



Sexual Harassment Learner Course Guide

FY 2013-2014

To protect, promote & improve the health of all people in Florida through integrated state, county, & community efforts.



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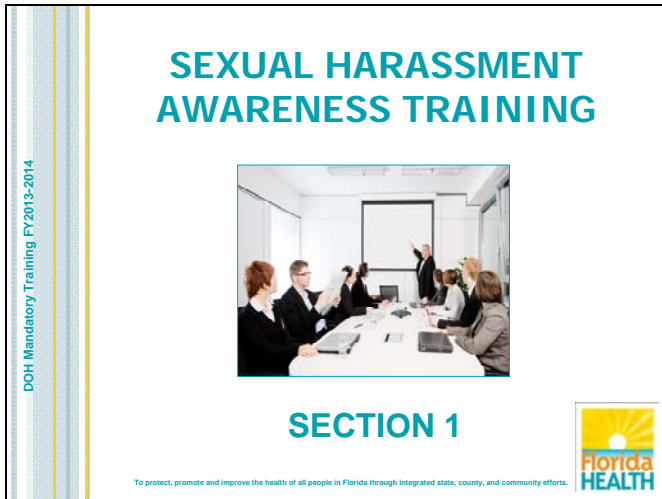
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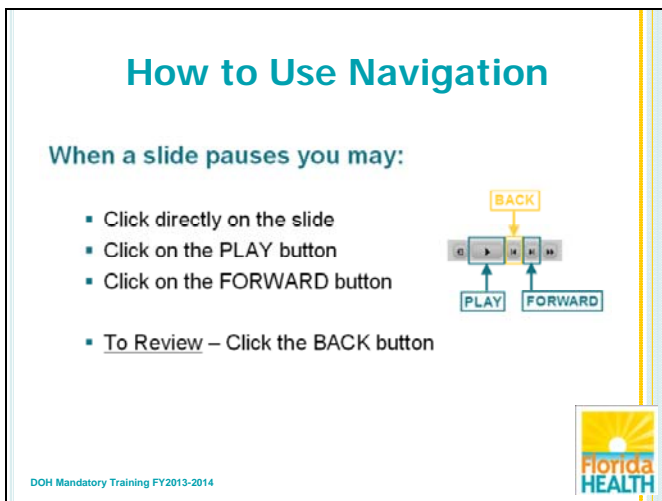
Section 1

Slide 1 – Introduction



Hello, and welcome to Section 1 of the Florida Department of Health's Sexual Harassment Awareness Training.

Slide 2 - Navigation Instructions



In order to make your training experience as easy as possible during the course of this self-paced DOH mandatory training course, we are providing these navigation instructions. When a slide pauses you can do one of three things to advance the presentation:


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Slide 3 – Section 1 Objectives

Section 1 Objectives

1. Define sexual harassment
2. Describe two types of sexual harassment
3. Identify behavior that may constitute sexual harassment



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At the end of Section 1, you will be able to:

1. Define sexual harassment
2. Describe two types of sexual harassment, and
3. Identify behavior that could constitute sexual harassment

Slide 4 – What if it happened to you?



What if it happened to you?

Victim or witness, how would you react?

What action should be taken?




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Sexual harassment within the workplace can have serious consequences on your mental and physical well-being and work productivity. Take a moment to consider how you would react if you were a victim of sexual harassment or witnessed acts of sexual harassment. What action should be taken to protect yourself and others?

Slide 5 – The Proactive Approach

The Proactive Approach

- The Florida Department of Health takes sexual harassment very seriously
- Established in the Department's Sexual Harassment policy, DOHP 60-35, which states:
 - Sexual harassment is illegal & will not be tolerated
 - Employees should work in an environment free from sexual harassment



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This presentation will help empower you to prevent and report sexual harassment in the workplace. The Florida Department of Health takes sexual harassment very seriously, and is committed to effectively addressing the issue with the establishment of the Department's Sexual Harassment policy, DOHP 60-35.



The policy states that sexual harassment is illegal and will not be tolerated, and that employees should work in an environment free from sexual harassment.

All employees should become familiar with this policy and are encouraged to learn the presented content to help prevent and report workplace sexual harassment.

Slide 6 – Defining Sexual Harassment

Defining Sexual Harassment

Is there a consistent definition of sexual harassment?



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Defining sexual harassment provides the foundation of understanding its meaning, but is there a consistent definition of sexual harassment?

Slide 7 – Defining Sexual Harassment

Defining Sexual Harassment

- A form of discrimination
- Violates Title VII of the U.S. Civil Rights Act of 1964 & DOH policy 60-35

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Sexual harassment is a form of discrimination, and violates Title VII of the U.S. Civil Rights Act of 1964 and DOH policy 60-35.


Slide 8 – Defining Sexual Harassment

Defining Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, & other verbal or physical conduct of a sexual nature when:

- Submission is made either a term or condition of an individual's employment
- Such conduct interferes with an individual's work or creates an intimidating, hostile, or offensive work environment

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Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment


Slide 9 – Defining Sexual Harassment

Defining Sexual Harassment

Sexual harassment can occur across a variety of circumstances:

- The victim or harasser may be a woman or a man
- The victim does not have to be of the opposite sex
- The harasser can be an agent of the employer, a supervisor in another area, the victim's supervisor, a co-worker, or a non-employee

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Sexual harassment can occur across a variety of circumstances. The victim or harasser can be a man or a woman. The victim does not have to be of the opposite sex of the harasser, nor is the harasser limited to a specific discipline within the work place. The harasser may be a supervisor, a co-worker, or someone that is not an employee of the Department.

Slide 10 – Defining Sexual Harassment

Defining Sexual Harassment

- The harasser's conduct must be unwelcome
- The conduct complained of must be sexual in nature
- The victim could be anyone affected by the offensive conduct

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In addition, sexual harassment includes the harasser's unwelcome conduct, which is sexual in nature. It is important to note that the victim does not have to be the person being harassed, rather, the victim could be anyone affected by the offensive conduct.

Understanding the definition of sexual harassment provides a foundation for learning the types and indicators of sexual harassment, as discussed in the next nine slides.

Slide 11 – The Types and Indicators of Sexual Harassment

The Types and Indicators of Sexual Harassment

Case scenario:
Jane's co-worker, Michael, has repeatedly asked her to date him. Jane has rejected every request, & asked that he stop pursuing her. Instead, Michael is attempting to persuade Jane to comply by massaging her shoulders, of which Jane disapproves.



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In this section, we will be discussing the various types and indicators of sexual harassment in the workplace.

Consider the following case scenario: Jane's co-worker, Michael, has repeatedly asked her to date him. Jane has rejected every request and asked that he stop pursuing her. Instead, Michael is attempting to persuade Jane to comply by massaging her shoulders, of which Jane disapproves.


As we proceed, think about what types of sexual harassment are being described in this scenario, as well as, what indicators from this scenario constitute sexual harassment.

Slide 12 – Types of Sexual Harassment

Types of Sexual Harassment

EEOC defines two types:

- Quid Pro Quo
- Hostile Environment



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The Equal Employment Opportunity Commission, or EEOC, defines two types of sexual harassment:

- Quid Pro Quo, and
- Hostile Environment


Slide 13 – Quid Pro Quo

Quid Pro Quo

Quid pro quo means “this for that.”



When employment decisions or expectations are based on an employee’s willingness to grant or deny sexual favors to the harasser.




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Quid pro quo is the Latin expression meaning “this for that.” Quid pro quo harassment could result from an abuse of authority when employment decisions or expectations are based on an employee’s willingness to grant or deny sexual favors to their harasser.

Slide 14 – Quid Pro Quo Examples

Quid Pro Quo Examples

- Demanding sexual favors in exchange for a promotion, raise, or job benefit
- Disciplining or firing a subordinate who ends a romantic relationship
- Changing performance expectations following a subordinate’s refusal of repeated requests for a date



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Some examples of quid pro quo harassment in the workplace are the:



- Demanding of sexual favors in exchange for a promotion, raise, or job benefit
- Disciplining or firing a subordinate who ends a romantic relationship, and
- Changing performance expectations following a subordinate’s refusal of repeated requests for a date

Slide 15 – Hostile Work Environment

Hostile Work Environment

Verbal or Non-Verbal Behavior:

- Sexual in nature
- Unwanted or unwelcome
- Severe or pervasive
- Affects performance
- Adversely impacts the work environment


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A hostile work environment occurs as a result of sexually driven verbal or nonverbal behavior that is unwanted or severe enough to affect an employee's work performance, or environment.

Slide 16 – Hostile Environment Examples

Hostile Environment Examples

- Crude jokes or teasing
- Comments about physical attributes
- Suggestive pictures, posters, calendars
- Leers, stares, gestures
- Repeated unwanted dating requests
- Unnecessary touching



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Examples of behaviors that could create a hostile work environment are:

- Making crude jokes or teasing
- Commenting about a person's physical attributes
- Displaying suggestive pictures, posters, or calendars within the work environment
- Leering, staring or gesturing at an individual
- Requesting dates on a persistent basis, or
- Touching another individual in an unnecessary manner

Individuals can set a good example of appropriate conduct by ensuring their language and behavior would not be regarded as unwelcome sexual conduct.


Slide 17– Review of Scenario

Review of Scenario



- Repeated requests for dates
- Unwanted physical contact in spite of Jane's Requests to stop his conduct

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Recall the scenario between Jane and Michael. In this instance, Jane has experienced sexual harassment, resulting in a hostile work environment. Michael's constant requests for Jane to date him persisted after she had asked him to stop pursuing her. In addition, Jane's disapproval of Michael massaging her shoulders indicates unwanted physical contact.

Slide 18 – Solution to Scenario

Solution to Scenario

- Jane had already communicated with Michael to stop the unwelcome behavior.
- She should now seek assistance by reporting the incident to Michael's supervisor

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If you were Jane, how would you respond to and report the incident? Jane had already communicated to Michael to stop the unwelcome conduct. The next step would be to report the incident to her supervisor. In this case, the harasser is her supervisor, so she should instead report the incident to Michael's superior.

Slide 19 – Solution to Scenario

Solution to Scenario

- Contacting one of the following sources:
 - Servicing Human Resource Office
 - Equal Opportunity Section in the Office of the General Counsel
- Filing a complaint with the:
 - Florida Commission on Human Relations
 - Equal Employment Opportunity Commission

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In addition, Jane should contact her Servicing Human Resource Office, or the Equal Opportunity Section in the Office of the General Counsel. If she found it necessary, she could also file a complaint with the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission.


Slide 20 – Conclusion

Conclusion

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission is made either a term or condition of an individual's employment
- Such conduct interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment

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Remember, sexual harassment entails unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or
- Such conduct interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment




Slide 21 – End Slide

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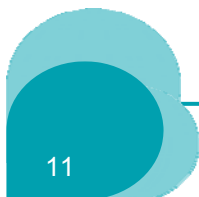
End of Sexual Harassment Awareness Training Section 1

Return to course & begin Section 2



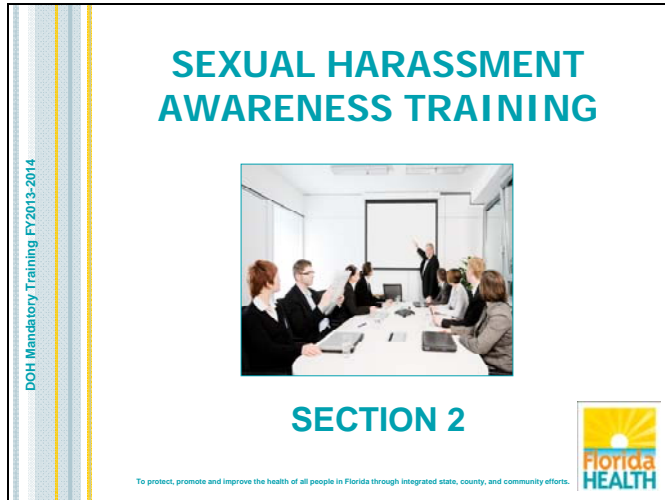
To protect, promote and improve the health of all people in Florida through integrated state, county, and community efforts.

This concludes the Sexual Harassment Awareness Training Section 1. Please return to the course and begin Section 2.



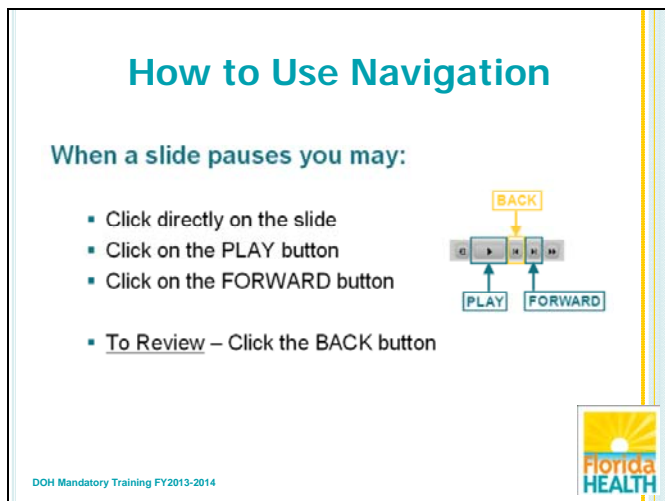
Section 2

Slide 1 - Introduction



Hello, and welcome to Section 2 of the Florida Department of Health's Sexual Harassment Awareness Training.

Slide 2 - Navigation Instructions



In order to make your training experience as easy as possible during the course of this self-paced DOH mandatory training course, we are providing these navigation instructions. When a slide pauses you can do one of three things to advance the presentation:


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Slide 3 – Section 2 Objectives

Section 2 Objectives

1. Respond to and report cases of sexual harassment
2. Identify potential discipline measures and retaliation prohibitions



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At the end of Section 2, you will be able to:


1. Respond to and report cases of sexual harassment, and
2. Identify potential discipline measures and retaliation prohibitions

Slide 4 – Responding to & Reporting Sexual Harassment

Responding to & Reporting Sexual Harassment

Everyone has a role & responsibility to identify & report sexual harassment.

Refer to
FDOH Sexual Harassment Policy,
DOHP 60-35



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Everyone has a role and responsibility to identify and report sexual harassment. The remainder of this presentation details the roles and responsibilities of individuals, co-workers, supervisors, and managers.

For a comprehensive description of Department responsibilities, please refer to the “Areas of Responsibility” and “Procedures” sections found in the Sexual Harassment policy, DOHP 60-35, for information on filing and processing complaints.

Slide 5 – Self Awareness & Communication

Self Awareness & Communication

Sexual harassment is not reported because:

- Fear of Retaliation
- Not trusting others to handle the complaint
- Fear of transfer from current workplace
- Doubts about confidentiality
- Uncertain if conduct is sexual harassment
- Skepticism that situation will change

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It is very important to strengthen an employee's self awareness of and ability to communicate about sexual harassment. Often sexual harassment is not reported due to fear, mistrust, or skepticism.

Other factors that contribute to not reporting sexual harassment are:

- Fear of retaliation
- Not trusting others to handle the complaint
- Fear of transfer from his or her current workplace
- Doubts about the level of confidentiality
- Uncertainty of whether the conduct is sexual harassment, or
- Skepticism that the situation will change


Slide 6 – Empowered to Take Action

Empowered to Take Action

Knowledge & enforcement of DOHP 60-35:

- Supports effective responses
- Promotes stringent confidentiality & privacy practices
- Encourages consistency of disciplinary actions

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With due diligence and effective communication, employees can become empowered to take appropriate action to stop and prevent sexual harassment.


For employees of the Department of Health, knowledge and enforcement of Sexual Harassment policy, DOHP 60-35, supports effective responses to sexual harassment, promotes stringent confidentiality and privacy practices once reported, and encourages consistency of disciplinary actions in response to harassment situations.

Slide 7 – If You Have Been Offended

If You Have Been Offended

Actions you can take:

- Communicate directly to the harasser to stop
- Report the incident to your supervisor
- If your supervisor is the harasser, report to the next level of authority



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If you have been offended by unwelcome sexual conduct, there are several actions you can take.

You can:

- Communicate directly to the harasser to stop the unwelcome behavior and
- Communicate with your supervisor and report the incident


If your supervisor is the harasser, seek assistance and report to the next level of authority.

Slide 8 – If You Have Been Offended

If You Have Been Offended

Seek assistance by contacting:

- Servicing Human Resource Office
- Equal Opportunity Section of the Office of the General Counsel
- Florida Commission on Human Relations or the
- Equal Employment Opportunity Commission



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You can also seek assistance by contacting:

- Your servicing Human Resource Office
- The Equal Opportunity Section in the Office of the General Counsel or
- The Florida Commission on Human Relations or the
- Equal Employment Opportunity Commission

Slide 9 – Reporting Harassment

Reporting Harassment

- Be specific about the unwanted & offensive behavior
- Include dates, times, locations, witnesses, number of occurrences & other supportive information
- Describe how the behavior affects you
- State that you want the behavior to stop
- Suggest an alternate behavior that may be an appropriate course of action



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If you have been offended and are reporting an incident, be specific when describing the behavior. Relay as much information as necessary such as dates, times, locations, witnesses, number of occurrences, and other information that will support your claim.

Describe how the behavior affects your well-being or work performance, and state that you want the behavior to stop. If applicable, suggest an alternate behavior that appropriately resolves the undesired conduct.

Slide 10 – Witnessing a sexual harassment incident?

Witness a sexual harassment incident?

Report incidents of harassment immediately to a superior.

- Describe your observations in detail
- Be specific & accurate
- Who was involved, dates, times, locations, witnesses, number of occurrences & other supportive information



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If you have been a witness to a sexual harassment incident, you must promptly report the issue to your supervisor, or if your supervisor is involved, report to the next level of authority.


Describe the incident in detail and as accurately as possible, and relay as much information as necessary such as who was involved, dates, times, locations, witnesses, number of occurrences, and other supportive information.

Slide 11 – Responsibility of Supervisors & Managers

Responsibility of Supervisors & Managers

- Know the content of DOHP 60-35
- Ensure staff members complete DOH mandatory sexual harassment training
- Communicate that sexual harassment is not tolerated
- When made aware of an incident, contact the equal opportunity section within 24 hours
- Failure to report could lead to disciplinary action

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As a supervisor or manager, enforcement of the Department's sexual harassment policy requires proficient knowledge of its content. You must be knowledgeable of the sexual harassment policy, and ensure that staff reporting to you complete the DOH mandatory sexual harassment training.


Communicate to staff that sexual harassment is not tolerated in this organization. By doing this, it immediately affirms the Department's position that sexual harassment is never acceptable. When you are made aware of an actual or alleged sexual harassment incident, you must contact the Equal Opportunity Section in the Office of the General Counsel within 24 hours. Failure to report the matter promptly could lead to disciplinary action.

Slide 12 – Tips for Supervisors & Managers

Tips for Supervisors & Managers

- Maintain a cooperative relationship with staff
- Empower your staff to feel comfortable with you
- Talk less & listen more
- Take appropriate action to end the undesired behavior per DOH 60-35

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One of the responsibilities of supervisors and managers is to maintain a constructive and cooperative working relationship with your subordinates. Empower your staff to feel comfortable enough to converse with you when ever they feel offended, threatened or violated at work. In order to assist employees in reporting sexual harassment, engage in active listening. Talk less and listen more. Ask questions that allow them to explain the experiences or observations from the undesirable incidents without feeling intimidated. Once you have knowledge of the actual or alleged incident, take appropriate action to end the undesired conduct as established in the Sexual Harassment policy.

Slide 13 – Tips for Supervisors & Managers

Tips for Supervisors & Managers

- Be responsible
- Respond & take action promptly
- Actively communicate with complainant
- Follow-up with complainant
- Keep involved staff informed of progress

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Once you are aware of a sexual harassment incident, you and the Department can face significant liability if you do not take appropriate action to end the behavior.

Promptly respond to the reported incident to prevent further misconduct and inform the affected employees of your course of action. Be sure to follow-up with the complainant after the investigation is underway. Describe what you or others will do to resolve the issue, and ensure that you will keep them informed as the investigation progresses.

Slide 14 – Disciplinary Actions Retaliation Prohibitions


Disciplinary Actions Retaliation Prohibitions

What are the consequences of sexual harassment?



Per DOHP 60-35

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The Sexual Harassment policy, DOHP 60-35, provides that employees who engage in sexual harassment are subject to discipline, and that it is prohibited to retaliate against employees who report sexual harassment. The implications of sexual harassment in the form of disciplinary actions and the prohibitions against retaliation are described in the next three slides.

Slide 15 – Disciplinary Actions

Disciplinary Actions

FL Statutes, DOHP 60-35 & FAC 60L-36.004

- Sexual harassment offenders face disciplinary actions up to & including termination of employment
- Supervisors & managers who fail to report sexual harassment will be subject to disciplinary actions
- Any employee who knowingly files a false complaint of sexual harassment will be subject to disciplinary action



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Sexual harassment offenders are subject to discipline in accordance with all applicable Florida state statutes, Department regulations, and personnel rules. The Department's Sexual Harassment policy, DOHP 60-35, describes disciplinary actions for offenders in regards to sexual harassment, up to and including termination of the offender's employment.

Department regulations also describe disciplinary actions for supervisors or managers who have knowledge of sexual harassment, and do not act immediately by reporting it to the Equal Opportunity Section, in the Office of the General Counsel. Florida Administrative Code Chapter 60L-36.004, Sexual Harassment, further describes that employees who knowingly file a false charge of sexual harassment will be subject to disciplinary action.

Slide 16 – Retaliation is Prohibited

Retaliation is Prohibited

To report retaliation, contact:

- Servicing Human Resource Office
- Equal Opportunity Section, Office of the General Counsel
- Florida Commission on Human Relations
- Equal Employment Opportunity Commission



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Per Department policy, the Department of Health will not tolerate, and explicitly prohibits retaliation against persons who raised a complaint, opposed a complaint, or assisted in reporting a complaint regarding sexual harassment. To report cases of retaliation regarding complaints about sexual harassment, you may contact your servicing Human Resource Office, the Equal Opportunity Section in the Office of the General Counsel, the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission.

Slide 17– Retaliation Claims

Retaliation Claims

Essential elements of a retaliation claim:

- A protected activity
- An adverse action
- A causal connection



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If you find yourself having to file a retaliation claim, the Department’s Sexual Harassment policy details three essential elements of a retaliation claim which must exist and be included within your claim.

When reporting retaliation you must describe:


- A protected activity – for example, your opposition to the discrimination, sexual harassment, or your participation in the complaint process
- An adverse action – the retaliatory action, and
- A causal connection between the protected activity and the adverse action

Slide 18 – Conclusion

Conclusion

You have the power to stop sexual harassment.

- Sexual harassment can occur across genders, all levels of job roles & within various workplace contexts
- Employees who engage in sexual harassment are subject to discipline, including dismissal
- Retaliation is prohibited
- Be aware & be prompt in reporting



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Sexual harassment can occur across genders, all levels of job roles, and within various workplace contexts. The Florida Department of Health is committed to ensuring a workplace free from sexual harassment as addressed in the Department’s Sexual Harassment policy DOHP 60-35, which states that sexual harassment is illegal and will not be tolerated, and that employees should work in an environment free from sexual harassment.

This policy provides that employees who engage in sexual harassment conduct are subject to discipline up to and including dismissal, and that retaliation against individuals who in good faith file a complaint of sexual harassment or have participated in the investigation of a complaint is prohibited. All employees should be familiar with this policy. Be aware and be prompt in responding to and reporting sexual harassment. The power is in your hands to keep sexual harassment out of the workplace.




Slide 19 – End Slide

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End of Sexual Harassment Awareness Training Section 2

Return to course & take the post-assessment



To protect, promote and improve the health of all people in Florida through integrated state, county, and community efforts.

This concludes the Sexual Harassment Awareness Training Section 2. Please return to the course and take the post-assessment.

