



Preventing Harassment & Discrimination: Supervisors + Clery Act and Title IX

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Building Positive Workplaces

Important Content Notice

Video Script:

Important Content Notice.

The goal of this course is to give you the skills to be a positive influence in the higher education environment. We will be taking a close look at issues like harassment, discrimination, and retaliation, which affect people at higher education institutions everywhere, using examples of harmful stereotypes, statements, and actions for illustrative purposes only, to demonstrate how problematic and discriminatory behavior may manifest itself.

These topics can be challenging to think about and may feel especially sensitive and personal to some. If you have difficulty completing this course, please contact your institution's representative to discuss how to proceed.

The Power of Bystanders

Video Script:

The Power of Bystanders.

Everyone plays a role in creating a positive work environment in which discrimination, harassment, and retaliation rarely happen, and are addressed if they occur.

Narrator: People work hard to create environments where they can thrive. Maybe you like to decorate your living space or take part in community activities to improve your neighborhood. It's similar in a work environment. Most people want to work in an environment where everyone supports each other and feels respected, where discrimination, harassment and retaliation happen rarely and are addressed if they occur. If you're wondering, can I do this at my workplace? Do I even have a role in fostering an environment like this? The answer is yes. The building blocks for preventing harassment and discrimination come down to awareness, attitude, and action. Everyone has a role to play. Awareness involves recognizing when things are going well and when action is needed to address challenges. Next, we'll explore the attitudes common to a professional, respectful culture. What you can expect from the people you work with and what they can expect from you. Finally, we'll prepare you to take action with a variety of approaches, no matter what situation might arise in the workplace. Understanding what to do and being ready to take action will empower you and everyone around you to make a difference. You'll learn to build on the skills you already have to master the three A's: awareness, attitude, and action.

Good Culture Is No Accident

Interactivity Audio Script:

Good Culture Is No Accident.

A good institutional culture is no accident—it requires intentional daily maintenance from every staff or faculty member, and for people to intervene when they see early signs of problems.

Select each tab to learn more.

Interactivity Text:

[Tab 1]: Growing Your Toolbox.

It's important to note that the goal is not to avoid conflict at work—that's not practical or realistic. Healthy conflict is normal and can generate better ideas.

Instead, the goal of this course is to give you the tools, confidence, and skills to professionally address issues as they arise.

When we interact with others in a respectful, positive, collaborative way, we contribute to a thriving learning and work environment—and we support the people within it.

[Tab 2]: Learning and Work Culture.

Learning and work culture has an impact beyond the physical space where we work. It also includes conduct that is likely to impact the work environment and the people we work with, including contractors and interns.

Our learning and work environment includes online conduct, as well. For instance, anything someone says or does during a remote meeting or class by phone or video call can affect culture.

Being an Active Bystander

Video Script:

Being an Active Bystander.

Active bystanders, or people who take action when they see an issue, have immense power to change what happens next in potentially problematic situations.

A key point of this course is to give you strategies to use as an active bystander and the tools you need to have a positive impact on institutional culture.

The key ingredients of being an active bystander are:

- Awareness of one's surroundings
- An attitude of personal responsibility for the work and learning environment; and
- The skills to effectively take action

With these tools in hand, you can make a real difference.

Perspectives: The Importance of Anti-Discrimination Efforts

Video Script:

Perspectives: The Importance of Anti-Discrimination Efforts.

Take a moment to watch a video about the importance of being an active participant in anti-discrimination efforts.

A woman speaks directly to the camera.

Lower left-hand corner of video, name appears: Holly Rider-Milkovich, Prevention Expert

It's so important to create workplaces that are free of harassment and discrimination. When we do so, we unleash the potential of all of our employees to really be able to excel at their best. So, a workplace that's free of harassment and discrimination is a workplace that has the opportunity to really tap all of the powers of each individual employee. It's an incredible machine for productivity and for success for the organization and for individuals.

A woman speaks directly to the camera

Lower left-hand corner of video, name appears: Mickey Irizarry, Health Promotion Center Director

It's important to create an environment that's free from harassment and discrimination, so that employees can be their best selves at work and create effective work for the university or for the organization.

A man speaks directly to the camera.

Lower left-hand corner of video, name appears: Steve Miranda, Global HR Business Executive

While you may have behaviors that are not necessarily against the law, they do definitely have an impact on an employee's ability to fully contribute in the workplace. Organizations need to look for these subtle forms of discrimination, which again may not be illegal, but which are still preventing talent in your organization from rising to even better levels of productivity and performance.

A person speaks directly to the camera.

Lower left-hand corner of video, name appears: Lauren Lofton, Attorney, Educator Focusing on the Elimination of Bias

It is important to strive toward creating a workplace that's free from harassment, because it's the right thing to do, and it's the best thing to do for the health of the workplace itself. So, productivity is better. Creativity is better. People's ability to authentically connect to one another and enjoy working with one another, all of that is better when the environment is as free from harassment as possible.

Choose What Happens Next: Episode 1

Video Script:

Choose What Happens Next: Episode 1.

In this course, you'll have the chance to interact with a few videos by making decisions about what the characters in the video should do next.

This is the first of four video episodes. In this video, you'll meet the cast of characters. Soon, you'll have the chance to choose what they do next.

Shots of students walking around a college campus.

Scene on screen: Shots of employees from the department interacting with coworkers and introducing themselves.

Sarah: James is a new admin, Netta's been here three years, and I'm Sarah. I'm the Department Chair. We're hosting an important conference, and I want Netta to take a leadership role. I've got too many other responsibilities, and it's not common knowledge, but I have fibromyalgia. I'm trying to balance work with my health, doing some work from home where I can be more productive. Having Netta involved will be perfect. It's an important event, and I know she'll keep it running smoothly.

James: It's my first year in the department. I've gotta shine. Participating in the conference, it's a big step. It's an opportunity to learn and advance. I want a shot.

Sarah: Charlie's one of my grad student employees, a hard worker, driven. And Dan is another admin. That's the conference team. Really creative, high energy.

Netta: We're a good team here. Dan seems really driven but definitely a bit close. Maybe he's just excited, no big deal. Anyway, there's a ton to do to prepare for the conference, so here we go.

Scene on screen: Inside an office space. James's packing items from his desk into a box.

James: I ended up giving my notice.

Scene on screen: Close shot of James, who addresses the camera directly.

James: The last few months didn't go as I had hoped. I feel that I did everything on my part to make things work out. Well, for what I was allowed to work on. But I ... Well, it's just better to move on.

Scene on screen: Close shot of Netta, who addresses the camera directly.

Netta: So, James is leaving. And yeah, it's upsetting. I really like him. He's dedicated, hardworking. I don't know. I'm rethinking what I'm doing here. On paper, the conference was a

total success. But some things have happened that made me feel like maybe this job isn't the perfect fit for me. I don't know. Maybe I'm on the way out too.

Scene on screen: Hallway with James and Netta

James: Things didn't go well.

Netta: But it didn't have to be like that. We're not going to go through every detail from the last few months, but there were times when if somebody would have acted differently...

James: Or considered a different perspective ...

Netta: Things would have turned out better.

James: See if you can make a difference.

Summary

Video Script:

Summary.

Now that we've introduced the goals of this course, let's take a moment to review a few key points about what we have covered so far:

- Every person can help or harm a working and learning environment through their daily actions.
- Institutional culture, and efforts to prevent and combat discrimination and harassment in particular, depend on the actions of everyone.
- High-functioning institutions can address early warning signs before they become bigger problems.
- Awareness, attitude and action are important building blocks for maintaining a positive institutional culture.

When you are knowledgeable and prepared, you have the power to make an enormous, positive impact on your community.

Congratulations!

You have now completed the module **Building Positive Workplaces**.

Developing Awareness and Recognizing Discrimination

Developing Awareness and Recognizing Discrimination

Video Script:

Developing Awareness and Recognizing Discrimination.

Explore how discrimination manifests in the work environment and strengthen your ability to spot problematic situations.

Developing Awareness and Recognizing Discrimination

Video Script:

Developing Awareness and Recognizing Discrimination.

The first A in the three A's of bystander intervention is awareness. Developing awareness means taking note of what is happening around you and strengthening your ability to spot problematic situations.

Narrator: The world can get busy and it can be tempting to tune out. But it's important to sharpen our skills around tuning in, to be aware of what's going on around us. Awareness means becoming alert to how we perceive and interact with others and realizing the influence that bias can have. It means recognizing when something may not be right or that a situation may have the potential to become problematic or harmful. Similarly, discrimination can undermine an otherwise successful work environment. Let's work on further developing awareness by exploring types of discrimination, to be sure we can recognize the range of situations where we can positively shape our workplace.

What is Discrimination?

Video Script:

What is Discrimination?

In this section, we'll focus on developing a sharpened sense of awareness of what's happening around you, so that you can spot the subtle behaviors that constitute discrimination and may undermine work culture.

Generally speaking, discrimination refers to unfair treatment toward a person based on certain characteristics, such as their gender, race, or other characteristic. All discrimination is harmful, and may be unlawful when it is based on a category or characteristic that is protected by law and impacts someone's job or educational opportunities.

People in positions of power can set an example by not only avoiding discrimination or the appearance of it, but also by taking steps to prevent it when possible and to report it when it does occur. Discrimination is harmful, whether it is committed by or against leaders, coworkers, or colleagues, or non-employees such as students, interns, campus visitors, or contractors.

Harassment is just one type of discrimination, and not all discrimination is harassment. We'll cover harassment in detail in the next section.

Understanding Protected Categories

Interactivity Audio Script:

Understanding Protected Categories.

Anti-discrimination laws explain which categories are protected. Because these laws are at the federal, state, and local levels, a category may be protected in one location, but not in another. Courts may also interpret laws differently, so even the same law may not offer the same protection, depending on the jurisdiction. For example, almost everyone is protected by federal laws, but if a state law offers additional protections, employees in that state will be protected by both laws.

Under federal law it is illegal for employers to discriminate based on each of the following bases.

Select each topic to learn more.

Interactivity Text:

[Tab 1]: Age.

Federal law protects people 40 years of age and above from discrimination. Other laws about age may protect younger people from discrimination as well.

[Tab 2]: Genetic information.

The misuse of genetic information is unlawful. For example, a family's genetic health history cannot be used to discriminate in health insurance or employment.

[Tab 3]: National origin.

National origin includes more than just the place where a person is from. Not only is it unlawful to discriminate because someone is from a particular part of the world, but ethnicity, accents, language, and a person's actual (or perceived) ethnic origin may also be protected. People are also protected from discrimination due to the national origin of their spouse.

[Tab 4]: Citizenship & Immigration Status.

Federal law protects people from discrimination because of their citizenship or immigration status. Unless a specific law or government contract requires it, employers may not restrict their hiring to only U.S. citizens or permanent residents.

[Tab 5]: Pregnancy.

Not only is pregnancy protected, but also childbirth and medical conditions related to pregnancy and childbirth.

[Tab 6]: Race.

Protections against race discrimination include characteristics associated with race like a person's hair texture, skin color, and certain facial features.

[Tab 7]: Color.

Discrimination based on skin color can be related to race discrimination. Color refers to the lightness or darkness of a person's skin tone and includes shade and complexion.

[Tab 8]: Religion.

Religious beliefs are protected. These include traditional, widely recognized religions and faith practices (such as Buddhism, Christianity, Hinduism, Sikhism, Islam and Judaism) as well as sincerely held "religious beliefs that are new, uncommon, not part of a formal church or sect, or only subscribed to by a small number of people, or that seem illogical or unreasonable to others," according to guidance by the federal Equal Employment Opportunity Commission (EEOC).

[Tab 9]: Disability.

Disability laws can be complex. Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act both prohibit discrimination against people who work and study in higher education institutions that receive federal funds, and require facilities and communications, such as websites, to be accessible. Disability laws also protect people with disabilities or a history of having a disability, and people who are perceived to be disabled, even if they are not. Many types of disabilities and conditions can be covered by disability laws.

[Tab 10]: Sex.

Federal law prohibits workplace discrimination based on transgender status, gender identity, or sexual orientation. Discrimination because of sex-based stereotypes, like that a woman must look feminine, or that a woman cannot be assertive, is also unlawful. Sex-based discrimination, including harassment, is unlawful no matter whether the person who discriminates or harasses is the same sex or a different sex than the person who is experiencing harm.

[Tab 11]: Veteran or Military Status.

Federal law protects workers from discrimination based on their past or present military service, and requires all employers to reemploy returning servicemembers to the job they would have attained had they not been absent while serving in the armed forces. A separate law requires federal contractors and subcontractors to give preferential treatment to qualified veterans who apply for a job, and prohibits discrimination against them.

Dig Deeper: Other Harmful Types of Discrimination**Interactivity Text:****Other Harmful Types of Discrimination.**

Here are a few other harmful types of discrimination and examples of how each type might look and sound.

Weight and Height

“I’d rather she didn’t present at the conference... at her size, it’s not really the image we want out there.”

“We can’t have a marketing guy who’s short!”

Gender Expression

“I don’t want to work with a guy who wears nail polish.”

“She looks so unprofessional in those boxy, masculine clothes... you can barely tell she’s a woman.”

Political Affiliations

“We can’t promote someone who believes that kind of garbage...”

“Only someone young and naive would support a candidate like that.”

Affluence or Social Class

“We can’t hire someone who drives an old car... people won’t want to follow his advice.”

“She’s never even left the country before... she must not have a curious mind like we do.”

Dig Deeper: Perspectives: Natural Hair

Video Script:

A woman speaks directly to the camera. Lower left-hand corner of video, name appears: Sienna. When I first started at a previous organization, and was still fairly new, I had my hair pulled back that day just because that was how I decided to wear it. And I had a member of the leadership team in the organization come up to me, and they were very excited and said, “Oh, I love your hair pulled back this way. It’s so professional. I can see your whole face. I hope you’ll wear your hair like this more often.” And I was very taken aback, because I wasn’t quite sure what to say. And as it sat with me more and more, I realized that the person was saying was that my hair as it isn’t professional. It’s not appropriate for the workplace, and that it has to be in a certain way that will make them or other people feel more comfortable.

Dig Deeper: The Impact of Discrimination on Health

Interactivity Text:

The Impact of Discrimination on Health.

The effects of discrimination are far-reaching, impacting many parts of a person’s life.

Later on, we'll talk about the effects workplace discrimination can have on a person's career.

Right now, take a look at some ways discrimination can impact a person's health.

- **Mental and Emotional Health**
- Discrimination has been linked to anxiety, depression, sadness, helplessness, and low self-esteem.
- **Cognitive Health**
- Research has shown that experiencing everyday discrimination can harm a person's memory and also lead to faster memory decline.
- **Physical Health**
- Discrimination can result in poor physical health, including increased risk of cardiovascular disease, diabetes, and respiratory disease. It has also been linked to sleep disturbance and daytime fatigue.

Choose What Happens Next: Episode 2

Video Script:

Choose What Happens Next: Episode 2.

In the previous section, you were introduced to a cast of characters. Now, you'll have the chance to watch a video and make a decision about what they do next.

Netta: So, were good with the standing desk for the conference?

Dan: Standing will keep everyone awake.

Sarah: Okay. And so now the question of who's going to attend. Netta, definitely. And Dan?

Dan: Wouldn't miss it.

Sarah: Good. This is a great opportunity to increase our visibility. We need people there who give the impression that this department is vibrant with lots of potential. I think Charlie should be there, for sure. And I have a couple of more slots in addition to our presenters.

Knock at the door. Enter James

James: Hey Netta. We got the folder spreader.

Netta: Great. Thanks James.

James: You're welcome.

James turns to leave

Netta: James. We're trying to figure out who's going to staff the conference.

James: Well, actually, I thought I'd be a-

Sarah: It's going to be a grueling couple of days. We need people there who really can keep the energy.

James: Yeah, I-

Sarah: How about Irene and Mike, huh? Would you see if either of those are available?

James: Sure thing.

Choose What Happens Next: Episode 2

Interactivity Audio Script:

Choose What Happens Next: Episode 2.

Based on the video you just watched, which selection would be the best choice for the characters involved?

Select a response.

Interactivity Text:

[Question-Text]:

What should Dan and Netta do after Sarah's interaction with James?

[Options]:

[option 1]

- Support James by sharing how he could contribute, even though Sarah doesn't seem to want him to attend.

[option 2]

- Help James understand Sarah's point, and explain why bringing younger people is beneficial so he does not take it personally.

[option 3]

- Say nothing. Sarah is the Department Chair, and has the most experience; not only is it her call, it's important to support her instincts.

Choose What Happens Next: Episode 2

Video Script:

Let's take a look at what would happen if the characters follow your advice.

SCENE ON SCREEN: Conference room with Sarah, Dan, Netta, and James

James turns to leave

Netta: Yeah, well, I think you're right in that we need people who can maintain the energy, and James is a great candidate for that.

Dan: It's true. He's got lots of smart ideas.

Sarah: Okay. James, do you want to go?

James: Definitely.

Sarah: Sounds good.

James: I was thinking about the standing desk idea, and it might be an issue for some people.

Sarah rubs her leg trying to relieve the pain from her fibromyalgia

James: What we could do is half standing and half tables. Set it up like an amphitheater.

Netta: I like that.

Scene on screen: Close up on James, who addresses the camera directly

James: What Sarah said made it sound like she held some stereotypes about age. I appreciate it that Dan and Netta spoke up. I felt supported.

Scene on screen: Close up on Sarah, who addresses the camera directly

Sarah: I wasn't trying to exclude James. I just had Irene and Mike in mind, and I made some assumptions. I think what I was saying could be perceived as discriminatory. I am so glad Dan and Netta spoke up. I owe James an apology, and actually, a thank you, for mentioning accessibility in the standing desks.

Choose What Happens Next: Episode 2

Video Script:

Let's take a look at what would happen if the characters follow your advice.

SCENE ON SCREEN: Conference room with Sarah, Netta, Dan and James

Netta: James, it's great you want to pitch in, but you're probably overqualified.

James: I'm not afraid to do the small stuff.

Dan: Maybe someone with less work experience could benefit more.

James: Sure. Okay.

Scene on screen: Close up on James, who addresses the camera directly

James: Overqualified? Code for too old. What about experiences that benefit me and my career? Disappointing.

Choose What Happens Next: Episode 2

Video Script:

Let's take a look at what would happen if the characters follow your advice.

SCENE ON SCREEN: Conference room with Sarah, Dan, Netta, and James.

James Exits. Netta and Dan share a concerned glance

Sarah: Okay. Who's on our AV needs?

Scene on screen: Close up on James, who addresses the camera directly

James: That was embarrassing and disappointing. So basically, Sarah doesn't want to take me because she thinks I'm too old? Not energetic enough. Feels like age discrimination, and I wish that Netta and Dan had spoken up. It's discouraging.

Developing Awareness

Interactivity Audio Script:

Developing Awareness.

A key part of showing up for your colleagues is developing a sense of awareness that enables you to intervene when problems are developing. This isn't easy.

It takes deliberate focus to take a step back and really examine what's happening around you. When you understand the factors shaping your work environment, you can help make sure everyone can do their best.

Select a response.

Interactivity Text:

[Question-Text]:

People always know when they're making decisions that are based on unfair assumptions or stereotypes.

[Options]:

- True
- False

[Answer]:

False

[Feedback]:

[Feedback 1]

Not Quite

People can accidentally make decisions based on unintentional assumptions, or “implicit biases.” These biases are shaped by culture and lived experience. Becoming aware of the incorrect assumptions we’ve picked up is the first step to making productive change. Try again.

[Feedback 2]

That's Right

People can accidentally make decisions based on unintentional assumptions, or “implicit biases.” These biases are shaped by culture and lived experience. Becoming aware of the incorrect assumptions we’ve picked up is the first step to making productive change.

Implicit Bias and Inclusion

Video Script:

Implicit Bias and Inclusion.

Implicit biases are beliefs we hold without realizing we have them. These beliefs may be positive or negative, but sometimes they can be damaging.

Dig Deeper: Learn More About Implicit Bias

Interactivity Text:

Learn More About Implicit Bias.

Biases can cause us to give or deny advantages to people based solely on our own assumptions about who they are and what they're capable of, rather than on merit.

- Learning to recognize the beliefs you’ve been imprinted with—and then challenging them—is a powerful way to be more inclusive in all aspects of your life, not just work.
- Biases can cause problems, especially when they are incompatible with our values. For example, being fair may be an important value, but we may unintentionally treat someone unfairly because we’re being influenced by a stereotype, we don’t realize we are acting on.

Dig Deeper: Perspectives: Belonging and Othering

Video Script:

Perspectives: Belonging and Othering.

Othering is one way that can make people feel they don't belong. In this interview, people share thoughts on othering, inclusion and exclusion, including what it's like to be the only person of color while working in higher education.

Otherness, in my experience, is when somebody only sees certain aspects of you. And those aspects that are different maybe from them or what their normal is, is what they constantly pick out.

For me, a lot of times that's been my hair. I've been told my hair is fun. I don't know what that means. It's hair so ... But when that's all somebody sees of you, it starts to make you very self-conscious and it doesn't become a pleasant experience.

A woman speaks directly to the camera.

I think otherness is being made to feel like you are not part of the team when all you want is to be part of the team, to contribute to the team, to help the team move forward.

I don't think I really realized what that meant until more recently when I started working at an organization that I don't feel othered because many people with disabilities work there. Many people of all different sizes work there and now I understand like, oh. I feel like I'm one of them. I feel like I fit in. We're all together, we all have accessibility needs. I don't feel like I'm a burden by asking for some certain accommodation because we all have different accommodations that we need. I don't feel like there's myself and there's them. I feel like we're us.

SCENE ON SCREEN: A woman speaks directly to the camera.

Lower left-hand corner of video, name appears:

Nancy

When I think about being othered, I think about just the experience of feeling isolated. I've worked a lot of jobs where I'm the only one, or I'm one of few and it's very, very obvious, right? I've worked in higher education for over six years and being one of the only people of color, maybe non heterosexual people in my workspace, it's this instance of feeling like you're an imposter in your day-to-day life because you feel like you don't belong in the workplace. Whether it's your dress, your hair, maybe it's even your background. People come to a workplace expecting that everyone was raised in a middle-class background and that they didn't grow up poor or struggle with food insecurity and so I think it makes you want to question like, "Why am I here? What is the point of who I am? Can I even do this?" Because I think in the workplace where you're other, you feel like no one believes in you.

The Power of Intervention

Video Script:

The Power of Intervention.

Actions that may seem small can turn out to make an enormous impact on other people and, by extension, the entire learning and work environment.

Even people who already are knowledgeable about discrimination can improve their ability to intervene by learning more about how to recognize subtle, problematic behavior.

Skills Workshop

Video Script:

Skills Workshop.

In this workshop, you will be practicing the skills of awareness, identifying problematic behaviors, and communicating respectfully and inclusively.

Perspectives: Inclusivity and Access

Video Script:

Perspectives: Inclusivity and Access.

Here are a few helpful perspectives on inclusivity and access.

Lower left-hand corner of video, name appears: Louise

Being visually impaired, I cannot see PowerPoint presentations. At an organization I currently work at, it's amazing because they will immediately print me a large print version of the PowerPoint, but that doesn't happen in every work environment. So, then I'm kind of stuck either trying to figure out hey, can I borrow your notes? Or maybe taking screenshots with my cell phone. But whatever it is, it creates anxiety and stress because it's me trying to figure out how to get the materials that I need. If you're not going to make something accessible, you don't truly care about what that person's input or opinions are enough to make it accessible so that they can share those opinions and participate.

A woman speaks directly to the camera. Lower left-hand corner of video, name appears: Elizabeth Bille, Attorney and Prevention Expert

With regards to disability related issues, I think it's important to reframe the way that we think about our responsibility to provide accommodations under the law. Instead of focusing on what the individual cannot do, for example, because of a physical limitation, but focus on what they can do and how they can positively contribute to the workplace. Yes, they may need a particular additional piece of assistance or a piece of equipment, but this is something that everybody needs, tools to be able to be successful in their job. The tools that are needed by each person are just unique.

A woman speaks directly to the camera. Lower left-hand corner of video, name appears: Louise

As far as my visual impairment is concerned, I think that that's what people would consider a good disability or something that's good to accommodate. Whereas I think that being fat is

something that a lot of people don't think of as oh wait, we should accommodate and be accessible for people of all sizes. Being able to be comfortable in my body and in my chair and in the desk or wherever I'm at in the workplace is extremely important because if you're not comfortable and you're in pain, you can't be as productive as if you have what you need or you have things that fit you and fit your person.

Respectful Conflict

Interactivity Audio Script:

Respectful Conflict.

You can also model respect and inclusion by paying attention to how your colleagues address conflict.

Select a response.

Interactivity Text:

Fahad and Debbie are working together on a big presentation. They meet the day before to practice, but Debbie still hasn't finished all of her slides as promised. Fahad is anxious about looking unprepared in front of everyone, and frustrated with Debbie.

[Question-Text]:

What should Fahad do?

[Options]:

- Say to Debbie, "Honestly, this makes me nervous, and a little frustrated—I thought we agreed on a deadline. I really want us to shine tomorrow. How can we move forward from here?"
- Say to Debbie, "You're going to make me look so bad! This is really irresponsible and selfish."
- Bottle up his frustration and simply ask Debbie, "They'll be done by tomorrow, right?"

[Correct Answer]:

Say to Debbie, "Honestly, this makes me nervous, and a little frustrated—I thought we agreed on a deadline. I really want us to shine tomorrow. How can we move forward from here?"

[Feedback]:

[Feedback 1]

That's Right

This is an effective way for Fahad to share his frustration, and it allows Debbie to apologize, explain herself if appropriate and make things right. When problems arise between colleagues,

it is usually much more effective to imagine both people facing the problem—rather than colleagues facing each other as opponents.

[Feedback 2]

Not Quite

While it's understandable to be frustrated, shaming Debbie or calling her names will make Fahad look unprofessional AND not help the situation. Try again.

[Feedback 3]

Not Quite

It's OK for Fahad to tell Debbie he's feeling frustrated. She didn't do something that she said she would do, and it affects both of them. If he isn't honest, she doesn't get a chance to apologize and fix the problem, and Fahad may build up resentment toward her. Try again.

Social Media Conflict

Interactivity Audio Script:

Social Media Conflict.

Conflict is not always bad. Voicing dissent respectfully can help sharpen ideas and bring teams together. Select a response.

Interactivity Text:

Dave, 31, born in the U.S., Stan, 62, born in the U.S., and Zaheer, 28, from Pakistan, are debating their social media strategy. Dave shouts at the other two, "Given my age and the fact that I'm from here, obviously my opinions on social media are most relevant!"

[Question-Text]:

Which of the following is not problematic behavior?

[Options]:

- Shouting, because it shows engagement.
- Dave explains that his age and background make his perspective the most important.
- The fact that they are strongly disagreeing.

[Correct Answer]:

The fact that they are strongly disagreeing.

[Feedback]:

[Feedback 1]

Not Quite

Shouting is not a productive strategy when it comes to workplace conflict. Try again.

[Feedback 2]

Not Quite

It's a problem that Dave brought people's identities into an argument, and may imply that he believes Stan is too old to offer a good opinion, or that Zaheer's thoughts matter less because he's not from the U.S. Try again.

[Feedback 3]

That's Right

Disagreement is fine, but shouting is not productive, and it is never appropriate for Dave to bring other people's identities into an argument.

Understanding How Problems Manifest Part 1

Interactivity Audio Script:

Understanding How Problems Manifest.

Warning signs of discrimination are variable and often subtle. That's why they can be so tough to recognize. Let's sharpen your awareness by analyzing a few scenarios.

Select a response.

Interactivity Text:

Mark works for Amanda, who has a mild case of cerebral palsy. Mark watches Amanda type during their weekly one-on-one meeting and says to her, "It is so amazing what you can do! How lucky that you just have a mild case."

[Question-Text]:

Is this a warning sign?

[Options]:

- Yes
- No

[Correct Answer]:

Yes

[Feedback]:

[Feedback 1]

That's Right

This comment shows a lack of understanding about Amanda's disability that could lead to discriminatory conduct.

[Feedback 2]

Not Quite

This comment shows a lack of understanding about Amanda's disability that could lead to discriminatory conduct. Try again.

Understanding How Problems Manifest Part 2

Interactivity Audio Script:

Understanding How Problems Manifest.

Warning signs of discrimination are variable and often subtle. That's why they can be so tough to recognize. Let's sharpen your awareness by analyzing a few scenarios.

Select a response.

Interactivity Text:

Faiza is an independent contractor hired to oversee the design of a website. Faiza doesn't want Dawn, a department employee who is pregnant, to be assigned to the project fearing that she will "take maternity leave and never come back."

[Question-Text]:

Is this a warning sign?

[Options]:

- Yes
- No

[Answer]:

Yes

[Feedback]:

[Feedback 1]

That's Right

In fact, all of these scenarios demonstrate warning signs of bias that could lead to discriminatory conduct if they aren't addressed.

[Feedback 2]

Not Quite

In fact, all of these scenarios demonstrate warning signs of bias that could lead to discriminatory conduct if they aren't addressed. Try again.

Forget the Checklist

Interactivity Audio Script:

Forget the Checklist.

Discrimination can happen throughout the work life cycle, even as early as during the interview process.

Select a response.

Interactivity Text:

Farah is in charge of interviewing a new employee she'll be working with extensively. She doesn't like the formal interview protocol she was given, and decides to simply have a conversation with the candidate and go with her gut on whether or not they'll work well together.

[Question-Text]:

Is there a problem with Farah's interview strategy?

[Options]:

- Yes
- No

[Answer]:

Yes

[Feedback]:

[Feedback 1]

That's Right

Following policy may feel tedious, but it's an important way to mitigate bias and ensure hiring decisions are made based on job-related criteria.

[Feedback 2]

Not Quite

Relying on “your gut” allows implicit bias to creep in, as we tend to like people who are similar to ourselves. Try again.

Procurement Travel Cards for All but One

Interactivity Audio Script:

Procurement Travel Cards for All but One.

Knowing when to intervene can be difficult, especially when you are friends with your colleagues and discrimination is not obvious.

Select a response.

Interactivity Text:

Dennis is a colleague and a friend. He has five direct reports, only one of whom is a man. Dennis tells you he is completing a request for procurement travel cards for all his employees except Arnold, his only male employee, because he never travels for work. Arnold’s work doesn’t require travel.

[Question-Text]:

Should you do something?

[Options]:

- Probably not. Dennis’s behavior seems reasonable.
- Yes. If something different is happening to the only man in the group, it’s always an issue.

[Answer]:

Probably not. Dennis’s behavior seems reasonable.

[Feedback]:

[Feedback 1]

That’s Right

Arnold is the only one not getting a card, but it appears to be due to a legitimate, work-related reason that has nothing to do with his gender. If decisions about who gets travel cards or the opportunity to travel were based on gender, however, that could very well be discrimination.

[Feedback 2]

Not Quite

It's smart to pay extra attention to situations where some colleagues are treated differently. But it doesn't always add up to harassment or discrimination, especially when there is a valid reason for different treatment that is not based on bias. Try again.

Title VII: The Civil Rights Act of 1964

Interactivity Audio Script:

Title VII: The Civil Rights Act of 1964.

Title VII is part of the Civil Rights Act of 1964, which is a critical federal law that protects employees from discrimination on the basis of race, color, sex, religion, and national origin.

Select each card to learn more.

Interactivity Text:

[Flip Card 1]: Hiring & Firing.

Hiring & Firing.

It is illegal to make hiring decisions or to terminate a person's employment based on their protected characteristics.

[Flip Card 2]: Job Training.

Job Training.

It is illegal to deprive someone of equal access to job training based on their protected characteristics.

[Flip Card 3]: Referrals.

Referrals.

For employment agencies and labor organizations, it is illegal to refuse to refer someone for a job based on their protected characteristics.

[Flip Card 4]: Membership.

Membership.

It is illegal to exclude or expel people from labor organizations on the basis of their protected characteristics.

[Flip Card 5]: Compensation, Terms, and Conditions of Employment.

Compensation, Terms, and Conditions of Employment.

When it comes to compensation, and terms and conditions of employment, it is illegal to discriminate based on protected categories.

[Flip Card 6]: Segregation.

Segregation.

It is illegal for employers and labor organizations to separate employees, applicants, or members in such a way that it may lead to fewer opportunities for people in one group.

Dig Deeper: The Benefits of Diversity

Interactivity Text:

The Benefits of Diversity

Employment discrimination isn't just unfair. It also prevents institutions from becoming as successful as they could be. Hiring and supporting a diversity of employees benefits everyone.

- **Creativity**
 - Different identities lead to different perspectives, which can mean more creativity in brainstorming and problem-solving sessions.
- **Innovation**
 - Work environments with more diversity are 1.7 times more likely to be innovation leaders in their fields.
- **Efficiency**
 - A Harvard Business Review study showed that diverse teams are able to solve problems faster than cognitively similar people.
- **Revenues**
 - A McKinsey & Company report showed that diverse work environments were more likely to outperform their rivals.
- **Engagement**
 - A Deloitte analysis showed that employers with diverse, inclusive employees had higher engagement, and were better able to retain talent.
- **Reputation**
 - Employers that prioritize diversity are seen in a more positive light than those that don't, including by members of majority groups.

Title VI: Civil Rights Requirements

Video Script:

Title VI: Civil Rights Requirements.

Title VI is part of the Civil Rights Act of 1964, which is a critical federal law that prohibits discrimination on the basis of a person's actual or perceived race, color, national origin, ethnicity, or ancestry, by any program or activity (including institutions of higher education) that receives federal financial assistance. Title VI protects individuals against discrimination

involving a range of issues, including discriminatory discipline, racial harassment, and unequal access to educational resources.

Title VI protects against discrimination in all areas of an institution's operations, including academics, extracurricular activities, athletics, and other programs, but only applies to employment practices if the main purpose of the federal funding is to provide employment (e.g., students employed under the work-study program), or if the employment discrimination results in discrimination in providing educational programs or services.

Institutions must take care to monitor their practices and policies to be sure that they do not exclude students who are members of underrepresented groups, even if the intention of the policy was not discriminatory.

A particular focus in this law is to provide people with limited English proficiency meaningful access to programs that receive federal funds by providing language services and equal educational opportunities to English learners.

Title IX: Sex Discrimination

Interactivity Audio Script:

Title IX: Sex Discrimination.

Title IX protects students and employees, including faculty and student workers, at federally funded institutions, against discrimination based on sex or gender stereotyping in education programs and activities. Title IX also prohibits discrimination based on pregnancy, childbirth, or related conditions.

Interactivity Text:

FEDERAL LAW

Title IX of the Education Amendments Act of 1972

Title 20—EDUCATION

CHAPTER 38—DISCRIMINATION BASED ON SEX OR BLINDNESS]

§ 1681. Sex

(a) Prohibition against discrimination; exceptions]

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance, except that:

(1) Classes of educational institutions subject to prohibition in regard to admissions to educational institutions, this section shall apply only to institutions of vocational education,

professional education, and graduate higher education, and to public institutions of undergraduate higher education;

.... **Content omitted for clarity.**

(3) Educational institutions of religious organizations with contrary religious tenets this section shall not apply to an educational institution which is controlled by a religious organization if the application of this subsection would not be consistent with the religious tenets of such organization;

(4) Educational institutions training individuals for military services or merchant marine this section shall not apply to an educational institution whose primary purpose is the training of individuals for the military services of the United States, or the merchant marine;

(5) Public educational institutions with traditional and continuing admissions policy in regard to admissions this section shall not apply to any public institution of undergraduate higher education which is an institution that traditionally and continually from its establishment has had a policy of admitting only students of one sex;

(6) Social fraternities or sororities; voluntary youth service organizations this section shall not apply to membership practices-

(A) of a social fraternity or social sorority which is exempt from taxation under section 501(a) of title 26, the active membership of which consists primarily of students in attendance at an institution of higher education, or

(B) of the Young Men's Christian Association, Young Women's Christian Association, Girl Scouts, Boy Scouts, Camp Fire Girls, and voluntary youth service organizations which are so exempt, the membership of which has traditionally been limited to persons of one sex and principally to persons of less than nineteen years of age;

.... **Content omitted for clarity.**

(b) Preferential or disparate treatment because of imbalance in participation or receipt of Federal benefits; statistical evidence of imbalance

Nothing contained in subsection (a) of this section shall be interpreted to require any educational institution to grant preferential or disparate treatment to the members of one sex on account of an imbalance which may exist with respect to the total number or percentage of persons of that sex participating in or receiving the benefits of any federally supported program or activity, in comparison with the total number or percentage of persons of that sex in any community, State, section, or other area: Provided, That this subsection shall not be construed to prevent the consideration in any hearing or proceeding under this chapter of statistical evidence tending to show that such an imbalance exists with respect to the participation in, or receipt of the benefits of, any such program or activity by the members of one sex.]

(c) "Educational institution" defined

For purposes of this chapter an educational institution means any public or private preschool, elementary, or secondary school, or any institution of vocational, professional, or higher education, except that in the case of an educational institution composed of more than one school, college, or department which are administratively separate units, such term means each such school, college, or department.

[Alt-Text]:

A supervisor is talking on their phone in the workplace, holding a clipboard.

A Spectrum of Concerning Behavior

Interactivity Audio Script:

A Spectrum of Concerning Behavior.

Problematic and discriminatory behavior exists on a wide spectrum—from small, unintentional comments to more severe, even criminal, forms of discrimination.

Select each number to learn more.

Interactivity Text:

[Hotspot 1]: One.

A coworker is discussing a new non-binary employee with another coworker: “They’ pronouns are just confusing and hard. I don’t get why we have to do this... it’s so high-maintenance.”

[Hotspot 2]: Two.

An employee feels nervous around a coworker with a mental health disorder and avoids working with them.

[Hotspot 3]: Three.

A manager doesn’t accommodate his male employee’s therapy schedule because he thinks it’s weak for men to process their feelings.

[Hotspot 4]: Four.

A manager always asks his only female employee to take notes, even though that is not a part of her job description.

[Hotspot 5]: Five.

An interviewer recommends that his company not hire an employee born in “that country” because “everyone there is corrupt.”

[Hotspot 6]: Six.

One coworker asks another how the new employee is doing. “Oh, you know, hard-working and serious, like all Asian people!”

Summary

Video Script:

Summary.

In this section, you learned how discrimination manifests in the workplace and strengthened your aptitude for spotting problem situations. Let’s briefly review:

- Awareness is key. The more you notice about what goes on around you and within yourself, the more effective you’ll be at promoting positive behavior and intervening when you see an issue.
- Discrimination refers to unfair treatment toward a person based on certain protected characteristics, such as their gender, race, or other characteristic.
- Problematic behavior exists on a spectrum, and can range from obvious behaviors to subtle biases.
- There is both federal legal protection and, in some cases, state and local legal protection from certain types of discrimination.

Congratulations!

You have now completed the module **Developing Awareness and Recognizing Discrimination**.

Leading Workplaces Resistant to Discrimination

Leading Workplaces Resistant to Discrimination

Video Script:

Leading Workplaces Resistant to Discrimination.

Explore opportunities and your responsibilities to prevent discrimination in the work environment.

Leading Workplaces Resistant to Discrimination

Video Script:

Leading Workplaces Resistant to Discrimination.

As a person with supervisory responsibilities, you can do a lot to support fairness and respect in the work environment.

Music Playing. Narrator: For people with supervisory responsibilities or in a leadership role, awareness is not just important, it is vital. You are more likely to have the opportunity to spot policies, practices, or behaviors, that can negatively impact workplace culture or may even be discriminatory, and you are well positioned to make changes early on that can prevent problematic situations from developing. Up next, we'll explore your responsibilities related to preventing discrimination, and how developing and sharpening active bystander skills will enable you to provide leadership.

Timeline of Hiring Discrimination

Interactivity Audio Script:

Timeline of Hiring Discrimination.

Discrimination can impact people at any point in the work lifecycle and may even occur as early as when a job description is written.

Select each number to learn more.

Interactivity Text:

[Hotspot 1]: Applying.

The way some job descriptions are written may discourage some individuals from applying. For example, "masculine"-coded words like "competitive" and "aggressive" may discourage qualified women, while words like "new grad" or "energetic" may dissuade older people, even if they have the skills for the job.

[Hotspot 2]: Recruiting.

Relying heavily on recruiting from personal networks can be problematic. People's networks tend to be comprised of people similar to them, so referrals can often simply perpetuate the status quo. Furthermore, research shows that men of color and women of all races benefit far less from referral programs than others.

[Hotspot 3]: Screening.

Even if a resume reviewer is committed to diversity, implicit biases can still take hold when reviewing resumes. For instance, research shows applicants whose names sound “White” are at a considerable advantage. (There’s a similar advantage for people with names that sound “male” who apply for positions in the science field.)

[Hotspot 4]: Interviewing.

Interviewers often focus on getting the right “vibe,” or cultural fit, in a candidate. But these gut reactions are sometimes the result of our brains telling us that “familiar = good.” This is called affinity bias, and it can prevent people from making the wisest (and fairest) hiring decisions. Thinking about “culture add” versus “fit” can be a good strategy to counteract this type of bias.

Career Advancement Discrimination

Interactivity Audio Script:

Career Advancement Discrimination.

The potential for discrimination exists throughout the entire work lifecycle and may also impact career advancement opportunities.

Select the arrows to learn more.

Interactivity Text:

[Carousel 1]:

Negotiating Salary.

Studies have shown that people suggested higher starting salaries for resumes with typically male names, even when their qualifications were identical to resumes with typically female names. Many other studies show a significant wage gap for racial minorities.

[Carousel 2]:

Finding a Mentor.

Research shows that people tend to mentor others who are “like them.” As a result, women, minorities, and people of lower socioeconomic backgrounds may have less access to mentorship — especially as they ascend, where there are fewer senior leaders who share these traits.

[Carousel 3]:

Getting a Promotion.

Similar to the hiring process, research indicates that biases can negatively impact promotion decisions, particularly against women or people of a different race. Research has also shown that a very small bias can be amplified dramatically as a person ascends.

[Carousel 4]:

Separating from an Employer.

Bias can also come into play when deciding whether someone is terminated from their role. Research shows that, in some cases, people are unfairly terminated for things like pregnancy, disability, citizenship status, or when stereotypes cause their performance to be evaluated unfairly.

Opportunities to Accommodate

Interactivity Audio Script:

Opportunities to Accommodate.

Promoting a culture of respect and inclusion ensures that employees receive the tools and support they need to be productive and engaged at work. As someone with supervisory responsibilities, you are in a position to support these efforts.

Select each topic to learn more.

Interactivity Text:

[Tab 1]:

Be conscious of food-related activities.

Show that you care about including everyone by ordering food for events inclusive of all dietary restrictions, religious or otherwise (and don't assume everyone drinks alcohol or caffeine). Also, be aware of holding food-related events on days when people may be fasting — for example, on Ash Wednesday or Yom Kippur, or during Ramadan.

[Tab 2]:

Be considerate of accommodations for health.

Be aware that pregnant employees may come to you with requests for workplace accommodations, such as needing to sit more or less often; others may need to work from home for a while. Don't make assumptions about what pregnant employees need or what they can do. Also, denying them opportunities or making changes to their job duties that were not requested may violate the law.

[Tab 3]:

Be mindful of the needs of others.

Some new parents may need to pump breast milk during the workday. Accommodating this need can involve devoting a private space for this purpose, offering a mini-fridge for storage, and being flexible about breaks. Keep in mind that many employers are required by federal or state law to accommodate people who pump breast milk.

[Tab 4]:

Be thoughtful about labels (or avoid them altogether).

Providing at least one bathroom that is gender-neutral (not labeled exclusively “men” or “women”) is a good way to make more people feel safe and included. Bathrooms can be uncomfortable places for non-binary people, transgender people, and anyone who doesn’t fit traditional gender presentation expectations.

Skills Workshop

Video Script:

Skills Workshop.

In this workshop, you will be practicing the skill of awareness as it relates to respecting differences, minimizing hiring discrimination, being conscious of biases, and accommodating employee needs.

Strategies for Fair Interviews

Interactivity Audio Script:

Strategies for Fair Interviews.

The interview process is another key point in the work lifecycle that can be difficult to navigate.

Select each card to learn more.

Interactivity Text:

[Flip Card 1]: Rate Objectively.

Rate Objectively.

Use a standardized rubric to make sure every interviewer evaluates candidates in the same way. Be sure to have interviewers rate each desired skill and provide evidence with examples to back up their scores.

[Flip Card 2]: Stick to a Script.

Stick to a Script.

Although it might feel better to have a natural conversation, sticking to an interview script that's tightly focused on job requirements can eliminate bias and help you to evaluate each candidate equally.

[Flip Card 3]: Wait before Deciding.

Wait before Deciding.

Before scoring a candidate, interviewers should take a moment to reflect on the candidate's observed performance as it relates to the job requirements. Making judgments and decisions too quickly can enable biases to take over.

[Flip Card 4]: Define Cultural Fit.

Define Cultural Fit.

Evaluating someone for cultural fit is particularly subject to bias. Hold yourself and other interviewers accountable to explain why they feel someone would or wouldn't belong.

[Flip Card 5]: Spread the Word.

Spread the Word.

Many people allow bias into the interviewing process simply because they don't realize it's problematic to "go with their gut." Whenever you can, educate others about these principles and hold each other accountable for keeping them top of mind during the interview process.

Dig Deeper: The Power of Checklists

Interactivity Text:

The Power of Checklists.

Structure is one major way to improve the hiring process. Having a scoring system for evaluating resumes that is rooted in the job requirements is a great place to start.

Your hiring department or supervisor may already have one. If they don't, you could compose one yourself.

Even though it might feel tedious, taking the time to create this structure can improve objectivity and consistency in the interview process.

It isn't just fair — it can help you hire the right person for the job and have the most successful team possible.

Dig Deeper: Discriminatory Gut Reactions

Interactivity Text:

Discriminatory Gut Reactions.

Read application materials and hold interviews with clear evaluation criteria in mind. Otherwise, that problematic “gut feeling” could take the wheel.

Overqualified

An interviewer in their late 20s is talking about a candidate in their early 40s: “I guess I thought the new hire would be younger than me...I know they’re just trying to break into a new industry, but aren’t they overqualified to help me out on this project?”

This thought, if acted on, could lead to age discrimination.

Sense of Humor

An interviewer is talking about a candidate from a different country, with whom the conversation is a little stilted: “I’m trying to be friendly, crack some jokes, and it’s just not coming through...does he have no sense of humor? Does he dislike me? It feels like he’s being rude...”

This thought, if acted on, could lead to discrimination based on national origin. Not getting a joke could have more to do with cultural differences than personality.

Anxious Interaction

An interviewer is talking about a candidate who uses a wheelchair. “Oh, wow, I didn’t know Nadya would be using a chair. Should I pretend like it doesn’t exist? Should I open doors for her? I don’t want to say the wrong thing and offend her...it’s making me tense.”

Anxieties about our own abilities to interact with others who have disabilities should not prevent capable applicants from being hired.

Mutual Friends

The interviewer realizes that one candidate has a friend in common with her. “How funny we have a friend in common! Something to talk about right away...it’s so nice to bond over this and not have to force the conversation. Plus, if she’s a friend of my friend, I’d probably like her, too!”

Having a friend in common may make a candidate seem more likable, but it is not job-related and could lead to a less qualified hire and a less diverse workforce over time, if the candidates and/or the friends in common tend to be similar to the current employees.

Dig Deeper: Perspectives: Addressing Bias

Video Script:

Perspectives: Addressing Bias.

Some workplace biases may continue to persist, even when the target is a person of the same sex or gender. These biases are often unintentional, but nevertheless harmful.

So, one thing that I would love to address, in terms of the workplace and workplace culture, is women in leadership who still exhibit sexism. So subconsciously, even though they're a woman, and even though they're a woman in leadership, they often give the more STEM based projects to men. Or they will choose, or have favorites of the male workers, and actually minimize the voice of the female workers.

Honestly, as someone that's been a supervisor for many years myself, and someone that's interviewed and hired a lot of people, you never know, you can't make assumptions based on anything. You can hire someone like myself, who is legally blind that you're like, "Oh, maybe she won't be able to do as good a job," and you're like, "Oh, wait a minute. She's amazing and we should promote her." Which is what has happened in every one of my jobs. I think that everybody has bias and prejudice. I don't think there's anybody that is not bias or prejudice, in some way. And I definitely have my bias and prejudice and the way I try to move through that is educate myself.

I think oftentimes it's hard to know what is harassment or what is bias without building relationships with people who are different from you. So, you can see things from their perspective, understand that they might have a different lens, and that it can be really valuable for you to know that lens and benefit from their point of view.

Performance Reviews

Video Script:

Performance Reviews.

Performance reviews not only provide important feedback to employees, but also may be closely tied to their ability to get a raise or a promotion.

Structure

Studies show that when feedback mechanisms lack structure, such as evaluation criteria or a defined rating system, evaluations can become too subjective, allowing stereotypes about race, ability, age, and other characteristics to enter into the process.

Similarity Bias

Research shows that people tend to rate those in their in-group more highly than those they perceive to be outside it.

Dedication vs. Ability

Studies show that women's performance is more likely to be attributed to luck or commitment rather than abilities and skills, which can prevent them from receiving fair credit for their work.

Critical Feedback Gap

Research shows that women tend to get more vague feedback and less constructive critical feedback during performance reviews. This inhibits their ability to learn what they need to do to grow and advance.

Length of Reviews

Research shows men typically receive longer performance reviews that focus on their technical skills, whereas women receive shorter reviews that are more focused on their communication skills.

Improving Fairness in Performance Reviews

Interactivity Audio Script:

Improving Fairness in Performance Reviews.

Understanding how to prevent discrimination from occurring in performance reviews is a key responsibility of any leader.

Select a response.

Interactivity Text:

[Question-Text]:

Which of the following is a good strategy for removing bias from performance reviews?

[Options]:

- Evaluate employees using consistent, objective, job-related criteria.
- Ensure that specific examples are included to support your evaluation/feedback in each area.
- Collect performance data and examples throughout the entire evaluation period instead of just reflecting at the end.
- All of the above.

[Answer]:

All of the Above.

[Feedback]:

[Feedback 1]

Not Quite

This is a good strategy, but is it the only one? Try again

[Feedback 2]

Not Quite

This is a good strategy, but is it the only one? Try again

[Feedback 3]

Not Quite

This is a good strategy, but is it the only one? Try again

[Feedback 4]

That's Right

Just as it was in the hiring process, a smart way to confine bias in performance reviews is to reduce the vague ways in which we evaluate people.

Breaking Barriers

Video Script:

Breaking Barriers.

Hiring and workplace advancement discrimination affects some populations more than others. This discrimination is often based on misperceptions of ability and availability to work.

Dig Deeper: Afraid of Commitment

Interactivity Text:

Afraid of Commitment.

Barriers to advancement that some groups face are the misperceptions and biases about whether they are prepared to “commit” to the work.

- **Women**
Surveys show that women are three times more likely than men to say their gender had been a hindrance to their career. One common struggle is the misperception that women are incapable of work-life balance — often in relation to the assumption that women are the primary caregivers for children and the belief that this would interfere with their commitment to work.
- **Older People**
People may assume that older people are less interested in advancing in their careers. Surveys show that 12% of older adults say they have been passed over for a promotion.
- **Military Spouses**
Data indicate that spouses of people in the military may also face workplace discrimination based on fears or assumptions that they will move around a lot and not stay committed to the job. The unemployment rate for military spouses is about four times the national average.

Dig Deeper: Unequal Starting Pay

Interactivity Text:

Unequal Starting Pay.

Research shows that discrimination can also come into play when deciding starting pay.

Discrimination when determining starting pay often affects pay long term, as raises are often based on a person's current salary. One study showed that some interviewers suggested higher pay when they saw a typically male name on a resume versus a typically female name.

Discrimination related to starting pay is even more prevalent for employees of color. One study showed that because hiring managers expected Black employees to negotiate less, hiring managers were less likely to make concessions during the negotiation process.

Reducing Mentorship Discrimination

Interactivity Text:

Reducing Mentorship Discrimination.

Research shows that mentorship programs help both the mentee *and* the mentor get promotions and salary bumps and can increase job satisfaction and retention.

However, there can also be problems with mentorship. People tend to mentor those who are similar to themselves.

Because there tend to be fewer people with marginalized identities in leadership positions, fewer people with marginalized identities may get mentorship.

This cycle can change.

Research has shown that mentors from dominant groups can be good mentors for minority individuals and may foster employee success.

As a leader/supervisor, you are likely to have many opportunities to offer support to other people. Besides mentorship, support can come in the form of advice, a small word of encouragement, an opportunity on a project, or a public affirmation.

Challenge yourself to think about who you're supporting — in ways both large and small.

Late to Work

Interactivity Audio Script:

Late to Work.

You've already practiced how to make your workplace as accommodating as possible from the get-go. Now, let's practice how to accommodate *and respond to requests that* people may bring to you.

Select a response.

Interactivity Text:

This is the second time Marquis came in late this week. "I'm so sorry I'm late again," he tells you as he rushes in. "I'm having trouble getting to work on time because of the morning prayer service I need to attend during Ramadan."

[Question-Text]:

How should you respond?

[Options]:

- Excuse Marquis and move on.
- Ask if Marquis may need a temporary schedule change during Ramadan.
- Remind Marquis that it is his responsibility to show up to work on time every day.

[Answer]:

Ask if Marquis may need a temporary schedule change during Ramadan.

[Feedback]:

[Feedback 1]

Not Quite

Forgiveness is great, but there's a better choice. Try again.

[Feedback 2]

That's Right

Marquis isn't asking directly, but it's clearly been difficult for him to practice his religion and make it to work at the same time. This situation may require an accommodation.

[Feedback 3]

Not Quite

Schedules are important, but there's a better choice. Try again.

Diagnosed with Depression

Interactivity Audio Script:

Diagnosed with Depression.

As a leader, it's important that you understand how to field accommodation requests and when to seek support.

Select a response.

Interactivity Text:

You're having a private conversation with Geoff, an employee whose work performance has declined recently. "I know I haven't been my best lately," Geoff tells you. "I actually just got diagnosed with depression, and I'm still looking for a treatment that works for me. I heard there can be work accommodations for things like this. What can we do?"

[Question-Text]:

What should you say to Geoff?

[Options]:

- Ask Geoff for detailed medical information. Is he on medications? Is he suicidal? You want to understand what you're working with.
- Tell Geoff that you'll need to get someone with expertise to deal with the issue.
- Thank Geoff for sharing that information. Ask him to explain what's been difficult about his ability to perform his job lately and then offer to connect him to colleagues who assist with workplace accommodations.

[Answer]:

Thank Geoff for sharing that information. Ask him to explain what's been difficult about his ability to perform his job lately and then offer to connect him to colleagues who assist with workplace accommodations.

[Feedback]:

[Feedback 1]

Not Quite

These questions are invasive and may violate the law. Any medical information that may be needed to support a job accommodation should be handled by the department equipped to handle disabilities. Try again.

[Feedback 2]

Not Quite

This is a good next step, but is it the only one? Try again.

[Feedback 3]

That's Right

Focus on Geoff's ability to perform his job. Be sure to also follow your conduct and performance policies to make decisions, and also refer and defer to your colleagues whose expertise is accommodating disabilities.

Responding to Requests

Video Script:

Responding to Requests.

The best way to ensure a quick and effective response to employees who request accommodations is to seek guidance and support from your colleagues who have expertise in handling these requests.

Keep in mind that there is no such thing as "one-size-fits-all" accommodations. They will vary based on the person, the work environment, and the essential functions of their job.

It takes an interactive process to identify an effective accommodation plan. This requires collaboration involving several steps, including hearing from the individual about what they need to succeed.

Finally, it is important to avoid questions that directly or indirectly elicit information about a disability. Keep any information you learn related to a request for accommodation confidential to the fullest extent possible.

Why Is He Leaving Early?

Interactivity Audio Script:

Why Is He Leaving Early?

Accommodations are a private matter and should be kept as confidential as possible, which is not always easy.

Select a response.

Interactivity Text:

Your employee, Ash, worked with you on an accommodation for bipolar disorder. Now he arrives an hour early and leaves an hour early. One day Ash's co-worker, Natasha, bursts out: "Why is Ash always leaving early? I am drowning in work. If he's done with his work, he should help me with mine!"

[Question-Text]:

What should you do?

[Options]:

- Explain that Ash has an ADA accommodation, but do not share the diagnosis. You value Ash's privacy, but don't want Natasha to judge him unfairly.
- Explain to Natasha that Ash is working equal hours on a slightly different schedule, and ask if there's anything you can do to support her workload.
- Pull Natasha aside and explain the details of Ash's diagnosis in private. You don't want Natasha to judge Ash unfairly, but it's important that she knows why his schedule is different.

[Answer]:

Explain to Natasha that Ash is working equal hours on a slightly different schedule, and ask if there's anything you can do to support her workload.

[Feedback]:

[Feedback 1]

Not Quite

It's understandable to want to protect Ash from Natasha's judgment, but you cannot disclose or confirm to another employee that a person is receiving an accommodation. Try again.

[Feedback 2]

That's Right

It's critical to keep Ash's accommodation confidential. It may help to also tell Natasha that if she ever needs extra support to do her job, whether for personal or professional reasons, you would be happy to talk about that privately.

[Feedback 3]

Not Quite

Accommodations should be kept confidential, and Natasha doesn't need to know anything about Ash's diagnosis, which is also confidential. Try again.

Should I Ask?

Interactivity Audio Script:

Should I Ask?

It's understandable to want to accommodate the needs of your employees, but sometimes it can be difficult to know how to best offer support.

Select a response.

Interactivity Text:

Your new employee, Ahanu, disclosed that he has cerebral palsy. It looks like he's struggling to type on his laptop, and you wonder if he'd benefit from some kind of assistive device to make things more comfortable.

At your next one-on-one meeting, you ask Ahanu how he's doing overall, and whether he needs anything from you. "Nope, all good!" he responds.

[Question-Text]:

What should you do?

[Options]:

- Move on. If he hasn't expressed a need to you, there's nothing you can do.
- Tell Ahanu that if he's interested, you can work with him on any accommodations, like purchasing a device to make typing more comfortable.

[Correct Answer]:

Tell Ahanu that if he's interested, you can work with him on any accommodations, like purchasing a device to make typing more comfortable.

[Feedback]:

[Feedback 1]

Not Quite

You actually can proactively ask people with known disabilities about accommodations in some cases. Try again.

[Feedback 2]

That's Right

An employer is allowed to ask an employee with a known disability if they need an accommodation when they have reason to believe one is necessary.

Accommodating Disabilities

Interactivity Audio Script:

Accommodating Disabilities.

Making accommodations for people with disabilities goes beyond your legal responsibilities. Showing respect for them and using discretion regarding their private information are vital, valuable skills to learn and put into practice.

Dig Deeper: Respecting People with Disabilities

Interactivity Text:

Respecting People with Disabilities.

Recent research indicates that two-thirds of people feel awkward speaking to someone with a disability because they're afraid of appearing to be patronizing or of saying the wrong thing.

Though this instinct may come from a desire not to offend, it actually hurts people with disabilities and denies them the opportunity to be seen as multifaceted people.

Just remember that everyone is different and may not want to be treated the same way with regard to their disability.

Here are some tips for getting over that uncertainty.

Avoid Sympathy

Some people may not view their disability as something to be upset about. Listen to what they say and empathize with any difficulties you hear about, but avoid exclaiming about “how hard” things must be or how you feel sorry for them.

Start a Conversation

Avoidance hurts everyone — you both miss opportunities to connect, and you miss an opportunity to better understand someone different from you.

Take Their Cue

If they say they have the ability to do something, believe them! If they ask for assistance with something, help if appropriate. Make sure not to underestimate someone based on an assumption.

Don't Ignore It

Don't feel that you have to ignore the disability or act like the person has no limitations at all. It's okay to ask how someone likes to be treated surrounding their disability. It's clear when questions come from a place of care.

Avoid Unwarranted Praise

It can be patronizing to tell someone with a disability that they're “inspiring” or “amazing” for doing things you wouldn't praise a person without a disability for doing. Instead of coming across as a compliment, it can make people feel like they're simply surpassing the low expectations that you have for them.

Dig Deeper: Keeping Accommodations Private

Interactivity Text:

Keeping Accommodations Private.

Telling someone about an accommodation is much the same as disclosing that the person has a disability.

Maintaining privacy while keeping your team well informed can be a challenge. It's a good idea to ask your colleagues with expertise for support in balancing how to respond to team questions while respecting an employee's privacy.

Here are some phrases that would be helpful to use in the scenario you just read:

- "We have a policy of supporting any employee's workplace needs individually."
- "Ash and I have worked his schedule out together."
- "Ash and I have already discussed this and worked something out that is fair to him and everyone else."
- "I came up with this solution that is fair to Ash just as I would do the same for anyone else who works here."
- "I must respect Ash's privacy, just as I would respect yours if you asked for a change for personal reasons."

Screen Trouble

Interactivity Audio Script:

Screen Trouble.

It's important that you understand how to field accommodation requests and when to seek support.

Select a response.

Interactivity Text:

A student comes to your office hours and tells you it's been difficult to see the slides during the lectures. They ask if there's any way the lighting could be changed so they can see the slides more clearly.

[Question-Text]:

What should you do?

[Options]:

- Tell the student you'll look into it and ask if there's anything helpful you can do in the short term.
- Explain that you can't control the building's structure, but offer to email the slides after the lecture is over.

[Answer]:

Tell the student you'll look into it and ask if there's anything helpful you can do in the short term.

[Feedback]:

[Feedback 1]

That's Right

This is a reasonable accommodation request, but it may take a while, so it's good to ask if there's something you can do in the short term while you implement a long-term solution.

[Feedback 2]

Not Quite

This solution does not give the student equal access to learning. Try again.

An Institution's Responsibility

Interactivity Audio Script:

An Institution's Responsibility.

It is the responsibility of an institution to make sure all students have equal access to learning.

Select the arrows to learn more.

Interactivity Text:

[Carousel 1]: Carousel1.

It's okay to inquire about whether another type of accommodation would be just as suitable as the one requested — for example, you can ask if there's a way you could design your slides differently so they can be seen better, or if you could give them a PDF of your slides before the lecture.

[Carousel 2]: Carousel2.

Emailing the slides after class, however, would not give the student an equal experience. They would be deprived of the chance to see the visuals in combination with the lecture and would be less able to ask questions in real time.

[Carousel 3]: Carousel3.

Remember, students who request accommodation due to disability need to have documentation from their disability services office regarding what accommodation is appropriate (based on testing and assessment), and you should not deviate from that recommendation.

Identify the Early Warning Signs

Interactivity Audio Script:

Identify the Early Warning Signs.

As a person with supervisory responsibilities, you can lead by spotting early warning signs and acting before problems get more serious.

Select each card to learn more.

Interactivity Text:

[Flip Card 1]: Isolation.

Isolation.

When you see someone isolated from others, it may mean there's an issue. It's worth asking if something's up.

[Flip Card 2]: Quitting Time.

Quitting Time.

Looking forward to personal time is expected, but if you notice many people openly expressing a desire to leave, it could be a sign that there's room to improve the workplace culture.

[Flip Card 3]: Marginalized?

Marginalized?

When someone isn't speaking up (or they're being talked over), this is an issue worth exploring further. There may be underlying disrespect or discrimination, or a personal issue worth your attention.

[Flip Card 4]: Lack of Creativity.

Lack of Creativity.

When workplaces are hostile, performance, engagement, and creativity suffer. If you notice that employees are disengaged, try to find the root of the problem.

[Flip Card 5]: Anxiety.

Anxiety.

If you notice an employee acting more anxious than usual, doubting their work, or second-guessing themselves, it may be a sign that they're receiving poor treatment.

[Flip Card 6]: Disrespect.

Disrespect.

Small signs of disrespect, even if they're presented as a joke, can grow into more severe forms of misconduct if left unchecked.

Addressing Signs of Discrimination

Interactivity Audio Script:

Addressing Signs of Discrimination.

Spotting the early warning signs of interpersonal tension or discrimination in the workplace is just the first step, and you should mindfully address what you observe.

Select each topic to learn more.

Interactivity Text:

[Tab 1]: Get Involved Early.

Don't wait it out and see if things get better. Get involved early, before problems become harder to solve. Even if there's no issue after all, check in and ask about employees' well-being.

[Tab 2]: Don't Assume the Cause.

When you see a problem situation, don't assume you know exactly what's going on. Focus on observable facts, ask questions to understand motivation, and then actively listen.

[Tab 3]: Assume Positive Intent.

Even if an employee did something harmful, treat them as a positive contributor. This can help them feel like you're on their side, head off any defensiveness, and pave the way for more productive resolutions.

[Tab 4]: Express Your Values.

While it's important to be empathetic, it's also critical to express positive values when problems come up. Make sure people are clear about the behavior you expect, and let it be known that personal attacks or discriminatory comments are unacceptable and very serious.

[Tab 5]: Look Inward.

Sometimes, a conflict can give you important feedback on your own supervisory style. Are you involved enough? Have you inadvertently created an overly competitive atmosphere? What kind of behavior do you model? Sometimes, conflict happens despite your best efforts. Other times, you'll get insight on how to build a more positive work environment moving forward.

Addressing Concerns

Video Script:

Addressing Concerns.

Addressing concerns and offering helpful feedback are vital skills for supervisors to hone. Keeping an open line of communication with your people is an important part of building trust and cultivating a positive work environment.

Dig Deeper: Giving Constructive Feedback

Interactivity Text:

Giving Constructive Feedback.

When offering someone feedback, whether the employee is struggling overall or not, keep a few best practices in mind.

- **Don't Delay**
 - It's not fun to tell someone they aren't doing well, but the sooner you bring it up, the sooner they have a chance to fix it.
- **Be Straightforward**
 - Though you might be tempted to surround the constructive feedback about performance concerns with affirmations, this can distract from what you're saying. Save the compliments for later in the discussion, or a different day.
- **Give Examples**
 - Give specific, detailed examples of the behavior you're seeing. If your feedback is vague, it's less likely to result in a change.
- **Let Them Speak**
 - Always give your employee the opportunity to explain what's going on. It can be important context for coming up with an appropriate solution.
- **Show Support**
 - Express your support for the employee in correcting their behavior. Remind them that you are on their side and want to help them succeed. Ask if there's anything you can do to assist, or if there's anything they want to share with you.
- **Provide Next Steps**
 - It can help to give the employee ideas about where to start making a change, like setting goals.
- **Schedule a Follow-Up**
 - This isn't a one-and-done situation. Make sure you identify a time to check in on your employee's progress.

Dig Deeper: Expert Opinions: Concerning Behavior

Video Script:

Expert Opinions: Concerning Behavior.

Take a moment to listen to an expert share a personal story about recognizing and acting on concerning behavior.

It's really important for people to be able to recognize concerning behaviors before they actually escalate into harassment, or into discrimination.

Some of the warning signs include treating people disrespectfully, interrupting people frequently, not listening to certain people's ideas because of their personal characteristics. Yelling or other types of jokes that really, are at somebody else's expense.

I recall there was an individual who was a supervisor, who had a tendency to interrupt people quite a bit, and after observing this several times in various meetings I noticed there was actually a pattern, and that the supervisor tended to do this more often with women than with men.

I thought this was concerning and I could see the impact it was having on the women around the table in various meetings. And so, I talked to the supervisor and I just pointed it out, and said, "I don't know if you realize you're doing this, but this is happening and it's having this impact on the other employees in the organization."

And I think, actually that they didn't realize that they were doing it, but very quickly adjusted their behavior.

Summary

Video Script:

Summary.

In this section, you learned how to support fair hiring and accommodate differences in the work environment. Let's briefly review.

Remember:

- To hire well and fairly, the best thing to do is reduce the influence of implicit bias — including your own — throughout the process.
Mentorship and other forms of support can make a positive impact on others.
- To create a culture of inclusion, look for ways to proactively accommodate differences — without assuming that you know someone's exact limitations, preferences, or accommodation needs.
- It is your responsibility to help respond to reasonable requests for accommodation and to protect the person's privacy whenever possible.

- If you suspect there's an underlying problem causing performance issues, it's best to address it right away.
- It's important to fine-tune your ability to spot discrimination before it becomes a problem. This can have an immense impact on those around you as you lead them toward success.

Congratulations!

You have now completed the module Leading Workplaces Resistant to Discrimination.

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Cultivating Attitudes and Identifying Harassment

Cultivating Attitudes and Identifying Harassment

Video script:

Cultivating Attitudes and Identifying Harassment.

Explore how harassment manifests in the work environment, and how the attitudes you model and expect from others can make a difference.

Cultivating Attitudes and Identifying Harassment

Video script:

Cultivating Attitudes and Identifying Harassment.

The second A in the three A's of bystander intervention is Attitudes. Your attitude can have a positive impact on your colleagues and the safety of your work environment.

The attitude you bring to work makes a difference, as do the attitudes you expect and encourage from those around you. Harassment is one of the most damaging forms of discrimination and can undermine the attitudes and expectations we all share for a positive workplace.

Most people recognize harassment as unacceptable, but maintaining a respectful, equitable environment means actively making it clear that harassment has no place in the workplace. Your attitude is part of creating this environment. More than just what you think and perceive, your attitude includes how you support, encourage, and maintain a professional workplace atmosphere. Here we'll practice the skills necessary to support colleagues who intervene in response to harassment, including sexual harassment.

Knowing When to Intervene

Interactivity Audio Script:

Knowing When to Intervene.

Knowing when to take action can be difficult, and there are many reasons why well-intentioned people avoid intervening in problematic situations at work.

Select the arrows to learn more.

Interactivity Text:

[Carousel 1]: It's not my business.

It's not my business.

People may think they lack the authority to intervene, assuming it's best left to human resources professionals, the person's supervisor, or those who are more familiar with the people involved.

[Carousel 2]: I might make things worse.

I might make things worse.

Lacking confidence in their ability to intervene effectively, people may worry about causing a scene or making things even worse for the impacted person.

[Carousel 3]: I'll be called a 'troublemaker.'

I'll be called a 'troublemaker.'

In a work environment, people fear being judged negatively for trying to intervene because they worry it may affect how they themselves are treated, and possibly their career.

[Carousel 4]: It won't be welcome.

It won't be welcome.

A bystander might wonder whether the person being targeted even wants assistance . . . maybe it will embarrass them or draw unwelcome attention.

[Carousel 5]:

"They didn't mean any harm."

Well-meaning people can still cause harm. It's important to separate someone's intention from the impact of their actions, and share concerns even when the behavior is coming from a friend.

Discrimination vs. Harassment

Interactivity Audio Script

Discrimination vs. Harassment.

Harassment is a particular type of discrimination that includes unwelcome or offensive conduct toward another person.

Discrimination is the generic term for all kinds of biased treatment that negatively impacts a person's job opportunities based on their protected characteristics. Like discrimination, certain forms of harassment are prohibited by federal, state, or local laws, and some aren't. For example, workplace bullying (also called "abusive conduct") is generally not illegal, but it's always harmful.

Select each number to learn more.

Interactivity Text:

[Tab 1]: Hostile Work Environment.

Hostile Work Environment.

Although federal, state, and local laws may have different definitions, a hostile work environment generally involves unwelcome conduct based on a person's sex or other protected characteristics that is intimidating, abusive, or offensive. Petty slights, annoyances, or isolated incidents unrelated to a person's protected characteristics do not generally create a hostile work environment. However, actions and comments may cross the line into unlawful conduct when the behavior creates a work environment that a reasonable person would consider hostile. A "work environment" doesn't just refer to the physical work area, but can be anywhere that harassment impacts work (e.g., online harassment could potentially result in a hostile work environment).

[Tab 2]: Quid Pro Quo Harassment.

Quid Pro Quo Harassment.

This form of harassment typically involves a person in a position of authority asking a subordinate or student to submit to unwelcome sexual conduct in exchange for an academic or a work benefit or decision. Quid pro quo harassment is illegal whenever the conduct is unwelcome, even if the person submitting seems to go along with it.

[Tab 3]: Abusive Conduct. (Bullying)

Abusive Conduct. (Bullying)

Though many forms of abusive or offensive conduct are not yet prohibited by law, abusive conduct doesn't have to be illegal to cause harm. It's our responsibility to keep our learning and work environment respectful and avoid all kinds of abusive conduct. Like harassment and discrimination, abusive conduct does not have to happen at the physical workplace or during work hours to negatively impact the work environment (e.g., cyberbullying or trolling among coworkers during off-hours).

[Alt-Text]:

Two colleagues, one of whom looks frustrated, having a conversation.

Dig Deeper: Who's at Risk Who's at Risk?

Interactivity Text:

Who's at Risk?

Anyone can be a target of harassment, but marginalized groups tend to be at greater risk. This includes people who identify as LGBTQIA+, as a racial minority, or as having a disability.

Select each topic to learn more.

Cultural and Language Differences

- People who are unfamiliar with a country's customs and laws may find it more difficult to report harassment, particularly if there is a language barrier. Undocumented people are at even greater risk. However, federal anti-harassment laws apply regardless of a person's citizenship or immigration status, or their national origin.

Isolated or Remote Work Environments

- Working in a setting where there are few people around poses a greater risk of harassment. People who abuse know that, without bystanders, the person being harassed is less likely to receive help or have a witness to prove what happened. Similarly, some employees who work remotely may mistakenly believe that laws and policies against harassing behavior don't apply beyond the physical workplace (they do).

Gender Harassment

- LGBTQIA+ individuals who do not conform to stereotypical gender norms for behavior, appearance, or personality traits, experience sexual harassment at much higher rates than non-LGBTQIA+ individuals. Gender harassment includes demeaning jokes or comments about an individual or group, especially in work environments where men outnumber women, or the occupations are not typically held by women.

People in Power

- When a work environment has significant power disparities, there is greater risk of harassment. People with less power may think harassment is just part of the job. For others, disparities in power make it harder to report harassment for fear of repercussions. For example, one in ten female graduate students at major research universities reported being sexually harassed by a faculty member.

People with Disabilities

- Individuals with disabilities may be subjected to verbal harassment, ordered to perform work beyond their physical abilities, and assigned to perform work in a space without accommodations, causing them further physical and mental harm.

Independent Contractors and Interns

- Someone who works as a non-official part of an institution often has less support if they are harassed. Furthermore, employers may see them as replaceable, leading to less concern over their welfare.

Types of Harassment

Interactivity Audio Script:

Types of Harassment.

Harassment can take on many forms, which makes it challenging to spot—especially when it's subtle.

Let's explore some types of harassing behavior that can manifest in the work environment. Whether they are illegal harassment depends on applicable law and the specific circumstances, but they are all harmful.

Select each topic to learn more.

Interactivity Text:

[Tab 1]: Sexual or Sex-Based.

Sexual or Sex-Based.

This includes unwelcome sexual advances, requests for sexual favors, retaliating (or threatening to retaliate) for refusing sexual advances, negative comments about pregnancy or working mothers, sexually suggestive jokes and comments, displaying pornography, inappropriate touch, or sexual assault.

[Tab 2]: Gender.

Gender.

This includes negative behavior directed at individuals based on their transgender status, sexual orientation, gender identity, gender expression, or any other characteristics that do not conform to stereotypical assumptions about gender. The person who experiences harm can be any gender; the person who harasses them can also be any gender.

[Tab 3]: Disability or Genetics.

Disability or Genetics.

This can include questions about a person's disability or genetic information, posting stigmatizing images, putting someone's aids or adaptations out of their reach, or making disparaging comments about their capabilities.

[Tab 4]: Age.

Age.

This includes stereotyping and harassment based on a person's age, age-related jokes or nicknames, making hostile remarks or assumptions about a person's competence, capabilities, or commitment to their work based on their age, and offensive comments about someone's appearance as it relates to their age.

[Tab 5]: Race or Color.

Race or Color.

This can include racial slurs, putting up offensive images or symbols, touching someone's hair, invasive questioning, or inappropriate and offensive comments about someone's appearance based on their race or the color of their skin.

[Tab 6]: Religion.

Religion.

This can include unwelcome attempts to convert people or mocking someone's religion. It can also involve invasive questioning or insensitivity to religious observances like holidays, prayer time, or religious dress.

[Tab 7]: National Origin.

National Origin.

Making jokes about a person's country of origin or ethnicity, making offensive comments about someone's accent, or teasing someone about their "weird" name are examples of harassment based on someone's ethnicity or national origin. It can also involve insisting that they "speak English!" or telling someone to "go back where you came from."

[Tab 8]: Social Class.

Social Class.

Biased comments about someone's income level, the neighborhood in which they live ("you make it to work without getting shot?"), or their educational background are examples of harassing behavior toward someone based on their socioeconomic status.

[Tab 9]: Weight and Height.

Weight and Height.

Harassment based on a person's size can include making jokes and offensive remarks, or weight or height shaming. It may also involve making unwelcome remarks about someone's size as it pertains to their dating life, eating habits, or health.

Perspectives: Abusive Conduct

Video script:

Perspectives: Abusive Conduct.

Here is one person's perspective on the importance of recognizing patterns of inappropriate behavior.

A man speaks directly to the camera. Lower left hand corner of video, name appears: Ed Just because things have been done a certain way in the past, and just because it's traditional to

behave a certain way, doesn't mean it's the right thing to do. If I didn't like it, I'm not going to do it to anybody else. The cycle stops with me.

Expert Opinions: Experiencing Sexual Harassment

Video script:

Expert Opinions: Experiencing Sexual Harassment.

Now, listen to one person's story of experiencing and reporting sexual harassment.

Lower left hand corner of video, name appears: Holly Rider-Milkovich, Prevention Expert

I experienced an incident of a sexual harassment at the hands of a mentor who I had been assigned to in my workplace and yet even I who knew very well the people who I was going to be reporting to understood as closely as anyone at my institution would, what the process would be, I walked into that office feeling afraid and worrying that I wouldn't be believed. What happened to me next was that my report was taken seriously. They investigated the issue. They looked carefully at a variety of different contexts, not just my report or the report of the person who I had named had committed the harms. They also looked at other information as well and they came to a conclusion that I had in fact experienced harassment and they shared the outcome of that report with me and that in itself was an affirming process. Over the next five years, what happened in my workplace I think is even more important. I continued to experience success. I had promotions. My supervisor and then the supervisor that I had after that put in place careful plans so that I didn't have to interact with the person I had experienced harassment from. It's a powerful story of the way in which I reported the harassment, I got the support that I needed and that support continued for the entire time I was at the organization. Who sexually harasses the sexual harassment lady, just goes to show.

Sex, Gender Identity, and Discrimination against Transgender and Non-Binary People

Interactivity Text:

Sex, Gender Identity, and Discrimination against Transgender and Non-Binary People.

In the law, the terms "sex" and "gender" are often used interchangeably. However, let's go into more detail about each term, so that you understand how this type of discrimination occurs.

- **Cisgender, Transgender, Non-Binary**

- Doctors assign babies a sex/gender at birth, typically by looking at the baby's anatomy. Some children grow up and match these expectations, and are called "cisgender." "Transgender" people have an assigned birth sex/gender that does not match their actual gender identity. It is also possible for someone to grow up and feel like neither a man nor a woman — the umbrella term for this is "non-binary," and includes many different genders.

- **Choosing Medical Treatment**

- If a person's body does not align with their gender identity, they may choose to undergo medical treatment such as hormone therapy or gender-affirmation

surgery. But keep in mind that not all trans or non-binary people want this. And not everyone who wants it can access this kind of treatment.

- **Workplace Harassment**

- About 90% of transgender and non-binary people have experienced some kind of workplace harassment or mistreatment. About 25% have lost a job because of bias. Bathroom harassment is a form of discrimination that may be experienced by trans, gender-nonconforming, and cisgender people who don't fit stereotypical ideas related to their gender presentation.

- **How to Help**

- Everyone can help to create a positive environment for people who are transgender, non-binary, or gender nonconforming. For instance, make sure you use people's names and the pronouns they use for themselves, and speak up when you hear inappropriate remarks or misgendering, even if that person isn't around. Treat everyone as a full, unique individual—every person's experience is different.

Choose What Happens Next: Episode 3

Video script:

Choose What Happens Next: Episode 3.

In the previous section, you helped our cast of characters navigate a tricky situation involving potential discrimination. Now, let's revisit this group.

Scene on screen: Conference room with Charlie and Netta Charlie and Netta talk while cleaning up the conference room.

Charlie: That workshop session was a hit.

Netta: People are getting into it. Luke is a great facilitator. All right, 10 minutes to get this room into shape. All right.

Dan: Do you need a hand?

Enter Dan

Netta: No, we got it.

Enter Mike and Irene, who begin moving a table. Dan helps Netta erase a white board

Netta: Dan, I said if I needed help, I would ask.

Dan: When I see something that needs doing ...

Netta begins to walk away, Dan puts a hand on her shoulder

Dan: Hey. You're doing a great job.

Netta: I'm going to go prep room four.

Dan: Great, I'll come with you.

Choose What Happens Next: Episode 3

Interactivity Audio Script:

Choose What Happens Next: Episode 3.

Based on the video you just watched, which selection would be the best choice for the characters involved?

Select a response.

Interactivity Text:

[Question-Text]:

Should Charlie do something about Dan's interaction with Netta?

[Options]:

[option 1]

- Yes, Charlie should confront Dan immediately. Call him out publicly since the interaction happened in public. Tell him that it is sexual harassment to intentionally touch someone without their consent.

[option 2]

- Yes, Charlie should get involved at the earliest opportunity so the situation does not escalate. Check in with Netta later.

[option 3]

- Possibly, but not right now. There are plenty of people around, so if anything gets out of hand, someone with more authority will speak up.

Choose What Happens Next: Episode 3

Video script:

Choose What Happens Next: Episode 3.

Let's take a look at what would happen if the characters follow your advice.

Scene on screen: Conference room with Charlie, Netta, Dan, Mike, and Irene Netta and Dan begin to leave. Dan places a hand on Netta's lower back.

Charlie: Dan, stop.

Dan: Stop what?

Charlie: She's not interested. You can't just touch people without their consent. It's sexual harassment.

Dan: Whoa. What?

Netta: I can't deal with this right now.

Netta walks away

Scene on screen: Close up of Charlie, who addresses the camera directly

Charlie: Well, that didn't work. I'm not an expert on what's harassment and what's not. just ... Something had to be done. I'm glad I tried, but that was not the best option for this situation. It didn't really seem to help Netta and it just made Dan defensive. I'd like another try.

Choose What Happens Next: Episode 3

Video script:

Choose What Happens Next: Episode 3.

Let's take a look at what would happen if the characters follow your advice.

Scene on screen: Conference room with Charlie, Netta, Dan, Mike, and Irene Netta and Dan begin to leave. Dan places a hand on Netta's lower back.

Dan, Netta, wait a second. I'll go with you. Mike, finish the tables here. And Irene, come with us. Room four is going to need some work.

Great. Let's go. You okay?

You mean with the whole Dan thing? I'm okay. Thanks for stepping in. I think I'm going to talk to someone. I'm just not sure the best place to go. Maybe talk to human resource folks or Title IX.

Do you want to privately explore options, or do you want a review, or an investigation? If you want to keep things private, make sure you talk to a confidential resource.

Scene on screen: Close up of Netta, who addresses the camera directly

I decided to go to the counseling center to talk about Dan, talk about my options, think about what's best for me. I was glad Charlie stepped in and checked in. Paying attention, giving me info, but no pressure. That helped.

Choose What Happens Next: Episode 3

Video script:

Choose What Happens Next: Episode 3.

Let's take a look at what would happen if the characters follow your advice.

Scene on screen: Close up of Charlie, who addresses the camera directly

Charlie: That was awkward. I didn't know if I should do anything. Netta seemed uncomfortable, but Irene and Mike were there too, and they were closer than me. No, I should have said something.

Scene on screen: Close up of Netta, who addresses the camera directly

Netta: Why wouldn't he leave me alone?

Scene on screen: Close up of Charlie, who addresses the camera directly

Charlie: I think I'll take a do over.

Subtle Harassment

Interactivity text:

Subtle Harassment.

Subtle forms of harassment might be harder to spot, but some research shows that this type of harassment might actually be more harmful. When it continues over time, it can be especially destructive.

Beyond the impact on the individual, subtle harassment has also been shown to have a strong, negative effect on the entire workplace.

In fact, it is associated with decreased employee well-being and poorer job attitudes to an even higher degree than overt harassment.

Microaggressions are a common type of subtle workplace harassment, and include intentional or unintentional comments, attitudes, or insults directed at a person based on their marginalized identity.

Dig Deeper: Examples of Intersectional Harassment

Interactivity Text:

Examples of Intersectional Harassment.

Identity is complex, and many people identify with multiple, sometimes overlapping, groups involving race, age, gender, or other identities. This is sometimes referred to as "intersectionality."

Here are some examples of how intersecting, marginalized identities can create new or stronger forms of discrimination and harassment.

- **Family and Religion**

- Muslim women, especially those who wear hijab, report being questioned about their intentions with regard to marriage and children. While this does happen to many women, it is more common for Muslim women because employers assume they'll leave employment soon after they're married.
- **Age and Disability**
- Older adults with a disability may face increased workplace prejudice and harassment, as both identities are often associated with fragility and lower capability.
- **Veteran Status and Mental Disabilities**
- Veterans with a mental disabilities may be subject to increased discrimination and harassment, as both veterans and people with mental health conditions may face discrimination due to unfounded fears about being "unstable" or "unsafe."
- **Origin and Color**
- Someone who is born outside the U.S. and also non-White may face intersecting harassment based on colorism and national origin, as both may lead someone to treat that person as "other."

Examples Opinions: Recognizing Harassment

Video script:

A man speaks directly to the camera.

Lower left hand corner of video, name appears: Steve Miranda, Global HR Business Executive

When it comes to harassment, the most important thing to remember is that it's not a specific behavior, but it can span a range of behaviors ranging from the very subtle to the overt. The other thing to remember is that harassment is not perceived equally by all individuals. So both organizations and staff need to be especially aware of the way that their actions impact other people.

What is Illegal Sexual Harassment?

Interactivity Audio Script:

Sexual harassment is a form of discrimination under federal, state, and numerous local laws.

Sexual harassment is never acceptable, and some states have specific legal guidance on what constitutes illegal sexual harassment. Some states' laws are listed here for you to explore.

Review the links to explore state laws concerning illegal sexual harassment

Interactivity text:

What is Illegal Sexual Harassment?

Text under link:

Connecticut Law

Sexual Harassment

Under Connecticut state law, sexual harassment includes harassment based on sex, including pregnancy, childbirth, or child-bearing capacity or plans.

It's also illegal under state law to discriminate against or harass an employee because of their gender identity or expression, sexual orientation, race, color, religious creed, age, marital status, national origin, ancestry, mental disability, intellectual disability, learning disability, physical disability, or genetic information.

Under state law, sexual harassment includes:

- Unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:
 1. submission to such conduct is made either explicitly or implicitly a term or condition of an 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 substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples include:

- Unwelcome sexual advances
- Suggestive or lewd remarks
- Unwanted hugs, touches, kisses
- Requests for sexual favors
- Retaliation for complaining about sexual harassment
- Derogatory or pornographic posters, cartoons or drawings

Harassment can occur no matter the sex or gender of the person engaging in the conduct or of the target.

Skills Workshop

Video Script:

Skills Workshop.

In this workshop, you will be practicing the skills of identifying the varying degrees and impact of harassment, recognizing how harassment manifests, and working through barriers to intervention.

Harassment and Abusive Conduct Have Consequences

Interactivity Audio Script:

Harassment and Abusive Conduct Have Consequences.

Sexual harassment produces some obvious consequences, as well as other consequences that manifest in ways that might be unexpected.

Select the arrows to learn more.

Interactivity Text:

[Carousel 1]: Impact on Mental Health.

Impact on Mental Health.

People who've experienced sexual harassment are at a significantly greater risk of experiencing anxiety and depression, and sometimes even post-traumatic stress disorder (PTSD). These mental health effects don't just happen in the moment—they can last for many years after the initial harassment.

[Carousel 2]: Strain on Physical Health.

Strain on Physical Health.

Someone's physical health can be impacted by harassment. A recent study of over 300 women found that those who've experienced sexual harassment were significantly more likely to have high blood pressure and clinically poor sleep.

[Carousel 3]: Increased Risk of Workplace Accidents.

Increased Risk of Workplace Accidents.

Harassment can lead to an increased risk of work accidents. When you're distracted, the risk of injury is greater. While the risks may be lower for people with office-based jobs, the risks are much greater in other settings, such as warehouses, construction sites, manufacturing plants, or hospitals.

[Carousel 4]: High Rates of Employee Turnover.

High Rates of Employee Turnover.

Sexual harassment accelerates employee turnover rates. In addition to those who leave after a poorly handled complaint, many people leave without ever filing a report. This is especially common when people lack faith that their employer will respond effectively to a complaint.

[Carousel 5]: Decreased Productivity and Morale.

Decreased Productivity and Morale.

Abusive conduct (bullying that's not based on sex or any other protected characteristic) has negative consequences for productivity and morale. An estimated 48.6 million American workers have been or are being bullied, and bullying affects approximately 79 million American workers.

The Spectrum of Potential Harassment

Interactivity Audio Script:

The Spectrum of Potential Harassment.

It's likely that you will be able to tell when overt harassment occurs and know when to intervene. But when harassment is subtle, it's harder to determine whether to get involved.

Select each number to learn more.

Interactivity Text:

[Hotspot 1]: Disparaging Comments Based on Stereotypes.

Disparaging Comments Based on Stereotypes.

An employee sees a Latinx colleague yawning after lunch. Once the Latinx employee is out of earshot, she says to another colleague: "You know how those people need their siestas!"

[Hotspot 2]: Inappropriate Touch.

Inappropriate Touch.

During a meeting, a senior level staff member sits very close to a new employee and repeatedly touches them on their leg and shoulder, seemingly for "emphasis."

[Hotspot 3]: Insensitive Jokes.

Insensitive Jokes.

An older employee asks a younger employee for a reminder about how to log work hours. The younger employee answers but jokes the older one is "going senile."

[Hotspot 4]: What Are You?

What Are You?

A biracial employee is asked about her ethnic heritage far more often than her White colleagues are.

[Hotspot 5]: Disproportionate Praise.

Disproportionate Praise.

A department head constantly tells a blind employee how “inspiring” he is for doing the same tasks as other employees.

The Cutest

Interactivity Audio Script:

The Cutest.

Even well-meaning people can sometimes get caught up in obstacles and miss important moments to take action.

Select a response.

Interactivity Text:

You're in the cafeteria with two colleagues, Jessica and Kim, who is Asian. Jessica sees Kim's phone background. It's a picture of her and her husband. Jessica says "Oooh, your husband's White? He's good-looking! You two have to have lots of babies . . . half-Asian babies are the cutest."

[Question-Text]:

What should you do?

[Options]:

- Say nothing. Jessica is giving Kim a compliment, and besides, Kim smiled.
- Intervene. Kim might have felt uncomfortable about Jessica making comments about her race, her husband's appearance, or the prospect of having children.

[Answer]:

Intervene. Kim might have felt uncomfortable about Jessica making comments about her race, her husband's appearance, or the prospect of having children.

[Feedback]:

[Feedback 1]

Not Quite

Sometimes, even something intended as a compliment can be derogatory or make someone uncomfortable, even if they smile. Try again.

[Feedback 2]

That's Right

Sometimes, even something intended as a compliment can be derogatory or make someone uncomfortable, even if they smile.

The Bystander Effect

Interactivity Audio Script:

The Bystander Effect.

The more people who witness an incident, the less likely it is that someone will intervene—that's the power of the Bystander Effect. It can happen for a few reasons.

Select each tab to learn more.

Interactivity Text:

[Tab 1]: Reason #1.

Reason #1.

Observing people who witness an incident but do not intervene can cause someone to assume that the behavior is acceptable and they're the only one who is uncomfortable.

[Tab 2]: Reason #2.

Reason #2.

When many people observe a potentially harmful or unprofessional situation, individuals feel less personal responsibility to intervene. They may assume that, with so many people around, surely someone else will help.

[Tab 3]: Reason #3.

Reason #3.

Bystanders often wait in confusion to see if someone else will intervene. This is a natural response, but it doesn't mean the impacted person doesn't need help.

Empowered to Intervene

Interactivity Audio Script:

Empowered to Intervene.

Not everyone has the natural confidence to intervene in problematic situations. That's one reason why it is critical to cultivate an environment in which taking action is expected and supported.

Select a response.

Interactivity Text:

Priti and Chet are both new hires. During a meeting, Priti overhears Chet, who is 30, meeting a colleague in their late sixties for the first time. Chet is talking to the older colleague using slow, non-technical language, as if the older employee is altogether new to the workplace. Priti wants to say something, but her mentor is in the room, too.

[Question-Text]:

What should she do?

[Options]:

- Ignore it. Priti doesn't know how her mentor will interpret her intervention. Will she be seen as a troublemaker or embarrass herself? Better to leave it to other people who have been there longer.
- Say something. Maybe it'll be uncomfortable, but it's the right thing to do—and wouldn't any reasonable mentor be supportive?

[Answer]:

Say something. Maybe it'll be uncomfortable, but it's the right thing to do—and wouldn't any reasonable mentor be supportive?

[Feedback]:

[Feedback 1]

Not Quite

Although ideally a more senior level employee would speak up first, Priti should still speak up and trust she'll be supported. A delayed intervention could also be effective in a situation like this. Try again.

[Feedback 2]

That's Right

Although ideally a more senior-level employee would speak up first, Priti should still speak up and trust she'll be supported.

Pregnancy Questions

Interactivity Audio Script:

Pregnancy Questions.

Just as with other aspects of identity, medical information is personal and private. However, sometimes people are curious and ask inappropriate questions.

Select a response.

Interactivity Text:

You overhear Adea talking to Lucy, who has recently announced she's pregnant. Adea knows that Lucy is married to a woman, Zaineab. "Wait . . ." Adea says. "So how did you get pregnant then? Was it like a friend or a donor or something? Did you do IVF?"

[Question-Text]:

What should you do?

[Options]:

- Wait for Lucy to respond. You were kind of wondering, too!
- Intervene. Those questions are a little invasive!

[Answer]:

Intervene. Those questions are a little invasive!

[Feedback]:

[Feedback 1]

Not Quite

It's inappropriate for Adea to ask a colleague invasive medical questions. Try again.

[Feedback 2]

That's Right

It's inappropriate for Adea to ask a colleague invasive medical questions.

Summary

Interactivity Audio Script:

Summary.

In this section, you learned how to recognize different forms of harassment, the impact harassment has on individuals and the work environment, and the importance of your attitude as an active bystander. Let's briefly review.

Remember:

- Harassment has a significant impact on individuals and the learning and work environment, even if it's subtle.
- Some individuals are more vulnerable to experiencing harassment due to their backgrounds or identities, and may also face additional barriers to intervening in problematic situations.

- Well-meaning people can still cause harm. It's important to separate someone's intention from the impact of their actions, and share concerns even when the behavior is coming from a friend.
- If you're uncomfortable with a situation, it's likely others will be too, and that they will support you if you intervene. Most people underestimate how strongly their peers and colleagues will support a person who intervenes.

Congratulations!

You have now completed module Cultivating Attitudes and Identifying Harassment

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Leading Workplaces Resistant to Harassment

Leading Workplaces Resistant to Harassment

Video Script:

Leading Workplaces Resistant to Harassment.

Discover the importance of using your position as a leader to create a respectful and supportive working environment.

Leading Workplaces Resistant to Harassment

Video Script:

Leading Workplaces Resistant to Harassment.

As a supervisor, your attitude can set the tone for your team and the broader organization to prevent and address harassment responsibly.

When a leader models professionalism and respect, it can make a big difference in how individuals in the workplace treat one another. These positive attitudes are particularly important when it comes to addressing harassment and discrimination. As a leader, you are uniquely positioned to ensure that people experiencing harassment are comfortable coming forward early before things progress. You can also reinforce that harassing behaviors will not be tolerated.

Let's explore how you can use your leadership skills to have a positive impact in response to many forms of harassment.

Your Unique Role

Interactivity Audio Script:

Your Unique Role.

Because of the influence you have as a leader, it is especially important that you feel confident and prepared to use your influence constructively.

When you do, you can have an enormous positive impact on your work environment and boost productivity while reducing rates of discrimination and harassment.

In this section, we'll prepare you to use your influence effectively by:

- Sharpening your skills in identifying problematic behavior before it turns into harassment
- Providing opportunities for you to explore your role in cultivating a positive work culture
- Sharpening your skills around intervening, reporting, and responding to claims of harassing behavior

The Power of Early Intervention

Interactivity Audio Script:

The Power of Early Intervention.

You've probably heard the expression "an ounce of prevention is worth a pound of cure." Well, it's true—while it's critical to respond promptly to harassment once it happens, your actions are even more potent when you intervene early, before problematic behaviors escalate into illegal harassment.

Naturally, this saves individuals from experiencing harm, and it also prevents the cascade of negative effects that spread across an entire workplace in the wake of harassment.

Expert Opinions: Engaging with Empathy

Video Script:

Expert Opinions: Engaging with Empathy.

This video provides a perspective on how people with supervisory responsibilities can build empathy for their employees.

Lower left-hand corner of video, name appears: Lauren Lofton, Attorney, Educator Focusing on the Elimination of Bias

In the workplace, in order to engage with empathy, it's important for me as a supervisor to know what everyone's job is, and also knowing how my staff are treated by other people. I have been in the position of ordering catering for events where I would not ordinarily be the person ordering catering and setting up the catering, because I needed to be the person to do it, and there wasn't someone else available to do it, and seeing how people engaged with me when they didn't know that I was the person that ran the program, that I was actually the person in a position of power and authority, and instead they assumed that I was the person not in a position of power or authority, and how differently I was treated when they knew that I was one of the bosses versus when they thought that I was the person in that position. That really helped me build empathy for what kinds of interactions my staff have, and opening up conversations for them about what their day was like. "How did everyone treat you today? Did you feel good at the end of today? What could have been better or different about that?"

Preventive Strategies

Interactivity Audio Script:

Preventive Strategies.

You can do a lot of good when you focus your efforts upstream and approach your employees with empathy.

When a workplace is collaborative and respectful to begin with, it's much harder for harassment to take hold. Try incorporating these strategies into your leadership style to help stop harassment before it starts.

Select each topic to learn more.

Interactivity Text:

[Tab 1]: Check in to Get a Pulse.

Check in to Get a Pulse.

Ask your employees if they need any support to improve working relationships with their colleagues. It isn't gossip when you focus on what you need to take a pulse of their collaboration and productivity. It gives you the information you need to support them and to recognize early warning signs before problems escalate. Regular check-ins are all the more important in a remote or dispersed work environment.

[Tab 2]: Praise Positive Contributions.

Praise Positive Contributions.

When people do something to positively influence the work environment, let them know you value this behavior. Did someone run a meeting in a way that made everyone feel heard? Say so! Did someone check in with a coworker who looked stressed to ask if they needed help? Highlight them as an example for others.

[Tab 3]: Show You Value Inclusion and Difference.

Harassment often manifests as an abuse of power. Those with the power to get away with it will keep doing it, and those with less power—often marginalized, underrepresented, or vulnerable groups—will often be the target of these harmful behaviors and in need of a leader with formal authority to put a stop to it.

[Tab 4]: Build Trust.

Build Trust.

A big part of developing trust involves actively listening to others when they speak, demonstrating your care for others, encouraging them to share their concerns and experiences, being open and honest, and repeatedly behaving according to your values.

[Alt-Text]:

Three colleagues standing in a workplace, talking.

Building Emotional Trust

Interactivity text:

Building Emotional Trust.

Building trust among others that you'll show up to meetings and turn in work on time is one thing. But for many people, building emotional trust is more complicated.

- **Tell the Truth**
- Although it can be tempting to try to gain respect by acting “perfect,” people are much more apt to trust someone who’s genuine, even when you fear the information will seem unflattering. We’re all human and make mistakes, and if you admit your own missteps, others will more readily do the same.
- **Be Transparent**
- When you’re making important decisions, it can help to explain your thought process, as opposed to simply stating the outcome. When people see how you got from A to B to C to D, it helps them get perspective on your decision-making process and what you value. The better people understand you, the more apt they are to trust you.
- **You Can Have Feelings**
- While you have a responsibility to be professional, don’t equate that with a responsibility to be emotionless. If you do something well, take pride in that. If something goes poorly, it’s OK to be frustrated. As long as you don’t express your feelings unprofessionally or take them out on other people, you’re in the clear—it helps people see you as a full person.
- **Show Trust in Other People**
- Someone who’s trustworthy knows how to trust other people. When you demonstrate your reliance on others, they’ll be more likely to reciprocate and trust you in return. Show them you care about what they say and trust their perspective. When they see you trust them, they’ll be more likely to mirror your behavior and grow to trust you.
- **Listen to Understand**
- People trust leaders who are good listeners. One habit many people have, even if they care about what the other person is saying, is to plan their response while the other person is speaking. Try to quiet that voice in your head and simply listen until the person takes a pause, really focusing on what they’re saying.

Good Culture in Action

Interactivity Audio Script

Good Culture in Action.

It’s a lot easier to describe the characteristics of good culture than it is to point it out when it is actually occurring.

Select each topic to learn more.

Interactivity Text:

Condolences

“I took a day off when my dog had to be put down: I felt pretty low. When I came in the next day, my coworkers gave me a condolence card. That little gesture made me feel so cared about, and gave me a boost to get through the day.”

Why do you think the card made such a difference?

Conveying empathy and support isn't just for when harassment comes up. You build a positive environment every time you act compassionately, in any kind of situation.

Affirmations

"I'm a new manager, and sometimes I still second-guess myself about whether what I'm doing is right. The other day, a colleague told me he liked how I solicit feedback. I'm always so glad to know when something I'm trying out is working . . . I'll plan to keep doing it!"

What was most helpful about the feedback?

It makes a difference to hear from coworkers that we're on the right track. You don't have to be someone's boss to tell them when they're doing a good job of making people feel heard and respected. It also helps to simply let people know that they should keep doing what they're doing.

Impressions

"An employee recently told me people get the wrong idea when I don't make eye contact—that it seems like I don't care what people are saying. I felt bad that people were getting that impression, but I was glad to know about it. People hardly ever point things like that out to me, but I make mistakes like anybody else."

Why was this feedback useful?

Sometimes, good culture also involves giving peers and superiors alike feedback on how their behavior or management style is coming across negatively.

Supporting Diversity in the Workplace

Interactivity Audio Script

Supporting Diversity in the Workplace.

Here are a few additional suggestions about how you can support diversity and inclusion in the workplace.

Select each topic to learn more.

Interactivity text:

Acknowledge All Holidays

Take the time to familiarize yourself with and respect the holidays of all the different cultures and religions of those you work with. Even if it isn't a vacation day, be conscientious that people may want to take a day off to celebrate or observe a holiday—so check before scheduling important meetings.

Don't Tokenize

While someone's race, religion, or disability might be a core piece of how they experience the world, it's not the only way they experience the world. So, even while you acknowledge someone's identity, do not define a person by it. However, if they do bring something up voluntarily, this is a great opportunity to listen and learn!

Perspectives: Impacts of Abusive Conduct, Harassment and Problematic Behaviors

Video Script:

Perspectives: Impacts of Abusive Conduct, Harassment, and Problematic Behaviors.

Seeing things addressed responsibly tells individuals who have been targeted that they'll be protected, tells perpetrators that they can't get away with harming others, and shows everyone that the organization truly takes workplace culture seriously. Explore these perspectives to learn more about what happens to people and workplaces when problematic situations are allowed to continue.

Lower left hand corner of video, name appears: Inam

I think when it comes to bullying, harassment, discrimination, there's a spectrum, and so there are daily interactions and actions that can make one feel like they don't completely belong, that they aren't completely valued, and most importantly, that they aren't getting to contribute. That can mean they either walk away from that career path or they walk away from that organization and ultimately that's a lose-lose situation for the organization and for the individual. And I think that's what's really important to recognize about harassment is that it doesn't just affect the individual who experiences it. It ends up infecting the culture of the entire organization and the organization's ability to execute on its mission.

A person speaks directly to the camera.

Lower left hand corner of video, name appears: Nancy

I think harassment, bias, oppression, it all has a really big impact on the workplace, and I think on people's experiences within it. I think the first thing people do is people leave, right? I think when people critique an organization and give it feedback, they do it out of love. They do it out of care for the organization, to make it better, to make it more inclusive, to help it grow. And I think when people feel like they can't be heard or when they are being discriminated against, they leave, right? And that organization loses such an important part of its organization, the diversity of voices and people that bring new ideas and life and make it even better.

Practicing Your Skills

Video Script:

Practicing Your Skills.

In this workshop, you will sharpen your skills around using your unique position as a supervisor to promote a safe and professional workplace.

Ambiguous Expressions

Interactivity Audio Script:

Ambiguous Expressions.

Let's take what you have already learned about how to support targets of harassment and apply it to a scenario.

Select a response.

Interactivity text:

You're waiting for a meeting to start when Stacy mentions she just had a weird incident with Brent. "I just stopped by his work area to ask a technical question. He helped me, but it felt like he was ogling me the entire time. I feel kind of unsettled!" Brent is your friend, and you've never had a bad experience with him. Perhaps he lacks social skills, but he's always been respectful and kind to you.

[Question-Text]:

What should you do first?

[Options]:

- Explain to Stacy that you know Brent well, and he's harmless. She'll probably be relieved to know she was misinterpreting it.
- Tell Stacy that what she has just told you is very concerning—ogling is totally inappropriate at work. Then discuss her options for next steps.

[Answer]:

Tell Stacy that what she has just told you is very concerning—ogling is totally inappropriate at work. Then discuss her options for next steps.

[Feedback]:

[Feedback 1]

Not Quite

You should take Stacy's experience at face value, whether or not Brent is your friend. Try again.

[Feedback 2]

That's Right

Even if you suspect Brent meant no harm, you can't know that for sure. Jumping to defend the intent of the subject of the complaint can make the person raising a concern feel that they aren't being heard or respected when they bring something forward.

Fresh Report

Interactivity Audio Script:

Fresh Report.

Now, let's examine a situation in which a supervisor has to find a balance between being emotionally supportive to employees and acting on their responsibility to report.

Select a response.

Interactivity Text:

Lee comes into your office, clearly agitated, and tells you that something offensive happened to him during a meeting. He's not telling the story in order and it is coming off a little scattered. You still aren't sure exactly what happened, but you want to be respectful.

[Question-Text]:

What should you do?

[Options]:

- Let Lee know that you're confused, and ask him to re-tell what happened more slowly and in order. You can't tell if you need to take action if you don't know what happened.
- Tell Lee you are concerned about what he's telling you, and ask if he'd like to take a seat.

[Answer]:

Tell Lee you are concerned about what he's telling you, and ask if he'd like to take a seat.

[Feedback]:

[Feedback 1]

Not Quite

It's good to be aware that people who've suffered something traumatic often can't tell their story in a linear way—stressful memories are stored and recalled in a fragmented way. Try again.

[Feedback 2]

That's Right

Eventually, you will certainly want to gather details and clearly understand what happened but, in the meantime, show Lee you care about his experience, and are making time for him.

Attention Seeker

Interactivity Audio Script:

Attention Seeker.

Being an advocate for targets of harassment is not always straightforward. Take a moment to read a situation in which speaking up could feel difficult.

Select a response.

Interactivity Text:

You're in a meeting with Wei, your boss. He's telling you how much he dislikes a new employee from a different department. "She can't stand not being the center of attention. She even said something about how she thinks Mike is harassing her. Seriously? Mike is the nicest guy on our whole team. She seems like a real troublemaker."

[Question-Text]:

What should you do?

[Options]:

- Nod along. You've never met this new employee, but she sounds obnoxious, and Mike is nice.
- Tell Wei, "You know, I've never had a problem with Mike either, but we do need to take reports of harassment seriously. I know that you care a lot about being a leader who people can come to with challenges or concerns."

[Answer]:

Tell Wei, "You know, I've never had a problem with Mike either, but we do need to take reports of harassment seriously. I know that you care a lot about being a leader who people can come to with challenges or concerns."

[Feedback]:

[Feedback 1]

Not Quite

The new hire's accusation of harassment should be taken seriously, whether or not she enjoys being the center of attention. Try again.

[Feedback 2]

That's Right

Characterizing people who report harassment as "troublemakers" is a stereotype that puts blame on someone who reports a problem and often keeps them from speaking up. A positive workplace culture involves taking every person who raises concern about possible harassment seriously.

I Should Ignore It, Right?

Interactivity Audio Script:

I Should Ignore It, Right?

Empathy is another key tool to use when responding to potentially problematic behaviors in the workplace. Take a moment to apply this skill in the scenario.

Select a response.

Interactivity Text:

You're out to lunch with your friend and colleague Siddharth. He makes a comment about how his coworker Sean frequently pronounces his name in an exaggerated Indian accent, or calls him "Buddha." "It really gets on my nerves the way he draws attention to how 'foreign' my name sounds to him," he says.

[Question-Text]:

What should you do?

[Options]:

- Respond: "Yeah, Sean's always trying to make a cheap joke. Ignoring him is probably best."
- Respond: "I'm really sorry to hear about this. It's clearly upsetting you."

[Answer]:

Respond: "I'm really sorry to hear about this. It's clearly upsetting you."

[Feedback]:

[Feedback 1]

Not Quite

If Siddharth is being harassed for his ethnicity or religious beliefs, let him know you find that behavior unacceptable. Tell him you take it seriously. Try again.

[Feedback 2]

That's Right

You let Siddharth know the behavior he described is inappropriate, and helped let him know it's OK to be upset. And, since Siddharth has reported facts that could be harassment or discrimination, you have a duty under our policy to report it to human resources professionals.

Set Good Precedents

Interactivity Text:

Set Good Precedents.

One of the best ways to make employees feel comfortable bringing up problematic behavior is to responsibly handle any concerns that are raised on an ongoing basis.

People who are considering bringing an issue they're experiencing forward will look at previous examples of what happened when someone spoke up, and ask themselves questions like:

- Were they blamed?
- Were they respected?
- Were they taken seriously?
- Did they experience retaliation?
- Was their privacy honored to the degree possible?

When employees see or hear that people who come forward are treated with respect and those who harass their coworkers are held accountable, they're more likely to be honest about what they experience.

Why Don't More People Report Sexual Harassment?

Interactivity Audio Script

Why Don't More People Report Sexual Harassment?

According to a recent report, 76% of non-manager employees did not report incidents of sexual harassment after they happened.

Select each topic to learn more.

Interactivity Text:

Nothing May Change

Nothing May Change

"The person who harassed me has been harassing people for years—it's like an open secret at this point. If nothing's changed by now, why would me saying something make any difference? Too much risk with no chance of reward . . . there's no point."

It'll Hurt My Career

It'll Hurt My Career

"The person who harassed me is a 'superstar' and is well-liked by basically everyone in the workplace. Even if they believe me and fire him, everyone else would probably hate me."

Unsure What to Do

Unsure What to Do

"I've never heard of someone reporting sexual harassment here. I don't really know who to tell, or what would happen if I said something. Would there be an investigation or something like that? I figure it would be easier to just move on with my life. It's not like I've never experienced harassment before."

This Must Be Normal

This Must Be Normal

"I'm new to this field, but I've already heard so many stories of harassment happening, it made what happened to me seem pretty normal for this type of work. I decided I should just deal with it."

Shame

Shame

"I don't know of any men who've reported sexual harassment, especially by a woman. I felt kind of ashamed it had happened to me, and figured people would joke about it, call me weak, or even tell me I was lucky it happened. Instead of dealing with all this, I just stayed quiet."

Sacrifice

Sacrifice

"I wanted to report my coworker, but we were working closely on a project that I had to do well on to meet my performance goal, and I knew I needed his help to get it done. I figured I should just deal with it so I could get through the project."

Self-Blame After Sexual Harassment

Interactivity Audio Script:

Self-Blame After Sexual Harassment.

It's unfortunately very common for people to blame themselves after experiencing sexual harassment or assault.

If someone has experienced harassment, and they are having negative thoughts like these after experiencing harassment, here are some ways to help them work through it.

Select each topic to learn more.

Interactivity text:

Challenge Your Thoughts

Take a pause and reflect on your thoughts: what specifically do you blame yourself for doing? What is the basis for that belief? Does it hold up? How might you challenge it and replace it with another way of analyzing the situation?

Surround Yourself with Good People

Sometimes, it can help to get affirmation from other people that what happened was not your fault. It can connect you to reality and remind you that the decision to harass was the actor's alone.

Think about It from a Different Point of View

We are frequently the most harsh on ourselves and our own actions. Imagine a close friend telling you the story of your experience instead. Would you blame them, too? The answer is usually "no." As much as possible, try to treat yourself with the kind of compassion you'd offer to a loved one.

Take Back Control

Sometimes, people blame themselves so that they can feel more control over a situation. This is a natural response when you feel a loss of control, but it's an illusion. Try instead to focus on the control that you do have now—what steps can you take to get help or get what you need to feel safe again?

Encourage Positive Behavior

Interactivity Audio Script

Encourage Positive Behavior.

Next, let's talk about how to respond to people who neither targeted others nor were targeted for harassment, but rather took steps to intervene or support the targeted person in some way. You should praise this behavior, no matter how minor the contribution.

Remember, one reason bystanders don't intervene is fearing what their colleagues will think of them.

When you praise people for their actions, you provide counter-evidence to that barrier, showing them that they'll be appreciated and supported when they help their colleagues.

Danger to Others?

Interactivity Audio Script

Danger to Others?

Being supportive of someone who reports harassment can mean taking action, such as reporting that someone who is at risk of being harmed needs protection.

Select a response.

Interactivity Text:

You hear a rumor that a member of another department has harassed someone. Two of your close friends are in that department. You should tell them about the accusation right away so they can protect themselves.

[Alt-Text]:

A supervisor holds an invoice and speaks on the phone while looking at a laptop.

[Question-Text]:

Is this conclusion true or false?

[Options]:

- True
- False

[Correct Answer]:

False

[Feedback]:

[Feedback 1]

Not Quite

Telling this information to others at the institution, even our friends, can jeopardize the integrity of an investigation and be harmful to the privacy of the people involved. Try again.

[Feedback 2]

That's Right

When you hear a rumor of harassment, it is your responsibility to report the incident directly to Human Resources or another appropriate channel, and they can decide what to do from there.

End of the Day

Interactivity Audio Script:

End of the Day.

Knowing when to report is one responsibility, and understanding the urgency of reporting an incident is another.

Select a response.

Interactivity Text:

Five minutes before the end of the day on a Friday, one of your employees lets you know about an incident of harassment they witnessed. Even though you are about to leave for the weekend, you need to report what happened right away. This can't wait until Monday.

[Alt-Text]:

A supervisor and an employee sitting on a couch, talking.

[Question-Text]:

Is this conclusion true or false?

[Options]:

- True
- False

[Answer]:

True

[Feedback]:

[Feedback 1]

That's Right

Supervisors have a duty to report potential harassment (as well as discrimination and retaliation) as soon as they become aware of it, even if the timing is less than convenient. Employers are also required to take immediate and appropriate action to correct the misconduct.

Not Quite

Even if a harassment report comes in when you're on your way out the door, you need to relay it to the appropriate channels so that the matter will be addressed and any problematic behavior does not persist. Try again.

I Can Handle This

Interactivity Audio Script

I Can Handle This.

It's natural to care about your colleagues and to want to protect them from the stress that can come with reporting, but your duty to address reports according to our policies and procedures cannot be compromised.

Select a response.

Interactivity text:

You hear a rumor that a colleague used a racial slur repeatedly in the presence of a member of that group. You know this person dislikes "bureaucracy" and will be much more likely to respond well if you tell him to knock it off instead of following normal policies and procedures. It'll just cause a scene. It's best not to report it.

[Alt-Text]:

An employee sitting at a desk, thinking.

[Question-Text]:

Is this conclusion true or false?

[Options]:

- True
- False

[Answer]:

False

[Feedback]:

[Feedback 1]

Not Quite

When you receive information about troubling behavior, it must be addressed as provided by our policies and procedures. Try again.

[Feedback 2]

That's Right

Even if you think you can handle the situation better on your own, when you hear about harassment, it must be addressed as required by our policies and procedures.

Summary

Interactivity Audio Script:

Summary.

In this section, we explored the unique power and special role you have as a supervisor in stopping harassment. Let's briefly review.

Remember:

- As a leader, you should use proactive methods to build a workplace culture where harassment is hard-pressed to thrive.
- Your actions are even more potent when you intervene early, before problematic behaviors escalate into illegal harassment.
- Seeing things addressed responsibly tells individuals who have been targeted that they'll be protected, tells perpetrators they can't get away with harming someone, and shows everyone that the organization truly takes maintaining a positive workplace culture seriously.
- As a supervisor, you have both moral and legal responsibilities around handling harassment, including confidentiality, disclosure, and reporting.

Congratulations!

You have now completed the module Leading Workplaces Resistant to Harassment.

Taking Action Against Retaliation

Taking Action Against Retaliation

Video Script:

Taking Action Against Retaliation

In this section, we'll introduce you to the tools available to help you respond to harm, whether potential or actual. These tools can apply to a broad range of misconduct in our learning and work environment.

Taking Action Against Retaliation

Video script:

Taking Action Against Retaliation.

The third A in the three A's of bystander intervention is action. Taking action means getting involved if a problematic situation arises, before it escalates into something worse.

Not every situation calls for the same approach, but every problematic situation does call for some form of intervention. Like discrimination and harassment, retaliation is a serious threat to individuals and organizations that needs to be addressed to maintain a positive environment in the workplace.

What Is Retaliation?

Video Script:

What Is Retaliation?

Retaliation is the most common discrimination finding in federal cases and occurs when an employee is punished for engaging in an activity that is legally protected.

For example, it is unlawful to retaliate against someone because they:

- Reported or participated in investigations or proceedings involving harassment or discrimination
- Refused to engage in discriminatory acts
- Resisted sexual advances or intervened to protect others
- Requested an accommodation of a disability or for a religious practice

Cultivating a positive learning and work culture means supporting one another in taking action against problematic actions and behaviors, including retaliation.

What Does Retaliation Look Like?

Interactivity Audio Script:

What Does Retaliation Look Like?

As with discrimination, retaliatory behavior may be overt (for example, termination), or subtle (for example, exclusion from workplace activities).

Select each number to learn more.

Interactivity Text:

[Tab 1]: Being denied a promotion, refusal to hire, separation from employer.

This is a very serious form of retaliatory behavior, and possibly illegal, if any of these things were done because someone engaged in legally protected activity.

[Tab 2]: Bad performance Review.

This is a very serious form of retaliation, and possibly illegal, if any of these things were done because someone engaged in legally protected activity.

[Tab 3]: Transfer to another location, increased workload, change of shifts, hours, or duties.

This is a very serious form of retaliation, and possibly illegal, if any of these things were done because someone engaged in legally protected activity.

[Tab 4]: Exclusion from workplace activities.

This is a less serious form of retaliation. Excluding someone from opportunities for collaboration or networking maybe a violation, if it was done because someone engaged in legally protected activity.

[Tab 5]: Subtle expressions of disapproval or lack of good manners.

This is the a less serious form of retaliation, and is unlikely to be a policy or legal violation. However, these behaviors are still wrong, and deeply harmful to our learning and work culture.

Skills Workshop

Video Script:

Skills Workshop.

In this workshop, you will be practicing the skills of recognizing retaliation, distinguishing retaliation from reasonable actions, and identifying the proper channels to report misconduct in the work environment.

Choose What Happens Next: Episode 4

Video script:

Choose What Happens Next: Episode 4.

In the previous section, you helped our cast of characters navigate a tricky situation involving potential harassment. Now, let's revisit this group.

Sarah: Hi, James.

James: What can I help you with?

Sarah: I had planned to put Netta and Dan on a project to increase the department's profile, but this whole thing with them in the conference, she mentioned that she's seeking help at the counseling center for a situation. The last thing we need is drama and gossip. I want to nip this in the bud.

James: Okay.

Sarah: I'm looking to transfer Netta to a different department, and I'm hoping you can help me. I don't want this to be a distraction for the department. We've got to get back to being productive.

Choose What Happens Next: Episode 4

Interactivity Audio Script:

Choose What Happens Next: Episode 4.

Based on the video you just watched, which selection would be the best choice for the characters involved?

Select a response.

Interactivity Text:

[Question-Text]:

How should James respond to Sarah's plan?

[Options]:

[option 1]

Support Sarah by agreeing and help implement her plan.

[option 2]

Share that Netta is a valuable member of the department, and offer to informally check in with her and Dan to help everyone move forward.

[option 3]

Point out that seeking help should be encouraged and explain that the plan could be perceived as retaliation.

Choose What Happens Next: Episode 4

Video script:

Choose What Happens Next: Episode 4.

Let's take a look at what would happen if the characters follow your advice.

James: Yeah. Gossip can be destructive. I'll get on the process of moving her.

Sarah: It's just so frustrating. I mean, if she decides to report this, it could impact our reputation. I thought Netta was a team player.

Netta: Sarah had me transferred. I know it's because of the whole Dan thing. It's unfair. If you have a problem with someone, you are supposed to get help.

James: I feel really bad. By agreeing with Sarah, I fed into the idea that Netta's interests aren't as important as Dan and the department's, but that's not actually what I think.

Choose What Happens Next: Episode 4

Video script:

Choose What Happens Next: Episode 4.

Let's take a look at what would happen if the characters follow your advice.

James: Dan and Netta are really great for the department. Maybe if I just pulled Netta to the side and talk to her, maybe it'd be best for everyone if she just didn't pursue it. I'm sure she doesn't want to leave the department.

Sarah: All right. Let's give it a shot. I just want to get back on track.

Netta: So, Sarah sends James to get me to keep quiet. That's great. Real empowering.

James: That was a big mistake. I thought I could help, that I knew what was best for her. I should have just supported her. Let me try again.

Choose What Happens Next: Episode 4

Video script:

Choose What Happens Next: Episode 4.

Let's take a look at what would happen if the characters follow your advice.

James: Can I share a concern?

Sarah: Okay.

James: I'm worried about I'll look if you move Netta for sharing a problem. Could it be seen as retaliation? I mean, she has a right to make a report, and if the problem is gossip, maybe we should have discussions or training about that.

Sarah: That's a very good point. Thank you.

Sarah: I almost made a big mistake. I have to let Netta make the decision that she feels best with. There are other ways for us to get back on track, if need be. I am so glad that James felt comfortable enough to tell me how he saw it.

How Common Are False Accusations?

Interactivity Audio Script:

How Common Are False Accusations?

Unlike those who report known or suspected illegal behavior, people who make deliberately false accusations or file frivolous claims are not protected by law.

Select a response.

Interactivity Text:

[Question-Text]:

How often do you think people knowingly make false accusations?

[Options]:

- All the time.
- Sometimes.
- Rarely

[Answer]:

Rarely

[Feedback]:

[Feedback 1]

Not Quite

Not Quite

You might be surprised to learn that intentionally false reports aren't common, and frivolous claims are almost nonexistent. According to a recent study, it is far more likely that troubling behavior will go unreported than that someone will make an intentionally false report. Try again.

[Feedback 2]

You might be surprised to learn that intentionally false reports aren't common, and frivolous claims are almost nonexistent. According to a recent study, it is far more likely that troubling behavior will go unreported than that someone will knowingly make a false report. Try again.

[Feedback 3]

That's Right

You might be surprised to learn that deliberately false reports aren't common, and frivolous claims are almost nonexistent. According to a recent study, it is far more likely that troubling behavior will go unreported than that someone will make an intentionally false report.

Is It Retaliation?

Interactivity Audio Script:

Is It Retaliation?

Understanding retaliation means understanding the intersection of legally protected activities and adverse employment actions.

Select each number to learn more.

Interactivity Text:

[Hotspot 1 - A]: Protected Activities.

What the law calls "protected activities" are actions that applicants, employees and former employees have a right to take. These include things like opposing or reporting discrimination, filing or threatening to file a complaint, resisting sexual advances and even trying to protect others.

[Hotspot 3 - B]: Adverse Actions.

What the law calls "adverse actions" are actions that have a major impact on a person's job, benefits, or working conditions. These include some of the things we reviewed earlier, including denying a promotion and giving someone a negative performance review.

[Hotspot 2 - AB]: Protected Activities + Adverse Actions.

This overlap is where retaliation comes into play. When an employee, applicant, or even a former employee faces an adverse action because they did something they had a right to do (a legally protected activity), that's unlawful retaliation.

Hugging Hack

Interactivity Audio Script:

Hugging Hack.

When you have reason to believe that retaliation is occurring, it's important to know how to take action.

Select a response.

Interactivity Text:

Hallie's supervisor James often asks Hallie if she "needs a hug." She says "no," but he often hugs her anyway. One day, Hallie's coworker Sofia intervenes and tells James that "enough is enough." James feels humiliated by the confrontation, feels he can no longer work with Sofia, and has her transferred to a different department.

[Question-Text]:

Sofia is considering the following actions. Which would be the *least* effective?

[Options]:

- Report to human resource professionals.
- Report to James's supervisor.
- Confront James about the transfer.

[Answer]:

Confront James about the transfer.

[Feedback]:

[Feedback 1]

Not Quite

Reporting to human resources professionals is a good option under these circumstances. Try again.

[Feedback 2]

Not Quite

Reporting to James's supervisor is a good option under these circumstances. Try again.

[Feedback 3]

That's Right

This is probably not an effective action. When Sofia confronted James about his unwelcome hugging, he responded by transferring her. There's no reason to believe that confronting him again about a different issue would work better.

How to Take Direct Action

Interactivity Audio Script:

How to Take Direct Action.

A direct action is a way to demonstrate strong disapproval about something. There are a number of ways to take direct action or intervene, and the best one to choose will depend on the situation. Here are three to get you started.

Select each tab to learn more.

Interactivity Text:

[Tab 1]: Speak Up.

Speaking up can be powerful. If you feel comfortable doing so, say something (such as expressing disapproval) to either the person who is behaving inappropriately or to the person who is experiencing the bad behavior.

[Tab 2]: Speak for Yourself.

It's usually best to speak for yourself, not for someone else (do say: "I'm offended by what you said to Julie" as opposed to: "Julie here is offended . . .") "Swooping in" to "save" someone who has the situation under control may instead disempower the person experiencing harm.

[Tab 3]: Don't Participate.

Non-participation, coupled with a clear expression of disapproval, sends a quiet but direct message. Nonverbal cues, if clearly expressed (and usually accompanied by speaking up), can send a strong message that you do not support the misconduct.

[Alt-Text]:

An employee sitting, working on a tablet computer.

Dig Deeper: Expert Opinions: A Concerned Friend

Video script.

Expert Opinions: A Concerned Friend.

This expert video covers the sensitive topic of how to address concerning behavior by someone you are close to and respect in the workplace.

If you have a concern in the workplace that someone in particular, somebody you really respect or like or admire is actually someone who is engaging in harassment or disrespectful behavior, that can seem like a really tough conversation and a really tough issue to tackle. But in fact that's exactly the situation where we would want to step forward because you are a respected friend of that individual. They may be more likely to listen to you when you raise your concern. Speaking to them as a peer for example, or speaking to them in a way that says, "I really

respect and admire you, but I was concerned when I saw this happen," can really go a long way and will increase the likelihood that they'll receive that feedback and take it to heart.

You start by letting them know how much you care about them and how much you want for them to be a part of your life or you want to keep working with them in ways that are great for both of you. And that is the context of the concern that you're bringing to them. And then naming the behavior that you're seeing as clearly and as carefully as you possibly can. Let them know what it is that you're seeing and then in as nonjudgmental terms as possible, let them know why it is that you're concerned and what you're worried about, both for the person who might be the subject of their actions and for them as well. And let them know that you're there to help and that you'd like to help them get support.

Other Ways to Take Action

Interactivity Audio Script:

Other Ways to Take Action.

Sometimes taking direct action isn't right for the situation. Distracting, delegating and delaying are three other intervention techniques you can use when direct action isn't an option.

Select each topic to learn more.

Interactivity Text:

[Tab 1]: Distract.

Distract.

Distracting someone allows you to defuse a tough situation. It can also be a helpful way to gain more time to seek help from others. Some ways you can employ distraction are:

- Asking the person engaging in harassment for the time, or interrupting and changing the subject to something neutral.
- Telling the person who is being harassed that they have an urgent phone call or meeting. Once you're alone with the person, offer them support and admit that you just needed an excuse to get them out of the situation.

[Tab 2]: Delegate.

Delegate.

Delegating allows you to reach out for support when you need it. It calls on power and safety in numbers, or for help from someone with more authority or social pull. Some ways you can employ delegation are:

- Asking your colleagues how they feel about the situation and for help intervening.
- Seeking advice from someone you trust if you're unsure whether the concerning behavior is bad enough to report.

- Reporting misconduct to human resource professionals.
- Calling security or dialing 911 if you feel a situation is unsafe.

[Tab 3]: Delay.

Delay.

Delaying offers support to someone who experienced harm after an incident. It is a good tool for times when in-the-moment interventions are impractical or might do more harm than good. Some ways you can employ delaying are:

- Asking them if what just happened made them uncomfortable.
- Expressing concern.
- Going with them to report the incident.
- Offering to corroborate their version of events if you witnessed the incident.

[Alt-Text]:

Three colleagues standing together listening to their supervisor.

Dig Deeper: Perspectives: Turning Mistakes into Learning Moments

Video script:

Perspectives: Turning Mistakes into Learning Moments.

In this video, people explore their personal approaches to mistakes and important lessons learned.

A man speaks directly to the camera.

Lower left-hand corner of video, name appears: Ed

I always want to know if there's something that I've done that's wrong. I need to know about it. I make mistakes. Other people make mistakes, and the important thing is that we try to learn from our mistakes and be conscious of what it is we're doing and how we're doing it.

A person speaks directly to the camera.

Lower left-hand corner of video, name appears: Nancy

I grew up in a very small community, one that may have not been the most inclusive, especially when it comes to language. I remember going off to college for the first time. I was making a joke, and I used the word retarded. I remember someone stopping in their tracks and telling me that they didn't appreciate the language that I use, especially since they had a family member who identified as having different abilities and that it was a really hurtful word. And I think it was a moment where I had to really put myself and my pride aside to really listen, and engage, and understand why it was hurtful, what impact it has on the community, and what I could do moving forward. It wasn't enough to apologize for it, but to make the decision that that wasn't a word

that I was going to use in my language again. We hear phrases all the time like that's so gay or retarded or you know different things that are really impactful and hurtful towards other people. That was one of the first learning moments for me to think about identity with recognition that, yeah, I have one marginalized identity, but I also have privilege in my other identities. I can harm people with those. And so that was a really good learning moment.

A person speaks directly to the camera.

Lower left-hand corner of video, name appears: Cassie

I think getting feedback is a gift, honestly and if someone can, and is willing, to give it to you, that is so generous of them.

Close Call

Interactivity Audio Script:

Close Call.

We have reviewed several instances in which it would be appropriate to take direct action. Now, let's examine a situation in which another technique may be appropriate.

Select a response.

Interactivity Text:

You sit near Heidi, and for the past week you've seen David come over to talk to her several times. He often hovers over her shoulder while talking to her quietly. You're not sure, but you thought you saw David rubbing her back at one point today.

[Question-Text]:

What should you do?

[Options]:

- Nothing. You're not positive you saw David rubbing Heidi's back.
- Tell David to stop sexually harassing Heidi.
- Take Heidi aside when David isn't around, and ask if she feels uncomfortable with David's behavior.

[Answer]:

Take Heidi aside when David isn't around, and ask if she feels uncomfortable with David's behavior.

[Feedback]:

[Feedback 1]

Not Quite

Not quite. You don't have to be certain that potentially concerning behavior crosses the line before taking action. You saw David stand close to and hover over Heidi, which also could make her uncomfortable. It's usually better to do something than nothing. Try again.

[Feedback 2]

Not Quite

Not quite. First, remember that for something to be sexual harassment, it must be unwelcome by the target, and it's hard to tell whether this particular behavior was unwelcome. Also, publicly confronting David in this way may cause the situation to escalate. Another approach might be better. Try again.

[Feedback 3]

That's Right

This is an example of the "delay" intervention tool. Taking this action shows Heidi that you support her if she's uncomfortable with David's behavior. It also opens the door to further dialogue in case she needs support in the future.

Legal Penalties and Remedies

Interactivity Audio Script:

Legal Penalties and Remedies.

Employees who commit harassment, discrimination or retaliation can be subject to discipline, including separation from their employer, or legal consequences. There are also remedies for illegal conduct afforded by the law.

Select each topic to learn more.

Interactivity Text:

[Tab 1]: Penalties.

Penalties.

Harassment harms both individuals and the entire work environment. In addition to holding employers responsible, some states' laws also hold individuals responsible. They may face legal actions and penalties.

[Tab 2]: Enforcement.

Enforcement.

There are federal, state, or local enforcement agencies that enforce anti-discrimination laws. Workers may seek remedies internally; through federal, state or local enforcement agencies; or through civil action. The agency that enforces federal laws prohibiting discrimination against job applicants and employees is the U.S. Equal Employment Opportunity Commission ([EEOC](#)), and the U.S. Department of Education's Office for Civil Rights ([OCR](#)) enforces federal civil rights laws that prohibit discrimination, harassment, and retaliation in education programs or activities that receive federal financial assistance.

Employers may not retaliate against someone for reporting unlawful discrimination and harassment to the EEOC or OCR, and the EEOC may pursue legal remedies on the person's behalf or grant them permission to file a lawsuit.

[Tab 3]: Remedies.

Remedies.

Anyone found responsible for discrimination or harassment will be disciplined. The responsible person may sometimes be fired, but not always. The goal is always to prevent future harm. If misconduct continues, the discipline will escalate.

There are also legal remedies for illegal conduct that a court or other dispute resolution forum may impose if a legal claim is filed. For example, workers who experience discrimination or harassment may be awarded lost employment opportunities or benefits, such as being hired or promoted, given a raise that was denied, or provided with reasonable accommodations.

Summary

Video Script:

Summary.

In this section, you learned about tools and strategies to help you respond to a broad range of situations that involve actual or potential harm in the work environment. Let's do a brief review:

- Retaliation, discrimination, and harassment are some of the most egregious forms of workplace misconduct.
- There are many strategies you can use to intervene when you see problematic behavior or misconduct.
- Intervening in harmful or problematic situations helps build a positive, professional, and respectful work environment that's free from retaliation, harassment, and discrimination—a work environment that you feel good about and are motivated to contribute to.

Congratulations!

You have now completed the module **Taking Action Against Retaliation**.

Leading Workplaces Resistant to Retaliation

Leading Workplaces Resistant to Retaliation

Video Script:

Leading Workplaces Resistant to Retaliation.

In this section, you will explore your responsibilities and opportunities for taking action as a leader.

Leading Workplaces Resistant to Retaliation

Video Script:

Leading Workplaces Resistant to Retaliation.

Being a leader means that you are in a special position to model respectful, professional behavior, and make an impact through the actions and interventions you take.

Taking effective decisive action in the face of problematic conduct provides you with an opportunity to shine as a leader. It is also an important responsibility, especially for people in supervisory roles. Effective decisive action requires familiarity with best practices. Knowing what to do and understanding where to find support. With this knowledge, you will be prepared to respond early, safely, and successfully if the need arises.

Support Your People

Video Script:

Support Your People.

Leaders can and should support employees in their everyday interactions, not just when crises or misconduct arise.

Watching for and averting problems sends a supportive message to everyone. You should also set clear expectations, such as championing positive, preventive policies and modeling the behavior you want to see in your employees.

You can also do this by:

1. Being available and accessible
2. Paying attention and intervening as appropriate
3. Speaking up as a leader

Be Available, Be Accessible

Interactivity Audio Script:

Be Available, Be Accessible.

The concept of support may seem simple at first, but being available and accessible to all of the people you supervise can be difficult in a real workplace.

Select each card to learn more.

Interactivity Text:

[Flip Card 1]: Listen.

Listen actively, be present, and avoid distractions when speaking to people in the workplace. This may help people feel more comfortable around you, and help you prevent small problems from becoming big ones.

It's Challenge!

There are lots of competing demands on your time and attention at work. Even if you are not able to resolve conflicts right away, it goes a long way to let the person know that their issue is important to you.

[Flip Card 2]: Protect.

You may interact with interns and independent contractors (ICs), and they should be protected—in addition to faculty and staff—from harassment, discrimination, and retaliation. Likewise, you should protect faculty and staff if interns, visiting scholars or fellows, ICs, campus visitors or alums, or any other non-employees engage in misconduct.

It's Challenge!

Interns and ICs often receive different treatment than faculty and staff. It's important to treat everyone fairly and to encourage others to do the same. They may not have access to the same internal reporting help as faculty and staff do. On the other hand, remember that faculty and staff may feel vulnerable if an influential non-employee (including, donors, alum or visiting artists or scholars) is the harasser, and that it's important to be alert and act to stop the harassment.

[Flip Card 3]: Trust.

Communicate with and establish trust among faculty, staff, ICs, and interns. Staying informed will help you make informed decisions about preventing problematic behavior in the workplace.

It's Challenge!

Take concrete actions to foster communication and trust, and to stay informed. You may want to try setting up routine one-on-one remote or in-person conversations with faculty and staff, as well as with ICs, and interns, to discuss work-related issues.

Intervene as Appropriate

Interactivity Audio Script:

Intervene as Appropriate.

As a leader, you know there's no "one size fits all" approach to supporting your employees. Instead, you must pay attention to the unique nature of each workplace issue.

When interactions lead to conflicts or concerns, you can intervene in a way that matches the nature and seriousness of the problem. Here are some guidelines for those interventions.

Select the arrows to learn more.

Interactivity Text:

[Carousel 1]:

Be prompt.

Intervene before a small problem grows bigger—don't wait for things to get worse, or for an "official complaint."

[Carousel 2]:

Grow your skills.

Consider seeking coaching on conflict management and handling tough conversations.

[Carousel 3]:

Use the right strategies.

Escalating misconduct requires an escalation in response; know when to ask for help or advice.

Expert Opinions: Recognizing Retaliation

Video Script:

Expert Opinions: Recognizing Retaliation.

Take a moment to listen to an expert discuss the impact of retaliation on workplace culture.

Retaliation is what can happen after someone has spoken up in the workplace, or has taken steps to raise a concern about something that they've seen or something that they've experienced. Retaliation can be really damaging to culture because if people don't feel safe to speak up or come forward or report concerns, not only will those concerns or that misconduct that they've witnessed can continue, but it also creates a culture where people don't feel safe or comfortable coming to work every day.

Speaking Up as a Leader

Video Script:

Speaking Up as a Leader.

There will be times when you need to act in the moment to address certain behaviors.

If you allow bad behavior to continue without taking appropriate action, your inaction can be taken as approval or encouragement of the behavior.

Be prepared to quickly address unprofessional or inappropriate behavior, especially when people you supervise are watching.

Remember, you're not just a supervisor, you're a role model.

Expert Opinions: Challenging Conversations

Video Script:

Expert Opinions: Challenging Conversations.

Preparation can help make a challenging conversation successful. Listen to expert tips on how to make such discussions useful and professional.

As a supervisor, if you are needing to have a hard conversation with somebody, I think there's a couple of strategies that can be used to make it as successful as possible. First, take some time to plan what you're going to say in advance and how you're going to say it. The second thing is to make sure that you're having the conversation in the right place and the right time so that the person hearing the information will be comfortable or at least as comfortable as possible. It's also important to try and stay as objective as possible, focusing on the behaviors that you may have witnessed. Use actual examples, and don't say more than is necessary to get the point across. Sometimes if you go on and on, perhaps maybe you're nervous, you're unprepared, it can actually feel like piling onto the person and that can actually be very demoralizing for the recipient of the message.

So have a plan. Get the support that you need to be calm. Focus on the actions or the behavior, not the person. Be clear and specific in the ways in which they have failed to meet the expectations of your organization through their behavior, what those expectations are, and how the policies align with it and why you are taking this action and what they can expect going forward.

Don't Forget to Follow Up

Interactivity Text:

[Tab 1]: Check in periodically.

Proactively and periodically check in with the people involved to make sure there are no ongoing issues.

[Tab 2]: Watch for retaliation.

Make sure that colleagues do not retaliate against or alienate someone who brought an issue to light, who participated in the investigation, or who was accused and either disciplined or exonerated by an investigation.

[Tab 3]: Be sensitive and respectful.

Be sensitive to trauma that someone may have suffered from harassment, discrimination, or retaliation. It's best to stay aware of the potential effects of trauma, while still respecting the person's privacy. You may also introduce options to access therapeutic and support resources to help the employee deal with the trauma.

[Tab 4]: Remain impartial.

Focus on objective, measurable aspects of performance and helping them succeed at their job.

[Alt-Text]:

An employee sitting at a computer, working.

Interactivity Audio Script:

Don't Forget to Follow Up.

Addressing the problem is only the first step. It's important to remember that some follow-up may be appropriate.

Select each topic to learn more.

Skills Workshop

Video Script:

Skills Workshop.

In this workshop, you will practice responding to situations involving harassment, discrimination, and retaliation, as well as the different types of intervention that may be needed.

Time Crunch

Interactivity Audio Script:

Time Crunch.

It's challenging to be continuously available and accessible, but it is a key part of the supervisor role.

Select a response.

Interactivity Text:

Shayna stops her supervisor, Brad, while he's on the way to an important leadership meeting. "Brad," says Shayna with concern, "I really need to talk to you in private. It's about that new guy, James."

[Question-Text]:

How should Brad respond?

[Options]:

- "Sure, but I'm really in a time crunch now. Can you tell me quickly on the way to my meeting?"
- "Sure, but I'm really in a time crunch now. Can you send me an email about the issue instead?"
- "Sure, but I'm really in a time crunch now. Can we meet in an hour, when I can devote my full attention to you?"

[Answer]:

"Sure, but I'm really in a time crunch now. Can we meet in an hour, when I can devote my full attention to you?"

[Feedback]:

[Feedback 1]

Not Quite

This response shows that Brad was not actively listening to Shayna's request for a private meeting. When someone says they have something important to tell you, it's best not to rush them. Try again.

[Feedback 2]

Not Quite

Shayna took the time to talk to Brad in person, so asking for an email instead may discourage her. Even though Brad cannot give his undivided attention at this moment, he should find a way to show Shayna that her concern is important to him. Try again.

[Feedback 3]

That's Right

By offering to meet at a specific time, Brad shows that he actively listened to Shayna's request to meet privately. Even though Brad could not be immediately available, he found a way to show Shayna that her matter is important to him, which will help build trust.

Nickname Shame

Interactivity Audio Script:

Nickname Shame.

Take a moment to read the scenario and imagine that you are the supervisor in this situation.

Select a response.

Interactivity Text:

While Henry is discussing a complex topic during his presentation, he looks over and calls out sarcastically to Imani, who is in her 60s, "Don't fall asleep there, Grandma." Imani, who isn't related to Henry, looks stunned.

[Question-Text]:

What should you say to Henry?

[Options]:

- "That's age discrimination! Come with me, I have to report this now."
- Nothing. Henry is probably just nervous about presenting and meant no harm.
- "Henry, that was not OK. Let's talk after this meeting."

[Answer]:

Henry, that was not OK. Let's talk after this meeting.

[Feedback]:

[Feedback 1]

No Quite

You're right that calling an older person "Grandma" could be a warning sign of age discrimination, but abruptly cutting off the meeting and confronting Henry is not the most helpful response for Imani, and may make the situation worse. There is a better response. Try again.

[Feedback 2]

Not Quite

People do sometimes say things they don't mean when they're nervous or under pressure. But intention doesn't matter in determining bias, and inaction by a supervisor could be taken as condoning or even encouraging Henry's behavior. Try again.

[Feedback 3]

That's Right

Speaking out firmly and calmly demonstrates that biased remarks won't be tolerated. This shows support for Imani and shows Henry that bad behavior has consequences. It is also the least disruptive choice, and the least likely to cause further discomfort or hurt.

Expert Opinions: Retaliation Awareness

Video Script:

Expert Opinions: Retaliation Awareness.

Complaints can generate strong emotions. This expert opinion explores the relationship between emotions and retaliation, including strategies for maintaining a positive, retaliation-free environment.

I believe retaliation is a big problem in organizations today because, first, it's human nature to have some sort of emotional response when a complaint has been filed about either you, or someone on your team, or someone that you're working with. It's not uncommon for people to feel defensive, for people to feel surprised, to feel hurt or confused. So, the emotions can really be running high after a complaint has been filed in the workplace. The challenge is how do we recognize and deal with those emotions and make sure that they don't cloud our judgment when we're making job-related decisions? There are a few strategies that managers can use to ensure that they don't allow the emotional environment after a complaint has been filed to cloud their judgment.

One of the key things to do is of course to be aware of your emotions or to be aware of the heightened environment after a complaint has been filed, and to be on guard, to really think about how they're acting regarding the person who's filed a complaint, and to be monitoring the actions of the rest of the team members around that person as well. It's really important to proactively check in with the person who had filed the complaint or perhaps participated in the investigation as well. Check in and see how they're doing. Have you had a hard time? Are things going well? Are you feeling comfortable? That can go a really long way to being aware of situations before they escalate into unlawful retaliation.

Another strategy is to do a gut check before you make any decisions about the person's job situation. Before you do their performance evaluation, for example, you would really want to make sure that you're evaluating them based on objective results and their objective performance. Just make sure that that hasn't been influenced in any way by the fact that a complaint has been filed.

Harassment Aftermath Part 1

Interactivity Audio Script:

Harassment Aftermath Part 1.

It's important to follow up after an incident occurs, but sometimes it can be challenging to know how to do that. As you read the situation, imagine you are Sabina's supervisor.

Select a response.

Interactivity Text:

Sabina reported being sexually harassed by her colleague Jules a month ago. He kept telling Sabina that they were “meant to be together,” and asked her to go on a date every day for two weeks, refusing to take “no” for an answer. An investigation confirmed Sabina’s claim and Jules was disciplined.

When you follow up with Sabina, she tells you that since the harassment occurred, she has been depressed, can’t sleep well, and has trouble concentrating on her work. Sabina shares with you that she’s been diagnosed with an anxiety disorder that is triggered by meeting face-to-face with Jules. She only sees Jules in person during weekly meetings.

[Question-Text]:

How should you respond?

[Options]:

- “I’m sorry, but the meetings are mandatory. You’ll just have to learn how to handle Jules.”
- “I’d like to learn more. What’s happening in these meetings?”

[Answer]:

“I’d like to learn more. What’s happening in these meetings?”

[Feedback]:

[Feedback 1]

Not Quite

Ordinarily, employees need to get along with one another when they must work together. But Sabina is having problems due to an anxiety disorder that is triggered because she was sexually harassed by Jules. Try again.

[Feedback 2]

That’s Right

It’s difficult to say the right thing in complex situations like these, but your first priority is to make sure that the harassment doesn’t occur again. Your next step will be to address whether there is anything you can do to help Sabina.

Harassment Aftermath Part 2

Interactivity Audio Script:

Harassment Aftermath Part 2.

Following up may also cause you to navigate additional issues that can come into play after harassment.

Select a response.

Interactivity Text:

Sabina tells you that the harassment has since stopped, and that Jules now treats her respectfully. "It's just my anxiety, I know, but I could probably concentrate better if I could skip those meetings."

[Question-Text]:

How should you respond?

[Options]:

- "If that's your preference, then that's what we have to do."
- "Let me run this by our human resources department and let you know what they decide."

[Answer]:

"Let me run this by our human resources department and let you know what they decide."

[Feedback 1]

Not Quite

Employers need to accommodate employees with disabilities. But they don't have to do exactly what the employee prefers. They are responsible for working together with the person to reach a solution that lets them do the essential parts of their job. Try again.

[Feedback 2]

That's Right

Even though Sabina downplayed the situation, this issue is serious and needs resolution. As a leader, you don't have to have all the answers. But you do have to know your responsibilities and how to report to designated human resource professionals when an employee discloses a disability that may require a reasonable accommodation. Our policy requires you to report events that happen as a result of harassment, not just the original harassing incident.

Encouragement Is Key

Video Script:

Encouragement Is Key.

Being a great leader includes encouraging people to speak out and intervene when something is wrong.

Research shows that increased reports of misconduct can actually mean that people feel more comfortable coming forward. It may even be a sign of improving workplace culture, especially if people were previously afraid or reluctant to report.

Encourage openness, communication, and a commitment to a positive workplace culture by praising bystanders who intervene and thanking people who come forward with concerns.

Spotlight the Positive

Interactivity Audio Script:

Spotlight the Positive.

Supervisors play a vital role in cultivating a safe, positive workplace culture through praise and encouragement.

Select the arrows to learn more.

Interactivity Text:

[Carousel 1]: Encourage.

Great leaders may offer general encouragement for positive behavior: "Last week someone in this department brought a serious issue to my attention, and I am very proud of this."

[Carousel 2]: Appreciate.

Single someone out for special recognition: "Last week Sharon impressed me so much by helping a colleague."

[Carousel 3]: Praise.

Praise people who admit to and are willing to learn from their mistakes: "I admire you for reconsidering your perspective."

[Carousel 4]: Commend.

Thank people who report misconduct: "We truly want to know when people have concerns, so thank you for coming forward."

Dig Deeper: Shed Light, Solve Problems

Interactivity Text:

Shed Light, Solve Problems.

Understanding when and how to intervene in difficult situations can be confusing.

Perception Becomes Reality

If employees *perceive* that the institution permits sexual harassment, doesn't take complaints seriously, and doesn't discipline offenders, the *result* is that employees do not report incidents of sexual harassment, which leads to more harassment and less overall employee satisfaction.

Culture + Climate

Individuals take cues from their institution's leadership about civility, respect, and tolerance.

An institution's *culture* reflects leadership's norms and values, which create the institution's *climate* through its members who support and reflect that culture.

Transparency and Accountability

Disciplinary action should "fit the crime" and be disclosed in a fair and timely manner.

Supportive Environments

Give everyone an opportunity to contribute to a positive environment.

Create a supportive environment for targeted persons and bystanders.

Respectful Culture Prevents Harassment

A respectful environment evaluates and rewards civility and respectful behavior, which are reflected in an institution's policies and procedures.

Preventing harassment requires a culture of respect.

Reporting Is a Duty and a Tool

Interactivity Audio Script:

Reporting Is a Duty and a Tool.

As a supervisor, it is important to understand your obligation to report misconduct.

Select the arrows to learn more.

Interactivity Text:

[Carousel 1]:

Be a Problem Solver.

Employers have an obligation to investigate a complaint and fix the problem. When harassment, discrimination, or retaliation occurs, the law requires a prompt, thorough, and impartial investigation. This investigation may occur even if the person who complained wants nothing done.

[Carousel 2]:

Follow Up Quickly.

You should take immediate and appropriate action when an investigation determines that misconduct has occurred. Remember, the primary goal is to stop the behavior and make sure it does not happen again. So, if a problem persists, we must escalate our efforts. It is not enough to continue an ineffective response.

[Carousel 3]:

Prevent Further Problems.

You are in the best position to prevent misconduct and take immediate action when it does occur. Reporting misconduct is one of your obligations, and an important bystander tool. Consider the various methods presented in this section, but don't try to "prove" whether or not misconduct occurred. Leave that to designated officials.

[Carousel 4]:

When in Doubt, Report.

No matter whether the person specifically tells you that they want to file a formal complaint, or simply says something that indicates there may be a serious issue like harassment, discrimination, or retaliation, you are required to report it.

[Carousel 5]:

Reporting Is Preventing.

You need to report even if no one complains. In toxic work environments, employees may become used to harassment and accept it as a norm rather than complaining. By setting clear expectations for the institution's work culture, and by reporting problematic behaviors even when no one has complained, you show that a respectful work environment is the new norm.

Just Between Us

Interactivity Audio Script:

Just Between Us.

You may find yourself in a situation in which you hear a complaint before you are able to let the person know that it is your duty to report it.

Select a response.

Interactivity Text:

Rohawna tells you that Jack touched her inappropriately and without permission, then threatened to lie and say that Rohawna had harassed him if Rohawna were to tell anyone. After recounting this incident, Rohawna says to you, "Keep this just between us, OK? I just wanted to vent. I can handle Jack."

[Question-Text]:

What should you do?

[Options]:

- Since you don't know for sure whether the incident occurred, you don't have to report. But you should still try to convince Rohawna to let you report.
- Agree to Rohawna's wishes and keep the matter confidential. It's enough that her concerns were heard and validated.
- Tell Rohawna that, while our policy requires us to handle her complaint fairly, you won't share the information with anyone who doesn't need to know. In the meantime, you can help her decide how to approach interactions with Jack

[Answer]:

Tell Rohawna that, while our policy requires us to handle her complaint fairly, you won't share the information with anyone who doesn't need to know. In the meantime, you can help her decide how to approach interactions with Jack

[Feedback]:

[Feedback 1]

Not Quite

Supervisors must report allegations of harassment or retaliation. It's not your role to determine whether the incident occurred as described. Try again.

[Feedback 2]

Not Quite

Although you should do your best within your duties to respect the desire for confidentiality, you're not in a position to confidentially handle a complaint. You need to get others in the workplace involved. Try again.

[Feedback 3]

That's Right

While we will keep complaints confidential to the extent possible and only share the information on a need-to-know basis, you should not tell anyone that the investigation will be completely confidential.

Threat Alert

Interactivity Audio Script:

Threat Alert.

Employees may feel intimidated by the prospect of filing a complaint. As a supervisor, one of your responsibilities is to provide support.

Select a response.

Interactivity Text:

After reassuring Rohawna that her complaint will be confidential to the extent possible, you continue to listen to her recount the incident and note key points to use when you make the report. Rohawna then asks, "So, what happens if Jack makes good on his threat?"

[Question-Text]:

How should you respond?

[Options]:

- Assure Rohawna that you will talk to Jack and handle the situation.
- Sympathize with her fears of retaliation and let Rohawna know that she's doing everyone a service by coming forward.
- Assure Rohawna that all reports are reviewed, and retaliation is prohibited. She should come forward if anyone tries to retaliate against her in any form, and you will be monitoring the situation.

[Answer]:

Assure Rohawna that all reports are reviewed, and retaliation is prohibited. She should come forward if anyone tries to retaliate against her in any form, and you will be monitoring the situation.

[Feedback]:

[Feedback 1]

Not Quite

Talking to Jack could make the situation worse, and may even compromise the investigation into Rohawna's complaint. You should only tell designated persons about this incident. Try again.

[Feedback 2]

Not Quite

It's not enough that Rohawna's complaint was heard. We also have a duty to protect employees from further incidents, including retaliation. Instead, make it clear that no one should be punished for doing the right thing. Try again.

[Feedback 3]

That's Right

Assuring Rohawana of your commitment to preventing further misconduct and retaliation is the right thing to do; be sure she knows that you will keep her posted about the next steps in the reporting and investigation process.

How to Respond to Accusations

Video Script:

How to Respond to Accusations.

We've spent most of this course talking about how to respond if you or someone else has experienced harassment or other misconduct. But what if you're the one who is being accused? If this happens, you may feel confused, angry, and defensive.

While it's important to acknowledge and care for yourself and any feelings that come up, it's also critical to respond professionally and productively.

Here are some tips you should follow:

1. Remain calm and cooperative.
2. Take the complaint seriously.
3. Cooperate with the investigation and report what you know. Don't be overly defensive or try to interfere with the integrity of the investigation. Do allow the investigators to conduct interviews and gather the information that they need.
4. Tell the truth (giving false information could be independent grounds for discipline).
5. Avoid repeating any behavior related to the complaint, even if you do not agree that the behavior was harassing or discriminatory.
6. Be conscious of your actions, because they could be construed as retaliation.
7. Keep a record of all communications.

Dig Deeper: Perspectives: Expert Opinions: Dealing with Your Mistakes

Video Script:

Expert Opinions: Dealing with Your Mistakes.

Everyone makes mistakes. Take a moment to check out this advice from experts on what to do when you make an error that negatively impacts another person in the workplace or beyond.

A man speaks directly to the camera.

Lower left-hand corner of video, name appears: Steve Miranda, Global HR Business Executive

When it comes to catching your own behavior, when you think you've done something inappropriate or incorrect, I'll quote the Reverend Martin Luther King when he said, "The time is always right to do the right thing." Put another way, when you mess it up, clean it up. A sincere and heartfelt apology is one of nature's most fantastical, magical elixirs.

If you've identified that the behavior that you've engaged in makes you uncomfortable, when you look back at it and you're not proud of what you've done, the first thing that you need to do is stop that behavior and get support so that you keep stopping that behavior.

A person speaks directly to the camera.

Lower left-hand corner of video, name appears: Lauren Lofton, Attorney, Educator Focusing on the Elimination of Bias

The first thing ideally you say is, "Thank you. Thank you for letting me know. I will commit to do my best to not do that in the future." Blaming and shaming other people does not create space for them to learn. When people are defensive and feel attacked, often they're unable to take a look at how they could best change their behavior, take accountability or apologize. By refraining from blaming or shaming yourself and others it creates space for change.

Summary

Interactivity Audio Script:

Summary.

In this section, we focused on the role that you have as a leader in the workplace in modeling appropriate responses to misconduct, including discrimination and harassment, as well as your legal obligations to take action and avoid retaliation. Let's briefly review.

Remember:

- Set clear expectations, such as championing positive, preventive policies, and modeling the behavior you want to see in your employees.
- Be available and accessible by listening actively, fostering a trusting environment and intervening as appropriate.
- Be prepared to quickly address unprofessional or inappropriate behavior, especially when people you supervise are watching.
- Addressing the problem is only the first step. It's important to remember that some follow-up may be appropriate.

- If you are accused of misconduct, it's critical to respond respectfully, professionally and productively.

Congratulations!

You have completed the module Leading Workplaces Resistant to Retaliation.

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Building Supportive Communities

Building Supportive Communities

Video Script:

Building Supportive Communities.

Explore the support, opportunities, and responsibilities included under the Clery Act and Title IX.

Building Supportive Communities

Video Script:

Building Supportive Communities.

In this part of the course, you're going to:

- Focus on the important role that you play in protecting our employees and students by raising awareness of how to prevent, identify, and report different types of sexual harassment, including sexual assault, relationship violence, and stalking.
- Review our institution's responsibilities under Title IX, a federal law that prohibits discrimination based on sex or gender stereotyping, including the following types of sexual harassment:
 - Rape and sexual assault
 - Relationship violence
 - Stalking that is based on sex
 - Unwelcome conduct on the basis of sex that is severe, pervasive, and objectively offensive, creating a "hostile environment" that effectively denies a person equal access to an education program or activity
- An institution's employee conditioning a grade or other educational benefit or service on an individual submitting to unwelcome sexual conduct (called "quid pro quo")

Title IX

Title IX applies regardless of a person's sex, gender identity, or sexual orientation, and prohibits sex discrimination — including discrimination based on pregnancy, childbirth or related conditions — and sexual harassment specifically in the context of educational programs or activities against persons located in the U.S.

Building Supportive Communities

Video Script:

Building Supportive Communities.

One of the major roles you will play in creating a safe and healthy higher education community is being an active bystander.

Narrator: When a higher education environment is positive and professional, everyone benefits. No matter your role, you have a unique chance to make a difference for individuals and for the community. Learning to spot problems and take appropriate action is critical for creating educational spaces free from discrimination and harassment. It's also central to building communities where everyone understands that stalking, dating, and intimate partner violence as well as sexual violence are completely unacceptable. Whether or not your role is student facing, you may have responsibilities to ensure that everyone has equitable access to employment or educational opportunities. Next, we'll focus on how sexual assault, intimate partner violence and stalking can impact our campus and resources available to support those who experience harm. We'll apply what we've learned about awareness, attitude, and action. And practice how to respond when a student or a colleague turns to you for help so that you are well prepared to make a positive impact on your campus.

The 3 A's of Bystander Intervention

Interactivity Audio Script:

The 3 A's of Bystander Intervention.

Part of your role in creating a safe educational and workplace culture is to understand when and how to intervene.

Select each tab to learn more.

Interactivity text:

[Tab 1]: Tab 1.

Awareness.

Be conscious of what is happening around you and your colleagues in the workplace and the learning community. Evaluating and assessing your environment is the first step to being an active, rather than a passive, bystander.

[Tab 2]: Tab 2.

Attitudes.

Maintaining a respectful, equitable environment means actively modeling the attitude that discrimination, harassment, and retaliation have no place in the work and learning environment.

[Tab 3]: Tab 3.

Action.

You have the power to act, whether by intervening directly or by reaching out to others. If you are uncomfortable intervening directly, you can still make a difference by informing someone who is equipped to help address the situation.

[Alt-Text]:

A student and a professor are talking.

Building Positive Relationships

Interactivity Audio Script:

Building Positive Relationships.

Building relationships that are based on respect is one of the key elements of a positive working and learning community. This is extremely important in higher education, where relationships and authority structures can be difficult to navigate and define.

Many unique relationships exist in higher education: faculty-student, student-student, staff-faculty, staff-students, to name just a few.

The hierarchies within those groups can create perceived barriers to action that allow disrespect to flourish, even though most people in the community would rather work and learn in a respectful environment.

Reflecting on Relationships

Interactivity audio script:

Reflecting on Relationships.

Before moving on, please take a moment to consider a relationship you have developed or hope to develop at your institution. Consider relationships with different dynamics, such as faculty-student, student-student, faculty-staff, and the others we reviewed previously.

- What are some indicators that the relationship is positive?
- What are some indicators that it is not harmful?
- Do those indicators shift as the dynamics differ, or are they consistent across the board?

Healthy Relationships

Interactivity Audio Script:

Healthy Relationships.

Research shows that healthy relationships both at home and at work enhance well-being, foster greater security, and encourage better decision-making. While successful relationships can take many forms, they typically share similar characteristics.

Select the arrows to learn more.

Interactivity text:

[Carousel 1]: Carousel 1.

Respect.

Accepting others for who they are, even when you may not agree with what they believe or value.

[Carousel 2]: Carousel 2.

Trust.

Having confidence in the compassion and reliability of others, so that accountability is always present.

[Carousel 3]: Carousel 3.

Collaboration.

Working together toward a common goal. People always accomplish more when they are all looking in the same direction.

[Carousel 4]: Carousel 4.

Communication.

Exchanging thoughts and ideas in an honest and open manner; speaking up for yourself while respecting the right of others to do the same.

[Carousel 5]: Carousel 5.

Positivity.

Cultivating a positive outlook to help build and maintain a respectful, equitable environment.

Unhealthy Relationships

Interactivity Audio Script:

Unhealthy Relationships.

Relationship abuse happens when one intimate partner coerces and controls the other. It tends to escalate over time, and is often part of a larger pattern of dominance. There are a few key characteristics everyone should understand about relationship abuse.

Select the arrows to learn more.

Interactivity text:

[Carousel 1]: Carousel 1.

It has a serious impact.

Intimate partner violence has a serious, negative impact on people we know well or work with and on our entire community. It's important to recognize it so you're prepared to help.

[Carousel 2]: Carousel 2.

It's not just physical.

Relationship abuse, which also includes domestic violence and dating violence, consists of more than physical harm. A person who is abusing someone often seeks to maintain power and control in other ways, some of which are subtle and difficult to identify—even to the person being abused.

[Carousel 3]: Carousel 3.

It may manifest in unexpected ways.

A colleague or student who is experiencing abuse may act differently than normal, be agitated or aggressive, seem jumpy or on guard, lose interest in activities they once enjoyed, or withdraw from people. These behaviors don't always indicate abuse, but if one or more begin to occur, you may want to say something.

Forms of Relationship Abuse

Interactivity Audio Script:

Forms of Relationship Abuse.

Relationship abuse manifests in many different ways. These means of exerting power and control over another person often overlap and are often perpetrated at the same time.

Select each card to learn more.

Interactivity text:

[Carousel 1]: Isolation.

Pressuring a partner to cut off ties with family, friends, colleagues, and students.

[Carousel 2]: Emotional.

Making a partner feel bad about themselves or unworthy of being treated well.

[Carousel 3]: Financial.

Interfering with or jeopardizing a partner's job, preventing them from obtaining employment, or withholding financial information or access to shared assets in order to keep a person financially dependent.

[Carousel 4]: Physical.

Threatening assault or actually acting on those threats in a physically violent way. This may include slapping, hitting, punching, kicking, or assaults involving weapons such as blunt objects, knives, or guns.

[Carousel 5]: Sexual.

Forcing a partner to engage in unwanted sexual activity without their explicit consent.

[Carousel 6]: Academic.

Deliberately starting an argument before an exam, project deadline, or presentation, or preventing a partner from attending class or department events.

Dig Deeper: Ask an Expert: Graduate Student Considerations

Video Script:

Ask an Expert: Graduate Student Considerations.

Graduate students may experience higher levels of dating violence or unhealthy relationships compared to certain other harms. It's helpful to be aware of the red flags that can indicate these problems for graduate or other students.

Lower left hand corner of video, name appears: Mickey Irizarry, Health Promotion Center Director

One trend that we noticed amongst graduate students is that they tend to experience higher levels of dating violence or unhealthy relationship dynamics, rather than sexual assault or sexual violence, which we see more often in the undergraduate population.

Dating violence in graduate students can be harder to pick up on compared to acute trauma of sexual violence, because the signs are harder to see.

Some red flags that you might notice if you are working with a student who is experiencing an unhealthy relationship or dating violence might be things like they are constantly checking their phone, and having to like report where they are, what time they will be back, what time they're leaving.

If you start to notice that a partner shows up unexpectedly in the building, or on the campus property, or in the office of that student, that might be a sign that they are having tabs kind of kept on them. They might feel on edge about having to stay late for extra projects.

Another sign could be around financial stress and financial abuse. So if they are worried about having to spend money or having to get permission to use money or different funds, or if they are the primary person paying for everything, they might be more on edge about having to do that as well.

Skills Workshop

Interactivity Audio Script:

Skills Workshop.

In this workshop, you'll refine your ability to be alert and aware, and to intervene when appropriate.

Signs of Struggle

Interactivity Audio Script:

Signs of Struggle.

Troubling situations in the work environment always call for sensitivity, but sometimes also require specific responses. Take a moment to practice your ability to respond with sensitivity in a challenging situation.

Select a response.

Interactivity text:

Sarah's work-study job is as an administrative assistant at the Registrar's office. She has missed several days of work and when she returns she seems anxious and tells Ashley, her boss, that she can't stay late to catch up on her work. Ashley is concerned that Sarah might be ill or in some kind of trouble.

[Question-Text]:

Is Ashley concern for Sarah warranted?

[Options]:

Yes, Ashley is right to be concerned.

No, Ashley is assuming too much and should not interfere.

I'm not sure.

[Answer]:

Yes, Ashley is right to be concerned.

[Correct Feedback 1]:

That's Right.

Ashley is observant enough to note that Sarah may be in some kind of trouble. Expressing concern for a student or colleague is always acceptable.

[Incorrect Feedback 2]:

Not Quite.

It's a supportive gesture to share your concern in a nonjudgmental way when you think a colleague or student may be in some kind of trouble. Try again.

[Incorrect Feedback 3]:

Not Quite.

It can be hard to know what is really going on, but expressing concern in a nonjudgmental way shows Sarah that Ashley cares about her. If Sarah is in an unsafe situation, she will be more likely to turn to Ashley for help now or in the future. Try again.

Registering Concern

Interactivity Audio Script:

Registering Concern.

Ashley noticed potential signs of abuse in Sarah and registered concern. As this situation continues, read the scenario and select the best response.

Interactivity text:

Ashley noticed potential signs of abuse in Sarah and registered concern. As this situation continues, Ashley worries that Sarah may be in an abusive relationship, but isn't sure how to offer aid, especially because Sarah has a child to care for and she doesn't want to place her or her child in further danger. Ashley wants to reach out and express her concerns in a non-threatening way.

[Question-Text]:

Which of the following would be Ashley's best response?

[Options]:

"I noticed that you've been off work more often than usual. You looked upset and worried after the conference call today. Is there anything I can do to help?"

"I've noticed that you've had trouble meeting your deadlines lately. Can we talk about how to manage your workload?"

"I am concerned about you. Are you OK? Did your boyfriend threaten you?"

[Correct Answer]:

"I noticed that you've been off work more often than usual. You looked upset and worried after the conference call today. Is there anything I can do to help?"

[Correct Feedback 1]:

That's Right.

This is a good place for Ashley to start. By referencing her behaviors instead of making assumptions, Ashley communicates to Sarah that she has noticed something is troubling her and offers a non-confrontational expression of care.

[Incorrect Feedback 2]:

Not Quite.

While discussing a neutral topic like work performance is another way for Ashley to address her concerns with Sarah, it may make her anxious about her job in addition to the personal issues she is experiencing. A clear non-judgmental reflection of what Ashley has noticed, and an expression of concern may be a better approach. Try again.

[Incorrect Feedback 3]:

Not Quite.

Here, Ashley asks Sarah more directly if she is a target of abuse. While this is a safe and non-threatening way for her to express concern, if Ashley offers more specific information about why she is concerned, Sarah may be more likely to avoid the question, and hide the abuse. Try again.

A Disturbing Disclosure

Interactivity Audio Script:

A Disturbing Disclosure.

Ashley asked Sarah about the potential signs of abuse that she noticed in a kind, non-confrontational manner. The situation continues. Read the scenario and select the best response.

Interactivity text:

After Ashley reached out, Sarah explained that she was just tired from classes and taking care of her daughter as a single mother.

But one week later, Ashley is walking across the quad and sees Sarah on a bench, speaking heatedly and crying into her phone. "No, that's not what I said!" Sarah hangs up and looks at Ashley, looking anxious and upset.

Ashley sits down next to her and asks if she is OK.

Sarah replies, "Honestly, no. I knew my boyfriend could sometimes be a little possessive, but he's out of control—making me call him every hour, accusing me of cheating on him, and threatening to embarrass me at work or worse if I don't. I can't live with his accusations or threats anymore."

[Question-Text]:

What should be Ashley first response to Sarah's disclosure?

[Options]:

"What about your daughter, are you worried about her? Are you sure that she is safe?"

"No one deserves to be harassed by their partner. We can put you in touch with people who can help if you need that."

"What you're sharing is really concerning to me, Sarah. Because of my role on campus, I do have reporting responsibilities, but I'm also here to help. If you would prefer to talk about your options with someone who can keep your experience confidential, I can connect you to them as well."

[Correct Answer]:

"What you're sharing is really concerning to me, Sarah. Because of my role on campus, I do have reporting responsibilities, but I'm also here to help. If you would prefer to talk about your options with someone who can keep your experience confidential, I can connect you to them as well."

[Feedback 1]:

Not Quite.

It's thoughtful of Ashley to show care for Sarah's family, but she needs to directly address the situation Sarah is facing. Try again.

[Feedback 2]:

Not Quite.

It's good of Ashley to offer resources to help, but this shouldn't be Ashley's first response. Try again.

[Feedback 3]:

That's Right

Ashley should inform Sarah about confidential resources that are available and how to report intimate partner violence to the Title IX Coordinator, who can tell her about institutional resources and supportive measures that can help her.

Federal and State Laws: Dating and Domestic Violence

Interactivity text:

Federal and State Laws: Dating Violence and Domestic Violence.

It's important to be aware of federal and state laws defining dating violence and domestic violence.

Explore federal and state law definitions below.

You must view your state's laws before continuing, using the dropdown below. If you are interested, you can compare it to other states by selecting another state from the dropdown menu.

[View your state laws]

[Dropdown: Select State]

[Explore federal law definitions using the link below.]

[Link: View federal laws]

Skills Workshop Review: Relationships

Interactivity Audio Script:

Skills Workshop Review: Relationships.

Now that you've practiced identifying signs of relationship abuse, let's do a brief review. Remember:

- Healthy relationships form the basis of a positive working and learning environment.
- Some of your colleagues or students, or you yourself, may be in unhealthy domestic or dating relationships, experiencing relationship abuse—whether physically violent, emotionally controlling, or both.
- There are many reasons why relationship abuse stays private, but recognizing the signs of abuse is the first step toward getting help.

Consent

Interactivity audio script:

Consent.

Consent is a vital part of open communication. Being clear and open about your values and what you want and don't want helps others know who you are and what matters to you.

Select each topic to learn more.

Interactivity text:

[Tab 1]: Consent.

Consent is when someone says "yes," gives permission, or clearly agrees, through a mutual understanding of words or actions to a specific sexual activity. Sexual assault occurs when one person does not give consent, or the other person does not get consent during the activity.

[Tab 2]: Incapacitation.

Consent CANNOT be given if a person is mentally or physically incapacitated. This could be due to the use of alcohol and/or other drugs, or due to a mental or physical condition. Furthermore, silence, passivity, or lack of resistance do not imply consent.

[Tab 3]: Coercion.

A person CANNOT consent to sexual activity if they are coerced in any way or pressured to do something they do not want or agree to. Coercion occurs when a person intimidates, tricks, forces, or manipulates someone into engaging in sexual activity. The person may also use threats of violence or blackmail, or try to exert their power or authority.

State Law: Consent

Interactivity text:

State Laws: Consent.

It's important to be aware of state laws defining consent.

Explore state law definitions below.

You must view your state's laws before continuing, using the dropdown below. If you are interested, you can compare it to other states by selecting another state from the dropdown menu.

[View your state's laws]

[Dropdown: Select State]

Absence of Consent

Interactivity audio script:

Absence of Consent.

When consent is not given, a person is imposing their wishes and needs on another person without their agreement, and this could violate the school's policies or state criminal laws, or both.

The absence of consent — or sexual coercion — occurs when someone purposely uses physical force or manipulative tactics to pressure, intimidate, or otherwise make someone engage in an unwanted sexual activity.

[Alt-Text]:

A person is working at a laptop computer with their hands on the keyboard. Another person is putting their hands over the first person's hands.

Federal and State Laws: Sexual Assault

Interactivity text:

Federal and State Laws: Sexual Assault.

It's important to be aware of federal and state laws defining sexual assault.

Explore federal and state law definitions below.

You must view your state's laws before continuing, using the dropdown below. If you are interested, you can compare it to other states by selecting another state from the dropdown menu.

[View your state laws]

[Dropdown: Select State]

[Explore federal law definitions using the link below.]

[Link: View federal laws]

Sexual Assault and Your Response

Video script:

Sexual Assault and Your Response.

It is never acceptable to use physical force, threats, intimidation, or other coercive tactics to make someone engage in sexual activity—furthermore, criminal laws and institutional policies prohibit such behavior.

Your supportive response to someone who shares an experience of harm can make a positive difference in their healing process. It's an opportunity for you to express your values and empathy through your actions.

Giving your full attention and truly listening are important communication skills at any time, and they're especially helpful for supporting those who have been sexually assaulted or abused.

[Alt-Text]:

A student is sitting and talking with their professor.

Understanding the Impacts of Trauma

Interactivity Audio Script:

Understanding the Impacts of Trauma.

Understanding some of the ways researchers have identified that the brain and body may react to trauma can help you to offer a caring and informed response. It may also help you come to terms with an experience of your own.

The types of effects highlighted here may be caused by many forms of trauma, including trauma resulting from witnessing violence, surviving violent or sexual crimes, experiencing social injustice, being in an accident, or having combat experience.

Select each topic to learn more.

Interactivity text:

[Tab 1]: Memory.

A person who experiences trauma may hesitate when remembering an event, or remember only details like smells, sounds, or what something felt or looked like. They may also have accurate, but fragmented, memories and not be able to recall details in a linear fashion.

[Tab 2]: Emotions.

During a traumatic experience, the person's body may release opiates to block physical and emotional pain. These neurobiological effects can't be controlled and may contribute to unexpected emotional reactions. For example, a person may not cry, or they could experience extreme emotional feelings (e.g., laughter, fear, or rage) while recalling an incident.

[Tab 3]: Physical Response.

A person's physical response to trauma can also be significantly impacted by neurobiological factors. Tonic immobility (or trauma-induced paralysis) is an autonomic hormonal response that causes the body to freeze in situations that provoke extreme fear. Resisting or escaping is not possible for someone experiencing this, because they do not have control over their muscle response.

[Tab 4]: Recovery.

Just as each person's experience is unique, their recovery process is as well. It may be influenced by multiple factors, such as their identities and their familiarity with or relation to the person who harmed them. Another influence on recovery is how someone expects important individuals in their lives to react and how their culture may define or react to their experience. Despite these unique elements, there are common reactions that many people share.

Skills Workshop

Interactivity text:

Skills Workshop.

In this workshop, you'll practice identifying trauma reactions, responding to issues and reporting.

[Alt-Text]:

A professor is at the front of a classroom, teaching their students.

Raising Questions

Interactivity Audio Script:

Raising Questions.

Sometimes problems may come to your attention through non-traditional means. In the following scenario, a professor is teaching an online class and is having a difficult discussion with one of his students via video chat.

Select a response.

Interactivity text:

Dr. Lutz, is video chatting with one of his students, Mei, who asks, regarding an assignment, when to use terms like "sexual assault" and "rape," and whether the two are interchangeable. She goes on to say that part of her confusion arises from an unreported incident that happened on campus.

What advice would you give Dr. Lutz?

He should first address the incident by thanking Mei for sharing this, telling her that he wants to help, and offering to connect her with support and confidential resources that are available on-campus or in the community. Dr. Lutz should also follow any other reporting or response procedures set forth by his institution.

He should not respond to Mei, but address the incident she mentions with the institution, since he has to fulfill his duty to report.

He should respond to the student but only address her academic question. Afterwards, he should report the incident to the institution's Title IX coordinator, but not inform Mei of that decision.

[Question-Text]:

What advice would you give Dr. Lutz?

[Options]:

He should first address the incident by thanking Mei for sharing this, telling her that he wants to help, and offering to connect her with support and confidential resources that are available on-

campus or in the community. Dr. Lutz should also follow any other reporting or response procedures set forth by his institution.

He should not respond to Mei, but address the incident she mentions with the institution, since he has to fulfill his duty to report.

He should respond to the student but only address her academic question. Afterwards, he should report the incident to the institution's Title IX coordinator, but not inform Mei of that decision.

[Correct Answer]:

He should first address the incident by thanking Mei for sharing this, telling her that he wants to help, and offering to connect her with support and confidential resources that are available on-campus or in the community. Dr. Lutz should also follow any other reporting or response procedures set forth by his institution.

[Correct Feedback 1]:

That's Right.

Mei has raised a serious incident, and Dr. Lutz needs to directly address it.

[Incorrect Feedback 2]:

Not Quite.

Although in a situation such as this, it would be easier to simply pass the information on to the institution's Title IX coordinator, Dr. Lutz should respond directly to the student as well as follow any other reporting or response procedures set forth by his institution. Try again.

[Incorrect Feedback 3]:

Not Quite.

In this situation, Mei raised a serious incident. In addition to following any reporting or response procedures set forth by his institution, Dr. Lutz should also let Mei know that support and confidential resources are available for her. Try again.

Doctor's Duty

Interactivity audio script:

Doctor's Duty.

Mei has just told Dr. Lutz that an unreported incident occurred on campus, and Dr. Lutz wants to respond appropriately.

Select a response.

Interactivity text:

As Dr. Lutz responds to Mei, he has some decisions to make about what he should say.

Which of the following is the best reply?

“In order to respond to this situation appropriately, I would have to know more about what happened.”

“Confidential resources are available to explain your options, and if you decide to report the incident, the school’s Title IX Coordinator can provide supportive measures to you.”

“As you clearly did not intend to report this, I will forget we ever had this conversation.”

[Question-Text]:

Which of the following is the best reply?

[Options]:

“In order to respond to this situation appropriately, I would have to know more about what happened.”

“Confidential resources are available to explain your options, and if you decide to report the incident, the school’s Title IX Coordinator can provide supportive measures to you.”

“As you clearly did not intend to report this, I will forget we ever had this conversation.”

[Answer]:

“Confidential resources are available to explain your options, and if you decide to report the incident, the school’s Title IX Coordinator can provide supportive measures to you.”

[Feedback 1]:

Not Quite.

While it’s important that Dr. Lutz assures Mei that there are support and confidential resources available for her, it is not his place to try to gather more information about it. As a faculty member, performing an investigation of any kind is not his responsibility. Try again.

[Feedback 2]:

That’s Right.

Dr. Lutz should encourage Mei to seek support and provide contact information for confidential resources that are available on or off campus, and for the school's Title IX Coordinator.

[Feedback 3]:

Not Quite.

Not quite. Even if the student did not intend to disclose the incident, Dr. Lutz should encourage Mei to seek support and offer to connect her with confidential resources that are available on or off campus. He should also follow any response or reporting procedures expected of him by the institution. Try again.

Just the Facts

Interactivity audio script:

Just the Facts.

Having spoken to Mei, Dr. Lutz begins writing an email to his institution's Title IX coordinator.

Select a response.

Interactivity text:

Dear Hilo,

This is Alan Lutz from the Anthropology Department. One of my online students inadvertently told me about an unreported incident on campus. Please note that the student was not intending to make a report, but I wanted to confirm whether or not I am required to report this incident to you under our school's policies and any other responsibilities I may have in this situation.

What else, if anything, should he add to his email?

Dr. Lutz should tell the Title IX coordinator both what happened and his impressions of the situation: Dear Hilo, This is Alan Lutz from the Anthropology Department. One of my students inadvertently told me about an unreported incident. Knowing this student, I think that she...

Dr. Lutz should tell the Title IX coordinator that an incident occurred, but protect Mei's identity to the greatest extent possible: Dear Hilo, This is Alan Lutz from the Anthropology Department. One of my students inadvertently told me about an unreported incident. That is all I can disclose without violating the student's trust...

Dr. Lutz doesn't need to add anything unless required to do so under the school's policies.

[Question-Text]:

What else, if anything, should he add to his email?

[Options]:

Dr. Lutz should tell the Title IX coordinator both what happened and his impressions of the situation: Dear Hilo, This is Alan Lutz from the Anthropology Department. One of my students inadvertently told me about an unreported incident. Knowing this student, I think that she...

Dr. Lutz should tell the Title IX coordinator that an incident occurred, but protect Mei's identity to the greatest extent possible: Dear Hilo, This is Alan Lutz from the Anthropology Department.

One of my students inadvertently told me about an unreported incident. That is all I can disclose without violating the student's trust...

Dr. Lutz doesn't need to add anything unless required to do so under the school's policies.

[Answer]:

Dr. Lutz doesn't need to add anything unless required to do so under the school's policies.

[Feedback 1]:

Not Quite.

Dr. Lutz is seeking information about whether he has a reporting obligation. If he is required to report the incident that Mei disclosed, Dr. Lutz should just report factual information about the incident. Try again.

[Feedback 2]:

Not Quite.

Dr. Lutz became aware of an incident of sexual misconduct that was not intended to be reported. While Title IX does not require him to make a report to the Title IX coordinator, he needs to confirm whether or not the school's policies require him to do so. Try again.

[Feedback 3]:

That's Right.

Title IX does not require Dr. Lutz to report this information, however, he should confirm whether or not he has a reporting obligation under the school's policies. When responding to a student's disclosure, employees who are designated reporters should interrupt and inform students of their reporting obligation, and give them the option of talking to a confidential resource.

Review of Consent and Sexual Assault

Interactivity audio script:

Review of Consent and Sexual Assault.

Now that you've practiced responding to a student who disclosed an incident of sexual assault, let's do a brief review.

Remember:

- You should strive to cultivate healthy personal and working relationships that are based on respect, open communication, and positivity.
- It is important to listen to and respect others' decisions—especially in situations where someone has not agreed to something. Every person is unique regarding their boundaries; caring for others means respecting those boundaries.

- People who have experienced trauma may react differently than we think they should, but there are neurobiological reasons for this, and it should not interfere with your ability to respond to them in a caring and empathetic way.

[Alt-Text]:

A professor is at the front of a classroom, teaching their students.

Stalking

Video Script:

Stalking.

Under federal and state laws, stalking is generally a pattern of behavior directed at another person that causes them to suffer emotional distress or to reasonably fear for their safety or for the safety of someone close to them, such as a family member.

[Alt-Text]:

A student is on the subway checking their phone.

The Signs of Stalking

Interactivity audio script:

The Signs of Stalking.

Anyone on campus can be a target of stalking, but students between the ages of 18 and 24 are at the greatest risk. Research points to factors like predictable class schedules and technology-facilitated stalking as factors for why students are so vulnerable.

Select each topic to learn more.

Interactivity text:

[Tab 1]: Unwanted Contact.

Following or watching someone; unwanted and repeated face-to-face, phone, text, or email communication; continuing to contact someone after they have asked that it stop.

[Tab 2]: Digital Stalking.

Tracking or following someone digitally, such as through social media; posting derogatory, defamatory, or explicit information about the person online.

[Tab 3]: Masking Identity.

Repeatedly contacting someone over the phone using masked or “spoofed” numbers.

[Alt-Text]:

A student is working at a laptop computer, checking their phone.

Hard to Pinpoint

Interactivity audio script:

Hard to Pinpoint.

Certain warning signs of stalking can make it difficult to identify when it is happening.

Select each number to learn more.

Interactivity text:

[Hotpot 1]:

Digital Stalking.

Tabitha keeps getting threatening text from Roz, her ex-girlfriend, even after she blocked her number. Roz may be using masked or “spoofed” phone numbers that allow her to communicate with Tabitha in a virtually untraceable way.

[Hotpot 2]:

Blurred Lines.

Abi and Derek are on-again, off-again. After each breakup, Derek hangs around Abi’s dorm and posts cryptic public messages to his social media account. Derek may be taking advantage of their intermittent relationship status to manipulate and threaten Abi. Tools like social media can be used for stalking if a relationship ends and one partner is unhappy with the outcome.

[Hotpot 3]:

What Happens on Campus.

Beau and Jen broke up last year, but his fraternity and her sorority hold events together weekly. At their parties, Jen follows Beau and his new girlfriend around, and keeps inventing excuses to cross paths with them. Sometimes she engages in passive aggressive attempts to harm Beau or his girlfriend, under the guise of “an accident,” like spilling her drink on them or physically bumping into them when she walks by. Attending school in a campus environment can present obstacles for people, especially students, who may be the targets of stalking.

Barriers to Intervention

Interactivity audio text:

Barriers to Intervention.

You can't always count on your personal experiences to provide the motivation to take action. If you can't personally relate to the situation in question, you may feel hesitant to intervene or you may assume that someone else will intervene. This is a natural reaction.

Excuses are easy to invoke, and can take several forms, but you cannot allow such barriers to prevent you from intervening when a student or colleague needs your help.

Select each card to learn more.

Interactivity text:

[Flip Card 1]: Flip 1.

Individual.

"I'm not sure what to do, and what if I'm wrong?"

[Flip Card 2]: Flip 2.

Relationship.

"What will my colleagues think of me?"

[Flip Card 3]: Flip 3.

Societal.

"Am I the only one noticing this? Maybe I'm taking the situation too seriously."

[Alt-Text]:

A professor is standing in their classroom looking into the distance.

Skills Workshop5

Video Script:

Skills Workshop.

In this workshop, you'll practice and fine-tune identifying warning signs of stalking and intervening in problematic situations.

[Alt-Text]:

A student is walking outdoors on campus.

Student Stressor

Interactivity audio script:

Student Stressor.

Knowing how to react when someone exhibits signs of relationship stress is difficult. In the following activity, see how well you are able to navigate one of these situations.

Select a response.

Interactivity text:

Like you, Jeh is a postdoctoral fellow. You share research interests, so you're excited that you'll be co-authoring a journal article with him. The last few times you have met to go over revisions, though, he seems on edge, frequently checking his phone and worrying out loud about receiving threatening messages from his ex-boyfriend: "I wish he'd just lay off. We are OVER!"

Which of the following would be the most appropriate response?

Jeh is my colleague, and I don't want to cross any lines into his personal life.

Jeh's public display of stress may be indicative of a much deeper problem in his personal life. I should say something.

I'm not sure; there must be someone better equipped to talk to Jeh.

[Question-Text]:

Like you, Jeh is a postdoctoral fellow. You share research interests, so you're excited that you'll be co-authoring a journal article with him. The last few times you have met to go over revisions, though, he seems on edge, frequently checking his phone and worrying out loud about receiving threatening messages from his ex-boyfriend: "I wish he'd just lay off. We are OVER!"

Which of the following would be the most appropriate response?

[Options]:

- Jeh is my colleague, and I don't want to cross any lines into his personal life.
- Jeh's public display of stress may be indicative of a much deeper problem in his personal life. I should say something.
- I'm not sure; there must be someone better equipped to talk to Jeh.

[Answer]:

Jeh's public display of stress may be indicative of a much deeper problem in his personal life. I should say something.

[Feedback]:

[Feedback 1]

Not Quite

While there are important personal/professional boundaries that are in place for good reason, expressing concern about Jeh's disposition does not jeopardize your professional relationship. Try again.

[Feedback 2]

That's Right

Expressing your concern for your fellow student is a great way to communicate that you care. "Checking in" is a good, non-confrontational, non-judgmental approach.

[Feedback 3]

Not Quite

There may well be someone better equipped, but are they with you at the table right now? The only person in this moment who can express concern for Jeh's personal life is you, right now. Try again.

Collegial Dilemma

Interactivity audio script:

Collegial Dilemma.

Understanding when to say something if you suspect someone is in an unhealthy relationship can be very challenging. In the following activity, see how well you are able to navigate one of these situations.

Select a response.

Interactivity text:

Your colleague Sonja went through a difficult divorce last year. Her ex-husband Slav still works in the same department. Lately, you've noticed Sonja exhibiting some concerning behavior, like following Slav around on campus at a distance, or leaving early to catch him walking to his car. One day, you're leaving campus and spot her outside Slav's car, with him in it, trying to force open the door. The situation seems to be concerning, but there are plenty of other people in the parking lot, and they're just walking by.

Should you stop and say something?

I'm friends with Sonja and Slav, but we're not that good friends.

Yes, I should check on them to make sure everything is OK.

I'm not sure; isn't it intrusive to walk up to his car and interrupt them?

[Question-Text]:

Your colleague Sonja went through a difficult divorce last year. Her ex-husband Slav still works in the same department. Lately, you've noticed Sonja exhibiting some concerning behavior, like following Slav around on campus at a distance, or leaving early to catch him walking to his car. One day, you're leaving campus and spot her outside Slav's car, with him in it, trying to force open the door. The situation seems to be concerning, but there are plenty of other people in the parking lot, and they're just walking by.

Should you stop and say something?

[Options]:

- I'm friends with Sonja and Slav, but we're not that good friends.
- Yes, I should check on them to make sure everything is OK.
- I'm not sure; isn't it intrusive to walk up to his car and interrupt them?

[Answer]:

Yes, I should check on them to make sure everything is OK.

[Feedback]:

[Feedback 1]

Not Quite

We are pretty good at making excuses not to intervene. The fear of what others will think of us is a big one. Don't let your inhibitions prevent you from stopping at Slav's car. He may be in distress, and your help may be exactly what he needs. Try again.

[Feedback 2]

That's Right

Given Sonja's recent behavior, this could be a situation involving stalking. Showing support is a positive and empathetic act toward your colleagues. One way to do this is simply ask—is everything OK?

[Feedback 3]

Not Quite

Even if others seem to not notice, your gut tells you something is not right. Slav may benefit greatly from your intervention. Asking Sonja a question about work, or even making a joke could create enough distraction to diffuse the situation and allow Slav to move on. Or, more directly, you could simply ask them, "Is everything OK?". Try again.

Graduate Student on Edge

Interactivity audio script:

Graduate Student on Edge.

Balancing school priorities and the duty you have to support people demonstrating potential signs of abuse can be hard. In the following activity, see how well you are able to navigate one of these situations.

Select a response.

Interactivity text:

Maikki is a graduate student teaching assistant in the program you chair, and you've been meeting at a coffeehouse to go over projects. However, lately, she's been missing deadlines, is late replying to emails and showing up for meetings, and just seems exhausted all of the time. When you ask Maikki what's up, she promises to improve, but also makes a comment about a Tinder date—a student in another program—who won't stop calling and texting her: "He's kind of freaking me out, to be honest."

You know you should work with her to revise your project deadlines, but should you ask her to elaborate on the Tinder date?

Don't even go there. Her relationship is her business, and if she wants to get help, she should probably seek out the Counseling Center on campus.

Yes, you should say something. It's incredibly troubling that someone is interfering with her work life in a confrontational way.

I'm not sure. Didn't she choose to go on a date with him?

[Question-Text]:

Maikki is a graduate student teaching assistant in the program you chair, and you've been meeting at a coffeehouse to go over projects. However, lately, she's been missing deadlines, is late replying to emails and showing up for meetings and just seems exhausted all of the time. When you ask Maikki what's up, she promises to improve, but also makes a comment about a Tinder date—a student in another program—who won't stop calling and texting her: "He's kind of freaking me out, to be honest."

You know you should work with her to revise your project deadlines, but should you ask her to elaborate on the Tinder date?

[Options]:

- Don't even go there. Her relationship is her business, and if she wants to get help, she should probably seek out the Counseling Center on campus.
- Yes, you should say something. It's incredibly troubling that someone is interfering with her work life in a confrontational way.
- I'm not sure. Didn't she choose to go on a date with him?

[Answer]:

Yes, you should say something. It's incredibly troubling that someone is interfering with her work life in a confrontational way.

[Feedback]:

[Feedback 1]

Not Quite

You shouldn't assume that Maikki will seek help, or that she even knows where to seek help. Consider expressing your support for her and asking her to follow up on her comment; she may be experiencing stalking. Try again.

[Feedback 2]

That's Right

Consider, too, that this situation may be significantly interfering with her academic work in other ways as well. Express your concern and offer supportive resources available to her.

[Feedback 3]

Not Quite

Maikki made it clear that she is now receiving unsolicited attention from him after she presumably made it clear she didn't want a second date. That sounds very troubling, and you should consider taking the responsibility to follow up with her on what she told you. Try again.

Federal and State Laws: Stalking

Video Script:

Federal and State Laws: Stalking.

It's important to be aware of federal and state laws defining stalking.

Explore federal and state law definitions below.

You must view your state's laws before continuing, using the dropdown below. If you are interested, you can compare it to other states by selecting another state from the dropdown menu.

[View your state laws]

[Dropdown: Select State]

[Explore federal law definitions using the link below.]

[Link: View federal laws]

Review of Stalking

Video Script:

Review of Stalking.

Now that you've practiced identifying incidents of stalking, let's do a brief review.

Remember:

- Stalking can affect people of all ages, but students, especially those aged 18-24, are at the greatest risk.
- Stalking can be tricky to identify due to several factors, including the use of masked phone numbers, covert use of digital media, and relationships that are difficult to leave.
- Coming up with excuses why you should not intervene to help someone in need is easy. Don't let these barriers stop you: You are empowered to safeguard students and colleagues on your campus.

[Alt-Text]:

A student is walking outdoors on campus.

Reporting and Disclosure

Video Script:

Reporting and Disclosure.

To respect the autonomy of a person who has experienced sexual harassment, Title IX regulations do not require an institution to investigate sexual harassment allegations until that person files, or the Title IX Coordinator signs, a formal complaint.

Title IX does, however, require institutions to offer supportive measures to the persons involved when the Title IX Coordinator or an "official with authority" has actual notice of sexual harassment allegations. Officials with authority are those employees who can institute corrective measures when a student or employee reports sexual harassment, and "actual notice" means either by direct knowledge or someone reporting an incident.

Under Title IX, school policies may also designate additional employees who "may, must, or must only with a student's consent," report information about possible incidents of sexual harassment or violence, intimate partner violence, or stalking to the Title IX coordinator or other appropriate designee.

[Alt-Text]:

A professor is sitting at their desk, writing something.

Reporting Options

Interactivity audio script:

Reporting Options.

Title IX protects employees and students at federally funded institutions, and below are descriptions of some reporting options.

Select each topic to learn more.

Interactivity text:

Notify Title IX Personnel

Anonymous Reporting Options

Law Enforcement

As an employee of our institution, you may find yourself in a position of responding to someone who reaches out for support because of a harmful experience. When someone chooses to disclose to you, it's because they trust you, and the way you respond can have a significant impact on their healing process.

Here are a few key points to keep in mind:

- If you are a faculty or staff member, check with your school's Title IX office about any institutional expectations or responsibilities related to reporting disclosures of possible sexual harassment.
- Be sure to listen to them and let them know that they are not to blame for what happened (regardless of the circumstances).
- Don't question or investigate what happened or attempt to problem-solve.
- Offer to connect them with resources, including confidential resources (such as pastoral or professional mental health counselors), who they can reach out to and discuss their options.

[Tab 1]: Accordion 1.

Notify Title IX Personnel.

- Every federally funded school must have a Title IX coordinator who is responsible for responding to actual notice of sex discrimination, including sexual harassment.
- Officials With Authority are employees who can take corrective measures to address all types of sexual harassment, such as providing supportive measures or initiating investigations.

[Tab 2]: Accordion 2.

Anonymous reporting options.

- May be available by the school
- Must report the type of offense, but do not need to include identifying information in the report

[Tab 3]: Accordion 3.

Law Enforcement.

In addition to making a report to your Title IX coordinator or an Official with Authority, victims and survivors have the right to notify law enforcement, and the right to be assisted by school authorities in notifying law enforcement. They may also choose not to notify law enforcement.

Even if you or someone else is undecided about filing a report, it's important to consider preserving evidence, which can be helpful in obtaining a protective order and ensuring you have as much information about what happened as possible, in case you or they decide to report in the future.

[Alt-Text]:

A professor is sitting at their desk, working at a laptop computer.

Barriers to Reporting

Interactivity audio script:

Barriers to Reporting.

Let's look at some reasons why a colleague or friend might have difficulty making the decision whether to report an incident, so we can understand their experience and offer our support.

Select the arrows to learn more.

Interactivity text:

[Carousel 1]: Carousel 1.

A Distinguished Colleague.

People renowned in their field are sometimes "given a pass" because of the value of their professional contributions.

[Carousel 2]: Carousel 2.

A Friend.

When a friend exhibits troubling behavior, we sometimes make justifications for their actions for fear of alienating them.

[Carousel 3]: Carousel 3.

The Star Athlete.

Athletes often contribute to a positive perception of their institutions, and it can be tempting to look the other way when wrongdoing occurs.

[Carousel 4]: Carousel 4.

Your Best Student.

When a model student steps out of line, it can be easy to make the excuse that reporting them would put their academic progress at risk.

Expert Perspectives: Responding Supportively to Disclosures

Video Script:

Expert Perspectives: Responding Supportively to Disclosures.

Responding to disclosures in a supportive manner takes preparation. Several options for demonstrating support are explored in this expert video.

Lower left-hand corner of video, name appears: Holly Rider-Milkovich, Prevention Expert If someone trusts you enough to share with you the harm that they've experienced, there are a lot of ways that you can respond, that are going to support that person and support their healing. You can say, certainly, "I am sorry that this happened to you. Thank you so much for trusting me." You can say, "This is something that is really serious, and I want to make sure you get the support you need." You can say, "I'm not sure what I need to do next, but what I do know is that I want to support you, so I'm going to find out what our resources are." You can say, "I'm so glad that you shared this information with me. I want to make sure that I help you get to someone who has expertise in this issue, because this is not something that I'm as familiar with, but I do want to make sure that you get that support." You can say, "I'm glad that you shared this information with me. I want to help. Here's someone whom I know on this campus has a lot of expertise and whom I trust, and you can call them." There are a lot of different ways that you can respond, and all of those ways say, "I hear you. I care about what you're saying. I want to get you the support that you need. Thank you for sharing this with me."

Supportive Measures

Video Script:

Supportive Measures.

When someone reports an incident of sexual harassment to the Title IX Coordinator or a designated Official with Authority at our institution, the first step is to discuss and offer available supportive measures that the person reporting sexual harassment ("complainant") may need (e.g., changing their academic, living, transportation, and/or working situations), regardless of whether a formal complaint is filed.

Supportive measures are provided to ensure that equal access to educational programs and activities is preserved for the person who reports being sexually harassed, assaulted, abused, or stalked, as well as provide any appropriate supportive measures for the person accused of sexual harassment.

The person making the report will also be provided information about:

- Protection against retaliation (for example, intimidation, coercion, threats, or discrimination) for reporting misconduct, or participating in an investigation or grievance process
- The school's responsibilities regarding orders of protection, including mutual and one-way no-contact orders, and restraining orders
- How the school will protect the complainant's and other parties' confidentiality or privacy in any publicly available record-keeping, protective measures taken, and grievance or disciplinary process

Questions regarding Title IX or prohibited sexual misconduct may be referred to our Title IX coordinator or to the Department of Education's Office for Civil Rights.

Review of Reporting Options and Supportive Measures

Video Script:

Review of Reporting Options and Supportive Measures.

Now that you've learned about Reporting Options and Supportive Measures, let's do a brief review.

Remember:

- Some incidents may happen off-campus, or may involve someone outside of the campus community. When in doubt about the proper course of action, consult your institution's policies and refer your questions to the Title IX coordinator.
- All employees should follow their institutional policy when they become aware of a troubling incident and need to respond to someone who has disclosed sexual or relationship harassment or violence.

The Grievance Process

Video Script:

The Grievance Process.

It is important to understand the grievance process prescribed by the U.S. Department of Education for determining an employee's or a student's responsibility for committing sexual harassment that violates Title IX.

A school's policies may have additional rules for Title IX hearings — such as limiting the introduction of evidence not produced prior to the hearing or rules requiring respectful cross-examination of witnesses — provided that they apply equally to both parties.

If a formal complaint is filed by a person alleging sexual harassment (the "complainant ") or signed by a Title IX Coordinator, the proceedings must:

- Be reasonably prompt, fair, and impartial
- Be conducted by unbiased officials who are trained on investigating sexual harassment and conducting grievance or disciplinary proceedings
- Provide both the complainant and the person accused of committing sexual harassment (the "respondent") equal opportunities to:
 - Access information that will be used at formal and informal meetings or hearings, and review any evidence obtained during the investigation
 - Present witnesses and other evidence
 - Have an advisor or other support person present during the grievance process
 - Allow advisors to cross-examine witnesses and parties, and either party to request that they be in separate rooms with technology enabling them to see and hear a witness or party answer questions

Both complainant and respondent must be notified at the same time of:

- A statement of, and rationale for, the result of the proceedings and any sanction imposed against the respondent
- Information on how to exercise the right to appeal
- Any change to the result
- When the result becomes final

Federal and State Laws: Legal Protections

Interactivity Audio Script

Federal and State Laws: Legal Protections.

It's important to be aware of federal and state laws defining legal protections.

Explore federal and state law definitions below.

Interactivity Text:

You must view your state's laws before continuing, using the dropdown below. If you are interested, you can compare it to other states by selecting another state from the dropdown menu.

View your state laws

Dropdown: Select State

Explore federal law definitions using the link below.

Link: View federal laws

Forms of Retaliation

Interactivity Audio Script:

Forms of Retaliation.

Reporting sexual harassment can sometimes put the person reporting or complainant in a position where they are subjected to retaliation.

Retaliation is prohibited by Title IX and the Clery Act, and our institution will not tolerate retaliatory behavior. Some forms of retaliation are specific to the campus environment, and developing awareness of what they look like will improve your ability to respond accordingly.

Select the arrows to learn more.

Interactivity Text:

[Carousel 1]: Carousel 1.

Reporting Sexual Harassment

Retaliation against someone who reported sexual harassment, or filed a complaint, testified, assisted, or participated or refused to participate in a Title IX investigation, proceeding, or hearing is prohibited by Title IX. Retaliation can be intimidation, threats, coercion, or discrimination.

Duty to Respond

Our institution has a duty to respond to retaliation to preserve equal access to education. For example, if the person who threatens a complainant is a friend of the respondent, but is not one of our employees or students, the appropriate response may be a no-trespass order. On the other hand, if the person who threatens the complainant is one of our students the response may be a conduct violation.

Protecting Individuals' Identity

In order to protect individuals from retaliation, schools are required to keep the identity of complainants, respondents, and witnesses confidential during investigations, hearings, and judicial proceedings, except as necessary to carry out their Title IX responsibilities or to comply with other applicable laws.

Conduct Violations

Title IX prohibits charges against someone for code of conduct violations that arise out of the same facts or circumstances of a sexual harassment report or complaint, but do not involve

sexual harassment (e.g., underage drinking or drug violations), if the charges are brought to interfere with that person's Title IX rights. However, if a school has a "zero tolerance" approach to underage drinking and consistently imposes the same sanction for violations, that would not be considered retaliation.

False Statements

Charging an individual with a conduct violation for making a materially false statement in bad faith during a grievance proceeding is not considered retaliation. However, a determination regarding responsibility alone is not conclusive evidence of an intentionally false statement.

[Carousel 2]: Carousel 2.

Retaliation Against Graduate Students.

Graduate students are among the most vulnerable populations in higher education due to factors such as contingent employment status and tenuous standing in their academic field. For this reason, graduate students who face retaliation often find themselves in a particularly endangered status.

[Carousel 3]: Carousel 3.

Witnessing Retaliatory Conduct.

Remember, if you encounter retaliatory conduct, you can do something about it. Depending on the circumstances, subtle forms of retaliatory behavior should be reported so that our institution can address situations before they become Title IX or conduct violations.

Expert Perspectives: The Work Is Important

Video Script:

Expert Perspectives: The Work Is Important.

Consider this expert perspective on the consequences of inaction, or ineffective action, in the face of problematic behavior among students.

Lower left-hand corner of video, name appears: Holly Rider-Milkovich, Prevention Expert. The specific student whom I was working with had worked really hard to get into a program that was overwhelmingly male-identified, and she had a lot of difficulty in working in her study groups, which are critical for success for the student, and reported these problems to her faculty advisor. But if that faculty member had, in fact, taken the actions to ensure that the individuals who are committing the behavior ended the behavior, and that this student felt safe and comfortable in their program, we would probably have another amazing female engineer out in the world right now. But instead, this student ended up leaving that program, and we have a loss of her knowledge, her expertise. That program lost, our community lost, because certainly the kind of behavior that we saw in that graduate student program, when left unchecked, moves into the professional work environment.

Reflection and Summary

Video Script:

Reflection and Summary.

When an educational environment is positive and professional, everyone benefits.

We all have a role to play in creating a safe and supportive community and encourage you to use your experience, your perspective, and your values to make a positive impact wherever you live, work, and learn.

We hope that this course has provided you with an opportunity to reflect on the following concepts:

- Cultivating healthy relationships
- Intervening in potential situations of harm
- Supporting those who are affected by relationship abuse, sexual assault, and stalking

Congratulations!

You've now completed Building Supportive Communities.

Maintaining Positive Workplaces

Maintaining Positive Workplaces

Video Script:

Maintaining Positive Workplaces.

We all want to work in an environment where we feel supported and respected, and where discrimination and harassment are promptly addressed. You truly can make a difference in creating and maintaining a positive work environment where everyone can thrive and do their best work.

Reviewing the 3 A's of Bystander Intervention

Interactivity Audio Script:

Reviewing the 3 A's of Bystander Intervention

Select each number to learn more.

Interactivity Text:

[Tab 1]: Awareness.

Awareness.

Be aware of what is happening around you and your colleagues. Evaluating and assessing your educational environment and understanding how harassment occurs and is experienced is the first step to being an active, rather than a passive, bystander.

[Tab 2]: Attitudes.

Attitudes.

Maintaining a respectful, equitable environment means actively modeling the attitude that discrimination, harassment, and retaliation have no place in our educational environment. You can also show a positive attitude toward our institution's respectful workplace initiatives. This will let others around you know that you support a respectful, inclusive educational environment, and that you expect others to do so as well.

[Tab 3]: Action.

Action.

You have the power to act, either by saying or doing something at the moment you see it or by following up after the fact. If taking action on your own makes you uncomfortable, you can still make a difference by seeking help from others or reporting the situation to someone who is in a position to evaluate it and take action if necessary.

[Alt-Text]:

Several employees are seated together listening to their supervisor.

Resources

Interactivity Audio Script:

Resources.

There are many national resources available that focus on harassment and discrimination prevention. Take a moment to explore some of the resources listed to see which may be most helpful to you.

Select the links to learn more.

Interactivity Text:

National Resources

U.S. Equal Employment Opportunity Commission

Job Accommodation Network

Rape, Abuse & Incest National Network

Institute for Women's Policy Research

Human Rights Campaign

AAUW (American Association of University Women)

National Conference of State Legislatures

U.S. Department of Education's Office for Civil Rights

Law Resources

Title VII (Seven) of the Civil Rights Act of 1964

Title VI (Six) of the Civil Rights Act of 1964

Title IX (Nine) of the Education Amendments Act of 1972

Nice work!

Interactivity Audio Script:

Nice work!

You have now completed the Preventing Harassment and Discrimination course.

Thank you for being a part of the commitment to cultivate and maintain a positive educational culture. Remember, this is an ongoing process. What you do every single day has a positive impact on the lives of others.

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