

More recently, the U.S. Equal Employment Opportunity Commission ruled, in *Macy v. Bureau of Alcohol, Tobacco, Firearms and Explosives*, EEOC Appeal No. 0120120821 (Apr. 20, 2012), that a complaint of discrimination based on "gender identity, change of sex, and/or transgender status" *is* cognizable under Title VII of the Civil Rights Act of 1964 (Title VII). This ruling is divergent from the Commission's prior holdings that such claims were not cognizable under Title VII. Although the case arose under the EEOC's jurisdiction to issue deliberations on federal charges it may prove to have implications for both public and private employers in the future.

Days to File a Claim with a State Agency

Must be filed within 180 days unless charge is covered by state or local antidiscrimination law, then the time is extended to 300 days. 29 C.F.R. § 1601.13.

For ADEA charges, only state laws extend the filing limit to 300 days.

Examples of Some Available Remedies

Title VII:

- Back pay
- Front pay
- Compensatory damages—capped*
- Punitive damages—capped*
- Injunctive relief
- Promotion
- Reinstatement
- Hiring
- Attorneys' fees and costs
- Prejudgment Interest

ADEA:

- Back pay
- Equal amount in liquidated damages
- Front pay
- Injunctive relief
- Hiring

- Promotion
- Reinstatement
- Reasonable attorneys' fees and costs
- Prejudgment interest
- Note: punitive and compensatory damages available only for retaliation claims

ADA (same as Title VII):

- Back pay
- Front pay
- Compensatory damages*
- Punitive damages*
- Injunctive relief
- Promotion
- Reinstatement
- Hiring
- Attorneys' fees and costs
- Prejudgment Interest
- Reasonable accommodation

Note: for retaliation claims, only equitable relief may be available

Section 1981/1983 Claims (race/national origin):

- Back pay
- Compensatory damages*
- Punitive damages*
- Injunctive relief
- Promotion
- Reinstatement
- Hiring

* Compensatory and punitive damages are capped between \$50,000 and \$300,000 depending on the size of the employer. Compensatory damages generally include payment for pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and loss of future income due to the discrimination.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. Under federal law, sexual harassment is defined as:

Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

29 C.F.R. § 1604.11

The federal law's definition of sexual harassment comes from the Civil Rights Act of 1964, which prohibits sex discrimination in employment:

It shall be an unlawful employment practice for an employer (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin.

See 42 U.S.C. § 2000e-2(a)(1).

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a coworker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

For more information about the EEOC's position on harassment see:

- Guidance on the definition of harassment: <http://www.eeoc.gov/policy/docs/currentissues.html>
- Guidance on vicarious liability for supervisor harassment: <http://www.eeoc.gov/policy/docs/harassment.html>
- Guidance on *Harris v. Forklift Syst.*: <http://www.eeoc.gov/policy/docs/harris.html>

•

Enforcement Agency

Equal Employment Opportunity Commission (EEOC)

<http://www.eeoc.gov/>

ALABAMA

Covered Employers

Alabama does not have a general anti-discrimination statute. Alabama has an age discrimination statute covering employers, employment agencies, and labor organizations with twenty (20) or more employees. See Ala. Code § 25-1-20, *et seq.*

Enforcement Agency

Alabama does not have a state administrative agency to accept discrimination charges; plaintiffs need to file their charges of discrimination with their local EEOC:

*EEOC's Birmingham District Office
Ridge Park Place
1130 22nd St. South, Suite 2000
Birmingham, AL 35205*

Phone: 1 (800) 669-4000

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Age (40+). See Ala. Code § 25-1-20, *et seq.*

Handicap (blind, visually handicapped, or otherwise physically disabled) for state employers and employment supported in whole or part by public funds. See Ala. Code § 21-7-8.

Other Protections

Sexual harassment claims are maintained under common-law tort theories, such as assault and battery, invasion of privacy, negligent training and supervision, and outrage. Alabama does not recognize an

independent cause of action for sexual harassment. *See Machen v. Childersburg Bancorporation, Inc.*, 761 So. 2d 981, 983 (Ala. 1999).

Prohibits discrimination against individuals exercising adoptive parents' leave rights. Ala. Code § 9-9-105

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

Alabama does not have a state administrative agency to accept discrimination charges; plaintiffs may either go to court or file a charge of discrimination within 180 days with the EEOC.

Examples of Some Available Remedies

Age:

- Remedies under Title VII of the Civil Rights Act of 1964 as amended, and the Age Discrimination in Employment Act 29 U.S.C. Section 621, or
- Civil action in the circuit court of the county in which the person was or is employed for such legal or equitable relief as will effectuate the purposes of this article. *See Ala. Code § 25-1-29.*

Sexual Harassment:

- Common law tort remedies for assault and battery, invasion of privacy, negligent training and supervision, and outrage, including punitive damages. *See Machen v. Childersburg Bancorporation, Inc.*, 761 So. 2d 981, 983 (Ala. 1999).

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

There is no specific definition of harassment under state law.

[Back to Top](#)

ALASKA

Covered Employers

The Alaska anti-discrimination statute covers all public and private employers, employment agencies, labor organizations, and communications media, other than social clubs and nonprofit religious, fraternal, charitable, or education organizations with two (1) or more employees.

Enforcement Agency

Alaska State Commission for Human Rights

800 A St., Ste 204

Anchorage, AK 99501-3669

Phone: (907) 274-4692 or (800) 478-4692 (in-state only)

TTY/TTD: (907) 276-3177

TTY/TTD: (800) 478-3177 (in-state only)

<http://humanrights.alaska.gov>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, religion, color, national origin, age, physical or mental disability (includes being treated as having a physical or mental disability), sex, marital status (and changes thereto), pregnancy, and parenthood. See Alaska Stat. §§ 18.80.220, 18.80.300(10), 47.30.865.

Other Protections

National Guard or Naval Militia status. Alaska Stat. § 26.05.340.

DNA sample / analysis (DNA or genetic typing and testing). Alaska Stat. §§ 18.13.010 *et seq.*

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

180 days. 6 Alaska Admin. Code 30.230.

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensatory damages* if appropriate
- Punitive damages (from \$200,000 to \$500,000 depending on employer size)

Injunctive/Equitable Relief

- Hiring

- Reinstatement
- Promoting or upgrading
- Prehearing injunction
- Attorney' fees and costs
- May order any appropriate relief

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Alaska prohibits discrimination on the basis of sex. *See* Alaska Stat. § 18.80.220. Alaska's Supreme Court has held that the state standard for harassment is the same as the federal standard (as articulated by the U.S. Supreme Court in *Harris v. Forklift Systems, Inc.*). *See French v. Jadon, Inc.*, 911 P.2d 20, 28 (Alaska 1999); [Norcon, Inc. v. Kotowski, 971 P.2d 158, 171 \(Alaska 1999\)](#). In general, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or verbal/physical/visual conduct of a sexual nature, which constitutes sexual harassment when:

1. Plaintiff was subjected to sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature;
2. This conduct was unwelcome;
3. The conduct was sufficiently severe or pervasive to alter the conditions of the plaintiff's employment and to create an abusive working environment; and
4. Plaintiff suffered damages as a result of the sexual harassment.

Norcon, 971 P.2d at 171.

[Back to Top](#)

ARIZONA

Covered Employers

The state and its agencies, private employers with fifteen (15) or more employees, employment agencies and labor organizations. For sexual harassment actions, "employer" means a person who has one (1) or more employees in the current or preceding calendar year. Ariz. Rev. Stat. § 41-1461.

Enforcement Agency

Arizona Attorney General
Civil Rights Division
1275 W. Washington Street
Phoenix, AZ 85007
Phone: (602) 542-5263 or (877) 491-5742
TDD: (602) 542-5002 or (877) 624-8090

Tucson Office

400 West Congress, Suite S215
Tucson, AZ 85701
Phone: 520.628.6500 or 877.491.5740
TDD: 520.628.6872 or 877.881.7552 (TDD)
http://www.azag.gov/civil_rights/index.html

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, sex, age (40+), disability (including record of, or regarded as, having a disability), national origin, and genetic test results. See Ariz. Rev. Stat. Ann. §§ 23-341, 41-1461, 41-1463, 41-1464, 41-1465.

Sexual orientation prohibitions applicable to state employers are covered by Exec. Order 2003-22.

Other Protections

National Guard status. Ariz. Rev. Stat. Ann. § 26-167.

Status as a medical marijuana permit holder. Ariz. Rev. Stat. Ann. § 36-2813.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

- To proceed with a state claim, plaintiff must file with the CRD (or cross-file with the EEOC) within 180 days.

- To proceed with a federal claim, plaintiff must file with the EEOC (or cross-file with the CRD) within 300 days. *See* Ariz. Rev. Stat. Ann. § 41-1481.

Examples of Some Available Remedies

Economic Relief

- Back pay (max 2 years)
- Compensatory damages

Injunctive/Equitable Relief

- Cease-and-desist order
- Temporary injunction
- Hiring
- Reinstatement
- Promotion
- Attorneys' fees/costs
- Order such affirmative action as may be appropriate

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Harassment is a form of prohibited discrimination under state statute. The state statute does not contain a special definition of harassment. Courts have applied the standards used in Title VII cases to harassment cases brought under the [Arizona Civil Rights Act](#). *See Smith v. ITT Corp.*, 918 F. Supp. 304, 308 (D. Ariz. 1995).

[Back to Top](#)

ARKANSAS

Covered Employers

All public and private employers that employ nine (9) plus employees in the state, but not employment by religious entities. *See* Ark. Code Ann. § 16-123-102(5). The prohibition against discrimination on the basis of military status applies to employers of five (5) or more employees. Ark. Code Ann. §§ 12-62-802, 12-62-803.

Enforcement Agency

No state agency assigned to enforce the civil rights laws. Employees should file charges with their local EEOC.

EEOC's Little Rock Area Office
820 Louisiana St., Suite 200
Little Rock, AR 72201

Phone: (800) 669-4000

<http://www1.eeoc.gov/field/littlerock/index.cfm>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, religion, national origin (including ancestry), gender (including pregnancy, childbirth or related medical conditions), military service, or the presence of any sensory and mental or physical disability. See Ark. Code Ann. §§ 11-4-601, 12-62-801, 16-123-102(6); 16-123-107.

Other Protections

Genetic testing/information. Ark. Code Ann. § 11-5-403.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

One year after the alleged employment discrimination occurred, or within ninety (90) days of receipt of a "Right to Sue" letter or a notice of "Determination" from the United States Equal Employment Opportunity Commission concerning the alleged unlawful employment practice, whichever is later. Ark. Code Ann. § 16-123-107(c)(3).

Examples of Some Available Remedies

Economic Relief

- Back pay (max 2 years)
- Compensatory damages & punitive damages (\$15,000–\$300,000, depending on size)

Injunctive/Equitable Relief

- Cease-and-desist order
- Attorneys' fees & costs of litigation

May Recover If Appropriate Affirmative Relief

- Hiring
- Reinstatement
- Promotion

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The Arkansas Civil Rights Act, [Ark. Code Ann. § 16-123-107](#), prohibits discrimination on the basis of gender. However, because the Act does not include language specifically prohibiting workplace sexual harassment, Arkansas courts look to the federal courts for guidance. *See Island v. Buena Vista Resort, 352 Ark. 548, 557 (Ark. 2003)*.

[Back to Top](#)

CALIFORNIA

Covered Employers

- The anti-discrimination provisions of the California Fair Employment and Housing Act (FEHA) apply to employers with five (5) or more employees within the state. Cal. Gov't Code § 12926. Effective January 1, 2015, the term "employee" will also include unpaid interns and volunteers.
- The anti-harassment provisions of the FEHA apply to employers with one (1) or more employees within the state. The harassment provisions of the FEHA apply to all public and private employers, employment agencies, and labor organizations, but not nonprofit religious organizations.

Enforcement Agency

Main Office / Sacramento District Office

California Department of Fair Employment and Housing

2218 Kausen Dr., Suite 100

Elk Grove, CA 95758

Tel: 800.884.1684 (Within California) / 916.478.7200 (Outside California)

TTY: 800-700-2320 (TTY Within California) / (916) 226-5285

Fax: 916.478.7320

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, religious creed (including religious dress and grooming practices), color, national origin (effective January 1, 2015, includes discrimination on the basis of special drivers' licenses provided to undocumented persons), ancestry, physical disability (including HIV/AIDS), mental disability, medical condition (cancer and genetic characteristics), genetic information, marital status (including domestic partnership), sex (including gender, gender identity and expression,¹ pregnancy, childbirth, breastfeeding or related medical conditions), age (40+), sexual orientation, and gender identity, military or veteran status, status as a victim of sexual assault or domestic violence, or a perception that the person has any of these characteristics. See Cal. Gov't Code §§ 12920, 12921, 12926, 12926.1, 12940, 12940.1, 12941, 12942; Cal. Fam. Code § 297.5; Cal. Labor Code §§ 1025, 1101 *et seq.*

Sexual orientation prohibitions applicable to state employers are also covered by Executive Order B-54-79.

Other Protections

In addition, employers with 50 or more employees may not discriminate against any individual because of the individual's exercise of the right to family care and medical leave, or because of an individual's giving information or testimony as to his or her own family care and medical leave, or another person's family care and medical leave, in any inquiry or proceeding. Cal. Gov't Code §§ 12945, 12945.2.

¹ Note: Gender expression is defined as a person's gender related appearance and behavior, whether or not stereotypically associated with the person's assigned sex at birth. Cal. Gov't Code § 12940. Gender identity is not defined by the legislature.

Civil Air Patrol (CAP) membership / use of CAP leave to respond to emergency. Cal. Lab. Code §§ 1502, 1506.

Exercise of bone marrow donation leave rights. Cal. Lab Code § 1512.

Family care giver status. Cal. Gov't Code § 12940.

Hospital employees reporting suspected patient abuse. Cal. Gov't Code § 12940.

Training & Education

California law mandates that public and private employers with at least 50 employees provide all supervisory employees a minimum of two hours classroom or other effective interactive sexual harassment training every two years. New supervisors must be trained within six months of assuming their supervisory position and once every two years thereafter. The training and education required by this law must include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment. The training and education must also include practical examples aimed at instructing supervisors in the prevention of harassment and must be presented by trainers or educators with knowledge and expertise in the prevention of harassment.

For the purpose of determining coverage, "employees" includes full-time, part-time, and temporary employees as well as contractors (those providing work under a contract for each working day in 20 consecutive weeks in the current calendar year or preceding calendar year). There is no requirement that the 50 employees or contractors work at the same location or all reside in California.

The regulations for the California law establish extensive requirements for the content of the training, the qualifications of the trainer, the level of interactivity and the manner in which length of training is measured. Employers are required to track compliance by keeping records of any harassment training. Records must include at least the supervisor's name, the training date, the type of training, and the name of the trainer, educator, or instructional designer.

Note: Effective January 1, 2015, covered employers will be required to provide two hours of abusive conduct training and education to all supervisory employees, and to provide ongoing abusive conduct prevention training to each supervisory employee every two years. (AB 2053, enacted September 9, 2014.)

Cal. Gov't Code § 12950.1; 2 Cal. Code Regs. § 11023.

In addition, The Fair Employment and Housing Act (FEHA) requires all employers to take "reasonable steps to prevent discrimination and harassment from occurring." Cal. Gov. Code § 12940(k). The Department of Fair Employment and Housing's (DFEH) (charged with enforcing the statute) position is that reasonable steps include providing sexual harassment training to *all employees*.

In California, employers are strictly liable for harassment at the hands of their supervisors and managers. The *Faragher/Ellerth* defense is not available to employers under FEHA. Rather, training provides employers with an opportunity to mitigate and reduce the level of damages that they ultimately pay. Cal. Gov't Code § 12940(j).

Days to File a Claim with a State Agency

1 year or 90 days after learning of the violation, whichever is later. Cal. Gov't Code § 12960(d); 2 Cal. Code Regs. § 10002.

Examples of Some Available Remedies

- Lost wages (back and front pay)
- Hiring
- Promotion
- Reinstatement
- Out-of-pocket expenses
- Policy changes
- Training
- Reasonable accommodation
- Affirmative relief
- Actual damages, including damages for emotional distress
- Attorneys' fees and other court costs
- Punitive damages
- Administrative fines against private employers (max of \$150,000 when combined with award of emotional distress damages)

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

California's Fair Employment and Housing Commission (FEHC) defines unlawful harassment under state law to include:

- Verbal harassment (epithets, derogatory comments, or slurs based on a protected characteristic);
- Physical harassment (assault, impeding or blocking movement, or any physical interference with normal work or movement when based on a protected characteristic);
- Visual harassment (derogatory posters, cartoons, or drawings based on a protected class); or
- Sexual favors (unwanted sexual advances which condition an employment benefit upon an exchange of sexual favors). Prohibited harassment also includes making or threatening retaliatory action against an employee after receiving a negative response to sexual advances.

See [DFEH Sexual Harassment Fact Sheet](#).

California's Fair Employment and Housing Act (FEHA) prohibits sex discrimination in employment by the following statutory provision

It shall be an unlawful employment practice, unless based upon a bona fide occupational qualification, or, except where based upon applicable security regulations established by the United States or the State of California: (a) For an employer, because of the race, religious creed (including dress and grooming practices effective 1/1/13), color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex (including gender, gender identity and expression, pregnancy, childbirth, breastfeeding and related medical conditions) , age, or sexual orientation of any person, to refuse to hire or employ the person or to refuse to select the person for a training program leading to employment, or to bar or to discharge the person from employment or from a training program leading to employment, or to discriminate against the person in compensation or in terms, conditions, or privileges of employment.

Cal. Gov't Code § 12940(a):

The FEHA also contains a provision prohibiting sexual harassment in employment

It shall be an unlawful employment practice, unless based upon a bona fide occupational qualification, or, except where based upon applicable security regulations established by the United States or the State of California: . . . (j)(1) For an employer, labor organization, employment agency, apprenticeship training program or any training program leading to employment, or any other person, because of race, religious creed (including dress and grooming practices), color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex (including pregnancy, childbirth, breastfeeding and related medical conditions, gender, gender identity and expression), age, or sexual orientation, to harass an employee, an applicant, or a person providing services pursuant to a contract. Harassment of an employee, an applicant, or a person providing services pursuant to a contract by an employee, other than an agent or supervisor, shall be unlawful if the entity, or its agents or supervisors, knows or should have known of this conduct and fails to take immediate and appropriate corrective action. An employer may also be responsible for the acts of nonemployees, with respect to sexual harassment of employees, applicants, or persons providing services pursuant to a contract in the workplace, where the employer, or its agents or supervisors, know or should have known of the conduct and fail to take immediate and appropriate corrective action. In reviewing cases involving the acts of nonemployees, the extent of the employer's control and any other legal responsibility which the employer may have with respect to the conduct of those nonemployees shall be considered. An entity shall take all reasonable steps to prevent harassment from occurring. Loss of tangible job benefits shall not be necessary in order to establish harassment.

Cal. Gov't. Code § 12940(j)(1).

[Back to Top](#)

COLORADO

Covered Employers

All public and private employers, employment agencies and labor organizations, other than religious organizations not supported in whole or part by taxation or public borrowing. Colo. Rev. Stat. § 24-34-401.

Enforcement Agency

Colorado Civil Rights Division

1560 Broadway, Suite 1050

Denver, CO 80202

Phone: (303) 894-2997 or (800) 262-4845

<http://cdn.colorado.gov/cs/Satellite/DORA-DCR/CBON/DORA/1251614735957>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, creed, sex (including marital status, pregnancy, childbirth and related medical conditions), age (40-70), national origin, ancestry, physical disability (including HIV/AIDS), mental disability, religion and sexual orientation (including orientation toward heterosexuality, homosexuality, bisexuality, or transgender status) or perception thereof, and lawful activity off employer premises during nonworking hours. Colo. Rev. Stat. §§ 24-34-401, 24-34-402; 3 Colo. Code Regs. § 708-1 (80.4 & 80.8).

Marriage to or plans to marry a coworker (applies to employers with 26 or more employees; exceptions apply). See Colo. Rev. Stat. §§ 24-34-401, 24-34-402.

Employers may not discriminate against employees who are the victims of domestic abuse, stalking, sexual assault or any other crime (applies to employers with 50 or more employees). Colo. Rev. Stat. Ann. 24-34-402.7.

Other Protections

Civil Air Patrol status. Colo. Rev. Stat. § 28-1-103.

Training & Education

The Colorado Sex Discrimination Rules, as adopted by the Colorado Civil Rights Commission, “encourage” employers to take all necessary steps to prevent sexual harassment from occurring; this includes informing employees of their rights, affirmatively raising the subject with employees, and sensitizing employees regarding issues relating to sexual harassment.

3 Colo. Code Regs. § 708-1, Rule 80.11(C).

Days to File a Claim with a State Agency

6 months. Colo. Rev. Stat. § 24-34-403.

Examples of Some Available Remedies

Economic Relief

- Back pay

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Attorneys’ fees
- Upgrading with or without back pay
- Other affirmative action

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The Colorado state employment discrimination statute expressly prohibits harassment on the basis of disability, race, creed, color, sex, age, national origin, and ancestry. Colo. Rev. Stat. § 24-34-401 et seq.

The definition section provides that it shall be a discriminatory or unfair employment practice:

“For an employer to refuse to hire, to discharge, to promote or demote, **to harass** during the course of employment, or to discriminate in matters of compensation against any person otherwise qualified because of disability, race, creed, color, sex, age, national origin, or ancestry.... For purposes of this paragraph, (a) **‘harass’ means** to create a hostile work environment based upon an individual’s race, national origin, sex, disability, age, or religion. Notwithstanding the provisions of this paragraph (a), harassment is not an illegal act unless a complaint is filed with the appropriate authority at the complainant’s workplace and such authority fails to initiate a reasonable investigation of a complaint and take prompt remedial action if appropriate.”

Colo. Rev. Stat. § 24-34-402(1)(a). With respect to sexual harassment, the Regulations further provide that:

“Harassment which results in discrimination in employment, housing, public accommodations, or advertising on the basis of sex is a violation of the Act. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Harassment by persons subject to the Act or by their subordinates is a violation of the Act when, for example, (1) submission to such conduct is made either explicitly or implicitly a requirement of employment, housing, public accommodations or advertising, or (2) the individual’s response to such conduct is used as the basis for decisions which deny to such individual rights protected by the Act.”

3 Colo. Code Regs. § 708-1(A), (B) (Rule 80.11)

[Back to Top](#)

CONNECTICUT

Covered Employers

Public employers, private employers with three (3) or more employees, employment agencies, and labor organizations. See Conn. Gen. Stat. Ann. § 46a-51(10), (11) and (12). The sexual orientation anti-discrimination provisions do not apply to a religious corporation, entity, association, educational institution or society with respect to the employment of individuals performing work connected with the organization’s activities, or with respect to matters of discipline, faith, internal organization or ecclesiastical rule, custom or law which are established by the organization. Conn. Gen. Stat. § 46a-81p.

Enforcement Agency

Connecticut Commission on Human Rights and Opportunities

<http://www.ct.gov/chro/site/default.asp>

Main Office

21 Sigourney St.

Hartford, CT 06106

Tel: 860.541.3400 / 800.477.5737

860.541.3459 (TDD)

Fax: 860.246.5068

Eml: CHRO.Webmaster@ct.gov

Capitol Region Office

999 Asylum Ave., Second Floor

Hartford, CT 06105

Tel: 860.566.7710 / 860.566.7710 (TDD)

Fax: 860.566.1997

Eastern Region Office

100 Broadway

Norwich, CT 06360

Tel: 860.886.5703 / 860.886.5707 (TDD)

Fax: 860.886.2550

West Central Region Office

Rowland State Government Center

55 West Main St., Suite 210

Waterbury, CT 06702-2004

Tel: 203.805.6530/ 203.805.6579 (TDD)

Fax: 203.805.6559

Southwest Region Office

350 Fairfield Ave., 6th Floor

Bridgeport, CT 06604

Tel: 203.579.6246 / 203.579.6246(TDD)

Fax: 203.579.6950

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religious creed, age, marital status (including civil unions), national origin, sex (including pregnancy, child-bearing capacity, sterilization, fertility and related medical conditions), breastfeeding, gender identity or expression, sexual orientation (actual or perceived, and having a history of or being identified with a preference for homosexuality, bisexuality or heterosexuality), ancestry, present or past history of mental disability, intellectual disability, mental retardation, pregnancy, genetic information, learning or physical disability, and use of tobacco outside the course of employment. See Conn. Gen. Stat. Ann. §§ 31-40s; 31-40w; 46a-51; 46a-60; 46a-81c.

Other Protections

Status as a qualifying medical marijuana patient or primary caregiver. Conn. Gen. Stat. Ann. §§ 21a-408 *et seq.*

Status as a domestic violence victim and individual under protective order. Conn. Gen. Stat. Ann. § 54-85b.

Exercise of paid sick leave rights. Conn. Gen. Stat. Ann. § 31-57r.

Training & Education

The Connecticut Fair Employment Practices Act (CFEPA) requires that an employer having fifty (50) or more employees provide two hours of training and education to all supervisory employees of employees in the State of Connecticut and to all new supervisory employees of employees in the State of Connecticut within six months of their assumption of a supervisory position. Nothing in these regulations prohibits an employer from providing more than two hours of training and education.

In general the training must cover the laws, the definitions, remedies, and provide information about examples and strategies for avoiding harassment.

Conn. Gen. Stat. § 46a-54(15); Conn. Agencies Regs. § 46a-54-204(b)

Connecticut has expressly recognized that online training can satisfy the training requirement so long as learners are given an opportunity "to ask questions and obtain answers in a reasonably prompt manner."

Commission on Human Rights and Opportunities Opinion Letter (May 19, 2003).

Days to File a Claim with a State Agency

180 days.

Conn. Gen. Stat. § 46a-82(f).

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 2 years)
- Compensatory damages

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion or upgrade
- Attorneys' fees/costs

See Conn. Gen. Stat. Ann. §§ 46a-86, 46a-104.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The Connecticut Discriminatory Employment Practices Act expressly prohibits workplace sexual harassment. The statute provides that "It shall be a discriminatory practice in violation of this section: For an employer, by the employer or the employer's agent, for an employment agency, by itself or its agent, or for any labor organization, by itself or its agent, to harass any employee, person seeking employment, or member on the basis of sex.

'Sexual harassment' shall, for the purposes of this section, be defined as any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Unlawful harassment can also be based on sex or because of sex, and may also include gender harassment, and harassment based on pregnancy, childbirth, or related medical conditions. Conn. Gen. Stat. § 46a-60(a)(8); Conn. Agencies Regs. §§ 46a-54-200(a).

Note: The Connecticut Commission on Human Rights has issued a new poster that includes the addition of "gender identity" for printout and posting.

DELAWARE

Covered Employers

Public employers, private employers with four (4) or more employees, employment agencies, and labor organizations, but not certain religious organizations. Del. Code Ann. tit. 19, § 710. The sexual orientation or gender identity provisions do not apply to religious corporations, associations or societies, whether supported wholly or partially by government appropriations. However, the exception does not apply if the employment duties or opportunity pertain solely to activities of the organization that generate unrelated business taxable income subject to taxation under federal law (26 U.S.C. § 511(a)). Del. Code Ann. tit. 19, § 710.

The handicap discrimination statute only applies to employers with fifteen (15) or more employees. However, **effective January 31, 2015**, the coverage threshold will drop from fifteen to four employees. Del. Code Ann. tit. 19, § 722; Del. S.B. 185 (2014) (amending title 19, section 722).

Enforcement Agency

Delaware Department of Labor, Division of Industrial Affairs, Office of Discrimination

<http://dia.delawareworks.com/discrimination/>

Wilmington Office

4425 N. Market St.

Wilmington, DE 19802

Tel: 302.761.8200

Fax: 302.761.6601

Milford Office

24 N.W. Front St., Suite 100

Milford, DE 19963

Tel: 302.422.1134

Fax: 302.422.1137

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, creed, sex (including pregnancy, childbirth, and related medical conditions), national origin, ancestry, genetic information, age (40+), disability and handicap, sexual orientation, (including heterosexuality, homosexuality and bisexuality) marital status (includes civil unions), and genetic information. See Del. Code, Ann. tit. 19 § § 711, 721 – 728.

Membership in volunteer emergency responder organization. Del. Code Ann. tit. 19, § 719A.

Other Protections

Discrimination against medical marijuana permit holders is prohibited. Del. Code Ann., tit. 16, § 4905A.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

120 days of the alleged unlawful employment practice or its discovery.

Del. Code Ann. tit. 19, § 712(c)(1);

See also <http://www.delawareworks.com/discrimination/file.charge.shtml>

Note: A person has 90 days to file suit after receiving a Right to Sue letter from the department or from federal authorities, whichever is later.

Del. Code Ann. Tit. 19, §714(b).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensatory damages and punitive damages when appropriate, not to exceed the amount allowable under Title VII.
- Any other appropriate relief

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion
- Attorneys' fees/costs
- Civil fines of \$1,000–\$5,000 for each instance of retaliation

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Neither the state statute nor regulations contain a specific definition of or prohibition against harassment; however the agency's website includes the following:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a coworker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

Division of Industrial Affairs [Sexual Harassment Fact Sheet](#)

[Back to Top](#)

DISTRICT OF COLUMBIA

Covered Employers

All public and private employers, professional associations, employment agencies, labor organizations, and governmental contractors. The term "employee" includes unpaid interns. D.C. Code § 2-1401.02. Religious observance reasonable accommodation provisions do not apply to employers with 5 or fewer full-time employees. D.C. Code § 2-1401.11.

Enforcement Agency

Office of Human Rights

441 4th St. NW, Suite 570 North

Washington, D.C. 20001

Phone: (202) 727-4559

Fax: (202) 727-9589

TTY: 711

<http://www.ohr.dc.gov>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

For every classification, the status may be actual or perceived: Race (includes relationships with members of a different race, such as the race of a spouse or associate, where such relationship is the basis for discrimination), color, religion (includes moral or ethical beliefs as to what is right and wrong, which beliefs are sincerely held with the strength of traditional religious views), sex (including pregnancy, childbirth and related medical conditions, breastfeeding), national origin, age (18-65), disability and handicap, marital status (including domestic partnership), personal appearance, sexual orientation, gender identity or expression, family status, family responsibilities (actual or perceived), matriculation, political affiliation, and genetic information and testing, including use of family medical history in employment decisions. See D.C. Code §§ 2-1401.01, 2-1401.02, 2-1401.05, 2-1402.11; D.C. Mun. Regs. tit. 4, § 4-500 et seq.

Other Protections

Employment status. D.C. Code § 32-1361.

Exercise of family & medical leave rights. D.C. Mun. Regs. tit. 4, § 1621.1.

Exercise of paid sick leave rights. D.C. Mun. Regs. tit. 7, § 3215.2.

Training & Education

No requirements.

Days to File a Claim with a State Agency

1 year (from occurrence or discovery)

D.C. Code Ann. § 2-1403.04(a); D.C. Mun. Regs. tit. 4, § 702.1(a).

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 2 years)
- Compensatory damages
- Punitive damages if appropriate

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion or upgrade
- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

By definition, harassment is treated as a form of unlawful discrimination. D.C. Code Ann. § 2-1401.02(31). This section of the Code provides that:

Unlawful discriminatory practice means those discriminatory practices which are so specified in subchapter II of Unit A of this chapter. “Unlawful discriminatory practice” shall include **harassment** engaged in for discriminatory reasons specified in § 2-1402.11(a).

The Code further provides that unlawful discriminatory acts include those based upon actual or perceived

race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, genetic information, disability, matriculation, or political affiliation. D.C. Code Ann. § 2-1402.11(a).

The Commission on Human Rights has incorporated the EEOC’s sex discrimination guidelines including those that address sexual harassment. See D.C. Mun. Regs. tit. 4, § 517.1

By rule, employers are not permitted to create or allow a hostile or offensive working environment. See D.C. Mun. Regs. tit. 4, §§ 517.3, 517.8.

A breastfeeding mother shall have rights to include, but not be limited to the right to be **free from harassment** or ridicule in the workplace because of her breastfeeding or expressing breast milk. D.C. Mun. Regs. tit. 4, § **518.4(d)**.

[Back to Top](#)

FLORIDA

Covered Employers

All public employers and private employers with fifteen (15) or more employees, employment agencies, labor organizations, joint labor-management committees, and government contractors. Fla. Stat. § 760.02. All employers, regardless of size, regarding sickle cell trait or testing. Fla. Stat. § 448.075.

Enforcement Agency

Florida Commission on Human Relations

2009 Apalachee Pkwy, Suite 100

Tallahassee, FL 32301

Phone: (850) 488-7082 or

(800) 342-8170

TDD: ASCII (800) 955-1339 or

Baudot (800) 955-8771

Eml: fchrinfo@fchr.myflorida.com

<http://fchr.state.fl.us/>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, sex (pregnancy and related medical conditions by case law), national origin (including ancestry), age, handicap, marital status, and AIDS/HIV status (actual or perceived).

See Fla. Stat. Ann. §§ 760.02, 760.10, 760.40, 760.60. See also [Constable v. Agilysys, Inc., 2011 U.S. Dist. LEXIS 63518 \(M.D. Fla. June 15, 2011\)](#). [Terry v. Real Talent, Inc., 2009 U.S. Dist. LEXIS 99777 \(M.D. Fla. Oct. 27, 2009\)](#) [Terry v. Real Talent, Inc., 2009 U.S. Dist. LEXIS 99777 \(M.D. Fla. Oct. 27, 2009\)](#) [Terry v. Real Talent, Inc., 2009 U.S. Dist. LEXIS 99777 \(M.D. Fla. Oct. 27, 2009\)](#) [Terry v. Real Talent, Inc., 2009 U.S. Dist. LEXIS 99777 \(M.D. Fla. Oct. 27, 2009\)](#) [Terry v. Real Talent, Inc., 2009 U.S. Dist. LEXIS 99777 \(M.D. Fla. Oct. 27, 2009\)](#) [Terry v. Real Talent, Inc., 2009 U.S. Dist. LEXIS 99777 \(M.D. Fla. Oct. 27, 2009\)](#) [Constable v. Agilysys, Inc., 2011 U.S. Dist. LEXIS 63518 \(M.D. Fla. June 15, 2011\)](#) [Constable v. Agilysys, Inc., 2011 U.S. Dist. LEXIS 63518 \(M.D. Fla. June 15, 2011\)](#) [Constable v. Agilysys, Inc., 2011 U.S. Dist. LEXIS 63518 \(M.D. Fla. June 15, 2011\)](#) [Constable v. Agilysys, Inc., 2011 U.S. Dist. LEXIS 63518 \(M.D. Fla. June 15, 2011\)](#) [Constable v. Agilysys, Inc., 2011 U.S. Dist. LEXIS 63518 \(M.D. Fla. June 15, 2011\)](#) [Constable v. Agilysys, Inc., 2011 U.S. Dist. LEXIS 63518 \(M.D. Fla. June 15, 2011\)](#)

Other Protections

Sickle cell trait and testing. Fla. Stat. §§ 448.075, 448.076

Genetic information and testing. Fla. Stat. Ann. § 760.40.

Training & Education

Executive branch agencies, as part of the process of developing and maintaining an affirmative action plan, are required to provide employees with training on affirmative action and equal opportunity. This training should include training on sexual harassment. Fla. Stat. § 110.112(2)(e); Fla. Admin. Code, tit. 60L, § 21.004.

Days to File a Claim with a State Agency

365 days

Fla. Stat. § 760.11.

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 2 years)
- Compensatory damages specifically includes mental anguish and emotional distress
- Punitive damages (max of \$100,000)
- Costs, including attorneys' fees

Injunctive/Equitable Relief

- Cease-and-desist order
- Other affirmative relief

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not expressly define or prohibit harassment. See Fla. Stat. §§ 760.02 (Definitions), 760.10 (Prohibitions). The Florida Civil Rights Act of 1992 (Fla. Stat. §§ 760.01 - 760.11) is patterned after Title VII. *Harper v. Blockbuster Entm't Corp.*, 139 F.3d 1385, 1387 (11th Cir. 1998); *Ranger Ins. Co. v. Bal Harbour Club, Inc.*, 549 So. 2d 1005, 1009 (Fla. 1989). Courts look to both state and federal case law to interpret the statute. Sexual harassment is a prohibited form of sex discrimination. Fla. Stat. § 110.1221.

For public employers, "It is the policy of the state that sexual harassment is a form of discrimination. The department shall adopt uniform sexual harassment rules applicable to all executive agencies. The rules must define the term 'sexual harassment' in a manner consistent with the federal definition." See Fla. Stat. § 110.1221.

[Back to Top](#)

GEORGIA

Covered Employers

- The state and its agencies that employ at least fifteen (15) employees.
- For age discrimination in employment only: public and private employers with at least one (1) employee.
- For sex discrimination in wages only: public and private employers with ten (10) or more employees.
- For disability discrimination: employers in the state that employ fifteen (15) or more individuals.

Enforcement Agency

For employees of public employers

Georgia Commission on Equal Opportunity

Equal Employment Division

West Tower – Suite 1002
2 Martin Luther King, Jr. Dr., S.E.
Atlanta, Georgia 30334
Tel: 404.656.1736 (in Atlanta) / 800.473.6736 (within GA)
Fax: 404.656.4399
www.gceo.state.ga.us/employ.htm

For employees of private employers
EEOC's Atlanta District Office
Sam Nunn Atlanta Federal Center
100 Alabama St., SW, Suite 4R30
Atlanta, GA 30303
Phone: (800) 669-4000
TTY: (800) 669-6820
Fax: 404.562.6909
www1.eeoc.gov/field/atlanta/

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Sex, with respect to wages. See Ga. Code Ann. § 34-5-3.

Age (40–70). See Ga. Code Ann. § 34-1-2.

Public employers only: Race, color, religion, national origin, sex disability, and age (40–70). See Ga. Code Ann. §§ 45-19-20 *et seq.*

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

Georgia does not have a state administrative agency to accept discrimination charges; plaintiffs are instructed to file their charges of discrimination within 180 days with the EEOC.

For private employers, see “Federal” section for EEOC claim procedure.

For public employers, see Ga. Code Ann. § 45-19-36(a).

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 2 years)
- Compensatory damages

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Attorneys' fees/costs awarded if appropriate

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not expressly define or prohibit harassment. *See, e.g.,* Ga. Code Ann. § 45-19-22 (Public Employers - Definitions), Ga. Code Ann. § 45-19-29 (Public Employers - Unlawful practices generally).

[Back to Top](#)

HAWAII

Covered Employers

All public and private employers, employment agencies, and labor organizations other than the United States.
Haw. Rev. Stat. § 378-1.

Enforcement Agency

Hawaii Civil Rights Commission

830 Punchbowl St., Room 411

Honolulu, HI 96813

Phone: (808) 586-8636 / (800) 586.8692 (TDD)

Fax: 808.586.8655

Eml: DLIR.HCRC.INFOR@hawaii.gov

Neighbor Islands' Offices

Kauai: 808.274.3141, Ext. 6-8636

Maui: 808.984.2400, Ext. 6-8636

Hawaii: 808.974.4000, Ext. 6-8636

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, sex, or pregnancy (including childbirth and related conditions), gender identity and expression, national origin, ancestry, age, disability (including genetics), sexual orientation (having a preference, history or history of preference for, or being identified with one or more of the following: heterosexuality, homosexuality, or bisexuality), marital status (including marriage to coworkers, civil unions), arrest and court records, domestic or sexual violence victim status if the domestic or sexual violence victim provides notice to the victim's employer of such status or the employer has actual knowledge of such status, opposing a discriminatory practice, absence by a member of the National Guard, association with a person with a known disability, and child support obligations. See Haw. Rev. Stat. Ann. §§ 378-1, 378-2, 378-3; *Ross v. Stouffer Hotel Co.*, 879 P.2d 1037 (1994) (marriage to a coworker).

Employers may not discriminate against employees because of their credit report or history unless it is directly related to a bona fide job requirement. See Haw. Rev. Stat. Ann. §378-2.7.

Employers may not discriminate against an employee for breastfeeding or expressing milk at the workplace. See Haw. Rev. Stat. Ann. §378-2(7).

Other Protections

Also prohibits discrimination against individuals due to: garnishee status; filing bankruptcy; suffering a workplace injury; certain drug & alcohol test results; use of sick leave. Haw. Rev. Stat. Ann. § 378-32.

Training & Education

The Hawaii Administrative Rules provide the following:

Prevention is the best tool for the elimination of sexual harassment. Employers should affirmatively raise the subject, express strong disapproval, develop appropriate sanctions, inform employees of their right to raise and how to raise the issue of sexual harassment, and take any other steps necessary to prevent sexual harassment from occurring. Haw. Code R. § 12-46-109(g).

Days to File a Claim with a State Agency

180 days

Haw. Rev. Stat. § 368-11(c).

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 2 years)
- Compensatory damages
- Punitive damages

Injunctive/Equitable Relief

- Appropriate affirmative action
- Cease-and-desist order
- Prehearing injunction
- Hiring
- Reinstatement
- Promotion or upgrade of position
- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not expressly define or prohibit harassment. The rules of the Civil Rights Commission do address harassment. *See* Haw. Code R. § 12-46-109(a). This section expressly provides the following:

Harassment on the basis of sex is a violation of chapter 378, HRS. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or visual forms of harassment of a sexual nature constitute sexual harassment when:

- (1) Submission to that conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- (2) Submission to or rejection of that conduct by an individual is used as the basis for employment decisions affecting that individual; or
- (3) That conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The Administrative Rules of the Hawaii Civil Rights department also expressly define harassment on the basis of ancestry. The rules provide the following:

- (a) Harassment on the basis of ancestry is a violation of chapter 378, HRS.
- (b) Ethnic slurs and other verbal or physical conduct relating to an individual's ancestry constitute harassment when this conduct:

- (1) Has the purpose or effect of creating an intimidating, hostile, or offensive working environment
- (2) Has the purpose or effect of unreasonably interfering with an individual's work performance
- (3) Otherwise adversely affects an individual's employment opportunity

Haw. Code R. § 12-46-175.

[Back to Top](#)

IDAHO

Covered Employers

All public and private employers who hire five (5) employees for each working day in twenty (20) or more calendar weeks in the current or preceding year, employment agencies, labor organizations, joint labor-management committees, and government contractors. (Does not include household servants.) Idaho Code Ann. §§ 67-5902, 67-5910. The following are excluded from coverage: religious corporations, associations, or societies with respect to the employment of individuals of a particular religion to perform work connected with the organization's religious activities; religious organizations or entities controlled by religious organizations, including places of worship; and private clubs.

Enforcement Agency

Idaho Commission on Human Rights

317 West Main St.

Second Floor

Boise, ID 83735-0660

Tel: (208) 334-2873 / (208) 334-4751 (TDD/TTY) / (888) 249-7025

Fax: (208) 334-2664

Eml: inquiry@ihrc.idaho.gov

<http://humanrights.idaho.gov/>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, creed, sex (includes pregnancy, childbirth or related medical condition), national origin, ancestry, age (40+), and disability (including record of, or regarded as, having a disability, and association with a person who has a disability.) See Idaho Code § 67-5909, § 67-5911; Idaho Admin. Code § 45.01.010-18.

Other Protections

Genetic information and testing are also protected. See Idaho Code §§ 39-8301, 39-8303.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

1 year

Idaho Code Ann. § 67-5907(1); Idaho Admin. Code r. 45.01.01.30.

Examples of Some Available Remedies

Economic Relief

- Actual damages
- Back pay and benefits (max of 2 years)
- Punitive damages (max of \$1,000 for each willful violation)

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion
- Other employment benefits
- Court is authorized to order any appropriate remedy

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not expressly define or prohibit harassment. See Idaho Code Ann. § 67-5902 & Idaho Admin. Code r. 45.01.01.00 *et seq.* (Definitions); see also Idaho Code Ann. § 67-5909 & Idaho Admin. Code R. 45.01.01.00 *et seq.* (Prohibitions).

Courts have interpreted the state statute to prohibit harassment by employers. The prima facie case for a hostile working environment requires the following:

- (1) The plaintiff was subjected to sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature;

- (2) This conduct was unwelcome; and
- (3) The conduct was sufficiently severe or pervasive to alter the conditions of the victim's employment and create an abusive working environment.

See De Los Santos v. J.R. Simplot Co., 126 Idaho 963,967, 895 P.2d 564 (1995).

[Back to Top](#)

ILLINOIS

Covered Employers

Any person (individuals, partnerships, associations or organizations, labor organizations, corporations) employing fifteen (15) or more employees within Illinois during twenty (20) or more calendar weeks within the calendar year of or preceding the alleged violation. 775 Ill. Comp. Stat. 5/2-101.

Any person employing one (1) or more employees when a complainant alleges a civil rights violation due to unlawful discrimination based upon sexual harassment or his or her handicap unrelated to ability.

All Illinois employers, without regard to size, for employment discrimination based on pregnancy (**effective January 1, 2015**) or genetic testing.

Without regard to number of employees: 1) the state and any political subdivision, municipal corporation, or other governmental unit or agency; 2) all public contractors; and 3) a joint apprenticeship or training committee. Certain religious organizations are excluded.

See 410 Ill. Comp. Stat. 513/5.

The following are excluded from coverage: religious corporations, associations, educational institutions, societies, or non-profit nursing institutions conducted by and for those who rely upon treatment by prayer through spiritual means in accordance with the tenets of a recognized church or religious denomination with respect to the employment of individuals of a particular religion to perform work connected with the organization's activities. 775 Ill. Comp. Stat. 5/2-101.

Enforcement Agency

Illinois Department of Human Rights

100 West Randolph St.

10th Floor

Intake Unit

Chicago, IL 60601

Phone: (312) 814-6200

TTY: (312) 740-393

<http://www.state.il.us/dhr>

Springfield Office

222 South College, Room 101

Intake Unit

Springfield, IL 62704

Tel: (217) 785-5100 / (866) 740-3953 (TTY)

Marion Office

2309 West Main St., Suite 112

Intake Unit

Marion, IL 62959

Tel: (618) 993-7463 / (866) 740-3953 (TTY)

The Illinois Human Rights Commission is a separate state agency that conducts public hearings on complaints filed by IDHR:

Illinois Human Rights Commission

James R. Thompson Center

100 West Randolph St., Suite 5-100

Chicago, IL 60601

Phone: (312) 814-6269

TDD: (312) 814-4760

Fax: (312) 814 - 6517

William G. Stratton Office Building, Suite 802

Springfield, Illinois 62706

Tel: 217.785.4350 / 217.557.1500 (TDD)

Fax: 217.524.4877

<http://www2.illinois.gov/ihr/Pages/default.aspx>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, creed, sex (including pregnancy, childbirth and related conditions), sexual orientation (including gender-related identity and actual or perceived hetero-, homo- or bisexuality), citizenship status, national origin, ancestry, age (40+), order of protection status, restriction on use of native language, marital status (includes civil unions), physical or mental handicap, military status or unfavorable discharge from military service as defined, and arrest records. *See 775 Ill. Comp. Stat. Ann. 5/1-101 et seq.. 5/2-102, 55/5; 56 Ill Adm. Code § 5210.110.*

Other Protections

Employment discrimination based on genetic testing is also prohibited, and applies to all Illinois employers. *See 410 Ill. Comp. Stat. 513/5.*

Employers may not discriminate against an employee who is, or has a family member who is, a victim of domestic violence and who takes scheduled or unscheduled leave (if employee provides certification on request). *See 820 Ill. Comp. Stat. 180/5 et seq..*

Training & Education

The Illinois Human Rights Act provides that every **state executive department, state agency, board, commission, and instrumentality** must maintain and carry out a sexual harassment program that includes the following:

- Developing a written sexual harassment policy that includes at a minimum the following information:
 - (i) the illegality of sexual harassment;
 - (ii) the definition of sexual harassment under state law;
 - (iii) a description of sexual harassment, utilizing examples;
 - (iv) the agency's internal complaint process including penalties;
 - (v) the legal recourse, investigative, and complaint process available through the Illinois Department of Human Rights and the Illinois Human Rights Commission;
 - (vi) directions on how to contact the Department and Commission; and
 - (vii) protection against retaliation as provided by Section 6-101 of this Act.

The policy must be reviewed annually

- Posting in a prominent and accessible location and distribution in a manner to assure notice to all agency employees without exception, the agency's sexual harassment policy. Such documents may meet, but must not exceed, the 6th grade literacy level. Distribution must occur annually, thereafter.
- Providing training on sexual harassment prevention and the agency's sexual harassment policy, as a component of all ongoing or new employee training programs.

See 775 Ill. Comp. Stat. § 5/2-105(B)(5).

Every **public contractor and every eligible bidder** must have written sexual harassment policies that include, at a minimum, the following information: (i) the illegality of sexual harassment; (ii) the definition of sexual harassment under state law; (iii) a description of sexual harassment, utilizing examples; (iv) the vendor's internal complaint process including penalties; (v) the legal recourse, investigative and complaint process available through the Illinois Department of Human Rights and the Illinois Human Rights Commission; (vi) directions on how to contact the Department and Commission; and (vii) protection against retaliation as provided by Section 6-101 of this Act. A copy of the policies must be provided to the Department upon request.

775 Ill. Comp. Stat. 5/2-105(A)(4).

Days to File a Claim with a State Agency

180 days

See 775 Ill. Comp. Stat. 5/7A-102(A)(1).

Examples of Some Available Remedies

Economic Relief

- Actual damages
- Back pay
- Compensatory damages

Injunctive/Equitable Relief

- Temporary restraining order
- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion
- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The Illinois Human Rights Act expressly addresses workplace sexual harassment. The statute makes it illegal for “any employer, employee, agent of any employer, employment agency or labor organization to engage in sexual harassment.” *See* 775 Ill. Comp. Stat. 5/2-102(D). Sexual harassment is defined as

...any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

See 775 Ill. Comp. Stat. 5/2-101(E).

An employer is responsible for sexual harassment of the employer’s employees, committed by non-employees or non-managerial and non-supervisory employees, only if the employer becomes aware of the conduct and fails to take reasonable corrective measures. *See* 775 Ill. Comp. Stat. 5/2-102(D).

The Human Rights Commission, by Rule, also prohibits harassment on the basis of national origin:

Ethnic slurs and other verbal or physical conduct relating to an individual's national origin constitute harassment when this conduct:

1. Has the purpose or effect of creating an intimidating, hostile or offensive working environment;
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise adversely affects an individual's employment opportunities.

Ill. Admin. Code. tit. 56, § 5220.900(b).

Racial harassment is also actionable under the Illinois Human Rights Act. *See, e.g, Naeem v. McKesson Drug Co.*, 444 F. 3d 593 (7th Cir. 2006).

[Back to Top](#)

INDIANA

Covered Employers

Public and private employers that employ six (6) or more persons, employment agencies, and labor organizations, but not nonprofit religious or fraternal organizations or social clubs. Ind. Code § 22-9-1-3.

Employers of between 6 and 15 employees must refrain from disability discrimination in the form of disparate treatment. Employers of 15 or more employees have a duty of reasonable accommodation of disabled employees. Ind. Code §§ 22-9-2-1, 22-9-5-10.

For age discrimination, any person employing one (1) or more employees. Ind. Code § 22-9-2-1.

The following are excluded from coverage: nonprofit corporations or associations organized exclusively for fraternal or religious purposes; school, educational, or charitable religious institutions owned or conducted by or affiliated with a church or religious institution; exclusively social clubs, corporations, or associations that are not organized for profit. Ind. Code § 22-9-1-3.

Enforcement Agency

Indiana Civil Rights Commission

100 N. Senate Ave.

Indiana Government Center, Room N103

Indianapolis, IN 46204

Phone:(317) 232-2600 or

(800) 628-2909

Fax: (317) 232-6580

Hearing Impaired: (800) 743-3333

<http://www.in.gov/icrc/>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, religion, color, sex, disability, national origin, ancestry, and age (40–74). See Ind. Code Ann. §§ 22-9-1-1 *et seq.*, 22-9-2-1, *et seq.*

In addition, employers are prohibited from interfering, directly or indirectly, with the use of an animal that has been or is being specially trained as a service animal. Additionally, employers may not refuse to permit an

employee with a disability to keep a service animal with the employee at all times in the place of employment. See Ind. Code Ann. § 22-9-5-20.

Other Protections

Employers are prohibited from discriminating against employees who volunteer as firefighters and emergency medical responders. Such protection is extended to emergency response personnel who are injured in the course of emergency response activities. See Ind. Code Ann. §§ 36-8-12-10.7 and 36-8-12-10.9.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

180 days

Ind. Code Ann. § 22-9-1-3(p)(5).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Other affirmative relief

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion
- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance with and understanding of the law and legal obligations.

Neither the state statute nor the regulations of the Indiana Civil Rights Commission expressly define or prohibit harassment. See Ind. Code Ann. § 22-9-1-3; see also 910 Ind. Admin. Code §§ 1-1.5-1 *et seq.*

On its website, the Commission defines workplace harassment as any unwelcome verbal, written or physical conduct that shows hostility or aversion towards a person on the basis of their protected characteristics.

The Commission defines hostile work environment as subjecting someone to unwanted actions or comments of a sexual nature, sexual stories or innuendos, discussions about employees' sex lives, unwanted touching, or requests for sex or sexual materials in the work place.

IOWA

Covered Employers

Public and private employers employing four (4) or more employees within the state, employment agencies, and labor organizations. Iowa Code § 216.6. Concerning religion, sexual orientation, or gender identity discrimination provisions, any bona fide religious institution or its educational facility, association, corporation, or society with respect to any qualifications for employment based on religion, sexual orientation, or gender identity when such qualifications are related to a bona fide religious purpose, are excluded from coverage. Iowa Code § 216.6.

Enforcement Agency

Iowa Civil Rights Commission

Grimes State Office Bldg.

400 East 14th St. Room 201

Des Moines, IA 50319-0201

Phone: (515) 281-4121 or

(800) 457-4416

Fax: (515) 242-5840

<https://icrc.iowa.gov/>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Age (18+ or otherwise deemed an adult), race, color, creed, national origin, religion, sex, pregnancy (includes childbirth and related medical conditions) physical or mental disability (including AIDS and positive HIV test), genetic testing, sexual orientation (actual or perceived) and gender identity. See Iowa Code §§ 216.6; 729.4, 729.6.

Wage discrimination based on a protected classification. Iowa Code § 216.6A.

Other Protections

National Guard, Civil Air Patrol, or U.S. military reserves status. Iowa Code § 29A.43.

Employment discrimination against a witness in a criminal proceeding, or a witness, plaintiff or defendant in a civil proceeding is prohibited. See Iowa Code §915.23.

Employers are prohibited from discriminating against volunteer emergency responders. Employers may not discharge such volunteer responders for joining an emergency response service or for being late or absent because of responding to an emergency. See Iowa Code §100B.14.

Training & Education

By Executive Order, all management and supervisory employees of, and all employees working in, a human resources management capacity for the **Executive Branch** are required to attend affirmative action, cultural diversity, and discriminatory harassment prevention training as a condition of employment.

Executive Order No. 44 (1982).

The department of administrative services is required to develop for all **state agencies**, and all state agencies are required to distribute at the time of hiring or orientation, a guide for employees that describes the applicable sexual harassment prohibitions and grievance, violation, and disposition procedures. Iowa Code § 19B.12.

Moreover, each **agency** is required to adhere to the provisions of the "State of Iowa Equal Opportunity, Affirmative Action and Anti-Discrimination Policy for Executive Branch Employees," made effective by the governor on November 1, 2001. The policy requires that as a preventative measure, Department Directors and their employees attend training intended to sensitize and inform them concerning the elimination of discrimination and harassment in the workplace. This training must include, but is not limited to, equal opportunity, affirmative action, diversity, and prevention of discrimination/harassment. Iowa Admin. Code r. 11-68.2.

While state law does not mandate harassment training for **private employers**, the Iowa Civil Rights Commission recommends including harassment awareness as part of orientation and training of new employees, particularly supervisory and management staff.

Iowa Civil Rights Commission [Harassment in the Workplace Fact Sheet](#).

Days to File a Claim with a State Agency

300 days

Iowa Code § 216.15(13); Iowa Admin. Code r. 161-3.3.

Examples of Some Available Remedies

Economic Relief

- Back pay
- Actual damages
- Compensatory damages

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion or upgrading
- Attorneys' fees/costs (including cost of hearing)
- The commission is authorized to take remedial action to carry out the purposes of the statute.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Neither the state statute nor the regulations expressly define or prohibit harassment. *See* Iowa Code § 216.2; *see also* Iowa Admin. Code r. 161-2.1. Courts have held that sex harassment is a form of sex discrimination under the state statute. *See Lynch v. City of Des Moines*, 454 N.W.2d 827 (Iowa, 1990). A sexually hostile work environment claim requires proof that the sexual harassment was so pervasive and severe that it altered the conditions of employment and created an abusive work environment. A single incident of harassment, in most cases, will not be “pervasive” sexual harassment. *Id.* at 832.

The Iowa Civil Rights Commission defines workplace harassment as behavior which has the effect of humiliating, intimidating, or coercing someone through personal attack. It is behavior that will make someone uncomfortable or embarrassed, and cause emotional distress. It frequently occurs when one person wants to exert power or control over another person. Harassment may be intentional with a person targeted personally, or it may be unintentional. What matters is how the person receiving the behavior perceives it to be. While harassment because of sex gets the most attention, harassment because of other protected characteristics such as race, national origin, sexual orientation, gender identity, religion, age or physical and mental disability is also prohibited under state and federal laws.

Iowa Civil Rights Commission [Harassment in the Workplace Fact Sheet](#).

[Back to Top](#)

KANSAS

Covered Employers

Public and private employers with at least four (4) employees, employment agencies, labor organizations, organizations engaged in social service work, and government contractors who employ at least four (4) employees and whose contracts cumulatively total more than \$5,000 in the fiscal year, but not nonprofit fraternal or social organizations. Kan. Stat. Ann. §§ 44-1002, 44-1112.

Enforcement Agency

Kansas Human Rights Commission

Landon State Office Building

900 SW Jackson, Suite 568-S

Topeka, KS 66612-1258

Phone: (785) 296-3206 or

(888) 793-6874

TTY: (785) 296-0245

Fax: (785) 296-0589

Eml: khrc@ink.org

<http://www.khrc.net>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, religion, color, sex (including pregnancy, childbirth and related medical conditions), disability, either recorded impairment or regarded as having such impairment(including association with person with known disability), national origin or ancestry, and age (18+) military status, genetic testing or screening, opposition to discriminatory practice, and victims of domestic violence. See Kan. Stat. Ann. §§ 44-1001, 44-1002, 44-1009, 44-1111 *et seq.*; Kan. Admin. Regs. § 21-32-6.

Other Protections

Employment discrimination (discharge) against volunteer firefighters, volunteer certified emergency medical services attendants, volunteer reserve law enforcement officers, or volunteer part-time law enforcement officers is prohibited. See Kan. Stat. Ann. §44-131.

Military status. See Kan. Stat. Ann. §44-1125.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

6 months (unless the conduct constitutes a continuing violation)

Kan. Stat. § 44-1005(i); Kan. Admin. Regs. § 21-41-4.

Examples of Some Available Remedies

Economic Relief

- Back pay
- Pain, suffering, and humiliation (max of \$2,000)

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion or upgrading
- Other affirmative action

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Neither the state statute nor the regulations expressly define or prohibit harassment. *See* Kan. Stat. § 44-1002; *see also* Kan. Admin. Regs. § 21-30-1 *et seq.* In a sexual harassment case under the Kansas Act Against Discrimination, a Kansas Court of Appeal articulated the appropriate standard:

“In order to be actionable, a sexually objectionable environment must be both objectively and subjectively offensive, one that a reasonable person would find hostile or abusive, and one that the victim in fact did perceive to be so. Whether an environment is sufficiently hostile or abusive must be determined by looking at all the circumstances, including frequency of discriminatory conduct, its severity, whether it is physically threatening or humiliating or a mere offensive utterance, and whether it unreasonably interferes with an employee’s work performance. Simple teasing, offhand comments, and isolated incidents, unless extremely serious, will not suffice.”

See Labra v. Mid-Plains Constr., Inc., 32 Kan. App. 2d 821, 829 (Kan. App. 2004).

[Back to Top](#)

KENTUCKY

Covered Employers

Employers with at least eight (8) employees within the state. Ky. Rev. Stat. Ann. § 344.030.

For purposes of disability discrimination, employer must be engaged in an industry affecting commerce and have fifteen (15) or more employees. The disability discrimination provisions do not apply to the United States, a corporation wholly owned by the government of the United States, an Indian tribe or a bona fide private membership club (other than a labor organization) that is exempt from taxation under Section 501(c) of the IRS Code of 1986. Ky. Rev. Stat. Ann. §§ 344.030, 207.130.

Enforcement Agency

Kentucky Commission on Human Rights

332 W. Broadway, 7th Floor

Louisville, KY 40202

Phone: (502) 595-4024 or (502) 595-4084 (TDD) or

(800) 292-5566

Eml: kchr.mail@ky.gov

<http://www.kchr.ky.gov/>

The disability-specific protections are enforced by the Kentucky Department of Workplace Standards.

<http://www.labor.ky.gov/dows/Pages/Department-of-Workplace-Standards.aspx>

Northern Kentucky Office

636 Madison Ave., Suite 401

Covington, KY 41011-242

Tel: (859) 292-2935

Fax: (859) 292-2938

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Age (40+), race, color, national origin, religion, sex (including pregnancy, childbirth, or related medical conditions), mental and physical disability (including HIV/AIDS), familial status, and smoker/nonsmoker status (as long as the person complies with any workplace policy concerning smoking). See Ky. Rev. Stat. §§ 207.130, 207.135, 344.010, 344.030, 344.040; 344.060, 344.090, 436.165.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

180 days

Ky. Rev. Stat. § 344.200.

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensatory damages for humiliation
- Other damages incurred

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion or upgrading
- Attorneys' fees/costs
- Other affirmative relief
- Commission is authorized to take affirmative action designed to carry out the purposes of the act.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Although neither the state statute nor the regulations expressly define or prohibit harassment, Kentucky has adopted the federal Equal Employment Opportunity guidelines on sex discrimination, which prohibit sexual harassment. See 104 Ky. Admin. Regs. 1:050(2)(b); see also 29 C.F.R. § 1604.1 *et seq.* The Kentucky Supreme Court has also consistently interpreted the state's anti-discrimination law to prohibit harassment in a manner consistent with Title VII of the Federal Civil Rights Act of 1964. See, e.g., *Am. Gen. Life & Accident Ins. Co. v. Hall* (Ky 2002) 74 S.W.3d 688, 691.

[Back to Top](#)

LOUISIANA

Covered Employers

Employers of twenty (20) or more employees (in cases of pregnancy, childbirth and related medical condition discrimination, more than 25 employees), labor organizations, joint labor-management committees, apprenticeship and training programs, and agencies of state and local governments and government contactors. La. Rev. Stat. Ann. §§ 23:302, 23:341. The following are excluded from coverage: certain religious institutions, education establishments, and nonprofits. La. Rev. Stat. Ann. § 23:302.

Enforcement Agency

*Louisiana Commission on Human Rights,
P.O. Box 94094
Baton Rouge, LA 70804
(Mailing Address)*

*Louisiana Commission on Human Rights
1001 N. 23rd St., Suite 268
Baton Rouge, LA 70802
(Physical Address)*

Phone: (225) 342-6969

Fax: (225) 342-2063

TDD: (888) 248-0859

<http://www.gov.state.la.us/HumanRights/humanrightshome.htm>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, sex, disability, age (40+), sickle-cell trait, pregnancy, national origin, genetic information, childbirth and related medical conditions, smoking, and military status. See La. Rev. Stat. Ann. 23:301 *et seq.*, 23:302 *et seq.*, 23:311; 23:341; 23:351 *et seq.*; 23:368; 51:2231 *et seq.*; 29:401 *et seq.*

Sexual orientation and other protected class prohibitions applicable to state employers are covered by Executive Order 2004-54.

Prohibits discrimination against healthcare workers that refuse to perform certain procedures on religious or moral grounds. La. Rev. Stat. 40:1299.35.9.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

180 Days

La. Rev. Stat. Ann. § 51:2257(A).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Front pay
- Compensatory damages for humiliation and embarrassment
- Other costs resulting from the unlawful practices

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion
- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Neither the state statute nor the regulations expressly define or prohibit harassment. See La. Rev. Stat. Ann. § 51:2232.

[Back to Top](#)

MAINE

Covered Employers

All public and private employers and their agents, employment agencies, labor organizations, and government contractors. Except for purposes of disability discrimination, does not include nonprofit religious or fraternal corporations or associations, with respect to its members of the same religion, sect or fraternity. No employee minimum to file a claim under state law. Me. Rev. Stat. Ann. tit. 5, § 4553.

Enforcement Agency

Maine Human Rights Commission

51 State House Station

Augusta, ME 04333

Phone: (207) 624-6050

TTY: (888) 577-6690

Fax: (207) 624-6063

<http://www.maine.gov/mhrc/index.shtml>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, national origin, ancestry, physical or mental disability, age (no minimum), sex (including pregnancy and related medical conditions), sexual orientation (actual or perceived, including gender identity and expression, and transgender or androgynous), reporting a violation of law, filing a claim for workers' compensation, smoking, AIDS/HIV testing and genetic information and testing. See Me. Rev. Stat. Ann. tit. 5, §§ 4551 *et seq.*, 4572, 19201, 19204-B, 19301, 19302; Me. Rev. Stat. Ann. tit. 26, § 597.

Other Protections

National Guard or U.S. military status. Me. Rev. Stat. Ann. tit. 37-B, § 342.

Employers are prohibited from discriminating in any manner against employees who inquire about, disclose, compare or otherwise discuss their wages. See Me. Rev. Stat. tit. 26, § 628-A.

An employer may not discriminate in any way against an employee who chooses to express breast milk in the workplace. See Me. Rev. Stat. tit. 26, § 604.

Employers may not refuse to employ a person solely because of his or her status as a registered medical marijuana patient unless failing to do so would put the employer in violation of federal law or cause it to lose a federal contract or funding. See Me. Rev. Stat. Ann. tit. 22, § 2423-E.

Training & Education

The Maine statute mandating training applies to all employers with fifteen (15) or more employees. The training must be conducted within one (1) year of the commencement of employment and must cover topics such as the definition of sexual harassment, use of examples to illustrate forms of sexual harassment, information about the complaint process, legal recourse and how to file a complaint, and the protection against retaliation.

Employers must also conduct specialized training for supervisors and managers that addresses their specific roles and responsibilities. This training must be delivered within one (1) year of the commencement of employment. Me. Rev. Stat. Ann. tit. 26, § 807(3).

Days to File a Claim with a State Agency

Individuals will have up to three hundred (300) days from the date of an unlawful discriminatory act to file a complaint with Maine's Human Rights Commission. Me. Rev. Stat. Ann. tit. 5, §§ 4611, 4612, 4613, 4622; Me. Code R. 94-348 Ch. 2 § 2.02.

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensatory damages (including future monetary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other damages)
- Punitive damages
- Max award of punitive and compensatory damages capped between \$50,000 and \$300,000 depending on size of employer
- Civil penalties up to \$50,000

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The Maine Human Rights Commission has adopted rules that define and address workplace harassment. See Code ME. R. 94-348 Ch. 3 § 3.06(I). The rule relating to sexual harassment mirrors the EEOC's definition of harassment and provides that:

Harassment on the basis of sex is a violation of Section 4572 of the Maine Human Rights Act. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature constitute sexual harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment

See Me. Code R. 94-348 Ch. 3 § 3.06(I). The Commission has also adopted rules addressing harassment on the basis of age, disability, race or color, religion, and national origin. Each rule is virtually identical with the exception of the listed protected class. See Me. Code R. 94-348 Ch. 3 § 3.07(F)(1) (age); § 308(I)(1) (disability), § 309(F)(1) (race or color); § 3.10(G)(1) (religion); § 3.11(H)(1) (national origin and ancestry); § 312(H)(1) (sexual orientation).

See also Maine Human Rights Commission [Sexual Harassment Overview and Poster](#).

[Back to Top](#)

MARYLAND

Covered Employers

Public and private employers with at least fifteen (15) employees, employment agencies, labor organizations, joint labor-management committees, and government contractors, but not bona fide private membership club that is tax-exempt. Md. Code Ann., State Gov't §§ 20-601, 20-604.

Note: The Maryland Commission on Human Relations takes the position that the law applies to all Maryland employees if the employer has at least 15 employees in the aggregate, including out of state employees. Correspondence, Terrence Artis, Assistant General Counsel, Maryland Commission on Civil Rights, Office of General Counsel (July 2014).

Enforcement Agency

*Maryland Commission on Civil Rights
6 Saint Paul St., Suite 900*

*Baltimore, MD 21202
Phone: (410) 767-8600 or
(800) 637-6247
TTY: (410) 333-1737
Fax: (410) 333-1841
<http://mccr.maryland.gov/>*

*Western Maryland Office (Hagerstown)
44 North Potomac St., Suite 202
Hagerstown, MD 21740
Telephone: (301)797-8521
Fax: (301) 791-3060*

*Southern Maryland Office (Leonardtwn)
Joseph P. Carter Center
23110 Leonard Hall Dr.
Post Office Box 653
Leonardtwn, MD 20650
Tel: (301) 880-2740
Fax: (301) 880-2741*

*Eastern Shore Offices
Salisbury
Salisbury District Court Multi-Purpose Center
201 Baptist St., Suite 33
Salisbury, MD 21801
Tel: (410) 713-3611
Fax: (410) 713-3614*

*Easton
301 Bay St., Suite 301
Easton, MD 21601
Tel: (410) 822-3030, ext. 345*

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, sex (including pregnancy, childbirth and related medical conditions), age, ancestry, national origin, marital status (includes same-sex marriage), sexual orientation, genetic information, disability (mental and physical impairment), and because of the individual's refusal to submit to a genetic test or make available the results of a genetic test.

See Md. Code Ann., State Gov't §§ 20-601 - 20-609.

Other Protections

Employers may not discriminate against employees because of membership in the Civil Air Patrol. Md. Code. Ann., Lab. & Empl. § 3-1002.

Training & Education

The Maryland Commission on Human Relations encourages employers to take steps to prevent sexual harassment. On its website, the agency states that "in deciding the outcome of a sexual harassment case, the Maryland Commission on Human Relations will favorably consider the preventative steps the employer has taken. To reduce exposure to charges of sexual harassment, all employers should...make staff aware of personnel policies and train staff to recognize and avoid sexual harassment."

Maryland Commission on Human Relations [Sexual Harassment Poster](#).

Days to File a Claim with a State Agency

6 months (if continuing violation, the 6 month deadline is considered any date up to and including the date on which the practice still continues). Md. Code Ann., State Gov't § 20-1004(c)(1); Md. Code Regs. 14.03.01.03(C)(1).

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 3 years)
- Compensatory damages (max of 3 years)
- Other equitable and affirmative relief

Injunctive/Equitable Relief

- Cease-and-desist order
- Prehearing injunction
- Hiring
- Reinstatement
- Promotion
- Any other equitable relief deemed appropriate

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The Maryland Commission on Human Relations prohibits sexual harassment at work based on two state statutes.

- The first prohibits discrimination in employment on the basis of sex with respect to compensation, terms, conditions, or privileges. *See* Md. Code Ann., State Gov't § 20-601 *et seq.*; *see also* Md. Code Regs. 14.03.02.01 *et seq.*
- The second is Md. Code Ann., Crim. Law, §§ 3-304 - 3-307, which prohibits coercive sexual demands or contact against the will and without the consent of the other person.

Harassment is prohibited in public employment. Md. Code Ann., State Pers. & Pens. § 2-302.

See also Maryland Commission on Human Relations [Sexual Harassment Poster](#) (page 25)

[Back to Top](#)

MASSACHUSETTS

Covered Employers

All public and private employers with at least six (6) employees, employment agencies, labor organizations, and government contractors, but not nonprofit social, fraternal, or religious organizations. The coverage threshold of 6 employees does not include employers of domestic workers. *See* Mass. Gen. Laws ch. 151B, § 1(5).

Enforcement Agency

Massachusetts Commission Against Discrimination

*One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108*

Tel: (617) 994-6000 / (617) 994-6196 (TTY)

<http://www.mass.gov/mcad/index.html>

Springfield Office

*436 Dwight St.
Second Floor, Room 220
Springfield, MA 01103
Tel: (413) 739-2145*

Worcester Office

*Worcester City Hall
455 Main St., Room 101
Worcester, MA 01608
Tel: (508) 799-8010
Fax: (508) 799-8490*

New Bedford Office

*800 Purchase St., Rm 501
New Bedford, MA 02740
Tel: (508) 990-2390
Fax: (508) 990-4260*

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Age (40+), race, color, religious creed, national origin, ancestry, sex (including pregnancy, childbirth and related medical conditions), gender identity, sexual orientation, military status, genetic information, handicap (disability), personal admission to facility for the care and treatment of mentally ill persons, maternity leave status, requiring individual to use surname other than one by which individual is known because of individual's sex or marital status, and criminal records (applicants). AIDS/HIV testing is prohibited. See Mass. Gen. Laws ch. 151B, §§ 1 *et seq.*; Mass. Gen. Laws ch. 149, §§ 24B – 24D; Mass. Gen. Laws ch. 33, § 13; 804 Mass. Code Regs 3.01.

Several courts and the state agency have ruled that transgender individuals can pursue an anti-discrimination claim under the category of sex or disability. *See Lie v. Sky Publishing Corp.*, 15 Mass. L. Repr. 412 (Mass Super. 2002).

Training & Education

Massachusetts' Fair Employment Practices Act *encourages* employers to conduct an education and training program on harassment and discrimination to all new employees and new supervisors and other managers within one (1) year of hiring or promotion. Mass. Gen. Laws ch. 151B, § 3A(e).

Employers are required to prepare and provide all employees with an individual, written copy of the employer's policy against sexual harassment on an annual basis, with new employees being provided copies of the policy when they start employment. Mass. Gen. Laws ch. 151B, § 3A. The policy against sexual harassment must include the following:

1. a statement that sexual harassment in the workplace is unlawful;
2. a statement that it is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of a complaint for sexual harassment;
3. a description and examples of sexual harassment;
4. a statement of the range of consequences for employees who are found to have committed sexual harassment;
5. a description of the process for filing internal complaints about sexual harassment and the work addresses and telephone numbers of the person or persons to whom complaints should be made; and
6. the identity of the appropriate state and federal employment discrimination enforcement agencies, and directions as to how to contact such agencies.

Mass. Gen. Laws ch. 151B, § 3A(b)(1).

Days to File a Claim with a State Agency

300 days

Mass. Gen. Laws ch. 151B, § 5; 804 Mass. Code Regs. 1.10(2).

Examples of Some Available Remedies

Economic Relief

- Front pay
- Back pay
- Compensatory damages
- Punitive damages
- Emotional distress

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion
- Attorneys' fees/costs/interest
- Authorized to take necessary affirmative action

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Massachusetts' statute expressly prohibits sexual harassment in the workplace. The applicable section provides that it shall be an unlawful employment practice "for an employer, personally or through its agents, to sexually harass any employee." Mass. Gen. Laws ch. 151B § 4(16A). Sexual harassment is defined as:

sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. Discrimination on the basis of sex shall include, but not be limited to, sexual harassment.

Mass. Gen. Laws ch. 151B § 1(18); *see also* 804 Mass. Code Regs. 3.01(4)(A)(4).

Massachusetts law does not expressly prohibit harassment based on membership in protected classes other than sex. However, Massachusetts courts have found employers liable for employment discrimination based on hostile work environment created by racial harassment. *See Clifton v. Mass. Bay Transp. Auth.*, 445 Mass. 611 (2005).

[Back to Top](#)

MICHIGAN

Covered Employers

All public and private employers employing one or more employees, employment agencies, labor organizations, training committees, and government contractors. Mich. Comp. Laws § 37.2201.

Enforcement Agency

Michigan Dept. of Civil Rights

Lansing Executive Office

110 W. Michigan Ave., Suite 800

Lansing, MI 48933

Phone: (517) 335-3165

TTY: (517) 241-1965

Fax: (517) 241-0546

Eml: MDCR-INFO@michigan.gov

<http://www.michigan.gov/mdcr/>

Detroit Executive Office

Cadillac Place

3054 West Grand Blvd., Suite 3-600

Detroit, MI 48202

Tel: (313) 456-3700

Fax: (313) 456-3791

Service Center

Cadillac Place

3054 West Grand Blvd., Suite 3-600

Detroit, MI 48202

Tel: (313) 456-3700 / (877) 878-8464 (TTY) / (800) 482-3604 (WATS)

Fax: (313) 456-3701

Eml: MDCRServiceCenter@michigan.gov

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Religion, race, color, national origin (including ancestry), sex (including pregnancy, childbirth, and related medical conditions), age, marital status, height or weight, disability, genetic information, and criminal record. See Mich. Comp. Laws §§ 37.1103, 37.1201 - 37.1204; 37.2201 - 37.2205a.

Other Protections

State militia status. Mich. Comp. Laws § 750.398.

Training & Education

Michigan's Disability Bias Law requires the department of civil rights to offer training programs to employers, labor organizations, and employment agencies to assist in understanding the requirements of the Act. See Mich. Comp. Laws Ann., § 37.1212.

Days to File a Claim with a State Agency

180 days. Note: Complainants are not required to exhaust administrative remedies and may file directly in court. Mich. Comp. Laws § 37.2801; Mich. Admin Code R. 37.4(6).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensatory damages
- Other damages

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion or upgrade
- Attorneys' fees/costs
- Other damages as appropriate

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The Elliott-Larsen Civil Rights Act expressly prohibits sexual harassment by employers. See Mich. Comp. Laws 37.2103(i). This section provides that:

Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature under the following conditions:

(i) Submission to the conduct or communication is made a term or condition either

explicitly or implicitly to obtain employment, public accommodations or public services, education, or housing.

- (ii) Submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting such individual's employment, public accommodations or public services, education, or housing.
- (iii) The conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing, or creating an intimidating, hostile, or offensive employment, public accommodations, public services, educational, or housing environment.

The Michigan Supreme Court has limited the scope of harassment by holding that the conduct at issue must be sexual in nature. *See Haynie v. State*, 468 Mich. 302, 664 N.W.2d 129 (Mich. Sup. Ct. 2003).

Michigan courts have interpreted the state civil rights act to prohibit employers from harassing any employee because of his or her protected class. *See Sam Malan and Sue Malan v. General Dynamics Land Systems, Inc.*, 212 Mich. App. 585 (1995).

[Back to Top](#)

MINNESOTA

Covered Employers

Public and private employers with one (1) or more employees, employment agencies, labor organizations, and certain government contractors. Minn. Stat. § 363A.03.

For purposes of reasonable accommodation, employers with fifteen (15) or more employees. Minn. Stat. § 363A.08.

When religion or sexual orientation is a bona fide occupational qualification for employment, religious or fraternal corporations, associations, or societies are excluded from coverage. For qualifications of employees or volunteers based on sexual orientation, nonpublic service organizations whose primary function is providing occasional services to minors (e.g., youth sports organizations, scouting organizations, boys' or girls' club) are excluded from coverage. Minn. Stat. § 363A.20.

Enforcement Agency

Minnesota Department of Human Rights

Freeman Building

625 Robert Street North

Saint Paul, MN 55155

Phone: (651) 539-1100 or

(800) 657-3704

TTY: (651) 296-1283

Fax: (651) 296-9042

<http://mn.gov/mdhr/>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, creed, religion, national origin (including ancestry), sex (including pregnancy, childbirth, and related conditions), marital status (including identity of spouse, actions/beliefs of spouse/former spouse), status with regard to public assistance, membership or activity in a local commission, disability (physical, sensory, or mental impairment), sexual orientation (actual or perceived, including gender identity), age (over age of majority—18), familial status (condition of 1 or more minors being domiciled with their parent(s) or legal guardian or the designee of the parent(s) or guardian with the written permission of the parent(s) or guardian. Familial discrimination protections apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority). See Minn. Stat. Ann. § 363A.08.

A separate dismissal for age statute provides protection against age discrimination relating to adverse action toward individuals on the grounds that the individual has reached an age of less than 70. See Minn. Stat. § 181.81.

Other Protections

Use of genetic information and testing are also prohibited. See Minn. Stat. §§ 181.81; 181.974.

Military status. Minn. Stat. Ann. § 192.34.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

1 year

Minn. Stat. § 363A.28(3); Minn. R. 5000.0400(1b).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensatory damages up to three (3) times the amount of actual damages
- Damages for mental suffering
- Punitive damages (max \$8,500)
- Civil penalties payable to the state

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion or upgrading
- Attorneys' fees/costs and costs of litigation

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The Minnesota Human Rights Act specifically provides that the word *discriminate* includes sexual harassment, which is a form of sex discrimination. See Minn. Stat. § 363A.03 subd. 13. The statute further defines sexual harassment as including the following:

Unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature when:

- (1) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment,
- (2) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, or
- (3) that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, or creating an intimidating, hostile, or offensive employment environment.

See Minn. Stat. § 363A.03(43).

Same-sex harassment is prohibited, *Cummings v. Koehnen*, 568 N.W.2d 418 (Minn. 1997), as is racial harassment, *Minneapolis Policy Dep't v. Minneapolis Comm'n on Civil Rights*, 425 N.W.2d 235, 239 (Minn. 1988).

[Back to Top](#)

MISSISSIPPI

Covered Employers

State employers.

Enforcement Agency

Mississippi does not have a state administrative agency to accept discrimination charges; plaintiffs are instructed to file their charges of discrimination within 180 days with the EEOC.

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, sex, national origin, age, or handicap. See Miss. Code Ann. § 25-9-149.

Other Protections

Military status (also applies to private sector employers). Miss. Code Ann. § 33-1-15.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

Mississippi does not have a state administrative agency to accept discrimination charges; plaintiffs are instructed to file their charges of discrimination within 180 days with the EEOC.

Examples of Some Available Remedies

Not applicable.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Each state agency is obligated to maintain a workplace free from sexual harassment. "Sexual harassment may consist of but is not limited to requests for sexual favors, unwelcome sexual advances, threats, bodily contact, or other deliberate verbal or physical conduct of a sexual nature. Also included are remarks, gestures, physical contact, display or circulation of written or electronic materials, pictures or objects derogatory to any employee." See Miss. Code Ann. § 25-9-149

[Back to Top](#)

MISSOURI

Covered Employers

Employers with at least six (6) employees within the state, employment agencies, labor organizations, and government contractors, but not corporations and associations owned and operated by religious or sectarian groups. Mo. Rev. Stat. § 213.010(6).

Enforcement Agency

*Missouri Commission on Human Rights
Dept. of Labor and Industrial Relations
Jefferson City Office
3315 W. Truman Blvd.
Room 212
P.O. Box 1129
Jefferson City, MO 65102-1129*

*573-751-3325 Jefferson City Office General Telephone Number
573-751-2905, 573-526-5090 Jefferson City Office Fax Numbers
Toll Free Complaint Hotline:1-877-781-4236
Relay Missouri 711
Relay Missouri 1-800-735-2966 (TDD) 1-800-735-2466 (Voice)*

Eml: mchr@labor.mo.gov

<http://www.labor.mo.gov/mohumanrights/>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, national origin, sex (including pregnancy, childbirth, and related medical conditions), ancestry, age (40–69), and disability. See Mo. Rev. Stat. §§ 213.010, 213.055, 213.070; 8 C.S.R. 60-3.040(16).

Other Protections

HIV/AIDS testing and genetic information discrimination are also prohibited. Mo. Rev. Stat. §§ 191.665; 375.1306.

Military status. Mo. Rev. Stat. § 41.730.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

180 days

Mo. Rev. Stat. § 213.075(1); Mo. Code Regs. tit. 8, 60-2.025(3).

Examples of Some Available Remedies

Economic Relief

- Actual damages
- Back pay
- Pain and suffering (including emotional distress and humiliation)
- Civil penalties up to \$10,000 can be awarded by the Missouri Commission on Human Rights
- Punitive damages
- Prejudgment interest

Injunctive/Equitable Relief

- Cease-and-desist order
- Permanent or temporary injunction
- Order requiring the defendant to hire or reinstate the plaintiff to a former position
- Attorneys' fees/costs

- Authorized to grant relief, as deemed appropriate to remedy effects of discrimination

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Sexual harassment is a form of sex discrimination prohibited by Missouri law. *See Pollock v. Wetterau Food Distribution Group*, 11 S.W.3d 754 (Mo. E.D. 1999); Mo. Rev. Stat. § 213.111.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
- c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Mo. Code Regs. tit. 8, § 60-3.040 (17)(A)(1)-(3).

Gender-based harassment may also violate state law. The Missouri Human Rights Commission defines gender-based harassment as including epithets, slurs, and negative stereotyping of men or women, directed at a female or male employee, or denigrating or hostile written material about men or women posted or circulated in the workplace.

Missouri Human Rights Commission [Sex Discrimination and Harassment Fact Sheet](#).

[Back to Top](#)

MONTANA

Covered Employers

All public and private employers, employment agencies, labor organizations, and training committees, but not nonprofit private membership clubs. Mont. Code Ann. § 49-2-101.

Enforcement Agency

Dept. of Labor and Industry, Human Rights Commission

Montana Human Rights Bureau

Mailing Address

P.O. Box 1728

Helena, MT 59624-1728

Location

USF&G Building

1625 11th Avenue

Helena, MT 59601

Phone: (406) 444-2884 or

(800) 542-0807

TDD: (406) 444-9696

www.erd.dli.mt.gov/humanright/employdiscrim.asp

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, creed, religion, color, sex (including pregnancy, childbirth, and related medical conditions, and denying a reasonable leave of absence for pregnancy), physical or mental disability, age, national origin (including ancestry), marital status. Mont. Code Ann. §§ 49-2-101, 49-2-303(1)(a), 49-2-310, 49-4-101.

State employers are also prohibited from discriminating on the basis of sexual orientation. Mont. Admin. R. 2.21.4001 - 2.21.4014.

Other Protections

State militia status. Mont. Code Ann. § 10-1-1005.

Discrimination against employees' use of lawful products (food, beverages, tobacco) is also prohibited. Mont. Code Ann. § 39-2-313.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

180 days

Mont. Code Ann. § 49-2-501(4)(a); Mont. Admin. R. 24.8.201(2).

Examples of Some Available Remedies

Economic Relief: court has authority to order any reasonable relief, which may include:

- Back pay
- Compensatory damages
- Any reasonable measure to correct the discriminatory practice and rectify any harm, pecuniary, or otherwise

Injunctive/Equitable Relief: court has authority to order any reasonable relief, which may include:

- Cease-and-desist order
- Preliminary injunction
- Hiring
- Reinstatement
- Promotion
- Attorneys' fees/costs
- Criminal Sanction: willful violation is a misdemeanor with fine of up to \$500 and/or 6 months in prison

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state anti-discrimination statute does not expressly mention or prohibit harassment. See Mont. Code Ann. §§ 49-2-101 (Definitions), 49-2-303 (Discrimination in employment), Mont. Admin. R. 24.8.103 (Definitions). However, the courts have held that "sexual harassment is sexual discrimination under the Montana Human Rights Act." See *Stringer-Altmaier v. Haffner* (Mont. 2006) 2006 MT 129. Such claims are analyzed in the same way as a sexual harassment claim under Title VII of the Civil Rights Act of 1964. Harassment based on protected criteria other than sex, such as age or racial harassment, is also prohibited. Mont. Admin. R. 24.9.604.

[Back to Top](#)

NEBRASKA

Covered Employers

Private and nonprofit employers with at least fifteen (15) employees, and any party whose business is financed in whole or in part under the Nebraska Investment Finance Authority Act regardless of the number of employees, including the State of Nebraska, governmental agencies, and political subdivisions, employment agencies; labor organizations; government contractors; and joint labor-management committees, but not the United States, Indian tribes, or bona fide tax-exempt private membership clubs.

Religious organizations may employ individuals of a particular religion to perform work connected with carrying on religious activities. An educational institution may employ persons of a particular religion if learning is directed towards the propagation of a particular religion.

For age discrimination purposes, employees with 20 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year.

Neb. Rev. Stat. §48-1002.

Enforcement Agency

Nebraska Equal Opportunity Commission

Nebraska State Office Building

301 Centennial Mall South, 5th Floor

P.O. Box 94934

Lincoln, NE 68509

Phone: (402) 471-2024 or

(800) 642-6112

Fax: (402) 471-4059

<http://www.neoc.ne.gov/>

Omaha Office

State Office Building

1313 Farnam-on-the-Mall, 3rd Floor

Omaha, NE 68102-1836

Tel: (402) 595-2028 / (800) 382-7820

Scottsbluff Office

Mailing Address

P.O. Box 1500

Scottsbluff, NE 69363

Physical Address

Panhandle State Office Complex

505A Broadway, Suite 600

Scottsbluff, NE 69361-3515

Phone: (308) 632-1340 or (800) 830-8633

Fax: (308) 632-1341

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, national origin, religion, sex (including pregnancy, childbirth, and related medical conditions), disability, marital status, age (40+),

Neb. Rev. Stat. §§ 48-1104, 48-1002-48-1004.

Other Protections

HIV/AIDS and use of genetic information.

Neb. Rev. Stat. §§ 20-168, 48-236

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

300 Days (FEPA & Age)

See Neb. Rev. Stat. §§ 48-1008 (2), 48-1118 (2); 138 Neb. Admin. Code § 2.001.02,

4 Years (Equal Pay)

Neb. Rev. Stat. § 48-1224; *see also* Title 139, Chapter 2 of Nebraska Administrative Code.

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 2 years)
- Compensatory damages
- Special damages
- Damages for physical, emotional, or financial harm
- Other appropriate relief

Injunctive/Equitable Relief

- Cease-and-desist order
- Temporary or permanent injunction
- Hiring
- Reinstatement
- Attorneys' fees/costs
- Commission is authorized to order affirmative action as appropriate.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Nebraska's statute specifically prohibits harassment on the basis of membership in a protected class. In pertinent part it provides that:

It shall be an unlawful employment practice for an employer, "To fail or refuse to hire, to discharge, or to *harass* any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, disability, marital status, or national origin."

Neb. Rev. Stat. § 48-1104(1). Harassment on the basis of age is also prohibited. Neb. Rev. Stat. § 48-1004(4); *Jensen v. Nebraska Public Power District*, 2008 U.S. Dist. Lexis 24113 (D. Neb. March 26, 2008).

The statute further defines sexual harassment and provides that harassment because of sex shall include:

Making unwelcome sexual advances, requesting sexual favors, and engaging in other verbal or physical conduct of a sexual nature if:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

[Back to Top](#)

NEVADA

Covered Employers

Employers with fifteen (15) or more employees, employment agencies, labor organizations, joint labor-management committees, and government contractors, but not the United States, Indian tribes, tax-exempt private membership clubs, or religious entities employing individuals of a particular religion to perform work connected with the carrying on of its religious activities.

Nev. Rev. Stat. §§ 613.310, 613,320.

Enforcement Agency

Nevada Equal Rights Commission

1820 E. Sahara Avenue, Suite 314

Las Vegas, NV 89104

Phone: (702) 486-7161

Fax (702) 486-7054

TDD: NV Relay 711 or 800-326-6868

http://www.detr.state.nv.us/nerc/NERC_index.htm

Equal Rights Commission Northern Nevada

1325 Corporate Blvd.,

Room 115

Reno, NV 89502

Phone (775) 823-6690

Fax (775) 688-1292

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, national origin, sex, pregnancy (includes childbirth and related disabilities and medical conditions), age (40+), disability (physical or mental impairment and HIV/AIDS; also expressly includes the use of an aid, appliance or service animal), sexual orientation (actual or perceived), gender identity or expression, genetic information or testing, and lawful use of a product during nonworking hours.

Nev. Rev. Stat. §§ 613.330, 613.310, 613.320, 613.330, 613.333, 613.335, 613.345.

Other Protections

National Guard membership, credit report/information.

Nev. Rev. Stat. §§ 412.606, 613.570.

Training & Education

The agency website advises employers that “prevention is the best tool to eliminate sexual harassment in the workplace. Employers are encouraged to take steps necessary to prevent sexual harassment from occurring. They should clearly communicate to employees that sexual harassment will not be tolerated.”

See Nevada Equal Rights Commission [Sexual Harassment Fact Sheet](#)

Days to File a Claim with a State Agency

300 Days

Nev. Rev. Stat. § 233.160.

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 2 years)
- Compensatory damages
- Actual damages for any economic loss
- Interest

Injunctive/Equitable Relief

- Cease-and-desist order
- Prehearing injunction
- Hiring if appropriate
- Reinstatement
- Promotion if appropriate
- Attorneys’ fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the

viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not define or expressly prohibit harassment. However, the Nevada Supreme Court has held that the discrimination prohibitions of Nevada law are “almost identical” to that of federal law. The Nevada Equal Rights Commission takes the position that sexual harassment is a form of sex discrimination that constitutes a violation of Title VII of the Civil Rights Act of 1964. The site also details the federal standard for sexual harassment.

See Nevada Human Rights Commission [Sexual Harassment Fact Sheet](#).

[Back to Top](#)

NEW HAMPSHIRE

Covered Employers

Employers with six (6) or more employees, employment agencies, and labor organizations, but not nonprofit religious organizations or nonprofit social, fraternal, or charitable clubs and associations. **The definition of sexual orientation also does not impose any duty on a religious organization.**

N.H. Rev. Stat. Ann. § 354-A:2.

Enforcement Agency

New Hampshire Commission for Human Rights Commission

2 Chenell Dr. Unit 2

Concord, NH 03301-8501

Phone: (603) 271-2767

Fax: (603) 271-6339

Eml: humanrights@nhsa.state.nh.us

<http://www.nh.gov/hrc/index.html>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state’s primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Age, sex (including pregnancy and pregnancy-related medical conditions), race, religion, creed, color, marital status, familial status, physical or mental disability, national origin (including ancestry), and sexual orientation (actual or perceived).

N.H. Rev. Stat. Ann. §§ 354:A-2, 354:A-7.

Other Protections

Use of genetic information, National Guard membership, victim of domestic violence, harassment, sexual assault or stalking.

N.H. Rev. Stat. Ann. §§ 141-H:1, 141-H:3, 110-B:65, 275.71

Training & Education

Not Applicable.

Days to File a Claim with a State Agency

180 days (or, if a continuing violation, 180 days from last discriminatory act)

N.H. Rev. Stat. Ann. § 354-A:21 (III); N.H. Code R. Hum. 202.04(b)(1), (2).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensatory damages
- Administrative fines up to \$50,000 for repeat offenders

Injunctive/Equitable Relief

- Cease-and-desist order
- Affirmative action as necessary
- Hiring
- Reinstatement
- Promotion or upgrade
- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The New Hampshire Law Against Discrimination expressly prohibits harassment on the basis of sex. It provides that:

Unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or

physical conduct of a sexual nature constitute sexual harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

N. H. Rev. Stat. Ann. § 354-A-7(V).

[Back to Top](#)

NEW JERSEY

Covered Employers

Employers with 1 or more employees.

N.J. Stat. Ann. § 10:5-5.

Enforcement Agency

*New Jersey Dept. of the Attorney General, Division on Civil Rights
140 East Front St., 6th Floor*

Trenton, NJ 08625-0090

Phone: (609) 292-4605

Fax: (609) 984-3812

TTY: (609) 292-1785

Civil Rights Hotline: (800) 830-0647. Online at <http://www.nj.gov/oag/dcr/index.html>

Atlantic City Office

1325 Boardwalk, 1st Floor

Atlantic City, NJ 08401

Phone: (609) 441-3100 / (609) 441-7648 (TTY)

Fax: (609) 441-3578

Camden Office

1 Port Center, 4th Floor

2 Riverside Dr., Suite 402

Camden, NJ 08103

Phone: (856) 614-2550 / (856) 614-2574 (TTY)

Fax: 856.614.2568

Newark Office

Mailing Address

PO Box 46001

Newark, NJ 07102

Physical Address

31 Clinton St., 3rd Floor

Newark, NJ 07102

Phone: (973) 648-2700 / (973) 648-4678 (TTY)

Fax: (973) 648-4405

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, creed, color, national origin, nationality, ancestry, age (18–70), sex, pregnancy (including childbirth, and related medical conditions), marital, civil union or domestic partnership status, affectional or sexual orientation, gender identity or expression, atypical hereditary, cellular or blood trait, genetic information, military service, and mental and physical disability or handicap (including AIDS and HIV-related illnesses).

Other Protections

Smoking, unemployment status

N.J. Stat. Ann. §§ 10:5-12., 34:8B-1, 34:6B-1, N.J. Admin. Code § 12.67-1.3.

Prohibits discrimination against volunteer emergency responders who don't report to work because of emergency service. N.J. Stat. Ann. § 40A:14-214.

Training & Education

The New Jersey Supreme Court held, in 2002, that absent managerial and supervisory training on harassment, there were questions of fact as to whether the policy was effective and whether the policy could shield the organization from vicarious liability for supervisor misconduct. In its decision the court also noted the importance of making such training available to *all* employees. This ruling in essence made supervisory and managerial training mandatory for employers covered by the New Jersey Law Against Discrimination. It also made all-employee training essential. *See Gaines v. Bellino*, 801 A.2d 322 (N.J. 2002).

Days to File a Claim with a State Agency

180 days

N.J. Admin. Code § 13:4-2.

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensatory damages such as pain and humiliation
- Penalties range between \$10,000 and \$50,000 depending on the frequency of prior violations.
- Attorneys' fees/costs
- Punitive damages

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not expressly define or prohibit harassment in the workplace. With respect to harassment, the New Jersey Division on Civil Rights takes the position that:

The Law Against Discrimination also prohibits harassment based on protected characteristics such as race, sex or nationality. Under the Law Against Discrimination, sexual harassment includes unwelcome sexual advances, requests for sexual relations or other verbal or physical conduct of a sexual nature. There are generally two types of sexual harassment. Quid pro quo harassment occurs when an employer, or an employer's agent, implicitly or explicitly attempts to make submission to sexual demands a condition of employment. Thus, an employee may perceive that he or she must tolerate sexual advances or engage in a sexual relationship in order to continue employment, to achieve advancement, or to avoid adverse employment consequences such as poor evaluations or demotions. Similarly, it is unlawful for an employer or an employer's agent to condition favorable treatment such as promotions, salary increases, or preferred assignments, on an employee's acceptance of sexual advances or relations.

Hostile work environment sexual harassment occurs when an employee is subjected to sexual, abusive, or offensive conduct because of his or her gender. Such conduct creates an unlawful work environment when it is severe or pervasive enough to make a reasonable person of the employee's gender believe that the conditions of employment have been altered and the working environment has become hostile or abusive.

The conduct does not have to be sexual in nature and does not have to involve physical contact. For example, if a woman is subjected to non-sexual taunts or adverse treatment because of her gender, her work environment may be deemed unlawfully hostile and abusive. This analytical framework may also be applied to hostile work environments created because of an employee's race, nationality, creed, disability, or other characteristics enumerated by the Law Against Discrimination. For example, racial slurs or offensive comments or jokes about a person's dress, culture, accent or ethnic background may be severe or pervasive enough to create a hostile or abusive environment that violates the Law Against Discrimination.

[Back to Top](#)

NEW MEXICO

Covered Employers

Employers with four (4) or more employees, the state and all its political subdivisions, employment agencies, government contractors, and labor organizations.

Religious or denominational institution or organizations may impose discriminatory employment practices based upon sexual orientation or gender identity; provided, that the law with respect to sexual orientation and gender identity will apply regarding for-profit activities or nonprofit activities of a religious or denominational institution or religious organization subject to the provisions of Section 501(c)(3) of the Internal Revenue Code.

N.M. Stat. Ann. §§ 28-1-7, 28-1-9.

Employers with fifty (50) or more employees are prohibited from discriminating on the basis of spousal affiliation.

Employers with fifteen (15) or more employees are prohibited from discriminating on the basis of sexual orientation or gender identity.

Enforcement Agency

New Mexico Human Rights Bureau

1596 Pacheco St., Suite 103

Santa Fe, NM 87505

Phone: (505) 827-6838 or

(800) 566-9471

<https://www.dws.state.nm.us/Human-Rights-Information>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, national origin, ancestry, religion, sex (including pregnancy, childbirth, or related medical conditions), age (40+), physical or mental handicap, serious medical condition, and nursing mothers. If the employer has 50 or more employees, spousal affiliation is protected. If the employer has 15 or more employees, sexual orientation or gender identity (actual or perceived) is protected.

N.M. Stat. Ann. §§ , 28-1-2, 28-1-7, 28-1-9, 28-20-1, 50-11-3; N. M. Admin. Code 9.1.1.7(HH).

Other protections

genetic information, HIV/AIDS status, National Guard or state militia membership.

N.M. Stat. Ann. §§ 24-21-4, 28-10A-1, 20-4-6, 20-5-13.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

300 days

N.M. Stat. Ann. § 28-1-10.

Examples of Some Available Remedies

Economic Relief

- Actual damages—could include back pay and front pay
- Compensatory damages
- Affirmative action

Injunctive/Equitable Relief

- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the

viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The Rules of the New Mexico Human Rights Commission define sex discrimination to include sex harassment. See N. M. Admin Code 9.1.1.7(HH). The rules provide that:

‘Sexual harassment’ means any unwanted and/or repeated physical or verbal act that is sexual, including sexual advances, sexual conduct, verbal or nonverbal sexual suggestions, sexual ridicule or sexual innuendoes in order to (a) affect employment status relating to matters of compensation or the terms and conditions of employment...

N.M. Admin. Code 9.1.1.7(HH)(1)(a). Courts have recognized that the NMHRA is similar to Title VII and its structure and construction and the federal case law on harassment is informative. See *Ocana v. Amer. Furniture Co.*, 135 N.M. 539, 91 P.3d 58 (N. M. Sup Ct. 2004).

[Back to Top](#)

NEW YORK

Covered Employers

Employers with four (4) or more employees, licensing agencies, employment agencies, labor organizations and government contractors. Religious or denominational organizations may give preference to persons of the same religion or denomination or promote religious principles for which the organization was established.

Note: Although the New York Human Rights Law's anti-discrimination protections apply to **interns**, coverage under the law does not create an employer-employee relationship, so interns are not counted when determining whether an employee meets the law's employee threshold.

N.Y. Exec. Law §§ 292, 296.296-c.

Enforcement Agency

New York State Division of Human Rights

One Fordham Plaza, 4th Floor

Bronx, NY 10458

Phone: (718) 741-8400

<http://dhr.ny.gov/index.html>

*Sexual Harassment Claims
Office of Sexual Harassment
New York State Division of Human Rights
55 Hanson Place, Room 1084
Brooklyn, New York 11217
Phone: (718) 722 2385 / (800) 427-2773
Eml: InfoBrooklyn@dhr.state.ny.us*

Regional Offices

Albany

*Agency Building 1, 2nd Floor
Empire State Plaza
Albany, New York 12220
Phone: (518) 474-2705 (or 2707)
Eml: InfoAlbany@dhr.state.ny.us*

Binghamton

*44 Hawley St., Room 603
Binghamton, New York 13901
Phone: (607) 721-8467
Eml: InfoBinghamton@dhr.state.ny.us*

Brooklyn (plus Manhattan (Lower))

*55 Hanson Place, Room 304
Brooklyn, New York 11217
Phone: (718) 722-2385
Eml: InfoBrooklyn@dhr.state.ny.us*

Buffalo

*The Walter J. Mahoney State Office Bldg.
65 Court St., Suite 506
Buffalo, New York 14202
Phone: (716) 847-7632
Eml: InfoBuffalo@dhr.state.ny.us*

Long Island (Nassau)

*175 Fulton Ave., Suite 404
Hempstead, New York 11550
Phone: (516) 538-1360
Eml: InfoLongIsland@dhr.state.ny.us*

Long Island (Suffolk)

*State Office Building,
250 Veterans Memorial Highway, Suite 2B-49
Hauppauge, New York 11788
Phone: (631) 952-6434
Eml: InfoLongIsland@dhr.state.ny.us*

Manhattan (Upper)

Adam Clayton Powell State Office Building
163 West 125th St., 4th Floor
New York, New York 10027
Phone: (212) 961-8650
Eml: InfoUpperManhattan@dhr.state.ny.us

Peerskill

8 John Walsh Blvd., Suite 204
Peekskill, New York 10566
Phone: (914) 788-8050
Eml: InfoPeekskill@dhr.state.ny.us

Rochester

One Monroe Square, 259 Monroe Ave., Suite 308
Rochester, New York 14607
Phone: (585) 238-8250
Eml: InfoRochester@dhr.state.ny.us

Syracuse

333 E. Washington St., Room 543
Syracuse, New York 13202
Phone: (315) 428-4633
Eml: InfoSyracuse@dhr.state.ny.us

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Age (18+), race, creed, color, national origin(including ancestry), military status, sex, pregnancy, disability (including being a certified medical marijuana patient), sexual orientation (actual or perceived, including homosexuality, heterosexuality, bi-sexuality and asexuality), genetic predisposition or carrier status, arrest or conviction, and marital status (includes same-sex marriages) genetic information and testing, domestic violence victim status.

Note: While gender identity is not explicitly included in the state's anti-discrimination law, courts have ruled that transsexual individuals can pursue anti-discrimination claims under the category of sex. *Rentos v. OCE-Office Systems*, 1996 U.S. Dist. LEXIS 19060 (S.D.N.Y. 1996); *Buffong v. Castle on the Hudson*, 2005 N.Y. Misc. LEXIS 3194 (N.Y. Sup. Ct. 2005).

N.Y. Exec. Law §§ 292, 296; 296-c.

Prohibitions against sexual orientation discrimination for state employers are also covered by Executive Order 28.

Training & Education

Not Applicable.

Days to File a Claim with a State Agency

1 year

See N.Y. Exec. Law § 297(5); N.Y. Comp. Codes R. & Regs. tit. 9, § 465.3(e).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensatory damages—no cap
- Other affirmative relief
- Front pay

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion or upgrade
- Criminal misdemeanor punishable by up to one year imprisonment and/or a fine of up to \$500 for impeding, resisting, or preventing efforts of commission.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Neither *harassment* nor *sexual harassment* is defined by state statute. N.Y. Exec. Law § 292 (Definitions). Moreover, harassment is not prohibited in statute (except for harassment of students). See N.Y. Exec. Law § 296. Moreover, there are no regulations on point. N.Y. Comp. Codes R. & Regs. tit. 9, §§ 466.1 *et seq.* However, decisions by New York courts have held that harassment that impacts the terms and conditions of employment is a violation of the New York Human Rights Law. See *Imperial Diner, Inc. v. State Human Rights Appeal Bd.*, 52 N.Y.2d 72, 417 N.E.2d 525 (1980).

State statute also makes it a criminal offense to harass another person. See N.Y.CLS Penal, § 240.25. This law does not apply exclusively to protected classes, but rather covers all persons regardless of membership in a protected class. In addition, all persons within the jurisdiction of New York are entitled to the equal protection of the laws and protected from harassment and discrimination; this law specifically references race, creed, color, national origin, sex, marital status, sexual orientation, and disability and incorporates the definition of harassment used in section 240.25 of the penal law. N.Y. Civ. R. Art. 4 § 40-c(2).

[Back to Top](#)

NORTH CAROLINA

Covered Employers

Employers with 15 or more employees.

The Act excludes a person whose only employees are domestic or farm workers at that person's home or farm.

N.C. Gen. Stat. §§ 143-422.2, 168A-3.

N.C. Gen. Stat. §§ 95-28.1 and 95-28.1A, covers any "person, firm, corporation, unincorporated association, State agency, unit of local government, or any public or private entity."

Enforcement Agency

North Carolina Human Relations Commission

Mailing Address

*N.C. Human Relations Commission
1318 Mail Service Center
Raleigh, North Carolina 27601*

Physical Address

*116 W. Jones Street, Suite 2109
Raleigh, NC 27601*

Telephone: (919) 807-4420

Fax: (919) 807-4435

Toll Free: 1-866-324-7474 (1-866-Fair Hsg)

<http://www.doa.state.nc.us/hrc/>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Age, sex, race, color, national origin, religion, disability/handicap (includes record of, regarded as).

N.C. Gen. Stat. § 143-422.2.

Other Protections

Sickle Cell or hemoglobin C trait, genetic information or testing, AIDS/HIV status, military status

N.C. Gen. Stat. §§ 95-28.1 (Sickle Cell), 95-28.1A (Genetic information), 130A-148 (AIDS/HIV), 27B-11 (Military status).

Training & Education

The North Carolina Administrative Code requires all state agencies to develop a "plan on unlawful workplace harassment." This plan should include "utilization of training and other methods" to educate state employees. All state employees are required to participate in "Unlawful Workplace Harassment" training programs. 25 N.C.Admin.Code. 1J.1101.

Days to File a Claim with a State Agency

A complaint shall be filed with the Labor Commissioner within 180 days of the alleged violation. An employee shall commence a civil action within 90 days of being issued a right-to-sue letter by the Commissioner or by the Commissioner within 90 days of the date on which the Commissioner notifies the parties that conciliation has failed.

N.C. Gen. Stat. § 95-242(a); 1 N.C. Admin. Code 11.2103.

Examples of Some Available Remedies

North Carolina's Equal Employment Practices Act, N.C. Gen. Stat. § 143-422.1, *et seq.*, does not recognize a private cause of action. See N.C. Gen. Stat. §§ 95-28.1 and 95-28.1A. The Act merely provides the remedies of investigation and conciliation. However, it is notable that North Carolina courts recognize common law causes of actions based on violation of the public policy set forth in the North Carolina General Statutes, including N.C. Gen. Stat. § 143-422.2. Remedies for public policy claims include compensatory and punitive damages.

Under N.C. Gen. Stat. § 130A-148, remedies include declaratory relief and injunctive relief, including orders to hire or reinstate. Further, the statute provides for reasonable attorneys' fees to the substantially prevailing party as part of costs. In the employment context, the court also may award back pay (up to two years). Under N.C. Gen. Stat. § 168A-11, declaratory relief and injunctive relief are available, including orders to hire or reinstate. The statute also provides for reasonable attorneys' fees to the substantially prevailing party as part of costs. In the employment context, the court also may award back pay (up to 2 years).

Remedies under REDA, N.C. Gen. Stat. § 95-241, *et seq.*, include an injunction of the unlawful practice or conduct; reinstatement to the prior position; restoration of benefits and seniority; back pay; lost benefits; compensation for economic losses; treble damages for willful violations; and costs and expenses, including attorneys' fees.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not expressly define or prohibit harassment.

[Back to Top](#)

NORTH DAKOTA

Covered Employers

Private employers, the state and its agencies, employment agencies, and labor organizations

Enforcement Agency

North Dakota Department of Labor and Human Rights

Mailing Address

600 E. Blvd. Ave., Dept. 406

Bismarck, ND 58505

Phone: (701) 328 2660

Toll free in state: 1-800-582-8032

1-800-366 6888 or 1-800-366-6889

Eml: humanrights@nd.gov / labor@nd.gov
<http://www.nd.gov/labor/human-rights/>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, sex (including pregnancy, childbirth, and pregnancy or childbirth related disabilities), national origin, age (40+), mental or physical disability, status with regard to public assistance, marital status and participation in lawful activities during nonwork hours off the employer's premises, which is not in direct conflict with the essential business-related interests of the employer. N.D. Cent. Code § 14-02.4-02.

Prohibits discrimination against individuals exercising their right to keep and bear arms, right of self defense if firearm not exhibited on company property for reason other than lawful defensive purposes. N.D. Cent. Code § 62.1-02.13.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

300 days

N.D. Cent. Code § 14-02.4-19(2).

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 2 years)

Injunctive/Equitable Relief

- Equitable relief
- Cease-and-desist order
- Temporary or permanent injunctions
- Prehearing injunction
- Other equitable relief
- Attorneys' fees/costs

The statute expressly prohibits the department and an ALF from awarding compensatory or punitive damages.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute prohibiting employment discrimination specifically bans sexual harassment. *See* N.D. Cent. Code § 14-02.4-02. The statute provides that:

The term “discriminate” includes segregate or separate and for purposes of discrimination based on sex, it includes sexual harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

- a. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment, public accommodations or public services, or education;
- b. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment, public accommodations or public services, education, or housing; or
- c. That conduct or communication has the purpose or effect of substantially interfering with an individual’s employment, public accommodations, public services, or educational environment; and in the case of employment, the employer is responsible for its acts and those of its supervisory employees if it knows or should know of the existence of the harassment and fails to take timely and appropriate action.

N.D. Cent. Code § 14-02.4-02(6).

[Back to Top](#)

OHIO

Covered Employers

The state and its agencies, employers with four (4) or more employees, employment agencies, joint labor-management committees, labor organizations, and government contractors.

Ohio Rev. Code Ann. § 4112.01.

Enforcement Agency

*Ohio Civil Rights Commission
Rhodes State Office Tower
30 E. Broad St., 5th Floor
Columbus, OH 43215
Phone: (614) 466-2785 or
(888) 278-7101
Fax: (614) 466-7742
<http://crc.ohio.gov/>*

*Akron Regional Office
Akron Government Center
161 S. High St., Suite 205
Akron Ohio 44308-1602
Phone: (330) 643-3100
TTY: (330) 643-1488*

*Cleveland Regional Office
Frank Lausche Building
615 W. Superior Ave., Suite 885
Cleveland, Ohio 44113-1897
Phone: (216) 787-3150 / (216) 787-3549 (TTY)*

*Dayton Regional Office
40 W. 4th Center, Suite 1900
Dayton, Ohio 45402-1857
Phone: (937) 285-6500 (Voice/TTY)*

*Toledo Regional Office
One Government Center,
640 Jackson Street, Suite 936
Toledo, Ohio 43604
Phone: (419) 245-2900 (Voice/TTY)*

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, sex (including pregnancy and related conditions), national origin, ancestry, disability (physical or mental impairment including HIV), age (40+), and military status.

Ohio Rev. Code Ann. §§ 4112.01, 4112.02.

Prohibitions against sexual orientation and gender identity discrimination for state employers are covered by Executive Order 2007-10S.

Training & Education

The Ohio Administrative Code and the regulations of the Civil Rights Commission provide that “prevention is the best tool for the elimination of sexual harassment. An employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment under Chapter 4112 of the Revised Code, and developing methods to sensitize all concerned.” Ohio Adm. Code 4112-5-05(J)(7).

Days to File a Claim with a State Agency

6 months (filing period begins to run anew with each new discriminatory act, concerning recurring or continuing violations – see admin code). See Ohio Rev. Code § 4112.05(B)(1); Ohio Admin. Code 4112-2-01(D)(1).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Civil penalties
- Punitive damages up to \$25,000 or \$50,000 depending on number of violations

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion or upgrade
- Attorneys’ fees
- Admission or reinstatement to union membership
- Reporting obligations upon employer

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state anti-discrimination statute does not expressly prohibit harassment on the basis of protected class. See Ohio Rev. Code § 4112.02. However, the Ohio Civil Rights Commission regulations provide that harassment on the basis of sex is a violation of section 4112.02. The Commission defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Such conduct constitutes sexual harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of that conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Ohio Adm. Code 4112-5-05(J)(1).

[Back to Top](#)

OKLAHOMA

Covered Employers

Public and private employers with at least one (1) employee, employment agencies, labor organizations and government contractors, but not Indian tribes , bona fide nonprofit membership clubs. Religious organizations may employ individuals of a particular religion to perform work connected with its religious activities.

Okla. Stat. tit. 25, §§ 1301, 1307, 1308.

Enforcement Agency

Office of Civil Rights Enforcement

Oklahoma Office of the Attorney General

313 NE 21st Street

Oklahoma City, Oklahoma 73105

Tel: 405-521-2029

OCRE@oaq.ok.gov

<http://www.oaq.state.ok.us/oaqweb.nsf/ocre.html>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, sex (including pregnancy, childbirth and related conditions), national origin, age (40+), disability (physical and mental impairment) or genetic information. Note that these protections also extend to applicants for employment.

Okla. Stat. tit. 25, §§ 1301-1302; Okla. Admin. Code § 335:15-3-9.

Discrimination against healthcare workers that refuse to perform certain procedures on religious or moral grounds is also prohibited. Okla. Stat. tit. 63 § 1-728c.

Other Protections

Military status. Okla. Stat. tit. 244, § 208.

Training & Education

Oklahoma's Fair Employment Practices Act, through its Rules of Personnel Management and Administration, requires that all state personnel who investigate complaints of discrimination be trained in the areas of equal employment opportunity, discrimination, and the burdens of proof. See Okla. Stat. Tit. 74, § 840.2.1(F)(1); Okla Admin. Code § 10-3-20.

With respect to private employers, the regulations of the Oklahoma Office of Civil Rights Enforcement provide that "prevention is the best tool for the elimination of sexual harassment. An employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment under Title 25 of the Oklahoma Statutes and developing methods to sensitize all concerned." Okla. Admin. Code § 335:15-3-10(f).

Days to File a Claim with a State Agency

180 days

See Okla. Stat. tit. 25, § 25-1350..

Examples of Some Available Remedies

Economic Relief

- Back pay

Injunctive/Equitable Relief

- Cease-and-desist order
- Temporary injunction
- Hiring
- Reinstatement
- Promotion or upgrade
- Attorneys' fees/costs
- Commission is authorized to take such affirmative action as it deems necessary to carry out the purposes of the act.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state discrimination statute does not expressly prohibit harassment. However, the Oklahoma Office of Human Rights Enforcement has adopted rules that prohibit sexual and national origin harassment. See Okla. Admin. Code §§ 335:15-3-10, 335:15-7-5.

The rules state that “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment” and a violation of Article 3 of Title 25 OS when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Okla. Admin. Code § 335:15-3-10(a). A similar definition is used to prohibit sexual harassment by all people in the state service. See Okla. Admin. Code §§ 530:10-3-1; 530:10-3-3. The agency's position with respect to national origin harassment is that:

1. Harassment on the basis of national origin is a violation of Title VII of the Civil Rights Act of 1964. An employer has an affirmative duty to maintain a working environment free of harassment on the basis of national origin.
2. Ethnic slurs and other verbal or physical conduct relating to an individual's national origin constitute harassment when this conduct:

1. Has the purpose or effect of creating and intimidating, hostile or offensive working environments;
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise adversely affects individual's employment opportunities.

Okla. Admin. Code §§ 335:15-7-5(a), 335:15-7-5(b).

[Back to Top](#)

OREGON

Covered Employers

All public and private employers, employment agencies, and labor organizations.

For disability (physical or mental) with 6+ employees.

Note: An intern is considered to be in an employment relationship with an employer for purposes of the employee protections provided under various Oregon laws, including the primary FEP laws (full list of applicable laws noted in Or. Rev. Stat. § 659A.350).

Or. Rev. Stat. §§ 659A.106, 659A.001, 659A.006.

.

Enforcement Agency

Oregon Bureau of Labor & Industries Civil Rights Division

800 N.E. Oregon St., Suite 1045

Portland, OR 97232

Phone:(971) 673-0764

Fax: 971-673-0765

Eml: crdemail.boli@state.or.us / bolita.ta@state.or.us (For employers with civil rights or employment law questions)

http://www.oregon.gov/BOLI/CRD/index.shtml

Eugene Office

1400 Executive Pkwy, Suite 200

Eugene, OR 97401

Phone: (541) 686-7623

Salem Office

3865 Wolverine Ave NE

Building E, Suite 1
Salem, OR 97305-1268
Phone: 503-378-3292

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, national origin, (including ancestry), sex (including pregnancy, childbirth, and related medical conditions), religion (includes religious clothing, and use of vacation time for religious observance purposes), age (18+), physical or mental disability, genetic screening, expunged juvenile records, personal associations, marital status and familial relationship (family members employed by employer), sexual orientation (actual or perceived) including gender identity, appearance or expression, opposing an unlawful practice, or assisting in a proceeding, applying for workers' compensation benefits, (only employers with 6 or more employees), military status, and expunged juvenile records. See Or. Rev. Stat. §§ 174.100, 659A.001, 659A.006, 659A.029, 659A.030, 659A.033, 659A.100, 659A.106, 659A.112, 659A.142, 659A.303, 659A.309.

State law also recognizes additional protected categories including: Prohibition on Genetic Screening and Brain-Wave Testing, Right to Testify at Employment Department Hearings, Access to Employer-Owned Housing, Right to Report Health Care Violations, Volunteer Firefighter Leave (ORS 476.574), Prohibition on Polygraph Exams, Limits on Breathalyzer and Blood Alcohol testing, Leave to Donate Bone Marrow, Victims of Domestic Violence, Leave for Victims of Domestic Violence, Sexual Assault and Stalking and Harassment (employers with 6 or more employees; ORS 659A.270 et seq.) Oregon Family Leave, (ORS. 659A.183), Crime Victim Leave, Injured Workers (in companies with 6+ employees), Leave for spouses of military service members called to active duty (in companies with 25+ employees), Military services member status, Veterans status, Veterans' preference in public employment, Child support garnishment (ORS 25.424), employees serving as jurors, credit history (ORS 659A.320), jury service leave (includes ceasing to provide health, disability, life or other insurance during leave) (Or. Admin. R. 839-005-0130), and status as an unemployed individual (SB 1548).

Other Protections

- **Employees who have made wage claims or reported violations of the minimum wage law**
Or. Rev. Stat. §§ 652.335, 653.060

Training & Education

The Oregon Department of Administrative Services' statewide policy on discrimination and harassment free workplaces, requires that: all state employees, including state temporary employees and volunteers must:

(A) be given a copy or the location of Statewide Policy, Discrimination and Harassment Free Workplace(link is external);

(B) be given directions to read the policy;

(C) be provided an opportunity to ask questions and have their questions answered; and

(D) sign an acknowledgement indicating the employee read the policy and had the opportunity to ask questions.

The Bureau of Labor and Industry recommends that all employers “develop appropriate sanctions, inform employees of the right to raise complaints and how to raise them, and develop methods to sensitize all concerned. The employer should emphasize the importance of its sexual harassment policy through communication and training. Training for staff is essential. Employers should have departmental or unit meetings to explain policies and grievance procedures, so that all employees understand what is prohibited conduct and how to complain about it.” Oregon Bureau of Labor and Industry [Sexual Harassment: Questions and Answers](#)

Days to File a Claim with a State Agency

1 year

Or. Rev. Stat. § 659A.820(2); Or. Admin. R 839-003-0025(3).

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 2 years prior to filing) or other benefits lost due to the discrimination
- Out-of-pocket damages resulting from the discriminatory practice
- Compensation for emotional distress
- Compensatory damages

Injunctive/Equitable Relief

- Injunctive relieve and any other equitable relief that is appropriate
- Hiring
- Reinstatement
- Reasonable attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not expressly prohibit or define workplace harassment. The rules of the Civil Rights Division, however, specifically provide that harassment is a prohibited form of discrimination under the state statute. Harassment based on an individual's protected class is a type of intentional unlawful discrimination and is:

1. Conduct of a verbal or physical nature relating to a protected classes other than sex and
 - a) Such conduct is sufficiently severe or pervasive to have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment;
 - b) Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
 - c) Submission to or rejection of such conduct is used as the basis for employment decisions affecting that individual.

Or. Admin. R. 839-005-0010.

With respect to sexual harassment, the rules specifically state that "discrimination because of sex or gender includes sexual harassment..." Or. Admin. R. 839-005-0021. The rules further provide that:

Sexual harassment is unlawful discrimination on the basis of gender and includes the following types of conduct:

- Unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature when such conduct is directed toward an individual because of that individual's gender.
 - Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
 - Submission to or rejection of such conduct is used as the basis for employment decisions affecting that individual.
- Any unwelcome verbal or physical conduct that is sufficiently severe or pervasive to have the purpose or effect of unreasonably interfering with work performance or creating a hostile, intimidating, or offensive working environment.

Or. Admin. R. 839-005-0030(1). See also Oregon Bureau of Labor and Industry [Sexual Harassment: Questions and Answers](#)

PENNSYLVANIA

Covered Employers

Employers with at least four (4) employees in Pennsylvania, the Commonwealth and any political subdivisions, employment agencies, labor organizations, and government contractors. Does not include religious, fraternal, charitable, or sectarian corporations or associations (unless supported by government appropriations), except with respect to claims related to race, color, age, sex, or handicap or disability discrimination.

43 Pa. Stat. Ann. §§ 954, 955.

Enforcement Agency

Pennsylvania Human Relations Commission

General Inquiries

Executive Offices

333 Market St., 8th Floor

Harrisburg, PA 17101-2210

www.phrc.state.pa.us

Harrisburg Regional Office

333 Market Street, 8th Floor

Harrisburg, PA 17101-2210

(717) 787-9780

(717) 787-7279 TTY users only

Office Hours: 8:30 a.m. to 5:00 p.m. M-F

Philadelphia Regional Office

110 North 8th Street, Suite 501

Philadelphia, PA 19107

(215) 560-2496

(215) 560-3599 TTY users only

Office Hours: 8:30 a.m. to 5:00 p.m. M-F

(serves Bucks, Chester, Delaware, Montgomery and Philadelphia counties)

Pittsburgh Regional Office

301 Fifth Ave., Suite 390

Piatt Place

Pittsburgh, PA 15222

Phone: (412) 565-5395 / (412) 565-5711 (TTY)

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religious creed, ancestry, age (40+), sex (including pregnancy, childbirth, and related medical conditions), national origin, disability (physical or mental impairment and use of a guide or support animal, and persons who hold general education development certificates rather than high school diplomas.

43 Pa. Stat. § 951 *et seq.*, 16 P.A. Stat. § 41.102

Prohibition against sexual orientation discrimination for public employers is covered by Executive Order 2003-10.

Other Protections

HIV/AIDS status, military status.

4 Pa. Code § 7.432 (HIV / AIDS); 51 Pa. Stat. Ann. § 7309 (Military).

Training & Education

Pennsylvania's Human Relations Act requires that all "Commonwealth employees will be educated in sexual harassment." Training and education on this topic can include written materials, formal training, videos, orientation sessions, discussion, and individual counseling. 4 Pa. Code § 7.595.

In addition, the Pennsylvania Human Relations Commission [Guidelines on Sexual Harassment](#) provide that:

"prevention is the best tool for the elimination of sexual harassment. An employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment under Title VII and the Pennsylvania Human Relations Act, and developing methods to sensitize all concerned."

Days to File a Claim with a State Agency

180 days

See 43 Pa. Stat. Ann. § 959(h); 16 Pa. Code § 42.14(a).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Actual damages, including damages for humiliation and embarrassment in cases alleging retaliation

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Other appropriate affirmative action
- Attorneys' fees/costs
- The commission is authorized to take appropriate affirmative action.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The Pennsylvania Human Relations Act does not expressly define or prohibit harassment. Court decisions have, however, interpreted the state statute to prohibit sexual harassment. The administrative rules do not contain a specific definition of harassment. The Pennsylvania Human Relations Commission has adopted guidelines relating to sexual harassment. The Commission Guidelines define sexual harassment as follows:

- (a) Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

See Pennsylvania Human Relations Commission [Guidelines on Sexual Harassment](#).

RHODE ISLAND

Covered Employers

The state and its political subdivisions, employers with at least four (4) employees, employment agencies, labor organizations, licensing agencies, and government contractors. Religious institutions may employ individuals of its religion to perform work or carry out activities. Such organizations have no duty on the basis of sexual orientation.

R.I. Gen. Laws §§ 28-5-6, 28-5-7.

Enforcement Agency

Rhode Island Commission for Human Rights

180 Westminster St., 3rd Floor

Providence, RI 02903

Phone: (401) 222-2661

TTY: (401) 222-2664

Fax: 401.222.2616

<http://www.richr.state.ri.us/>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, sex (including pregnancy, childbirth and related conditions), country of ancestral origin, disability (including regarded as disabled, physical or mental impairment), age (40+), sexual orientation (actual or perceived) or gender identity or expression (actual or perceived), s

Other Protections

smoking, AIDS testing, use of genetic information, homeless status, militia or reservist status.

See R.I. Gen. Laws, §§ 23-6-.3-11; 23-20.10-14(a); 28-5-5, 28-5-6, 28-5-7, 28-6.7-1, 42-87-1, 34-37.1-3(3), 30-11-2, 30-11-6.

Training & Education

Agency officers of the executive branch are required to attend sexual harassment prevention and EEO training annually. Exec. Order No. 05-01.

Employers "shall promote a workplace free of sexual harassment." See R.I. Gen. Laws § 28-51-2(a). Employers of 50 or more employees are required to adopt a sexual harassment policy that includes the following provisions:

1. A statement that sexual harassment in the workplace is unlawful;
2. A statement that it is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of a complaint for sexual harassment;
3. A description and examples of sexual harassment;
4. A statement of the range of consequences for employees who are found to have committed sexual harassment;
5. A description of the process for filing internal complaints about sexual harassment and the work addresses and telephone numbers of the person or persons to whom complaints should be made; and
6. The identity of the appropriate state and federal employment discrimination enforcement agencies, and directions as to how to contact these agencies.

Employers must provide current employees with a written copy of the policy and give new employees a copy at the commencement of his or her employment. R.I. Gen. Laws § 28-51-2.

Employers must provide current employees with a written copy of the policy and give new employees a copy at the commencement of his or her employment. R.I. Gen. Laws § 28-51-2.

See R.I. Gen. Laws ch. §§ 28-51-2(b); 28-51-2(c).

Rhode Island's Sexual Harassment, Education, and Training Law "encourages" employers to conduct an education and training program for all employees. The act encourages that such training be provided for new employees within one year of commencement of employment, and that employers provide additional training for supervisors. See R.I. Gen. Laws §§ 28-51-2(c), 28-51-3. The training should also address the specific responsibilities of supervisory and managerial employees and the methods that these employees should take to ensure immediate and appropriate corrective action in addressing sexual harassment complaints.

Days to File a Claim with a State Agency

1 year

See R.I. Gen. Laws § 28-5-17(a); 94-040-002 R.I. Code R. § 4.05.

The statute of limitations for any employment discrimination claim is 3 years.

See RI Gen. Laws §42-112-2.

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensatory damages including pain and suffering
- Punitive damages

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion or upgrade of position
- Other affirmative relief as necessary
- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

By statute (Sexual Harassment, Education and Training in the Workplace) all employers “shall promote a workplace free of sexual harassment.” See R.I. Gen. Laws ch. § 28-51-2(a). The Rhode Island Commission for Human Rights has adopted guidelines in accordance with the Administrative Procedures Act of the state defining sexual harassment. These guidelines provide that:

3001(A) Harassment on the basis of sex is a violation of the Fair Employment Practices Act.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

See R.I. Gen. Laws § 28-51-1(B)(1)-(3); 94-040-007 R.I. Code R. § 3001(A)

[Back to Top](#)

SOUTH CAROLINA

Covered Employers

Employers with at least fifteen (15) employees, employment agencies, labor organizations and joint labor-management committees, but not an Indian tribe or bona fide private membership clubs other than labor organizations.

Also, employers who do business on or near an American Indian reservation and who have a publicly announced employment practice of giving preferential treatment to Native Americans living on or near the reservation are not covered as to American Indians.

Religious corporations, associations, educational institutions, and societies who employ individuals of a particular religion are not covered if the individuals perform work connected with the “carrying on” of the employer’s activities.

S.C. Code Ann. §§ 1-13-30, 1-13-80.

Enforcement Agency

South Carolina Human Affairs Commission

P.O. Box 4490

2611 Forest Dr., Suite 200

Columbia, SC 29204

Phone: (803) 737-7800 or

(800) 521-0725

TDD: (803) 253-4125

Eml: information@schac.state.sc.us

<http://www.state.sc.us/schac/>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state’s primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, religion, color, sex (including pregnancy, child birth and pregnancy related medical conditions), age (40+), national origin (including ancestry), and disability (physical or mental impairment), and medical examination and inquiries. See S.C. Code, §§ 1-13-10 *et seq.*, 1-13-80; 1-13-85

Other Protections

National Guard status
S.C. Code Ann. § 25-1-2190.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

180 days
S.C. Code Ann. § 1-13-90(a); S.C. Code Ann. Regs. 65-2(D)(1).

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 2 years)

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion or upgrade of position
- Other affirmative relief as necessary

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not expressly define harassment, but South Carolina generally interprets the Human Affairs Law consistently with federal discrimination statutes. *See* S.C. Code Ann. §§ 1-13-30, 1-13-80; *see also* S.C. Code Ann. Regs. § 65-1 *et seq.*

The South Carolina Human Affairs Commission provides the following definition of sexual harassment:

Harassment can include “sexual harassment” or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person’s sex. For example, it is illegal to harass a man or a woman by making offensive comments in general about either gender. Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex.

Although the law doesn’t prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work

environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

See Human Affairs Commission [Sexual Harassment Policy](#).

[Back to Top](#)

SOUTH DAKOTA

Covered Employers

Employers with 1 or more employees.

S.D. Codified Laws § 20-13-1.

Enforcement Agency

South Dakota Department of Labor and Regulation

Division of Human Rights

700 Governors Dr.

Pierre, SD 57501

Phone: (605) 773-3681

Fax: (605) 773-4211

<http://dlr.sd.gov/humanrights/default.aspx>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, creed, religion, sex (including pregnancy, childbirth, and related medical conditions), ancestry, disability (physical or mental impairment, blindness or partial blindness), and national origin. See S.D. Cod. Laws, §§ 20-13-1, 20-13-10 through 20-13-18.

Use of genetic information and testing is also prohibited. See S.D. Code Laws § 60-2-20.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

180 days

See S.D. Codified Laws § 20-13-31; S.D. Admin. R. 20:03:02:04 (charges filed with federal EEOC).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensation incidental to the violation, other than pain and suffering, punitive, and consequential damages
- Any other appropriate relief

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion and upgrade
- Other affirmative action as necessary
- Attorneys' fees/costs in civil litigation
- Court may also order a civil penalty for repeat offenders and those who disobey a commission order (max \$10,000)

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not specifically define or prohibit harassment. The South Dakota Supreme Court has interpreted the state law to prohibit sexual harassment and held that the state statute should be interpreted in a manner consistent with Title VII. See *Huck v. McCain Foods*, 479 N.W.2d 167 (S.D. 1991).

The South Dakota Division of Human Rights provides further [guidance](#) about sexual harassment. It provides that:

Harassment occurs when employment decisions are based upon refusal or acceptance of sexual advances, or creating a hostile working environment so severe as to hinder a person's ability to do their work. Once an employer is made aware of a harassment situation it becomes their responsibility to take action to correct the situation. The South Dakota Human Relations Act prohibits harassment based on race, color, creed, religion, sex, ancestry, disability, or national origin.

. The agency further defines sexual harassment as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

<http://dlr.sd.gov/humanrights/sexual.aspx>

[Back to Top](#)

TENNESSEE

Covered Employers

The state and its political subdivisions, employers with at least eight (8) employees within the state, employment agencies, labor organizations and joint labor-management training committees. Religious organizations are excepted. Tenn. Code Ann. §§ 4-21-102, 4-21-405; Tenn. Comp. R. & Regs. 1500-01-02-.01.

Under the Tennessee Handicap Act, employers with one (1) or more employees are covered, according to the Tennessee Human Rights Commission's Frequently Asked Questions.

<https://www.tn.gov/humanrights/article/general-faqs>

Enforcement Agency

Tennessee Human Rights Commission

Andrew Johnson Tower

710 James Robertson Pkwy, Suite 100

Nashville, TN 37243-1219

Phone: (615) 741-5825 or (800) 251-3589

Fax: (615) 253-1886

<http://www.state.tn.us/humanrights/>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, creed, color, religion, sex, national origin (ancestry), age (40+), and disability (including persons who are blind because of the use of guide dogs.) Tenn. Code, §§ 4-21-102; 4-21-301(1); 4-21-401; 4-21-404, 8-50-103.

Other Protections

National Guard membership. Tenn. Code Ann. § 59-1-604

Training & Education

By statute, the Department of Personnel is required to assist each department and entity of the state government with planning and conducting sexual harassment prevention training workshops for all public employees. See Tenn. Code § 4-3-1703(4).

Days to File a Claim with a State Agency

180 days

See Tenn. Code Ann. § 4-21-302(c); Tenn. Comp. R. & Regs. 1500-01-.02(7).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensatory damages; includes humiliation and embarrassment (subject to rule of reasonableness)
- Actual damages
- May order other remedies necessary to eliminate discrimination

Injunctive/Equitable Relief

- Cease-and-desist order
- Take such affirmative action as deemed necessary to end the discrimination
- Hiring
- Reinstatement
- Promotion or upgrade of position
- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Although the state statute does not contain any specific statutory reference to harassment, Tennessee has adopted the federal Equal Employment Opportunity Commission's guidelines on sex discrimination, which include prohibitions against sexual harassment. Tenn. Comp. R. & Regs. 1500-01-.09(2) Tennessee statute provides that the department of labor and workforce development (in conjunction with the human rights commission) shall promulgate rules that provide for the distribution of materials explaining the sexual harassment rules of the state human rights commission. See Tenn. Code § 4-3-1416. Tennessee courts have interpreted the state non-discrimination statute to provide the same protections against harassment and defenses as federal law under Title VII. See *Tetro v. Elliot Popham Pontiac, Oldsmobile, Buick, & GMC Trucks, Inc.*, 173 F.3d 9886 (6th Cir. 1999).

[Back to Top](#)

TEXAS

Covered Employers

State and local government entities, employers with at least fifteen (15) employees, employment agencies, labor organizations, and joint labor-management committees. A religious corporation, association, society or educational institution may give preference to members of the same religion.

Tex. Lab. Code Ann. §§21.002, 21.109.

Enforcement Agency

Texas Workforce Commission, Civil Rights Division

1117 Trinity St., Room 144-T

Austin, TX 78701

Tel: (512) 463-2642 / (512) 371-7473 (TTY) / (888) 452-4778

Fax: (512) 463-2643

<http://www.twc.state.tx.us/customers/jsemp/employee-rights-laws.html>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, disability, (including regarded as disabled or impaired), religion, sex (including pregnancy, childbirth or related medical conditions), national origin (including ancestry), age (40+), genetic information. Tex. Labor Code Ann. §§ 21-051, 21-052, 21.053, 21.106, 21.401, 21.402.

Other Protections

HIV/AIDS status and testing See Tex. Health & Safety Code §§ 81.101. 81.102.

Exercising state military forces leave rights. Tex. Gov't Code § 431.006.

Training & Education

Texas' Employment Discrimination Law mandates that training relating to employment discrimination and sexual harassment is required for all state agency employees. Refresher training is required every two years and new employees must be trained within 30 days of starting employment with the agency. See Tex. Lab. Code. § 21.010.

In addition, a state agency that receives three or more complaints of employment discrimination in a fiscal year, other than complaints determined to be without merit, must provide a comprehensive equal employment opportunity training program to appropriate supervisory and managerial employees. See Tex. Lab. Code Ann. § 21.556(a).

On its website, and in its business guidance for employers in the state, the Texas Workforce Commission encourages all employers to take the steps necessary to prevent sexual harassment from occurring. This includes clearly communicating to employees that sexual harassment will not be tolerated. Training is specifically identified as an important step for minimizing liability.

Days to File a Claim with a State Agency

180 days

See Tex. Lab. Code Ann. § 21.202(a); 40 Tex. Admin. Code § 819.41(e).

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 2 years)
- Compensatory damages*
- Punitive damages
- The combined max for compensatory and punitive damages is \$50,000–\$300,000 depending on the size of the employer

*Compensatory damages include future monetary loss, emotional pain and suffering, inconvenience, mental anguish, loss of enjoyment of life, and other loss.

Injunctive/Equitable Relief

- Temporary injunction
- Hiring
- Reinstatement
- Reasonable attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not expressly define or prohibit harassment. *See* Tex. Lab. Code Ann. §§ 21.002 (Definitions), 21.051 (Prohibitions). Court decisions have, however, interpreted the state statute to prohibit sexual harassment (quid pro quo and hostile work environment). *See Syndex Corp. v. Dean*, 820 S.W.2d 869 (Tex. App. Austin 1991), *writ denied*, (May 20, 1992). Courts have also recognized that age-based harassment is a violation of the state statute. *See City of Houston v. Fletcher*, 2005 WL 1405733 (Tex. Ct. App. 2005). Likewise, race-based harassment is a violation of the state statute. Texas courts look to analogous federal case law to interpret the TCHRA, including federal jurisprudence on harassment and an employer's defenses thereto.

The Texas Workforce Commission on Civil Rights and Discrimination website provides information about sexual harassment. The website provides that:

Sexual harassment is a form of sex discrimination that violates Chapter 21 of the Texas Labor Code and Title VII of the Civil Rights Act of 1964. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a coworker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

See <http://www.twc.state.tx.us/crd/facts.html#harass>.

[Back to Top](#)

UTAH

Covered Employers

The state and its political subdivisions, employers with at least fifteen (15) employees, employment agencies, labor organizations, joint labor-management committees, and government contractors, but not religious organizations, corporations or associations. Any business or enterprise on or near an Indian reservation that gives preferential treatment to a native American Indian living on or near an Indian reservation is also excepted.

Enforcement Agency

Labor Commission of Utah Antidiscrimination & Labor Division

Mail Address: P.O. Box 146630, Salt Lake City, UT, 84114-6630

Street Address: 160 East 300 South, 3rd Floor, Salt Lake City, UT 84111

<http://laborcommission.utah.gov/divisions/AntidiscriminationAndLabor/index.html>

Phone: (801) 530-6801 or

(800) 222-1238

TDD: (801) 530-7685

Fax: (801) 530-7609

Eml: discrimination@utah.gov

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, sex, pregnancy (including childbirth and pregnancy-related conditions), age (40+), religion, national origin (includes ancestry), and disability. Utah Code Ann. . §34A- 5-106

Other Protections

Use of genetic information and testing Utah Code Ann. §§26-45-103.

Armed forces and reserve membership Utah Code Ann. . §39-1-36

Training & Education

There are no training and education requirements for private employers.

The Utah Department of Human Resource Management Rules obligate all public employers to conduct unlawful harassment prevention training consistent with standards established by the Department. See Utah Admin. Code § 477-15-7.

The Unlawful Harassment Prevention Training Standards established by the DHRM require training within ninety (90) days of hire (both employee and supervisor) and refresher training at least every three (3) years. Temporary employees and volunteers must also be provided with information. The training must cover all forms of protected class harassment, address retaliation, cover how to report, provide information about supervisory responsibilities, and identify the state complaint procedure. Special in-depth training for supervisors is also required.

Training programs must be approved by the Department of Human Resource Management and Risk Management.

Days to File a Claim with a State Agency

180 days

See Utah Code Ann. § 34A-5-107(c); Utah Admin. Code r. 606-1-3(B)(1).

Examples of Some Available Remedies

Economic Relief

- Back pay and benefits
- Relief to the complaining party

Injunctive/Equitable Relief

- Cease-and-desist order
- Relief to the complaining party
- Reinstatement
- Hiring
- Upgrade
- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute expressly prohibits harassment on the basis of protected class. See Utah Code. Ann. 34A-5-106(1)(a)(i). The statute states that:

(a) (i) An employer may not refuse to hire, promote, discharge, demote, or terminate any person, or to retaliate against, **harass**, or discriminate in matters of compensation or in terms, privileges, and conditions of employment against any person otherwise qualified, because of:

- (A) race;
- (B) color;
- (C) sex;
- (D) pregnancy, childbirth, or pregnancy-related conditions;
- (E) age, if the individual is 40 years of age or older;
- (F) religion;
- (G) national origin; or
- (H) disability

Utah Code. Ann. 34A-5-106(1)(a)(i). The rules of the commission define sexual harassment as:

unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an

individual's work performance or creating an intimidating, hostile, or offensive work environment.

Utah Admin. Code r. 606-1-2(J).

[Back to Top](#)

VERMONT

Covered Employers

Employers with 1 or more employees.

Vt. Stat. Ann. tit. 21, § 495d

Enforcement Agency

For public employers:

Vermont Human Rights Commission

14-16 Baldwin St.

Montpelier, VT 05633-6301

Phone: (800) 416-2010, EXT. 25 / (877) 294-9200 (TTY)

Fax: (802) 828-2481

Eml: human.rights@state.vt.us

<http://www.hrc.state.vt.us/>

For private employers:

Office of the Attorney General

Civil Rights Unit

109 State St.

Montpelier, VT 05609-1001

Phone: (802) 828-3657 or

(888) 745-9195

Fax: (802) 828-2154

Eml: civilrights@atg.state.vt.us

<http://ago.vermont.gov/divisions/civil-rights.php>

<http://www.atg.state.vt.us/issues/discrimination.php><http://www.atg.state.vt.us/issues/discrimination.php>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, sex (including pregnancy), sexual orientation, gender identity (actual or perceived), national origin, ancestry or place of birth, mental or physical disability, age (18+), and HIV status or testing. See Vt. St. Ann. tit. §§ 495, 495d.

Sexual orientation discrimination prohibitions for state employers can also be found at Vt. Stat. Ann. tit.3 Part 1, Ch. 27, Sub. 4, § 961 Sub. Ch. 6 § 1001.

Other Protections

Use of genetic information and testing. Vt. Stat. Ann. tit. 18 §§ 9331, 9333.

Reserve and National Guard membership Vt. Stat. Ann. tit. 21, §491

Discrimination based on an individual's credit report or history is prohibited. Vt. Stat. Ann. tit. 21 § 495i.

Training & Education

The Vermont Fair Employment Practices Act encourages, but does not mandate, employers to conduct an education and training program for new employees on sexual harassment within one year of commencement of employment and to provide additional training for supervisors. See Vt. Stat. Ann. tit. 21, § 495h(f).

Employers are required to adopt a specific policy prohibiting harassment, provide a written copy of the policy to employees, and post the policy in a prominent place in the workplace. At minimum, the policy must include:

- (A) a statement that sexual harassment in the workplace is unlawful;
- (B) a statement that it is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment;
- (C) a description and examples of sexual harassment;
- (D) a statement of the range of consequences for employees who commit sexual harassment;

(E) if the employer has more than five employees, a description of the process for filing internal complaints about sexual harassment and the names, addresses, and telephone numbers of the person or persons to whom complaints should be made; and

(F) the complaint process of the appropriate state and federal employment discrimination enforcement agencies, and directions as to how to contact such agencies.

Vt. Stat. Ann. tit. 21, § 495h(b).

Days to File a Claim with a State Agency

1 year

Vt. Code R. 80-250-001(2).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Compensatory damages
- Civil penalties
- Punitive damages

Injunctive/Equitable Relief

- Hiring
- Reinstatement
- Promotion or upgrade
- Other appropriate relief
- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

State statute mandates that all employers have an “obligation to ensure a workplace free of sexual harassment.” Vt. Stat. Ann. tit. 21, §495h(a). Employers are required to adopt a specific policy prohibiting harassment and are encouraged to train managers and supervisors.

The statute defines sexual harassment as:

A form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. Submission to that conduct is made either explicitly or implicitly a term or condition of employment; or
- b. Submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- c. The conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Vt. Stat. Ann. tit. 21, § 495d(13).

[Back to Top](#)

VIRGINIA

Covered Employers

Generally

Employers with 15 or more employees are covered by discrimination prohibitions. Employers with 6 to 14 employees cannot discharge employees based on race, color, religion, national origin, sex or pregnancy, childbirth or related medical conditions.

Va. Code Ann. § 2.2-3900.

Age Discrimination

Employers with 6 to 19 employees cannot discharge employees based on age (40+).

Va. Code Ann. § 2.2-3903.

Enforcement Agency

Division of Human Rights

Office of the Attorney General

900 East Main Street

Richmond, VA 23219

(804)-225-2292

Email: human_rights@oag.state.va.us

<http://chr.vipnet.org/index.html>

http://www.ag.virginia.gov/Programs%20and%20Resources/Human_Rights/index.htmlhttp://www.ag.virginia.gov/Programs%20and%20Resources/Human_Rights/index.html

[d%20Resources/Human_Rights/index.html](http://www.ag.virginia.gov/Programs%20and%20Resources/Human_Rights/index.html)
http://www.ag.virginia.gov/Programs%20and%20Resources/Human_Rights/index.html

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions (including lactation), age (40+), marital status, and disability (mental or physical impairments). See Va. Code, §§ 2.2-3900; 2.2-3901; 44-93 *et seq.*; 24.2-118.1.

Note: Although the primary FEP provisions include disability as a protected classification, additional provisions prohibiting disability discrimination appear at Va. Code Ann. § 51.5-41

Other Protections

Genetic characteristics or test results. Va. Code § 40.1-28.7:1.

Military status Va. Code Ann. § 44-93.4

Sexual orientation discrimination prohibitions for state employers can be found in Executive Order 1-06.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

180 days

Va. Code Ann. § 2.2-2633(B).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Fringe benefits

Injunctive/Equitable Relief

- Hiring
- Reinstatement
- Promotion or upgrading position
- Attorneys' fees/costs
- Posting and reporting
- Revising personnel policies

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The Virginia Human Rights Act does not expressly define or prohibit harassment. However, the statute makes it an unfair discriminatory act to engage in conduct that “violates any Virginia or federal statute or regulation governing discrimination on the basis of race, color, religion, national origin, sex, pregnancy, childbirth, or related medical condition, age, marital status, or disability.” See Va. Code Ann. 2.2-3901. Harassment on the basis of protected class is prohibited by federal law.

[Back to Top](#)

WASHINGTON

Covered Employers

Employers with at least eight (8) employees, employment agencies, labor organizations and government contractors, but not nonprofit religious or sectarian organizations.

Common law public policy claim for sex and disability discrimination, and potentially other protected classifications, applies to all employers.

Enforcement Agency

Washington State Human Rights Commission

711 South Capitol Way, Suite 402

P.O. Box 42490

Olympia, WA 98504

Phone: (360) 753-6770 or

(800) 233-3247

TTY: (800) 300-7525

Fax: 360.586.2282

<http://www.hum.wa.gov/>

Seattle District Office

Phone: (360) 753-6770 / (800) 233-3247 / (800) 300-7525 (TTY)

Fax: (360) 586-2282

Spokane District Office

1330 N. Washington St., Suite 2460

Spokane, WA 99201

Phone: (509) 568-3196

Fax: (509) 568-3197

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Age (40+), sex (including pregnancy), marital status (including state registered domestic partnerships, same-sex marriages), race, creed, color, national origin, ancestry, the presence of any sensory, mental or physical disability, use of a trained guide dog or service animal by a disabled person, the results of a HIV or hepatitis-C test, honorably discharged veteran or military status, and sexual orientation (actual or perceived which includes gender identity). See Wash. Rev. Code. §§49.12.175, 49.12.265, , 49.60.010, 49.60.030, 49.60.040, 49.60.172, 49.60.180, 49.60.190, 49.60.200.

Genetic information and testing is also prohibited. Wash. Rev. Code. § 49.44.180.

Discrimination against employees who take leave related to domestic violence, sexual assault, or stalking against themselves or a family member is prohibited. Wash. Rev. Code. §§49.76.030; 49.76.120.

An employer may not discharge or discipline an employee who is a member of the civil air patrol because of leave taken related to an emergency service operation. Wash. Rev.Code. § 49.12.460.

Training & Education

By Executive Order, state agencies are required to provide all employees with training designed to prevent sexual harassment.

Executive Order EO 89-1.

Days to File a Claim with a State Agency

6 months

Wash. Rev. Code § 49.60.230(2)

Examples of Some Available Remedies

Economic Relief

- Actual damages
- Back pay
- Front pay
- Compensatory damages for humiliation and mental suffering
- Compensation for adverse federal tax consequences of an award

Injunctive/Equitable Relief

- Cease-and-desist order
- Other appropriate relief authorized by Title VII
- Hiring
- Reinstatement
- Promotion or upgrade of position
- Attorneys' fees

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not expressly define or prohibit harassment. Courts have interpreted the state statute to prohibit sexual, racial and disability harassment. *See Fisher v. Tacoma School Dist.* No. 10, 53 Wash. App. 591, 769 P.2d 318 (1989); *Glasgow v. Georgia-Pacific Corp.*, 103 Wash. 2d 40, 693 P.2d 708 (1985); *Robel v. Roundup Corp.* 148 Wash. 2d 35, 59 P.3d 611 (2002).

The state Human Rights Commission defines sexual harassment as unwelcome or unwanted sexual advances or requests for sexual favors. It can also be some kind of sexual action that is aimed at someone because of the person's sex. This action can be verbal, physical, or visual and subtle or obvious. It can also include conduct that is not sexual in nature but is gender-related. Sexual harassment includes the harassment of the same, or of the opposite, sex.

Washington State Human Rights Commission [Sexual Harassment Fact Sheet](#)

Malicious harassment on the basis of real or perceived race, color, religion, ancestry, national origin, gender, sexual orientation, or mental, physical or sensory handicap is a criminal violation in Washington. *See Wash. Rev. Code §9A.36.080(1)*. Malicious harassment includes injury to the victim, causing damage to property, or placing the person in reasonable fear of harm to person or property. Malicious harassment is a class C felony.

[Back to Top](#)

WEST VIRGINIA

Covered Employers

The state and its political subdivisions, employers with at least twelve (12) persons within the state, employment agencies, training committees, and labor organizations, but not private clubs.

Enforcement Agency

West Virginia Human Rights Commission

1321 Plaza East, Room 108A

Charleston, WV 25301

Phone: (304) 558-2616 or

(888) 676-5546

Fax: (304) 558-0085

<http://www.hrc.wv.gov/Pages/default.aspx>

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Race, religion, color, national origin, ancestry, sex, age (40+), blindness, disability, and familial status (applies to public and private employers) and pregnancy. See W.V. Code §§ 5-11-1 *et seq.*, 21-3-19, 21-5B-3, 5-11B-2 *et. seq.*

Training & Education

While there are no state law requirements, West Virginia state law encourages employers to take all steps necessary to prevent sexual harassment from occurring by taking preventative measures such as (but not limited to):

- Expressing strong disapproval of sexual harassment
- Developing and implementing appropriate sanctions,
- Informing employees of their right to be free from harassment and the appropriate steps to take if harassment occurs, and
- Developing methods to sensitize all employees regarding appropriate behavior in the workplace.

W. Va. Code R. § 77-4-3.5.

Days to File a Claim with a State Agency

365 days (although administrative exhaustion is not a prerequisite to filing a lawsuit, for which the statute of *limitations is two years*).

W. Va. Code R. § 77-2-3.9.d.1.

Examples of Some Available Remedies

Economic Relief

- Other Relief as appropriate
- Back pay
- Incidental damages
- Courts are empowered to grant legal or equitable relief as deemed proper

Injunctive/Equitable Relief

- Cease-and-desist order
- Hiring
- Reinstatement
- Promotion or upgrading
- Other affirmative action
- Attorneys' fees/costs

Fine of \$100 to \$500 and imprisonment for thirty (30) days for willfully violating Commission order.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

Both religious and sexual harassment are prohibited by the Rules of the West Virginia Human Rights Commission. Section 77-3-4 provides that "harassment in the workplace on the basis of religion is an unlawful employment practice. Unwelcome comments, jokes, acts and other verbal or physical conduct may constitute religious harassment when:

4.1.1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

4.1.2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or

4.1.3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment."

W. Va. Code R. § 77-3-4.1. With respect to sexual harassment the rules provide that "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

2.2.1. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's employment or is exchanged for job benefits,

2.2.2 Submission to or rejection of such conduct by an individual is used as the basis for employment decision affecting such individual; or

2.2.3 Such conduct has the purpose or effect of unreasonably interfering with an individuals' work performance creating an intimidating, hostile, or offensive working environment.

2.5. Harassment is not necessarily confined to unwanted sexual conduct. Hostile or physically aggressive behavior may also constitute sexual harassment as long as the disparate treatment is based on gender.

W. Va. Code R. § 77-4.2. Sexual harassment is considered a form of sex discrimination and is a violation of the West Virginia Human Rights Act, W.Va. Code § 5-111-1 et seq.

A claim for national origin harassment is also viable under the statute. See *Fairmont Specialty Servs. v. West Va. Human Rights Com'n*, 522 S.E.2d 180 (1999) as is a claim for racial harassment.

[Back to Top](#)

WISCONSIN

Covered Employers

The state and its agencies, private employers and their agents, employment agencies, labor organizations, licensing agencies, and government contractors and subcontractors, but not social clubs or fraternal societies with respect to a particular job for which the club or society seeks to employ or employs a member.

Enforcement Agency

Wisconsin Department of Workforce Development

Equal Rights Division

201 E. Washington Ave., Room A300

P.O. Box 8928

Madison, WI 53708

Phone: (608) 266-6860

TTY: (608) 264-8752

Fax: (608) 267-4592

http://www.dwd.state.wi.us/er/discrimination_civil_rights/fair_employment_law.htm

Milwaukee Office

819 N. 6th St., Room 723

Milwaukee, WI 53203

Phone: (414) 227-4384 / (414) 227-4081 (TTY)

Fax: (414) 227-4981

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Age (40+), race, creed, color, disability, marital status (domestic partnerships in limited instances such as leave laws), sex (including pregnancy, childbirth, maternity leave or related medical condition), genetic testing, national origin, ancestry, sexual orientation, arrest or conviction record, membership in the national guard or military service, use/nonuse of lawful products off the employers premises during nonworking hours, declining to attend a meeting or to participate in any communication about religious matters or political matters, honesty testing, and use of genetic information. See Wis. Stat. §§ 103.15, 111.31, 111.321, 111.322, 111.325, 111.33, 111.335, 111.337, 111.34, 111.345, 111.36, 111.365, 111.37 111.395.

Sexual orientation prohibitions applicable to state employers are also covered in Wisc. Stat. Ch. 230, Subch. 1, sections 230.01, 230.03, and 230.05, and Subch. II, Sections 230.18, and 230.19.

Other Protections

HIV status or testing is also prohibited. See Wis. Stat. § 103.15.

Prohibits discrimination against individuals exercising emergency responders' leave rights (Volunteer firefighters, emergency medical technicians, first responders, ambulance drivers). Wis. Stat. § 103.88

Training & Education

On its website, the agency advises employers to take action to respond to concerns about workplace harassment. One of the ways to do this is to "provide training to sensitize employees on the issue of harassment and periodically remind them of your strong desire to maintain a harassment free workplace."

See Equal Rights Division Harassment in the Workplace Guide(link is external).

Days to File a Claim with a State Agency

300 days

See Wis. Stat. § 111.39(1).

Examples of Some Available Remedies

Economic Relief

- Back pay (max of 2 years)
- Compensatory damages (Compensatory and punitive damages for violations of honesty testing and genetic testing have been eliminated. See SB 202 amending § 111.39.)

Injunctive/Equitable Relief

- Hiring
- Reinstatement
- Promotion and upgrade
- Attorneys' fees/costs
- Statute authorizes the department to order such action as is necessary to carry out the purposes of the act.
- ALJ can award wages lost, interest on lost wages, attorney fees and costs.

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute expressly prohibits sexual harassment. It provides that:

Employment discrimination because of sex includes, but is not limited to, any of the following actions by an employer:

(b) Engaging in sexual harassment; or implicitly or explicitly making or permitting acquiescence in or submission to sexual harassment a term or condition of employment; or making or permitting acquiescence in or submission to sexual harassment the basis or any part of the basis for any employment decision affecting an employee, other than an employment decision that is disciplinary action against an employee for engaging in sexual harassment in violation of this paragraph; or permitting sexual harassment to have the purpose or effect of substantially interfering with an employee's work performance or of creating an intimidating, hostile or offensive work environment. Under this paragraph, substantial interference with an employee's work performance or creation of a hostile or offensive work environment is established when the conduct is such that a reasonable person under the same circumstances as the employee would consider the conduct sufficiently severe or pervasive to interfere substantially with the person's work performance or to create an intimidating, hostile, or offensive work environment.

Wis. Stat. § 111.36(1)(b). Sexual harassment is defined as:

...unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature. "Sexual harassment" includes conduct

directed by a person at another person of the same or opposite gender. "Unwelcome verbal or physical conduct of a sexual nature" includes but is not limited to the deliberate, repeated making of unsolicited gestures or comments of a sexual nature; the deliberate, repeated display of offensive sexually graphic materials which is not necessary for business purposes; or deliberate verbal or physical conduct of a sexual nature, whether or not repeated, that is sufficiently severe to interfere substantially with an employee's work performance or to create an intimidating, hostile or offensive work environment.

Wis. Stat. § 111.32(13). The Equal Rights Division also provides that other forms of harassment violate law and are prohibited at work. The site states that:

Harassment becomes illegal when an employer, supervisor or co-worker harasses a person because of their race, color, creed, ancestry, national origin, age (40 and up), disability, sex, arrest or conviction record, marital status, sexual orientation or membership in the military reserve. Harassment may include verbal abuse, epithets, and vulgar or derogatory language, display of offensive cartoons or materials, mimicry, lewd or offensive gestures and telling of jokes offensive to the above protected class members. The behavior must be more than a few isolated incidents or casual comments. It involves a pattern of abusive and degrading conduct directed against a protected class member that is sufficient to interfere with their work or create an offensive and hostile work environment.

Equal Rights Division [Harassment in the Workplace Guide](#).

[Back to Top](#)

WYOMING

Covered Employers

The state and its political subdivisions, employers with at least two (2) or more employees, employment agencies, labor organizations, and government contractors, but not religious organizations or associations.

Enforcement Agency

Wyoming Dept. of Employment, Labor Standards Office

Fair Employment Program

1510 E. Pershing Blvd., West Wing, Number 150

Cheyenne, WY 82001

Phone: (307) 777-7261

Fax: (307) 777-5633

<http://www.wyomingworkforce.org/businesses/labor/f>

Casper Office

Mailing Address

851 Werner Court, #121
Casper, WY 82601

Physical Address

851 Werner Court, #121
Casper, WY 82601
Phone: (307) 235-3679
Fax: (307) 235-3688

Categories Protected by State FEP Statutes

The following is not a comprehensive list of every category protected by every state law. Rather, it is a list of those categories protected by each state's primary FEP statute(s). For example, many states have separate statutes that protect employees who use tobacco, who have an arrest record, or who engage in political activity. Those types of separate statutes are not discussed below.

Also, it does not cover all case law that may expand on or define categories listed under state statutes. In addition, some cities may also have ordinances or laws that prohibit discrimination. These laws may be broader than state statutes and are not reflected below.

Age (40+), sex, race, creed, color, national origin, ancestry, and disability, pregnancy, and use or nonuse of tobacco products outside the workplace. See Wyo. Stat. §§ 27-4-302, 27-9-102, 27-9-105.

Other Protections

Uniformed services (includes armed forces, army national guard, air national guard)
Wyo. Stat. Ann. § 19-11-104.

Training & Education

No state law requirements.

Days to File a Claim with a State Agency

6 months
Wyo. Stat. § 27-9-106(a); 025-140-003 Wyo. Code R. § 3(b).

Examples of Some Available Remedies

Economic Relief

- Back pay
- Front pay

Injunctive/Equitable Relief

- Cease-and-desist order
- Prehearing injunction
- Hiring
- Reinstatement
- Promotion or upgrading
- Any other relief to make the complainant whole.
- Attorneys' fees/costs

Definition of Sexual Harassment

The information below references statutory language, agency rules, and/or information found on agency websites. This section does not generally reference case law or local law that can expand upon the definition of harassment or the viability of a claim based on protected class harassment. It is important to review relevant case law and statutes (federal, state and local) carefully to ensure full compliance and understanding of the law and legal obligations.

The state statute does not expressly define or prohibit harassment. Wyoming courts have interpreted the prohibition against sex discrimination to include a prohibition against sexual harassment. See *Hoflund v. Airport Golf Club*, 105 P.3d 1079 (Wyo. 2005). Such claims are analyzed using the same standards as are applied under Title VII of the Civil Rights Act of 1964.

[Back to Top](#)

Understanding Remedies

Additional Sexual Harassment Information for Learners in California, Connecticut, and Maine

Special rules apply to learners in California, Maine, and Connecticut. In these states additional information about sexual harassment must be provided. If you are a learner in one of these states please review the information below on Title VII, and then click the appropriate state link below. If you do not work in or supervise employees in any of these states click the Continue button.

Title VII of the Civil Rights Act of 1964:

Under federal law, sexual harassment is defined to include:

Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating hostile, or offensive working environment.

The federal law's definition of sexual harassment comes from the Civil Rights Act of 1964, which prohibits sex discrimination in employment by the following statutory provision (42 U.S.C. § 2000e-2(a)(1)):

It shall be an unlawful employment practice for an employer (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin....

The federal law's definition of unlawful retaliation is as follows (42 USC § 2000e-3(a)):

It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice made an unlawful employment practice by this subchapter, or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this subchapter.

Conclusion x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)**Additional Sexual Harassment Information for Learners in California, Connecticut, and Maine**

Special rules apply to learners in California, Maine, and Connecticut. In these states additional information about sexual harassment must be provided. If you are a learner in one of these states please review the information below on Title VII, and then click the appropriate state link below. If you do not work in or supervise employees in any of these states click the Continue button.

Title VII of the Civil Rights Act of 1964:

Under federal law, sexual harassment is defined to include:

Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating hostile, or offensive working environment.

The federal law's definition of sexual harassment comes from the Civil Rights Act of 1964, which prohibits sex discrimination in employment by the following statutory provision (42 U.S.C. § 2000e-2(a)(1)):

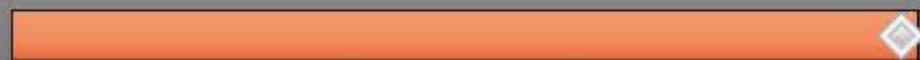
It shall be an unlawful employment practice for an employer (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin...

The federal law's definition of unlawful retaliation is as follows (42 USC § 2000e-3(a)):

It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice made an unlawful employment practice by this subchapter, or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this subchapter.

[CALIFORNIA](#)[CONNECTICUT](#)[MAINE](#)

Menu

 1:45

© 2018 NAVEX GLOBAL MCF 6.9.0

 Silent

Continue

CALIFORNIA

California's Fair Employment and Housing Commission (FEHC) defines unlawful harassment under state law to include:

Verbal harassment (epithets, derogatory comments, or slurs based on a protected characteristic); physical harassment (assault, impeding or blocking movement, or any physical interference with normal work or movement when based on a protected characteristic); visual harassment (derogatory posters, cartoons, or drawings based on a protected class); or sexual favors (unwanted sexual advances which condition an employment benefit upon an exchange of sexual favors). Prohibited harassment also includes making or threatening retaliatory action against an employee after receiving a negative response to sexual advances.

California's Fair Employment and Housing Act (FEHA) prohibits sex discrimination in employment by the following statutory provision (California Government Code § 12940(a)):

It shall be an unlawful employment practice, unless based upon a bona fide occupational qualification, or, except where based upon applicable security regulations established by the United States or the State of California: (a) For an employer, because of the race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation of any person, to refuse to hire or employ the person or to refuse to select the person for a training program leading to employment, or to bar or to discharge the person from employment or from a training program leading to employment, or to discriminate against the person in compensation or in terms, conditions, or privileges of employment.

The FEHA also contains a provision prohibiting sexual harassment in employment (California Government Code § 12940(j)(1)):

It shall be an unlawful employment practice, unless based upon a bona fide occupational qualification, or, except where based upon applicable security regulations established by the United States or the State of California: . . . (1) For an employer, labor organization, employment agency, apprenticeship training program or any training program leading to employment, or any other person, because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, to harass an employee, an applicant, an unpaid intern or volunteer, or a person providing services pursuant to a contract. Harassment of an employee, an applicant, an unpaid intern or volunteer, or a person providing services pursuant to a contract by an employee, other than an agent or supervisor, shall be unlawful if the entity, or its agents or supervisors, knows or should have known of this conduct and fails to take immediate and appropriate corrective action. An employer may also be responsible for the acts of nonemployees, with respect to sexual harassment of employees, applicants, unpaid interns or volunteers, or persons providing services pursuant to a contract in the workplace, where the employer, or its agents or supervisors, knows or should have known of the conduct and fails to take immediate and appropriate corrective action. In reviewing cases involving the acts of nonemployees, the extent of the employer's control and any other legal responsibility that the employer may have with respect to the conduct of those

Conclusion x[50 State Survey](#)[Policy](#)[Questions](#)[Report](#)

employment, or to discriminate against the person in compensation or in terms, conditions, or privileges of employment.

The FEHA also contains a provision prohibiting sexual harassment in employment (California Government Code § 12940(j)(1)):

It shall be an unlawful employment practice, unless based upon a bona fide occupational qualification, or, except where based upon applicable security regulations established by the United States or the State of California: . . . (1) For an employer, labor organization, employment agency, apprenticeship training program or any training program leading to employment, or any other person, because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, to harass an employee, an applicant, an unpaid intern or volunteer, or a person providing services pursuant to a contract. Harassment of an employee, an applicant, an unpaid intern or volunteer, or a person providing services pursuant to a contract by an employee, other than an agent or supervisor, shall be unlawful if the entity, or its agents or supervisors, knows or should have known of this conduct and fails to take immediate and appropriate corrective action. An employer may also be responsible for the acts of nonemployees, with respect to sexual harassment of employees, applicants, unpaid interns or volunteers, or persons providing services pursuant to a contract in the workplace, where the employer, or its agents or supervisors, knows or should have known of the conduct and fails to take immediate and appropriate corrective action. In reviewing cases involving the acts of nonemployees, the extent of the employer's control and any other legal responsibility that the employer may have with respect to the conduct of those nonemployees shall be considered. An entity shall take all reasonable steps to prevent harassment from occurring. Loss of tangible job benefits shall not be necessary in order to establish harassment.

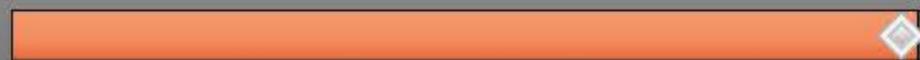
Finally, the FEHA contains the following definition of unlawful retaliation (California Government Code § 12940(h)):

For any employer, labor organization, employment agency, or person to discharge, expel, or otherwise discriminate against any person because the person has opposed any practices forbidden under this part or because the person has filed a complaint, testified, or assisted in any proceeding under this part.

In addition to filing a complaint internally with their employer, employees may also file a complaint with the California Department of Fair Employment and Housing within one year of the alleged unlawful conduct by calling (800) 884-1684 (in California) or (916) 478-7200 (outside California), or going to contact.center@dfeh.ca.gov. To preserve your legal rights, you must timely file such a complaint of discrimination or harassment with the department prior to filing a lawsuit. For more information: www.dfeh.ca.gov.

[CONNECTICUT](#)

[MAINE](#)

[Menu](#) 1:45 Silent [Continue](#)



Conclusion



50 State Survey

Policy

Questions

Report

the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating hostile, or offensive working environment.

The federal law's definition of sexual harassment comes from the Civil Rights Act of 1964, which prohibits sex discrimination in employment by the following statutory provision (42 U.S.C. § 2000e-2(a)(1)):

It shall be an unlawful employment practice for an employer (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin....

The federal law's definition of unlawful retaliation is as follows (42 USC § 2000e-3(a)):

It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice made an unlawful employment practice by this subchapter, or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this subchapter.

[CALIFORNIA](#)[CONNECTICUT](#)

The Connecticut Discriminatory Employment Practices Act defines prohibited sexual harassment as:

Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when (A) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (B) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (C) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Unlawful harassment can also be based on sex or because of sex, and may also include gender harassment, and harassment based on pregnancy, childbirth, or related medical conditions.

In addition to filing a complaint internally with their employer, employees may also contact the Connecticut Commission on Human Rights and Opportunities (CHRO), 21 Grand Street, Hartford, Connecticut 06106, (860) 541-3400 or (800) 477-5737. You must complain to the Commission in writing within 180 days of the date when the unlawful conduct occurred. To preserve your legal rights, you must timely file such a charge of discrimination or harassment with the commission prior to filing a lawsuit. For more information: www.ct.gov/chro.

[MAINE](#)

Menu

1:45

© 2018 NAVEX GLOBAL MCF 6.9.0

Silent

Continue



Conclusion



50 State Survey

Policy

Questions

Report

by the following statutory provision (42 U.S.C. § 2000e-2(a)(1)):

It shall be an unlawful employment practice for an employer (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin...

The federal law's definition of unlawful retaliation is as follows (42 USC § 2000e-3(a)):

It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice made an unlawful employment practice by this subchapter, or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this subchapter.

[CALIFORNIA](#)[CONNECTICUT](#)[MAINE](#)

Under the Maine Human Rights Act unwelcome sexual harassment is defined as:

Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The Maine Human Rights Act also prohibits retaliation against employees who oppose harassment or discrimination, or who file a charge, testify, or assist in any manner in any investigation, proceeding, or hearing under this law. Specifically, employers may not punish or penalize or attempt to punish or penalize any person for exercising their rights to be free from unlawful harassment and discrimination.

In addition to filing a complaint internally with the employer, employees may also file a complaint with the Maine Human Rights Commission within 300 days of the date of the conduct they believe is harassing or discriminatory. Charges may be filed in person or by mail by filling out a form provided by the commission. The commission will not accept charges by fax or email. To file a charge in person, you may visit the office of the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333. Or, you may call the Commission at (207) 624-6050. To preserve your legal rights, you must timely file such a charge of discrimination or harassment with the commission prior to filing a lawsuit. For more information: www.maine.gov/mhrc.

Menu

1:46

Silent

Continue



Conclusion



50 State Survey

Policy

Questions

Report



[Oracle's Anti-Harassment Policy](#)

[Oracle's Personal Relationships in the Workplace Policy](#)

Menu

 1:46

Print



 Silent



Continue



Oracle Cloud **Infrastructure**

Low data networking fees and automated migration

Oracle Cloud Infrastructure platform is built for enterprises that are looking for higher performance computing with easy migration of their on-premises applications to the Cloud.

Cloud **Applications**

Complete suite of integrated apps

Streamline your business processes. With ERP Financials, Procurement, and more, you can increase productivity, lower costs, and improve controls.

Gartner: Oracle offers customers the first full on-premises public cloud experience

Lydia Leong, VP, Distinguished Analyst for Gartner, outlines why Oracle Dedicated Region Cloud@Customer is the first in the industry to deliver what customers want in a full cloud infrastructure experience for their data center.

[Read the Gartner blog](#)

[Learn about Dedicated Region Cloud@Customer](#)





Conclusion

- 50 State Survey
- Policy
- Questions
- Report



If you have questions regarding this training, please contact [OU Knowledge Center Support](#).

Menu | 1:50 | Print | Progress Bar | Silent | Continue

OU Knowledge Center Support Help

[My Trainings](#)[My Service Requests](#)

Filter

Clear

[Access](#)[Playback](#)[Status](#)

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

- ▶ [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)
- ▶ [I'm having technical issues playing one or more of the Compliance Courses. What should I do now?](#)
- ▶ [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)
- ▶ [I am a new hire. Why can't I access the new Learning Management System with my Single Sign On \(SSO\)?](#)
- ▶ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)
- ▶ [I am a manager. How can I view global compliance training information for my team?](#)
- ▶ [I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?](#)
- ▶ [How do I start playing a global compliance course in the Learning Management System?](#)
- ▶ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)
- ▶ [I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?](#)
- ▶ [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)
- ▶ [I have a mac operating system and am unable to play compliance courses. Please help.](#)
- ▶ [What support is available for an employee with special needs?](#)
- ▶ [I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?](#)
- ▶ [I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?](#)
- ▶ [I completed my global compliance training program. Why don't I see a badge on my ARIA page?](#)

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

▼ **How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?**

New hires, rehires and newly acquired employees **must complete all global compliance training courses during their first 60 days at Oracle.** It can take up to 48 hours from your start date before access is available to you on the Learning Management System. After your account is set up, you will receive an email notification asking you to complete your Global Compliance Training.

At any time after your account is setup, you can navigate to the [Learning Management System \(LMS\)](#) to review courses you are required to complete. Your account is pre-loaded with the learning paths and training courses that you need to take.

If issue not resolved [Log Ticket](#)

► I'm having technical issues playing one or more of the Compliance Courses. What should I do now?

► Who should I contact with comments or questions regarding courses (content, requirements, reporting, etc.)?

► I am a new hire. Why can't I access the new Learning Management System with my Single Sign On (SSO)?

► One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course(s) after returning to work?

► I am a manager. How can I view global compliance training information for my team?

► I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?

► How do I start playing a global compliance course in the Learning Management System?

► I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?

► I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?

► What happens if I do not complete my required global certification training courses by the assigned Due Date?

► I have a mac operating system and am unable to play compliance courses. Please help.

► What support is available for an employee with special needs?

► I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?

► I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?

► I completed my global compliance training program. Why don't I see a badge on my ARIA page?

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

► [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)

▼ [I'm having technical issues playing one or more of the Compliance Courses. What should I do now?](#)

In order to successfully play any of the Global Compliance Training Courses in the Learning Management System, the following criteria must be met:

- We highly recommend using Mozilla Firefox browser for mandatory courses. Also make sure you have Flash installed and enabled.
- Please download Flash from Mydesktop tool.
- You must be connected to Oracle's Intranet in order to access and complete the mandatory compliance courses. If logging in from a client site, use VPN.
- You must have a supported operating system and software from MyDesktop on your computer.
- Try clearing browser cookies and cache to check if that resolves the issue.
- Pop-up blockers should be disabled on your browser (Refer to your browser "Help" section for disabling pop-up blockers).
- Change your browser proxy configuration script to <http://wpad/wpad.dat> (In IE browser, Click on "Tools" > "Internet Options" > Click on "Connections" tab > "LAN Settings" > Check "Use automatic configuration script" > In address field enter <http://wpad/wpad.dat>)
- Once all these checks are done, access the course link and sign in with your SSO user name and password when prompted.
- Ensure that your system meets all the requirements to take the course.
- Alternatively try taking the course using another browser.
- Please note that Chrome does not support Flash so request you to take few specific courses accordingly.

If issue not resolved [Log Ticket](#)

► [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)

► [I am a new hire. Why can't I access the new Learning Management System with my Single Sign On \(SSO\)?](#)

► [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)

► [I am a manager. How can I view global compliance training information for my team?](#)

► [I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?](#)

► [How do I start playing a global compliance course in the Learning Management System?](#)

► [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)

► [I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?](#)

► [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)

► [I have a mac operating system and am unable to play compliance courses. Please help.](#)

OU Knowledge Center Support Help

➤ [My Trainings](#)

➤ [My Service Requests](#)

Filter

[Clear](#)

[Access](#)

[Playback](#)

[Status](#)

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

▶ [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)

▶ [I'm having technical issues playing one or more of the Compliance Courses. What should I do now?](#)

▼ [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)

Please log a "Ticket" using the link below. Please select the specific course, issue type and provide all the details of your question, including any screenshots if needed.

If issue not resolved [Log Ticket](#)

▶ [I am a new hire. Why can't I access the new Learning Management System with my Single Sign On \(SSO\)?](#)

▶ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)

▶ [I am a manager. How can I view global compliance training information for my team?](#)

▶ [I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?](#)

▶ [How do I start playing a global compliance course in the Learning Management System?](#)

▶ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)

▶ [I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?](#)

▶ [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)

▶ [I have a mac operating system and am unable to play compliance courses. Please help.](#)

▶ [What support is available for an employee with special needs?](#)

▶ [I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?](#)

▶ [I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?](#)

▶ [I completed my global compliance training program. Why don't I see a badge on my ARIA page?](#)

OU Knowledge Center Support Help

➤ [My Trainings](#)

➤ [My Service Requests](#)

Filter

[Clear](#)

[Access](#)

[Playback](#)

[Status](#)

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

- ▶ [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)
- ▶ [I'm having technical issues playing one or more of the Compliance Courses. What should I do now?](#)
- ▶ [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)
- ▼ [I am a new hire. Why can't I access the new Learning Management System with my Single Sign On \(SSO\)?](#)

The process to refresh and load new employee data into the [Learning Management System \(LMS\)](#) takes about 48 hours from your employment start date. So it may take up to 48 hours from your start date before you will be able to access the LMS with your SSO. Once your account is set up in the LMS, you will get an email notification informing you that you need to complete your global compliance training program within the next 60 days.

If after 48 hours, you have not received this email notification, please log a Service Request Ticket.

If issue not resolved [Log Ticket](#)

- ▶ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)
- ▶ [I am a manager. How can I view global compliance training information for my team?](#)
- ▶ [I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?](#)
- ▶ [How do I start playing a global compliance course in the Learning Management System?](#)
- ▶ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)
- ▶ [I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?](#)
- ▶ [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)
- ▶ [I have a mac operating system and am unable to play compliance courses. Please help.](#)
- ▶ [What support is available for an employee with special needs?](#)
- ▶ [I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?](#)
- ▶ [I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?](#)
- ▶ [I completed my global compliance training program. Why don't I see a badge on my ARIA page?](#)

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

- ▶ [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)
- ▶ [I'm having technical issues playing one or more of the Compliance Courses. What should I do now?](#)
- ▶ [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)
- ▶ [I am a new hire. Why can't I access the new Learning Management System with my Single Sign On \(SSO\)?](#)
- ▼ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)

Please raise an SR by clicking on the **Log Ticket** button. Please select "General Question (Not Course-Specific)" as the Course, and "Course Requirements / Reminder Email Received" as the **Issue Type**.

In the **Problem Description**, please include the email address of your direct report, as well as the anticipated end date of their approved leave.

Please note that an approved leave of absence does not include vacation or personal holiday.

If issue not resolved [Log Ticket](#)

- ▶ [I am a manager. How can I view global compliance training information for my team?](#)
- ▶ [I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?](#)
- ▶ [How do I start playing a global compliance course in the Learning Management System?](#)
- ▶ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)
- ▶ [I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?](#)
- ▶ [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)
- ▶ [I have a mac operating system and am unable to play compliance courses. Please help.](#)
- ▶ [What support is available for an employee with special needs?](#)
- ▶ [I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?](#)
- ▶ [I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?](#)
- ▶ [I completed my global compliance training program. Why don't I see a badge on my ARIA page?](#)

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

- ▶ [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)
- ▶ [I'm having technical issues playing one or more of the Compliance Courses. What should I do now?](#)
- ▶ [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)
- ▶ [I am a new hire. Why can't I access the new Learning Management System with my Single Sign On \(SSO\)?](#)
- ▶ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)
- ▼ [I am a manager. How can I view global compliance training information for my team?](#)

For the Global Compliance Training courses, go to the [Learning Management System \(LMS\)](#) to check your and your team's training histories. This includes completion status ("Completed", "Not Attempted", or "Incomplete") for all assigned Learning Paths for all learners within the Manager's organization.

A training video called "How to Run Basic Reports for Managers" is available under Quick Links in the Manager Home page. [Click here](#) to view this training video.

There are different ways to view your team's training information:

- Go to the Manager tab, and select My Team Home. This page lists all of your direct and indirect reports. For each team member, there is an "Actions" button. By clicking on "Actions", you are able to view the employee's "Current Learning" (courses that still need to be completed) and "Learning History" (courses that have been completed already).
- Click on the "Pie Chart" under "Courses Due" to get a list of employees and the courses that they need to complete.
- Run a report by going to the Compliance Transcripts menu, and select My Reports. Click the "Run" button next to the report that you want to generate.

If issue not resolved [Log Ticket](#)

- ▶ [I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?](#)
- ▶ [How do I start playing a global compliance course in the Learning Management System?](#)
- ▶ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)
- ▶ [I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?](#)
- ▶ [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)
- ▶ [I have a mac operating system and am unable to play compliance courses. Please help.](#)
- ▶ [What support is available for an employee with special needs?](#)

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

- ▶ [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)
- ▶ [I'm having technical issues playing one or more of the Compliance Courses. What should I do now?](#)
- ▶ [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)
- ▶ [I am a new hire. Why can't I access the new Learning Management System with my Single Sign On \(SSO\)?](#)
- ▶ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)
- ▶ [I am a manager. How can I view global compliance training information for my team?](#)
- ▼ [I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?](#)

If you are a new hire or rehire, it will take up to 48 hours from your start date before access is available to you on the Learning Management System. Once your account is set up, you will receive an email notification asking you to complete your Global Compliance Training. If you are having any other issues, Please go to our [Online Course Support](#) page for Frequently Asked Questions regarding access issues.

If issue not resolved [Log Ticket](#)

- ▶ [How do I start playing a global compliance course in the Learning Management System?](#)
- ▶ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)
- ▶ [I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?](#)
- ▶ [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)
- ▶ [I have a mac operating system and am unable to play compliance courses. Please help.](#)
- ▶ [What support is available for an employee with special needs?](#)
- ▶ [I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?](#)
- ▶ [I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?](#)
- ▶ [I completed my global compliance training program. Why don't I see a badge on my ARIA page?](#)

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* Click on question titles to see details. ([Most Useful](#) [TOP](#))

- ▶ How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?
- ▶ I'm having technical issues playing one or more of the Compliance Courses. What should I do now?
- ▶ Who should I contact with comments or questions regarding courses (content, requirements, reporting, etc.)?
- ▶ I am a new hire. Why can't I access the new Learning Management System with my Single Sign On (SSO)?
- ▶ One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course(s) after returning to work?
- ▶ I am a manager. How can I view global compliance training information for my team?
- ▶ I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?
- ▼ How do I start playing a global compliance course in the Learning Management System?

Courses in the Learning Management System (LMS) are organized and targeted using Learning Paths. Each Learning Path contains one or more courses. In order to complete a Learning Path, you must complete each of the courses that it specifies.

In order to launch a course, please click the "Play" button to the right of the course name.

The "Play" button can be found in the following screens in the LMS:

- On the **Home** tab – Scroll to the bottom of the page to see the course(s) that you need to take under **My Self-Paced Learning**. The Play button can be found to the right of the course title(s).
- On the **My Learning** Tab – Select **My Current Learning**. The courses you need to complete will have a **Play** button next to them.
- On the **My Learning** Tab – Select **My Learning Paths**. Any Learning Paths that have not been 100% completed will be listed on this page. Click on the Learning Path name until you get to the outstanding course(s) within this path. The courses you need to complete will have a **Play** button next to them

If issue not resolved [Log Ticket](#)

- ▶ I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?
- ▶ I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?
- ▶ What happens if I do not complete my required global certification training courses by the assigned Due Date?
- ▶ I have a mac operating system and am unable to play compliance courses. Please help.
- ▶ What support is available for an employee with special needs?
- ▶ I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?

OU Knowledge Center Support Help

➤ [My Trainings](#)

➤ [My Service Requests](#)

Filter

[Clear](#)

[Access](#)

[Playback](#)

[Status](#)

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

- ▶ [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)
- ▶ [I'm having technical issues playing one or more of the Compliance Courses. What should I do now?](#)
- ▶ [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)
- ▶ [I am a new hire. Why can't I access the new Learning Management System with my Single Sign On \(SSO\)?](#)
- ▶ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)
- ▶ [I am a manager. How can I view global compliance training information for my team?](#)
- ▶ [I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?](#)
- ▶ [How do I start playing a global compliance course in the Learning Management System?](#)
- ▼ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)

Yes, re-hires (as well as new hires and newly acquired employees) are required to take all Global Compliance Training courses within 60 days of their Oracle start date.

Go to the [Learning Management System \(LMS\)](#) to check your Learning Paths to see which courses you are required to complete. These Learning Paths are pre-loaded with your relevant compliance training courses. You can access the links to your outstanding courses from the LMS.

If issue not resolved [Log Ticket](#)

- ▶ [I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?](#)
- ▶ [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)
- ▶ [I have a mac operating system and am unable to play compliance courses. Please help.](#)
- ▶ [What support is available for an employee with special needs?](#)
- ▶ [I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?](#)
- ▶ [I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?](#)
- ▶ [I completed my global compliance training program. Why don't I see a badge on my ARIA page?](#)

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

- ▶ [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)
- ▶ [I'm having technical issues playing one or more of the Compliance Courses. What should I do now?](#)
- ▶ [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)
- ▶ [I am a new hire. Why can't I access the new Learning Management System with my Single Sign On \(SSO\)?](#)
- ▶ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)
- ▶ [I am a manager. How can I view global compliance training information for my team?](#)
- ▶ [I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?](#)
- ▶ [How do I start playing a global compliance course in the Learning Management System?](#)
- ▶ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)
- ▼ [I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?](#)

Unlike regular Oracle employees, individuals classified as Contractors are not automatically enrolled in the global compliance training courses. So even though you are able to log into the [Learning Management System \(LMS\)](#) with your SSO, you will not see any learning paths/courses that need to be completed.

Contractors should go to Catalog > Search in the LMS to find the course titles that they need to take. The Catalog tab can be found on the LMS Home page.

You may want to check with your manager to determine which courses you need to complete.

If issue not resolved [Log Ticket](#)

- ▶ [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)
- ▶ [I have a mac operating system and am unable to play compliance courses. Please help.](#)
- ▶ [What support is available for an employee with special needs?](#)
- ▶ [I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?](#)
- ▶ [I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?](#)

OU Knowledge Center Support Help

› [My Trainings](#)

› [My Service Requests](#)

Filter

[Clear](#)

[Access](#)

[Playback](#)

[Status](#)

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

- ▶ [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)
- ▶ [I'm having technical issues playing one or more of the Compliance Courses. What should I do now?](#)
- ▶ [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)
- ▶ [I am a new hire. Why can't I access the new Learning Management System with my Single Sign On \(SSO\)?](#)
- ▶ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)
- ▶ [I am a manager. How can I view global compliance training information for my team?](#)
- ▶ [I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?](#)
- ▶ [How do I start playing a global compliance course in the Learning Management System?](#)
- ▶ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)
- ▶ [I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?](#)
- ▼ [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)

As an Oracle employee, you are required to complete your Global Compliance Training Program by the Due Date assigned to you. Completion of these mandatory courses in a timely manner is an essential responsibility of your job.

If you fail to complete your Global Compliance Training Program requirement by the assigned Due Date, a warning letter will be placed in your personnel file.. As stated in the written warning, the employee is ineligible to participate in the next Corp Compensation processes (including bonus, equity and focal for salary increase) and any off cycle salary increases, discretionary bonuses or equity grants or to be transferred or promoted for the remainder of the current fiscal year. If the employee fails to complete the training during the current fiscal year, they will remain ineligible for the next fiscal year in its entirety.

For more details, refer to the [Global Compliance Training Program Enforcement FAQs](#) under Quick Links in your [LMS home page](#).

If issue not resolved [Log Ticket](#)

- ▶ [I have a mac operating system and am unable to play compliance courses. Please help.](#)
- ▶ [What support is available for an employee with special needs?](#)
- ▶ [I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?](#)
- ▶ [I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?](#)

Filter

Clear

Access

Playback

Status

Guided Assistance

* Click on question titles to see details. ([Most Useful](#) [TOP](#))

- ▶ How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?
- ▶ I'm having technical issues playing one or more of the Compliance Courses. What should I do now?
- ▶ Who should I contact with comments or questions regarding courses (content, requirements, reporting, etc.)?
- ▶ I am a new hire. Why can't I access the new Learning Management System with my Single Sign On (SSO)?
- ▶ One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course(s) after returning to work?
- ▶ I am a manager. How can I view global compliance training information for my team?
- ▶ I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?
- ▶ How do I start playing a global compliance course in the Learning Management System?
- ▶ I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?
- ▶ I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?
- ▶ What happens if I do not complete my required global certification training courses by the assigned Due Date?
- ▼ I have a mac operating system and am unable to play compliance courses. Please help.

OU courses are offered as online and browser-based content, and have been tested to work on most web browsers. Kindly check for the below requirements before attempting to play a course:

- Please ensure you are connected to the Oracle network or VPN; and
- Ensure that Flash player is installed correctly in your browser using these [instructions](#)
Please note that some browsers (Chrome and Firefox) have started to disable/deprecate NAPI plugins on which flash is based, so you may need to check to ensure that the flash player is enabled on your browser. To check if flash is enabled on Chrome, follow these [instructions](#) To check for flash on Firefox, use these [instructions](#)
Most flash-based courses may not play properly on Chrome browser. After installing flash either from the above link or from [mydesktop](#), clear your browser cache and cookies are re-try launching the course in Firefox or IE.
- Please click [here](#) to test system requirements

If these suggestions did not help, please raise a ticket using the **Log Ticket** button.

Please mention that you have gone through the above recommendations, and detail what further help is needed. Please include a screenshot of the problem.

If issue not resolved **Log Ticket**

- ▶ What support is available for an employee with special needs?
- ▶ I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?
- ▶ I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?
- ▶ I completed my global compliance training program. Why don't I see a badge on my ARIA page?

OU Knowledge Center Support Help

[My Trainings](#)
[My Service Requests](#)

Filter

Clear

Access

Playback

Status

Guided Assistance

* Click on question titles to see details. ([Most Useful](#) [TOP](#))

- ▶ [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)
- ▶ [I'm having technical issues playing one or more of the Compliance Courses. What should I do now?](#)
- ▶ [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)
- ▶ [I am a new hire. Why can't I access the new Learning Management System with my Single Sign On \(SSO\)?](#)
- ▶ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)
- ▶ [I am a manager. How can I view global compliance training information for my team?](#)
- ▶ [I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?](#)
- ▶ [How do I start playing a global compliance course in the Learning Management System?](#)
- ▶ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)
- ▶ [I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?](#)
- ▶ [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)
- ▶ [I have a mac operating system and am unable to play compliance courses. Please help.](#)
- ▼ [What support is available for an employee with special needs?](#)

Please log a "Ticket" using the link below. Please use Issue Type: **Support for Employee with Special Needs**, and include a detailed description of the assistance required. This will aid us in recommending the appropriate assistive technology or other solutions to help the employee in completing our compliance courses.

If issue not resolved [Log Ticket](#)

- ▶ [I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?](#)
- ▶ [I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?](#)
- ▶ [I completed my global compliance training program. Why don't I see a badge on my ARIA page?](#)

➤ My Trainings

➤ My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* Click on question titles to see details. (Most Useful  TOP)

- ▶ How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?
- ▶ I'm having technical issues playing one or more of the Compliance Courses. What should I do now?
- ▶ Who should I contact with comments or questions regarding courses (content, requirements, reporting, etc.)?
- ▶ I am a new hire. Why can't I access the new Learning Management System with my Single Sign On (SSO)?
- ▶ One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course(s) after returning to work?
- ▶ I am a manager. How can I view global compliance training information for my team?
- ▶ I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?
- ▶ How do I start playing a global compliance course in the Learning Management System?
- ▶ I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?
- ▶ I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?
- ▶ What happens if I do not complete my required global certification training courses by the assigned Due Date?
- ▶ I have a mac operating system and am unable to play compliance courses. Please help.
- ▶ What support is available for an employee with special needs?
- ▼ I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?

Please log a ticket by providing the below information

- Re-Hire Date:
- Old Email Address: and
- New Email Address.

If issue not resolved [Log Ticket](#)

- ▶ I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?
- ▶ I completed my global compliance training program. Why don't I see a badge on my ARIA page?

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* Click on question titles to see details. (Most Useful ^{TOP})

- ▶ How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?
- ▶ I'm having technical issues playing one or more of the Compliance Courses. What should I do now?
- ▶ Who should I contact with comments or questions regarding courses (content, requirements, reporting, etc.)?
- ▶ I am a new hire. Why can't I access the new Learning Management System with my Single Sign On (SSO)?
- ▶ One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course(s) after returning to work?
- ▶ I am a manager. How can I view global compliance training information for my team?
- ▶ I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?
- ▶ How do I start playing a global compliance course in the Learning Management System?
- ▶ I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?
- ▶ I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?
- ▶ What happens if I do not complete my required global certification training courses by the assigned Due Date?
- ▶ I have a mac operating system and am unable to play compliance courses. Please help.
- ▶ What support is available for an employee with special needs?
- ▶ I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?
- ▼ I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?

Please log a ticket by providing the below information:

- Old Email Address:
- New Email Address: and
- Screenshot of the Error.

If you are a re-hire, please include that information as well.

If issue not resolved [Log Ticket](#)

- ▶ I completed my global compliance training program. Why don't I see a badge on my ARIA page?

Filter

Clear

Access

Playback

Status

Guided Assistance

* Click on question titles to see details. (Most Useful ^{TOP})

- ▶ How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?
- ▶ I'm having technical issues playing one or more of the Compliance Courses. What should I do now?
- ▶ Who should I contact with comments or questions regarding courses (content, requirements, reporting, etc.)?
- ▶ I am a new hire. Why can't I access the new Learning Management System with my Single Sign On (SSO)?
- ▶ One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course(s) after returning to work?
- ▶ I am a manager. How can I view global compliance training information for my team?
- ▶ I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?
- ▶ How do I start playing a global compliance course in the Learning Management System?
- ▶ I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?
- ▶ I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?
- ▶ What happens if I do not complete my required global certification training courses by the assigned Due Date?
- ▶ I have a mac operating system and am unable to play compliance courses. Please help.
- ▶ What support is available for an employee with special needs?
- ▶ I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?
- ▶ I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?
- ▼ I completed my global compliance training program. Why don't I see a badge on my ARIA page?

The badge is given to continuing employees (hired prior to January 1, 2020) who complete their global compliance training program within 30 calendar days of receiving their initial email notification.

The badge does not apply to new hires (hired on or after January 1, 2020).

The process to issue badges is a manual one. Please allow up to two weeks to see the badge in your ARIA page.

If issue not resolved [Log Ticket](#)

OU Knowledge Center Support Help

[My Trainings](#)

[My Service Requests](#)

Filter

[Clear](#)

[Access](#)

[Playback](#)

[Status](#)

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

▼ **I am a new hire. Why can't I access the new Learning Management System with my Single Sign On (SSO)?**

The process to refresh and load new employee data into the [Learning Management System \(LMS\)](#) takes about 48 hours from your employment start date. So it may take up to 48 hours from your start date before you will be able to access the LMS with your SSO. Once your account is set up in the LMS, you will get an email notification informing you that you need to complete your global compliance training program within the next 60 days.

If after 48 hours, you have not received this email notification, please log a Service Request Ticket.

If issue not resolved [Log Ticket](#)

▶ **I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?**

▶ **I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?**

▶ **What support is available for an employee with special needs?**

▶ **I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?**

▶ **I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?**

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* Click on question titles to see details. ([Most Useful](#) [TOP](#))

► I am a new hire. Why can't I access the new Learning Management System with my Single Sign On (SSO)?

▼ I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?

If you are a new hire or rehire, it will take up to 48 hours from your start date before access is available to you on the Learning Management System. Once your account is set up, you will receive an email notification asking you to complete your Global Compliance Training. If you are having any other issues, Please go to our [Online Course Support](#) page for Frequently Asked Questions regarding access issues.

If issue not resolved [Log Ticket](#)

► I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?

► What support is available for an employee with special needs?

► I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?

► I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?

OU Knowledge Center Support Help

[My Trainings](#)

[My Service Requests](#)

Filter

[Clear](#)

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

- ▶ [I am a new hire. Why can't I access the new Learning Management System with my Single Sign On \(SSO\)?](#)
- ▶ [I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?](#)
- ▼ [I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?](#)

Unlike regular Oracle employees, individuals classified as Contractors are not automatically enrolled in the global compliance training courses. So even though you are able to log into the [Learning Management System \(LMS\)](#) with your SSO, you will not see any learning paths/courses that need to be completed.

Contractors should go to [Catalog > Search](#) in the LMS to find the course titles that they need to take. The [Catalog](#) tab can be found on the LMS Home page.

You may want to check with your manager to determine which courses you need to complete.

If issue not resolved [Log Ticket](#)

- ▶ [What support is available for an employee with special needs?](#)
- ▶ [I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?](#)
- ▶ [I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?](#)

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

- ▶ I am a new hire. Why can't I access the new Learning Management System with my Single Sign On (SSO)?
- ▶ I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?
- ▶ I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?
- ▼ What support is available for an employee with special needs?

Please log a "Ticket" using the link below. Please use Issue Type: **Support for Employee with Special Needs**, and include a detailed description of the assistance required. This will aid us in recommending the appropriate assistive technology or other solutions to help the employee in completing our compliance courses.
- If issue not resolved [Log Ticket](#)
- ▶ I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?
- ▶ I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?

OU Knowledge Center Support Help

[My Trainings](#)

[My Service Requests](#)

Filter

[Clear](#)

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

- ▶ I am a new hire. Why can't I access the new Learning Management System with my Single Sign On (SSO)?
- ▶ I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?
- ▶ I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?
- ▶ What support is available for an employee with special needs?
- ▼ I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?
Please log a ticket by providing the below information
 - Re-Hire Date:
 - Old Email Address: and
 - New Email Address.
- If issue not resolved [Log Ticket](#)
- ▶ I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* Click on question titles to see details. ([Most Useful](#) [TOP](#))

- ▶ I am a new hire. Why can't I access the new Learning Management System with my Single Sign On (SSO)?
- ▶ I am having problems logging in to the Learning Management System. For example: I am being asked for "authentication failed or unexpected error has been occurred". What should I do?
- ▶ I am a Contractor. Why can't I see any learning paths/courses when I log into the Learning Management System?
- ▶ What support is available for an employee with special needs?
- ▶ I am a rehire at Oracle and have issues with logging into the Learning Management System. What should I do?
- ▼ I have recently changed my email address and I'm unable to login to the Learning Management System to access my courses. How do I get credit for a course if it is listed under my old email address?

Please log a ticket by providing the below information:

- Old Email Address:
- New Email Address: and
- Screenshot of the Error.

If you are a re-hire, please include that information as well.

If issue not resolved [Log Ticket](#)

OU Knowledge Center Support Help

[My Trainings](#)

[My Service Requests](#)

Filter

[Clear](#)

[Access](#)

[Playback](#)

[Status](#)

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

▼ I'm having technical issues playing one or more of the Compliance Courses. What should I do now?

In order to successfully play any of the Global Compliance Training Courses in the Learning Management System, the following criteria must be met:

- We highly recommend using Mozilla Firefox browser for mandatory courses. Also make sure you have Flash installed and enabled.
- Please download Flash from Mydesktop tool.
- You must be connected to Oracle's Intranet in order to access and complete the mandatory compliance courses. If logging in from a client site, use VPN.
- You must have a supported operating system and software from MyDesktop on your computer.
- Try clearing browser cookies and cache to check if that resolves the issue.
- Pop-up blockers should be disabled on your browser (Refer to your browser "Help" section for disabling pop-up blockers).
- Change your browser proxy configuration script to <http://wpad/wpad.dat> (In IE browser, Click on "Tools" > "Internet Options" > Click on "Connections" tab > "LAN Settings" > Check "Use automatic configuration script" > In address field enter <http://wpad/wpad.dat>)
- Once all these checks are done, access the course link and sign in with your SSO user name and password when prompted.
- Ensure that your system meets all the requirements to take the course.
- Alternatively try taking the course using another browser.
- Please note that Chrome does not support Flash so request you to take few specific courses accordingly.

If issue not resolved

[Log Ticket](#)

► [How do I start playing a global compliance course in the Learning Management System?](#)

► [I have a mac operating system and am unable to play compliance courses. Please help.](#)

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* Click on question titles to see details. ([Most Useful](#) [TOP](#))

► I'm having technical issues playing one or more of the Compliance Courses. What should I do now?

▼ How do I start playing a global compliance course in the Learning Management System?

Courses in the Learning Management System (LMS) are organized and targeted using Learning Paths. Each Learning Path contains one or more courses. In order to complete a Learning Path, you must complete each of the courses that it specifies.

In order to launch a course, please click the "Play" button to the right of the course name.

The "Play" button can be found in the following screens in the LMS:

- On the **Home** tab – Scroll to the bottom of the page to see the course(s) that you need to take under **My Self-Paced Learning**. The Play button can be found to the right of the course title(s).
- On the **My Learning** Tab – Select **My Current Learning**. The courses you need to complete will have a **Play** button next to them.
- On the **My Learning** Tab – Select **My Learning Paths**. Any Learning Paths that have not been 100% completed will be listed on this page. Click on the Learning Path name until you get to the outstanding course(s) within this path. The courses you need to complete will have a **Play** button next to them.

If issue not resolved [Log Ticket](#)

► I have a mac operating system and am unable to play compliance courses. Please help.

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* Click on question titles to see details. (Most Useful [↑] TOP)

- ▶ I'm having technical issues playing one or more of the Compliance Courses. What should I do now?
- ▶ How do I start playing a global compliance course in the Learning Management System?
- ▼ I have a mac operating system and am unable to play compliance courses. Please help.

OU courses are offered as online and browser-based content, and have been tested to work on most web browsers. Kindly check for the below requirements before attempting to play a course:

- Please ensure you are connected to the Oracle network or VPN; and
- Ensure that Flash player is installed correctly in your browser using these [instructions](#)
Please note that some browsers (Chrome and Firefox) have started to disable/depreciate NAPI plugins on which flash is based, so you may need to check to ensure that the flash player is enabled on your browser. To check if flash is enabled on Chrome, follow these [instructions](#) To check for flash on Firefox, use these [instructions](#)
Most flash-based courses may not play properly on Chrome browser. After installing flash either from the above link or from [mydesktop](#), clear your browser cache and cookies and re-try launching the course in Firefox or IE.
- Please click [here](#) to test system requirements

If these suggestions did not help, please raise a ticket using the **Log Ticket** button.

Please mention that you have gone through the above recommendations, and detail what further help is needed. Please include a screenshot of the problem.

If issue not resolved **Log Ticket**

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* Click on question titles to see details. ([Most Useful](#) [TOP](#))

▼ **How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?**

New hires, rehires and newly acquired employees **must complete all global compliance training courses during their first 60 days at Oracle**. It can take up to 48 hours from your start date before access is available to you on the Learning Management System. After your account is set up, you will receive an email notification asking you to complete your Global Compliance Training.

At any time after your account is setup, you can navigate to the [Learning Management System \(LMS\)](#) to review courses you are required to complete. Your account is pre-loaded with the learning paths and training courses that you need to take.

If issue not resolved [Log Ticket](#)

- ▶ Who should I contact with comments or questions regarding courses (content, requirements, reporting, etc.)?
- ▶ One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course(s) after returning to work?
- ▶ I am a manager. How can I view global compliance training information for my team?
- ▶ I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?
- ▶ What happens if I do not complete my required global certification training courses by the assigned Due Date?
- ▶ I completed my global compliance training program. Why don't I see a badge on my ARIA page?

OU Knowledge Center Support Help

[My Trainings](#)

[My Service Requests](#)

Filter

[Clear](#)

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

▶ [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)

▼ [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)

Please log a "Ticket" using the link below. Please select the specific course, issue type and provide all the details of your question, including any screenshots if needed.

If issue not resolved [Log Ticket](#)

▶ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)

▶ [I am a manager. How can I view global compliance training information for my team?](#)

▶ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)

▶ [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)

▶ [I completed my global compliance training program. Why don't I see a badge on my ARIA page?](#)

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

► [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)

► [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)

▼ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)

Please raise an SR by clicking on the **Log Ticket** button. Please select "General Question (Not Course-Specific)" as the Course, and "Course Requirements / Reminder Email Received" as the **Issue Type**.

In the **Problem Description**, please include the email address of your direct report, as well as the anticipated end date of their approved leave.

Please note that an approved leave of absence does not include vacation or personal holiday.

If issue not resolved [Log Ticket](#)

► [I am a manager. How can I view global compliance training information for my team?](#)

► [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)

► [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)

► [I completed my global compliance training program. Why don't I see a badge on my ARIA page?](#)

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

► [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)

► [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)

► [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)

▼ [I am a manager. How can I view global compliance training information for my team?](#)

For the Global Compliance Training courses, go to the [Learning Management System \(LMS\)](#) to check your and your team's training histories. This includes completion status ("Completed", "Not Attempted", or "Incomplete") for all assigned Learning Paths for all learners within the Manager's organization.

A training video called "How to Run Basic Reports for Managers" is available under Quick Links in the Manager Home page. [Click here](#) to view this training video.

There are different ways to view your team's training information:

- Go to the Manager tab, and select My Team Home. This page lists all of your direct and indirect reports. For each team member, there is an "Actions" button. By clicking on "Actions", you are able to view the employee's "Current Learning" (courses that still need to be completed) and "Learning History" (courses that have been completed already).
- Click on the "Pie Chart" under "Courses Due" to get a list of employees and the courses that they need to complete.
- Run a report by going to the Compliance Transcripts menu, and select My Reports. Click the "Run" button next to the report that you want to generate.

If issue not resolved [Log Ticket](#)

► [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)

► [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)

► [I completed my global compliance training program. Why don't I see a badge on my ARIA page?](#)

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

► [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)

► [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)

► [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)

► [I am a manager. How can I view global compliance training information for my team?](#)

▼ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)

Yes, re-hires (as well as new hires and newly acquired employees) are required to take all Global Compliance Training courses within 60 days of their Oracle start date.

Go to the [Learning Management System \(LMS\)](#) to check your Learning Paths to see which courses you are required to complete. These Learning Paths are pre-loaded with your relevant compliance training courses. You can access the links to your outstanding courses from the LMS.

If issue not resolved [Log Ticket](#)

► [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)

► [I completed my global compliance training program. Why don't I see a badge on my ARIA page?](#)

OU Knowledge Center Support Help

My Trainings

My Service Requests

Filter

Clear

Access

Playback

Status

Guided Assistance

* Click on question titles to see details. ([Most Useful](#) [TOP](#))

- ▶ How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?
- ▶ Who should I contact with comments or questions regarding courses (content, requirements, reporting, etc.)?
- ▶ One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course(s) after returning to work?
- ▶ I am a manager. How can I view global compliance training information for my team?
- ▶ I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?

▼ What happens if I do not complete my required global certification training courses by the assigned Due Date?

As an Oracle employee, you are required to complete your Global Compliance Training Program by the Due Date assigned to you. Completion of these mandatory courses in a timely manner is an essential responsibility of your job.

If you fail to complete your Global Compliance Training Program requirement by the assigned Due Date, a warning letter will be placed in your personnel file.. As stated in the written warning, the employee is ineligible to participate in the next Corp Compensation processes (including bonus, equity and focal for salary increase) and any off cycle salary increases, discretionary bonuses or equity grants or to be transferred or promoted for the remainder of the current fiscal year. If the employee fails to complete the training during the current fiscal year, they will remain ineligible for the next fiscal year in its entirety.

For more details, refer to the [Global Compliance Training Program Enforcement FAQs](#) under Quick Links in your [LMS home page](#).

If issue not resolved [Log Ticket](#)

- ▶ I completed my global compliance training program. Why don't I see a badge on my ARIA page?

OU Knowledge Center Support Help

[My Trainings](#)

[My Service Requests](#)

Filter

[Clear](#)

[Access](#)

[Playback](#)

[Status](#)

Guided Assistance

* [Click on question titles to see details.](#) ([Most Useful](#) [TOP](#))

- ▶ [How can I find out which Global Compliance Training courses I am required to complete? How do I access my required courses?](#)
- ▶ [Who should I contact with comments or questions regarding courses \(content, requirements, reporting, etc.\)?](#)
- ▶ [One of my direct reports received a notification to complete a course while on an approved leave of absence. How can I make sure that he or she will have time to complete the course\(s\) after returning to work?](#)
- ▶ [I am a manager. How can I view global compliance training information for my team?](#)
- ▶ [I am a re-hire. Am I required to re-take courses that I completed during my previous Oracle employment?](#)
- ▶ [What happens if I do not complete my required global certification training courses by the assigned Due Date?](#)

▼ [I completed my global compliance training program. Why don't I see a badge on my ARIA page?](#)

The badge is given to continuing employees (hired prior to January 1, 2020) who complete their global compliance training program within 30 calendar days of receiving their initial email notification.

The badge does not apply to new hires (hired on or after January 1, 2020).

The process to issue badges is a manual one. Please allow up to two weeks to see the badge in your ARIA page.

If issue not resolved [Log Ticket](#)



Conclusion



50 State Survey

Policy

Questions

Report

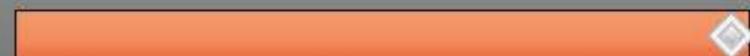


To report a case of possible harassment, contact your HR Manager or call the Oracle Integrity Helpline (800-679-7417) or to submit a concern online, access the [Oracle Integrity Helpline](#).

Menu

 1:53

Print



 Silent



Continue



Oracle Integrity Helpline

[MAIN PAGE](#) [EMPLOYEE CODE OF CONDUCT](#) [PARTNER CODE OF CONDUCT](#) [SUPPLIER CODE OF CONDUCT](#)

[ANTI-CORRUPTION POLICY](#) [FAQS](#)

Oracle is committed to promoting a corporate culture that is centered on integrity, accountability and ethical business conduct. Oracle's Integrity Helpline provides the company's employees, business partners, customers and other stakeholders around the globe a resource for asking questions or voicing concerns regarding compliance and ethics at Oracle. Oracle has contracted with an independent third party, EthicsPoint, a NAVEX Global company, to provide the Integrity Helpline service.

Anyone may visit this Website or call the Integrity Helpline at any time to request guidance or training with respect to Oracle policies, report suspected violations of law, Oracle's Code of Ethics and Business Conduct or related policies, and follow up on an inquiry or report. EthicsPoint will route all inquiries and reports to Oracle's Compliance and Ethics office, which will insure that your questions are answered or training is provided, that all credible reports of suspected misconduct are investigated fairly, thoroughly and discreetly, and that appropriate corrective action is taken where warranted.

If you choose to submit an inquiry or report anonymously, we strongly encourage you to provide sufficient detail to enable a prompt and accurate response or a full investigation where warranted. Please include a careful description of the facts giving rise to your concern with names, dates and places where available. Please make a record of your report key and password so that you can check the status of your inquiry or report and respond to any requests for additional information. Employees who seek out guidance or who submit a report of suspected misconduct in good faith or cooperate in a compliance investigation will not be subject to retaliation or punishment.

Please select from the buttons to the right to submit a new report, request guidance or training on Oracle policies, or follow up on a report that has already been submitted.

The Integrity Helpline should not be used to report events presenting a threat to life or property. In such situations, please contact your local authorities immediately.

Report a Concern

Click here to report a suspected violation of Oracle's Code of Ethics and Business Conduct.

Ask a Question

Click here to ask an ethics-related question or request guidance or training on Oracle policies.

Follow Up

Click here to follow up on your report or request.

ATTENTION: This Webpage is hosted on EthicsPoint's secure servers and is not part of the Oracle Corporation Website or Intranet.

Copyright © 2012-2013 Oracle and/or its affiliates. All rights reserved.

Copyright © 2000-2020 EthicsPoint, Inc. All Rights Reserved.
[Privacy Statement](#) | [Acceptable Use Policy](#) | [Contact EthicsPoint](#)



Conclusion



50 State Survey

Policy

Questions

Report



Before you can complete this program and get credit for taking it, you must review some additional information.

- Remedies
- Policy
- Your Questions
- Report

Menu

 1:54



 Silent



Continue



Conclusion



50 State Survey

Policy

Questions

Report



I have completed all modules of the Preventing Workplace Harassment – US Managers Edition course.

I have reviewed and understand each screen of this training program.

I have also received and read Oracle's Anti-Harassment policy and I understand it and agree to follow this policy.

Finally, I know who to contact if I have any questions or want to report an issue.

By clicking on the "I Agree" button you are providing your employer with the equivalent of your written signature for legal purposes.

I Agree

Menu

2:00



Silent



Conclusion



50 State Survey

Policy

Questions

Report



Completion Recorded

This course is now complete. You may exit the course, print the certificate for your records, or click the Continue button to return to the Main Menu.

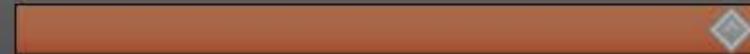
OK

James Stanley
July 10, 2020

Menu

2:00

Print



Silent