



Workplace Harassment Cheat Sheet

Workplace harassment is dangerous for victims, and also for employers. An employer is liable for harassment by a supervisor that results in a negative employment action. Employers can also be liable for any harassment if they knew, or should have known, about the harassment and failed to take action.

To protect themselves and their employees, employers need to understand the problem and work to prevent it.

What is harassment?

Unlawful harassment is a form of discrimination characterized by unwelcome verbal or physical conduct based on a victim's inclusion in a **protected class**. It must be sufficiently severe or pervasive to create a **hostile work environment** or, in the case of a supervisor's harassing conduct, must result in a tangible change in the victim's employment status or benefits.

The law does not prohibit simple teasing or isolated incidents that do not lead to a hostile work environment or negative employment action.

Hostile work environment

A hostile work environment occurs when

unwelcome comments or conduct based on legally protected characteristics interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment.

Protected classes

Age, disability, genetic information, national origin, pregnancy, race/color, religion, sex (including protection for transgendered individuals)

In addition to the classes listed, some states have additional protected categories.

Warning signs of harassment

- Employees have complained about harassment
- High performing employees become low performers and may even leave the organization "for no reason"
- Higher than usual turnover and absenteeism rates
- Change in behavior (such as an outgoing employee becoming isolated)
- Certain employees are excluded from certain groups and activities

- Unexplained reduced productivity
- Employees refuse to work with a certain employee or group
- Discriminatory comments or remarks about employees of a protected class

Preventing harassment

- Include a section on harassment in your company policy and make sure employees know the consequences of violating the policy
- Conduct regular harassment training with all employees and supervisors
- Monitor the workplace by communicating and engaging with employees daily
- Encourage employees to report harassment and assure them that there will be no retaliation for reporting it

Resources:

[Blog: Why a Little Harassment Can be a Dangerous Thing](#)

[Blog: Harassment Training for Managers and Employees](#)

[Blog: Financial Reasons to Prevent Workplace Harassment](#)