Effective Policies and Guidelines

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The SafetyRespectEquity Coalition

• A Jewish coalition to address sexual harassment and gender discrimination

• 106 members and growing - sign up today!

• Goal: universal leadership commitment, organizational change, and culture shift across the entire Jewish communal world.
The Purpose of Policies

• Create clear and uniform expectations
• Provide clarity on processes, rights, protections and obligations
• Cement fairness perceptions
  • Equity/Equality
  • Transparency and Voice
  • Explanations
• Identify resources
• Articulate accountability
Policy Making is Important

The process of developing and adopting policies assists organizations in clarifying and stating values.

The language, tone and content of policies has an impact on culture.

Shared policy development and adoption is an exercise in compliance and in culture.
The Basics: What Makes a Good Policy

- Sets forth clear expectations
  - Describes behavior that is expected (e.g., respectful workplace) and provides examples
  - Describes prohibited conduct and provides examples

- Describes reporting and investigation procedures
  - Includes bypass

- Clarifies limits on confidentiality

- Describes what will happen if misconduct is substantiated

- In some states, must contain information about enforcement agencies

- Prohibits retaliation
The Basics: What Makes a Good Policy

• Enforceability
  • Uneven enforcement damages fairness perceptions/erodes faith in organization
  • Don’t write policies for problems that don’t exist
  • Don’t write policies that no one will believe in
  • Don’t write policies that run afoul of employment law
    • ie confidentiality instructions, “anti-gossip” policies
  • Do specify “ownership.”
The Basics: What Makes a Good Policy

- Able to Be Easily Understood
  - Must be language accessible and culturally appropriate within linguistic translations
  - Must be written at a literacy level at or below workforce
    - Avoid citing the law. Law is for lawyers. Rather, identify standards that make sense to people.
The Basics: What Makes a Good Policy

• Be clear about limits on privacy/information sharing
  • Use term “need to know” and explain it.
It is NOT a Sexual Harassment policy

• Even if required by statute to include specific language regarding sexual harassment, do not relegate other forms of protected class harassment to second-tier status
  • Harassment is intersectional
  • Racial and disability harassment quite common
  • For religious institutions, be mindful of issues such as non-observant individuals, converts and other within-class potential for problems
Anti-Bullying and Respectful Workplace Policies

• Should
  • Create affirmative expectations of respect and civility
  • Prohibit bullying/abusive behavior
    • Define behavior as repetitive, targeted, and abusive
  • Promote active bystander involvement
    • Commit to nonretaliation against active bystanders
  • Address affirmative responsibilities of supervisors and employee
Cross reference relevant policies

- Social media
- Consensual relationships
- Social restrictions/limitations in power-imbalanced relationships/nepotism
- Travel policies (governing things like room sharing)
- Codes of Conduct
- Conflict of interest
Discussion

Why you don’t want policies on hugging, what time to hold meetings, and other micromanagement
Resources

- Report of the Co-Chairs of the Select Task Force on the Study of Harassment in the Workplace
  - https://www.eeoc.gov/eeoc/task_force/harassment/report.cfm

- Checklist for Employers on Anti-Harassment Policies
  - https://www.eeoc.gov/eeoc/task_force/harassment/checklist2.cfm

- SRE Resource Bank
  - https://safetyrespectequity.org/resources/
Q and A