

# Sexual Harassment Prevention Training for Employees – Student Guide

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## Module 1: Training Overview

### Governor's Introduction Video

Hello, this is Governor Brian Kemp and I'm honored to welcome you to this training. On my first day in office, as Georgia's 83rd Governor, I signed an executive order that requires mandatory sexual harassment training for all State employees. Along with uniform standards for preventing, reporting and investigating allegations of sexual harassment in the State's Executive branch.

Every employee will be trained to prevent and properly respond to harassment in the workplace.

This course will walk you through our expectations to ensure a positive work environment in State agencies.



Preventing sexual harassment and establishing clear guidelines on the handling of complaints and investigations are important responsibilities of State government.

My executive order and this training set a high standard for workplace conduct. As governor I will not tolerate sexual harassment in the workplace. This will ensure a safe, respectful work environment for all State employees and the constituents with whom they interact.

We must join together in this important effort and continue our work to keep Georgia a wonderful place to live, work, and raise a family. Thank you for your commitment to a harassment free workplace in State government.

# Introduction to Sexual Harassment Prevention Training for Employees



This module covers the following topics:

- The purpose of the sexual harassment prevention training for employees
- The learning objectives of the course

On January 14, 2019, Governor Brian Kemp signed an Executive Order to Prevent Sexual Harassment in the Executive Branch of the Government.



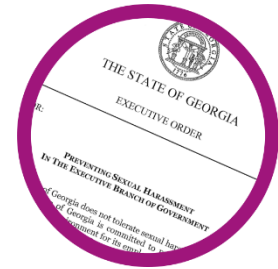
While there are multiple types of workplace harassment, incidents of sexual harassment present unique challenges which warrant increased emphasis and the implementation

of a special approach to the prevention, detection, and elimination of sexual harassment.

The executive order requires:

- Mandatory sexual harassment training for employees, supervisors and managers
- Creation of a state-wide sexual harassment prevention policy
- Development of standardized reporting and investigation methods

Under the executive order and the statewide sexual harassment prevention policy agencies will require all employees, including part-time, temporary and seasonal



employees to complete employee sexual harassment training on an annual basis.

## **Proactive Approach**

State agencies and their employees must take a proactive approach to creating and maintaining respectful workplace cultures to ensure adherence to State and agency policies and to remain productive



## **Hostile or Offensive Work Environment**

Sexual harassment is a destructive behavior that creates a hostile or offensive work environment. It damages the respect and dignity of the person being harassed.



## Safe and Respectful Environment

The Statewide Sexual Harassment Prevention Policy prohibits all sexual harassment and is not limited to conduct that is unlawful under State and federal anti-harassment laws. The State of Georgia is committed to providing a safe and respectful environment that is free from sexual harassment. For this reason, it is every State employee's responsibility to:

- Demonstrate appropriate behavior
- Follow State and agency policies
- Comply with the laws



## Course Learning Objectives

During the course you will be presented with information that will help expand your knowledge and awareness of sexual harassment. The learning objectives of this course include the following:

- Provide an overview of the conduct prohibited by the Statewide Sexual Harassment Prevention Policy
- Provide examples of what may be considered sexual harassment
- Provide guidance on how to report allegations of sexual harassment and retaliation





- Highlight the State's reporting and investigative requirements and what you can expect during an investigation
- Outline how you can help prevent sexual harassment in the workplace

## Module 2: What is Sexual Harassment?

### Module Topics

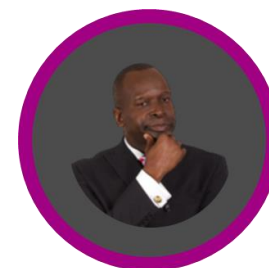
Module2: What is Sexual Harassment?

This module covers the following topics:

- The Statewide Sexual Harassment Prevention Policy  
definition of sexual harassment
- Forms of sexual harassment
- Examples of prohibited conduct

In the previous section, you reviewed that every employee should be concerned with preventing sexual harassment in the workplace. Sexual harassment is a destructive behavior that can:

- Result in lost productivity



- Creates hostile work environment.

It is prohibited by:

- State of Georgia Executive Order 01.14.19.02
- Statewide Sexual Harassment Prevention Policy
- Other laws

## **Definition of Sexual Harassment**

The Statewide Sexual Harassment Prevention Policy defines sexual harassment as physical, verbal, or non-verbal/visual conduct that is either directed toward an individual or reasonably offensive to an individual because of his or her sex.



Some examples of such conduct or actions may include:

- Unwanted sexual attention
- Sexual advances
- Requests for sexual favors
- Sexually explicit comments
- Other conduct of a sexual nature

This conduct may be direct or implied by an individual who knows, or reasonably should know, that such conduct is unwanted and offensive.

It also includes conduct that is:

- Hostile
- Threatening
- Derogatory



- Demeaning
- Abusive

Intended to:

- Insult
- Embarrass
- Belittle
- Humiliate

Because of his or her sex.

### **Ways Sexual Harassment Occurs**

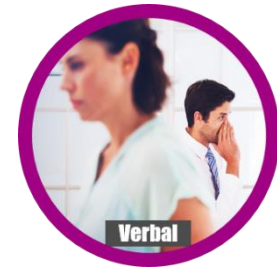
This training outlines the various ways sexual harassment may occur and where it may take place. However, the following examples should not be considered all inclusive of behavior which is prohibited.

## Forms of Sexual Harassment

**Physical** - This not only includes overt actions such as assault or abuse but also includes more covert physical touching in a manner not generally considered appropriate social touching.



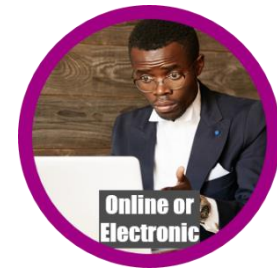
**Verbal** - This can include disparaging remarks about a person's gender, comments or jokes of a sexual nature, requests for sexual favors or unwelcome sexual advances.



**Visual or Non-Verbal** - This can include facial expressions, suggestive gestures, leering and even can be vocal such as making sounds or whistling. It can include displaying or sharing sexually suggestive media in paper or electronic form.



**Online or Electronic** - Sexual harassment can occur anywhere such as online or other electronic platforms. Which can include sharing sexually suggestive comments or media through posts in social media platforms, emailing, texting, calling, etc.



**Offsite** - Includes work related social events, business travel or unwelcome visits to a person's home or hotel room.



## **Prohibited Conduct Examples**

Some examples of conduct specifically prohibited by the Statewide Sexual Harassment Prevention Policy include, but are not limited to the following:



***Denying an Employment Benefit*** - Denying or threatening to deny (directly or indirectly) an employment benefit or employment-related opportunity to an employee for refusing to comply with a sexually-oriented request.



***Providing or Promising an Employment Benefit*** - Providing or promising (directly or indirectly) to provide an employment benefit or employment-related opportunity to an employee in exchange for complying with a sexually-oriented request.



***Engaging in Explicit or Suggestive Physical Contact*** - Engaging in sexually explicit or suggestive physical contact, including touching another employee in a way that is unwelcome or restricting an employee's movement.





***Displaying or Transmitting Pornography*** - Displaying or transmitting pornographic or sexually-oriented materials such as photographs, posters, cartoons, drawings, or other images or storing or accessing such materials on State-owned equipment for personal use or consumption.



***Engaging in Indecent Exposure*** – Engaging in indecently exposing your body to attract sexual attention.



***Making Obscene Gestures*** – Making obscene gestures of a sexually oriented nature.



***Making Romantic Advances*** – Making romantic advances toward an individual and persisting despite rejection of the advances.



***Using Sexually Oriented Language*** – Using sexually-oriented language or making sexually-related propositions, jokes, or remarks, including graphic verbal commentary about an individual’s body or clothing.



***Sending Sexual Messages*** – Sending sexually suggestive or obscene messages by mail, in person, telephone, or electronic communication.



## **Next Module**

In the next module you review who is impacted by sexual harassment in the workplace.



## Module 3: Who is Impacted by Sexual Harassment?

### Module Topics

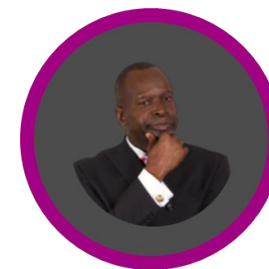
Module 3: Who is Impacted by Sexual Harassment?

This module covers the following topics:

- Sexual harassment offenders
- Targets of sexual harassment
- Motivations for sexual harassment

To this point you reviewed the:

- Definition of sexual harassment
- Forms and examples of prohibited behavior



In this module you shift the focus of the program from “What is sexual harassment?” to “Who may be affected by sexual harassment in the workplace?”



Just as sexual harassment is demonstrated through a variety of behaviors and situations, offenders appear in a variety of roles within and/or outside the organization. For example, an offender may be:



- Complainant’s supervisor
- Supervisor in another area
- Co-worker
- Contractor
- Lobbyist

- Member of the public

Thus, sexual harassment may come from anybody employees have contact with as part of their employment.



In addition, sexual harassment is not only a male harassing a female. It may include any gender combination of offender and target. For example, harassment may happen to anyone by anyone including:

- Male to female
- Female to male
- Male to male

- Female to female

## **Who can make a complaint or report?**

Keep in mind, a sexual harassment complaint or report may be made by bystanders or witnesses not directly targeted.

For example:

- A group email or text including sexually explicit jokes and/or pictures could be considered offensive by one of the recipients
- An employee repeatedly witnessing a co-worker being touched inappropriately by another employee – this



bystander could make a hostile work environment  
sexual harassment report

## **What is the motivation behind sexual harassment?**

A common belief is that sexual harassment is primarily about sex, or sexual gratification. However, it can also be conduct directed at someone because of his or her sex regardless of whether it is conduct of a sexual nature. An example is a male supervisor or manager that only berates female subordinates for mistakes but not male subordinates.



The research indicates sexual harassment is actually about exerting power over another person. Sexual harassment is the method used to dominate and control someone. This reality supports the fact sexual harassment often involves persons of unequal authority.



Another possible cause for sexual harassment is the blurring of social and business behaviors.

Employees should treat each other with the same dignity and respect in social settings or offsite work situations as they would in the work place.



Employees should always be conscious that sexual harassment can occur in any setting.



Regardless of the cause, sexual harassment is prohibited in the State of Georgia.

## Module 4: Workplace Environment and Retaliation

### Module Topics

Module 4: Workplace Environment and Retaliation

This module covers the following topics:

- Types of unacceptable behaviors
- How to recognize and report retaliation

To this point you reviewed:

- What sexual harassment is
- Various forms and types of sexual harassment
- Sexual harassment may come from anybody an employee encounters as part of their employment
- Sexual harassment can include any gender combination of offender and complainant



In this module, you look at behaviors, which could escalate into harassment if not addressed promptly. These unacceptable behaviors are unprofessional and prohibited. You will also review how to recognize, and report retaliation should it occur.



## **Unprofessional and Prohibited Behaviors**

Unprofessional and prohibited behaviors can:

- Adversely affect morale and productivity
- Increase difficulty for an employer to maintain a respectful, harassment free workplace



Unprofessional behaviors consist of conduct that is:

- Offensive
- Disruptive



- Disrespectful

Some examples of unprofessional behavior include:

- Gossiping
- Talking negatively about another employee without their knowledge
- Teasing
- Shouting
- Arguing
- Bullying
- Calling people inappropriate and unwanted nicknames

As a reminder, such conduct could be considered sexual harassment if the behavior involves images, content, language, and/or jokes of a sexual nature.



Unprofessional behaviors are unacceptable and can escalate into situations which could be considered sexual harassment.



## **Retaliation**

Creating workplace environments free of harassment also includes making sure that employees who file a complaint or report of sexual harassment are not subjected to retaliation.



Retaliation is an act or omission intended to punish or otherwise negatively impact an individual for:

- Submitting or assisting with submitting a sexual harassment complaint or report
- Participating in a sexual harassment investigation
- Otherwise opposing sexual harassment

Agencies and employees are strictly prohibited from acts of retaliation.

If you feel you have been threatened or retaliated against in any way for taking any of these actions, you should immediately report what has occurred. The details of how to report are covered in the next module.

### **Corrective & Disciplinary Action**

Employees who are found to have engaged in sexual harassment and/or retaliation in violation of the Statewide



Sexual Harassment Prevention Policy will be subject to corrective and/or disciplinary action. Corrective or disciplinary action will be determined by the Agency and based on the severity of the violation of policy up to and including termination of employment.

### **Next Module**

In the next section, you review how to submit a complaint or report and what to expect after you submit it.



## Module 5: Reporting Sexual Harassment

### Module Topics

#### Module 5: Reporting Sexual Harassment

This module covers the following topics:

- Who should report sexual harassment?
- When to report sexual harassment?
- How to report sexual harassment?

In the previous sections we reviewed:

- Behaviors considered prohibited sexual harassment
- Retaliation in the workplace environment

The best way to stop sexual harassment is prevent harassing behaviors from occurring and report them when they do.





## Who, When, and How to Report Sexual Harassment

This module reviews the who, when, and how to report sexual harassment and what expectations to have after the investigation begins.



### Who can report?

So, who can report sexual harassment?

- Anyone can report sexual harassment
- This includes the target of the harassment or a third party who observes behavior they find offensive.



### When can you report?

As a State of Georgia employee you are strongly encouraged to submit a complaint if you believe you have been subjected to sexual harassment or retaliation



You are required to promptly report if you are a witness or otherwise have reason to believe that another employee is being, or has been, subjected to sexual harassment or retaliation.

You may submit a complaint or report regarding sexual harassment or retaliation to:

- Your supervisor or manager
- Your division director
- Your agency Human Resources Director
- Other agency designees

To the extent that any of these individuals are the alleged harasser or retaliator, you may submit a complaint or report



of sexual harassment or retaliation directly to the Office of State Inspector General (OIG).

It is especially important for those in a supervisory capacity who receive a sexual harassment or retaliation complaint or report, to immediately inform human resources.



### **How to Report?**

While written complaints and reports of sexual harassment or retaliation are preferred, you may submit a complaint or report verbally.



For your convenience your agency may provide a form to use as guidance.

If you verbally report sexual harassment or retaliation the contacted person will document the facts of the incident in writing. This helps the individuals involved who may not recall the events as clearly after the passage of time.

A trained investigator will promptly investigate all reports of sexual harassment and/or retaliation. This investigator may come from within your agency or may be assigned by the Office of the State Inspector General (OIG).

### **Importance of Timely Reporting**

Reporting sexual harassment and retaliation in a timely manner is important and helps your agency take appropriate and immediate action when a sexual harassment or retaliation incident occurs.



## **Anonymous Reporting**

Keep in mind that if you submit a report anonymously the agency will make every effort to investigate but may be limited if sufficient information is not provided.

In addition, the investigator may need information from you to do a thorough investigation. Consequently, it may become impossible for you to remain anonymous.

## **Investigation Process**

Your agency and all parties involved in the investigation will make every effort to maintain confidentiality of the information you report. However, some information may be shared with agency officials and potential witnesses during the investigation.



In addition, complaints and reports of sexual harassment or retaliation, investigative reports, final determinations, and other related documents will be subject to disclosure under the Open Records Act after the investigation closes. Conducting a thorough investigation takes time. If you are a witness or complainant you may be asked for an interview to secure evidence (such as voicemails, text messages, emails, etc.) and possibly interviewed a second or third time. You must be honest and open about the facts of what occurred at any time you are interviewed. The success of the investigation depends on full participation by all parties.



## Investigation Process - Interim Measures

Your agency may take interim measures while the investigation is ongoing. Interim measures are non-disciplinary administrative steps taken for ensuring that alleged conduct does not continue and/or you are protected from retaliation.



Examples of interim measures include:

- Changes to employment arrangements
- Work schedules
- Supervision or other directives designed to protect all parties involved in the investigation

## **Investigation Process – Report of Findings**

After an investigation begins a report of findings is provided to your Agency’s leadership within 45 calendar days. Your agency head may grant an extension past 45 calendar days if there are extenuating circumstances.

Once the report of findings is issued, a final determination based on the investigative report is made by your Agency within 21 calendar days.

### **Next Module**

In the next module, you review the key takeaways which aid you in doing your part to make sure our work environment in State government is free from harassment.





## Module 6: Key Takeaways and Course Review

### Key Takeaways & Course Review

This module provides you with an overview of the sexual harassment prevention for employees training.



### What is Sexual Harassment?

- Sexual harassment is unlawful and prohibited by the State of Georgia Executive Order (01.14.19.02) and the Statewide Sexual Harassment Prevention Policy.
- It is harmful to the individuals involved
- It reduces productivity in the workplace
- It obstructs the State of Georgia's ability to meet strategic goals



## Definition of Sexual Harassment

The Statewide Sexual Harassment Prevention Policy defines sexual harassment as physical, verbal, or non-verbal/visual conduct that is either directed toward an individual or reasonably offensive to an individual because of his or her sex.



## Forms of Sexual Harassment

Sexual harassment can occur anywhere such as within the workplace, off-site and in person, or online or other electronic platforms.

## Sexual Harassment Complainants

Sexual harassment may happen to or come from anyone including:

- Supervisors and Managers
- Coworkers
- Non-employees such as contractors or customers



Not only may it happen to anyone but it may occur from any gender to another or within the same gender group.

## **Unprofessional and Prohibited Behaviors**

Unprofessional and prohibited behaviors can adversely affect morale, productivity, and make it difficult to maintain a respectful, harassment free workplace.

Unprofessional behaviors are unacceptable and can possibly escalate into situations which could be considered sexual harassment.

## **Maintain Professionalism**

It is vital that you as an employee of the State of Georgia:

- Demonstrate appropriate behavior
- Follow the Statewide Sexual Harassment Prevention Policy
- Comply with Federal and State of Georgia laws



## Prohibited Actions

Agencies and employees are prohibited from retaliating against an employee for:

- Submitting, or assisting with the submitting a complaint or report of sexual harassment
- Participating in a sexual harassment investigation or proceeding
- Opposing sexual harassment

Immediately report these actions should they occur.

## Reporting Sexual Harassment

Sexual harassment may be reported by anyone and it is everyone's duty to report unprofessional behavior.



A sexual harassment claim notification may originate from the individual harassed, someone who witnesses inappropriate behavior or someone else to whom it was reported.

Reporting unprofessional behavior, including sexual harassment, should happen when it occurs or is known. The best way to prevent sexual harassment is stop it before it starts.

As a State of Georgia employee it is expected you report, either verbally or in writing, if you believe you have been subjected to or witnessed sexual harassment.

You may submit a complaint or report regarding sexual harassment or retaliation to:



- Your supervisor or manager
- Division director
- Agency Human Resources Director
- Other Agency Designees

## **Investigating Sexual Harassment**

A trained investigator will promptly investigate all reports of sexual harassment and/or retaliation.

This investigator may come from with your agency or may be assigned by the Office of the State Inspector General (OIG).

Thorough investigations may take time to complete.

During the investigation your agency may take interim measures to ensure the alleged conduct does not continue



or to prevent the possibility of retaliation. In most cases the investigation will be completed within 45 calendar days. Your agency will make a final determination within 21 calendar days of receipt of the investigative report. As a state of Georgia employee you can prevent sexual harassment and demonstrate a commitment to maintaining a work environment that is free from harassment.

