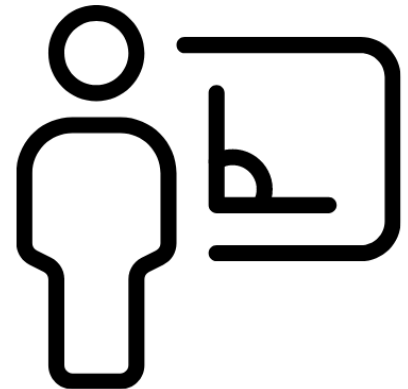


# Instructors Guide



On the following pages is a sample module from our Instructor Guide. It provides the instructor with a copy of the material and a Lesson Plans box.

The key benefit for the trainer is the Lesson Plan box. It provides a standardized set of tools to assist the instructor for each lesson. The Lesson Plan box gives an estimated time to complete the lesson, any materials that are needed for the lesson, recommended activities, and additional points to assist in delivering the lessons such as Stories to Share and Delivery Tips.



*In the end, anti-black, anti-female, and all forms of discrimination are equivalent to the same thing, anti-humanism.*

*Shirley Chisholm*

## Module Two: The Background



Experiencing uncomfortable situations in the workplace may be more than an offense against an individual, it can be a crime committed against the law. It is very important for everyone to understand the laws that protect and promote a safe and healthy workplace. Unfortunately, even with laws in place, various forms of harassment still occur in businesses across the world, so it is necessary for the policy makers of those companies to create programs that educate their employees on how to identify harassment and apply anti-harassment policies.

### A Brief History

Workplace bullying is a recently coined phrase. It has only been 30 years since the effects of workplace harassment have been discussed openly. Companies have policies in place to safeguard their employees from it. Although rules are structured to support and protect their employees, companies are faced with harassment cases on a regular basis, costing them, not only the loss of employees, but a financial loss.

### The Law



Several federal laws have been enacted to not only protect against harassment, but discrimination as a whole.

### Title VII of the Civil Rights Act of 1964

Title VII of the Civil Rights Act of 1964 was enacted so employers could not legally hire, promote, or fire someone due to their race, religion, sex, national origin, or color. This act is enforced to companies that have 15 or more employees. Not only does it refer to current employees, but also job candidates.

Laws imposed by the Equal Employment Opportunity Commission (EEOC), protect an individual or group from another's violation of those laws. Victims have the right to file a complaint with the EEOC, or pursue other legal actions.

## Age Discrimination in Employment Act of 1967

The Age Discrimination in Employment Act of 1967 (ADEA) went into effect so employers could not legally hire, promote, or fire someone based on their age. This act, and its accompanying amendments, apply to employers with 20 or more employees and are enforced by the EEOC. Since this Act makes it illegal to discriminate against an individual in the workplace simply because of their age, it is equally illegal to harass them because of their age.

When a person or group is in violation of this law, the individual being discriminated against, or harassed, must plead their case to the EEOC. They have 180 days to file a complaint. There are a great number of cases filed each year, so EEOC must determine if the case meets its criteria, then add it to its caseload, and aggressively pursue a resolution. If not, the individual may request a right-to-sue letter from the EEOC and take further actions in Federal Court to have their case heard.

## Americans with Disabilities Act of 1990

An employee covered under the Americans with Disabilities Act (ADA) reserves the right to work for an employer under accommodations reasonable to their disability. In addition, the employer is prohibited from discriminating against the employee because of their disability. This means the employer cannot base hiring, firing or compensation decisions on the nature of one's disability. Employers are also not allowed to discriminate against the employee due to their associations or relationships outside of work (e.g., disabled people support group).

If an employee is a victim of such discrimination, they may be entitled to back wages and the amount of attorney fees paid.

## Genetic Information Nondiscrimination Act of 2008

This Act may be unfamiliar to some, but still carries as much weight as better-known laws. It states that people cannot be unfairly treated in the workplace because of their genetic makeup. In other words, they cannot be discriminated against or harassed because of a predisposition to a disease, whether based on the history of their family or an actual genetic test.

Title I of this Act prohibits health insurance companies from using this information to deny coverage to the employee, while Title II is designed to protect employees from being discriminated against in the process of hiring, terminating, promoting, etc.

In the event that one breaks this law, the one being discriminated against can take the same recourse steps as they would in other Act violations, that is, present their case to the EEOC, or hire an attorney to represent them in court over the matter.

**Unlawful Harassment:** *Harassment becomes unlawful when the harassment becomes a prerequisite for continued employment.*

*Harassment becomes unlawful when the harassment is severe enough to make attending work unbearable.*

*Harassment becomes unlawful if your salary or status change.*

<b>Estimated Time</b>	20 minutes
<b>Topic Objective</b>	To determine what action breaks employment discrimination laws
<b>Topic Summary</b>	This exercise asks participants to read several scenarios and determine whether a discrimination law has been broken. If a law is broken, participants must list which and explain how.
<b>Materials Required</b>	<a href="#">Worksheet 1-Has a Law Been Broken?</a>
<b>Planning Checklist</b>	None
<b>Recommended Activity</b>	<p>Has a Law Been Broken?</p> <p>Give participants the worksheet and allow them to work individually.</p> <ul style="list-style-type: none"> <li>Per the instructions on the worksheet, ask participants to read the scenarios and decide whether or not a law has been broken. If so, explain which law and how.</li> <li>Once each person has completed the task, ask one or two volunteers to stand in front of the group and share their results.</li> </ul>
<b>Stories to Share</b>	<p>Discrimination many times leads to harassment.</p> <p>In 1997, several black students in New York visited a local Denny’s restaurant. They were forced to wait while white patrons continued to be served. When the students complained, they were escorted out of the establishment by security guards, and were then attacked by a group of white men, as they yelled racial epithets.</p>
<b>Delivery Tips</b>	Instead of allowing participants to work individually, this assignment can be

	completed cooperatively.
<b>Review Questions</b>	<p>How are employment discrimination laws related to harassment?</p> <p>What are two options of justice for employees who are victims of broken discrimination laws?</p>

## Practical Illustration



Nina was struggling at work with a co-worker who seemed to take every opportunity to be rude to her. She constantly made comments about Nina's outfits, the style of her hair, and the quality of her work.

Nina was discussing this situation with her mother; trying to work out what the best course of action would be.

Nina's mother said, "Maybe you're just over sensitive. When I worked at ABC Company in the 80s, my female co-workers often made snide comments to one another. We just learned to put up with it, as awful as it was."

Nina explained, "Mom, things have changed a lot since you worked for that company. I cannot continue listening to her comments. I'm so stressed, I don't even want to go to work! When I am there, I find it hard to concentrate! The quality of my work has suffered because of this."

"I've made up my mind," Nina said. "tomorrow I'm going to speak to someone from HR and see what can be done."

Nina's mother agreed, "I'm proud of you for taking charge of this situation."

## Module Two: Review Questions

- 1.) Why is it important for everyone to understand the company's anti-harassment policy?
  - a) To reduce stress
  - b) To create a quieter workplace environment
  - c) To increase uncomfortable situations
  - d) To create a safe and healthy work environment
  
- 2.) Why is it necessary for management to create programs that teach employees about anti-harassment policies?
  - a) Because management wants to make sure everyone has enough training hours
  - b) Because the company needs to identify who will break the anti-harassment policies
  - c) Because even with laws in place, various forms of harassment are still occurring in businesses across the world
  - d) Because while workplace harassment is not a threat, they want to make sure it never starts
  
- 3.) Which statement best explains the Title VII of the Civil Rights Act of 1964?
  - a) Supervisors, managers, and team leaders are protected from individual liability under Title VII of the Civil Rights Act of 1964
  - b) Title VII of the Civil Rights Act of 1964 was enacted so employees could not discriminate against someone due to their race, religion, sex, national origin, or color
  - c) Title VII of the Civil Rights Act of 1964 went into effect so employers could not legally hire, promote or fire someone based on their age
  - d) Title VII of the Civil Rights Act of 1964 was enacted so employers could not legally hire, promote, or fire someone due to their race, religion, sex, national origin, or color
  
- 4.) What does EEOC stand for?
  - a) Equal Employment Opportunity Commission
  - b) Equality Environment Opportunity Commission
  - c) Equal Education Opportunity Center
  - d) Equal Employment Open Commission
  
- 5.) Why did the Age Discrimination in Employment Act of 1967 go into effect?
  - a) So that employees could not judge someone based on their age
  - b) So that employers could not legally hire, promote or fire someone based on their age
  - c) So that employers could legally hire, promote or fire someone based on their age
  - d) So that employees would not have to worry about someone younger taking their job

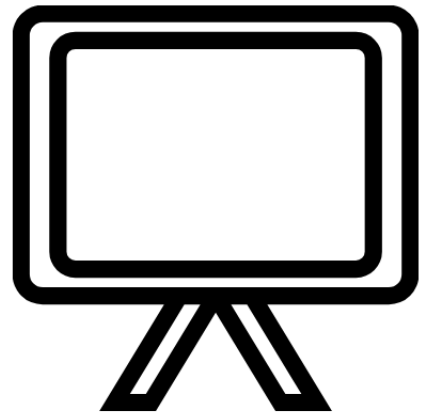
- 6.) An employee covered under the Americans with Disabilities Act reserves what right?
- a) The right to a higher salary
  - b) The right to assert themselves to their co-workers
  - c) **The right to work under accommodations reasonable to their disability**
  - d) The right to work reduced hours
- 7.) What does Title I of the Genetic Information Nondiscrimination Act of 2008 prohibit?
- a) Off-color jokes and inappropriate language
  - b) Using this information to give preferential treatment to an employee
  - c) **Using this information to deny coverage to an employee**
  - d) Discriminating against employees in the process of hiring, firing, and promoting
- 8.) What is a determining factor of whether or not a statement is harassment?
- a) **Motive**
  - b) Race
  - c) Language
  - d) Location
- 9.) What is **not** one of the benefits of an effective anti-harassment policy?
- a) It lessens the liability load of a company
  - b) **It helps promote higher diversity in the workplace**
  - c) It discourages harassing behaviors before they become out of control
  - d) It promotes a positive company image to the public
- 10.) To ensure understanding of the rights and responsibilities associated with anti-harassment, what might companies want to provide?
- a) Higher salaries
  - b) Verbal positive reinforcement
  - c) More meetings
  - d) **More training**

# PowerPoint Slides

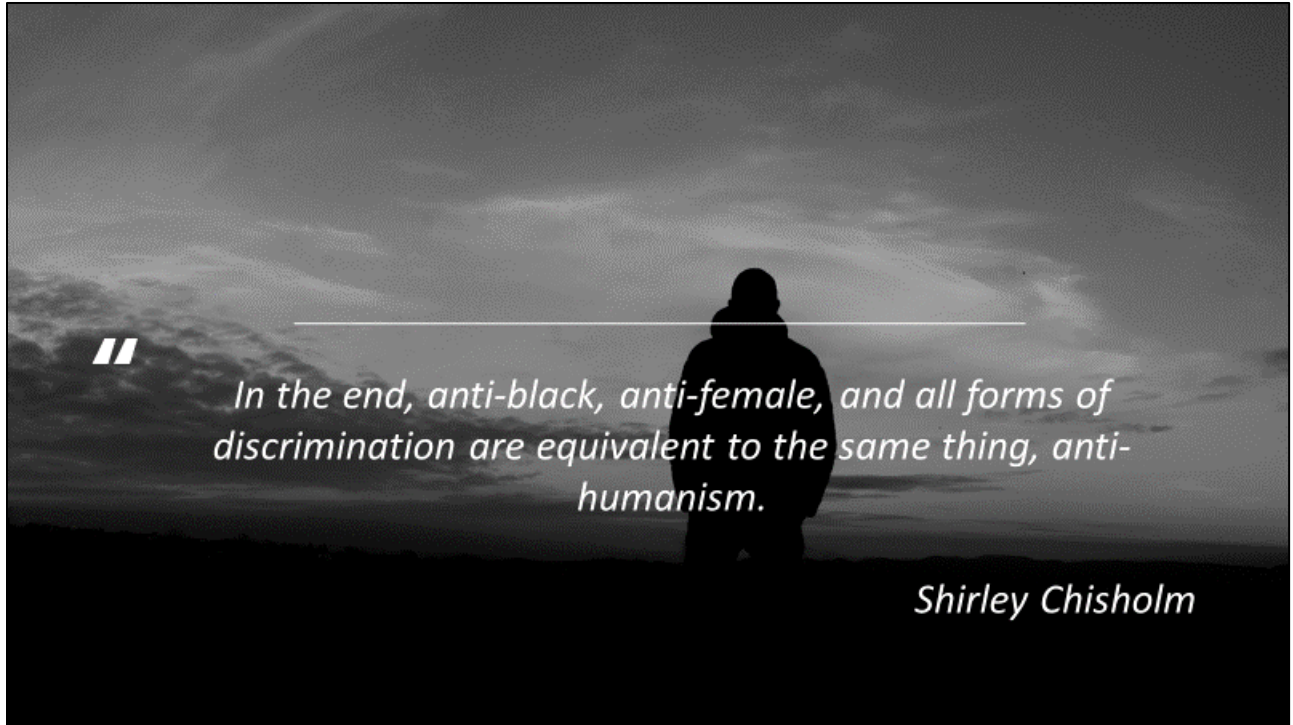


Below you will find the PowerPoint sample. The slides are based on and created from the Instructor Guide.

PowerPoint slides are a great tool to use during the facilitation of the material; they help to focus on the important points of information presented during the training.







“

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*Shirley Chisholm*

## MODULE TWO

# The Background

Experiencing uncomfortable situations in the workplace may be more than an offense against an individual, it can be a crime committed against the law.



## A Brief History

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Workplace bullying is a recently coined phrase.

Although rules are structured to support and protect their employees, companies are faced with harassment cases on a regular basis.

## The Law

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Several federal laws have been enacted to not only protect against harassment, but discrimination as a whole.



## Practical Illustration



- A Brief History
- The Law

## Module Two: Review Questions

1. Why is it important for everyone to understand the company's anti-harassment policy?

A. To reduce stress

B. To create a quieter workplace environment

C. To increase uncomfortable situations

D. To create a safe and healthy work environment

# Quick Reference Sheets



Below is an example of our Quick Reference Sheets. They are used to provide the participants with a quick way to reference the material after the course has been completed. They can be customized by the trainer to provide the material deemed the most important. They are a way the participants can look back and reference the material at a later date. They are also very useful as a take-away from the workshop when branded. When a participant leaves with a Quick Reference Sheet it provides a great way to promote future business.



# Workplace Harassment Quick Reference Sheet



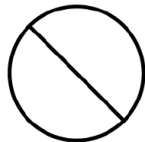
## Employee's Rights and Responsibilities

Having a clear understanding of the policy itself and making sure there is full knowledge of employees' rights and responsibilities within the policy.



Attending all trainings outlined in the policy.

Avoid conducting any behavior that is prohibited by the policy.



Informing the proper authority of any hostile conduct seen committed upon others.

Informing the proper authority of any hostile conduct committed toward you.



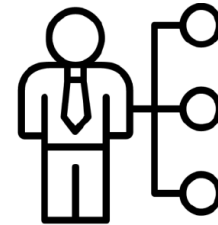
Fully cooperating in the event of an inquiry or investigation.

## Employer's Rights and Responsibilities

It is understood that the employer holds many responsibilities when it comes to enforcing anti-harassment policies. In fact, the employer is ultimately responsible for making sure the company and employees abide by them.

The rights and responsibilities for employers include:

Promote a workplace free of harassment by developing the anti-harassment policy in compliance with state and federal laws.



Distribute the policy to each employee annually. The employer must also allow for periodic training on policy updates as well as ensuring their understanding of the policy.

Appropriately respond to violations of the policy in a timely manner.

Keeping a written record of and securely protecting reports made and actions taken to address breaches of the policy.

## Confidentiality



Strict adherence to confidentiality is crucial in the case of an actual harassment situation as well as an alleged matter.



The highest degree of confidentiality possible is necessary in order to properly **conduct** the investigation, **protect** the parties involved, and maintain **control** over the entire situation.

One thing that is important to remember is that it is not possible to promise complete confidentiality. **In order to conduct a proper investigation**, some details of the case must be exposed to key people involved in the investigation, but it is reasonable to ensure the parties involved that everything will be done to prevent non-crucial personnel from having access to the case file.

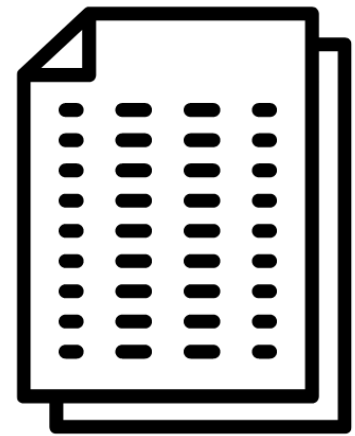
# Handouts



Each course is provided with a wide range of worksheets.

Worksheets help check your participants' understanding. If a lesson calls for a worksheet, it will be listed in the Lesson Plan box under Materials Required. All worksheets are customizable and can be found in the Appendix of the Instructor Guide and the Training Manual.

As a trainer, icebreakers give your participants the opportunity to get to know each other better or simply begin the training session on a positive note. Icebreakers promote collaboration, increase engagement, and make your training more light-hearted and fun. Below is an example from the Icebreakers folder.



## Sample Worksheet 1

# *Has a Law Been Broken?*

Read the following scenarios and determine whether a law has been broken. If so, which act has been violated?

1. John Smith is in his wheelchair. His employer asks a volunteer to climb the ladder to affix to the wall the team's award for a job well done this quarter. John volunteers but is quickly thanked and told that Michael, his co-worker will do it.

Was an act violated? \_\_\_\_\_

If so, which and how?

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2. Mary Jones is a recent college graduate who just started a job with a prominent mortgage company. In the team meeting, her boss, Mr. Jacobson asks who is interested in representing the team in a mortgage conference in California. Several employees raise their hands, with Mary being the first. The supervisor later decides to have Rick, an older employee to attend the conference. Mary approaches Mr. Jacobson and asks why Rick was chosen to go since they both started with the company at the same time and she has more experience in the industry than he. Mr. Jacobson responds, 'Mary, California is so far away and I don't believe it is appropriate for a young lady to be that far away by herself.'

Was an act violated? \_\_\_\_\_

If so, which and how?

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3. Amy Williams is now eligible to apply for health insurance with her company. After doing so, she received a letter stating that there is a 10-month waiting period on her pre-existing condition of diabetes. In other words, doctor or hospital visits and medication related to diabetes will not be covered under her policy until the waiting period has passed.

Was an act violated? \_\_\_\_\_

If so, which and how?

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## **Icebreaker: The Big Question.**

**Goal:** To get participants to reveal something about themselves – to the group, and possibly to themselves as well.

**Materials Required:** Some squares of card with questions written on them (moral, material and personal – these should be thought-provoking but not excessively controversial), name cards for each participant.

**Preparation:** Get participants to sit in a semi-circle and place the stack of cards on a table at the front.

**Activity:** Explain to participants that the cards each contain a question that requires some thought to answer. Ask the first participant to come up and take a square of card and then stand at the front of the class. The participant should introduce themselves by name (and any other information they consider relevant, and then read out the question. They should then answer the question to the best of their ability, explaining their reasoning. If time and numbers allow, there can be follow-up questions from the floor. Repeat this process until everyone has had a turn – or two if the numbers allow.

### ***Some examples of possible questions:***

Who is your hero?

If you could live anywhere, where would you live?

What is your favorite thing about your career?

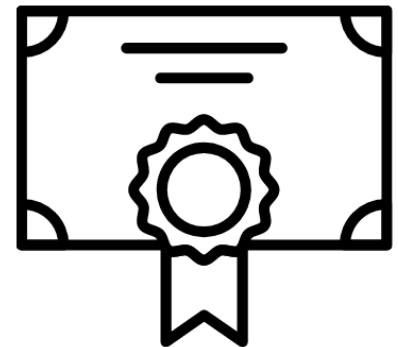
What really makes you angry?

What motivates you to work hard?

# Certificate of Completion



Every course comes with a Certificate of Completion where the participants can be recognized for completing the course. It provides a record of their attendance and to be recognized for their participation in the workshop.



CERTIFICATE OF COMPLETION

**[Name]**

*Has mastered the course  
Workplace Harassment*

Awarded this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Presenter Name and Title

\_\_\_\_\_