

Sexual Harassment Prevention Training for Employees

ONESOURCE
BUILDING TECHNOLOGIES



Agenda

- What is sexual harassment?
- Why it is important to prevent sexual harassment in our workplace?
- Texas state sexual harassment law update.
- Our policy and procedure on sexual harassment.
- Your responsibilities.

What Is Sexual Harassment?

- Unwelcome sexual advances.
- Requests for sexual favors.
- Other verbal, written, electronic or physical conduct of a sexual nature that affects an individual's employment, unreasonably interferes with his or her work performance, or creates an intimidating, hostile or offensive work environment.

What Is Sexual Harassment? (cont.)

The two forms of sexual harassment are:

1. Quid pro quo (Latin for “this for that” or “something for something”).
2. Hostile work environment.

What Is Sexual Harassment? (cont.)

Quid Pro Quo:

- Tangible employment action against the victim.
- Involves monetary loss or change in job.

Example: Yvette receives a smaller performance-based pay increase than other employees with similar performance because she refused to go on a date with her supervisor, Marcus.

What Is Sexual Harassment? (cont.)

Hostile Work Environment:

- Speech or conduct that is severe and/or pervasive enough to create an abusive or hostile work environment.

Example: Max is leering at and intentionally brushing against Vanessa.

What is Sexual Harassment? (cont.)

Hostile Work Environment (cont.)

- In addition to speech and/or conduct, hostile work environment covers explicit or suggestive items that are e-mailed, texted, electronically provided or displayed in the workplace that interfere with job performance or that create an abusive or hostile work environment.

Example: Maria texts and instant messages her co-workers with sexually explicit jokes and pictures.

What is Sexual Harassment? (cont.)

Who can commit sexual harassment?

- Employees at all levels.
- Customers or vendors.
- Members of the same sex or opposite sex.

Who can be a victim of sexual harassment?

- Individual or individuals targeted by statements or actions.
- Bystanders or witnesses not directly targeted

Why It Is Important to Prevent Sexual Harassment in Our Workplace

- Sexual harassment harms us all.
- The most important part of our corporate values is to ensure all employees are treated with respect and dignity.
- Engaging in, condoning or not reporting sexual harassment is in direct conflict with our values.
- We want to remain in compliance with Title VII of the Civil Rights Act, which prohibits sex discrimination (including sexual orientation and gender identity or expression).
- We want to remain in compliance with similar state civil rights laws and fair employment laws.

Texas State Sexual Harassment Law

Effective September 1, 2021

Sexual harassment is defined by state statute and the company must take **immediate, appropriate corrective action when necessary**.

Executives, managers, supervisors and others acting on behalf of the company can now be *personally sued* and held *individually liable*.

Our Policy and Procedure on Sexual Harassment

701. Sexual and Other Unlawful Harassment Effective Date: 7/1/2012,

Revised 10/13/2021

- Management at OneSource Building Technologies is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated. OneSource Building Technologies provides sexual harassment training to ensure you the opportunity to work in an environment free of sexual and other unlawful harassment.
- Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser.

Our Policy and Procedure on Sexual Harassment (cont.)

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - (2) Submission or rejection of the conduct is used as a basis for making employment decisions; or,
 - (3) The conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.
- If you experience or witness sexual or other unlawful harassment in the workplace; report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact any other member of management. You can raise concerns and make reports without fear of reprisal or retaliation. All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure.
 - Communications will be made to others only on a limited "need to know" basis. When the investigation is completed, you will be informed of the outcome of the investigation. Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Human Resources Professional or any member of management so it can be investigated in a timely and confidential manner. Upon completion of the investigation, if necessary, corrective measures will be taken. These measures may include, but are not limited to: training, counseling, warning, suspension, or immediate dismissal. Anyone, regardless of position or title, found through investigation to have engaged in improper harassment will be subject to discipline up to and including discharge. If the investigation is inconclusive, OneSource Building Technologies may still provide counseling or take other appropriate steps.

Our Policy and Procedure on Sexual Harassment (cont.)

- OneSource Building Technologies or an individual acting on its behalf commits an unlawful employment practice if “sexual harassment of an employee occurs and OneSource Building Technologies supervisors or managers: (1) know or should have known that the conduct constituting sexual harassment was occurring; and (2) fail to take immediate and appropriate corrective action.
- Under Texas law, the term “employer” is broadly defined to include any person “who acts directly in the interests of an employer in relation to an employee.” Accordingly, supervisors, managers, human resources professionals, other employees and third parties could be named individually as defendants in an employee’s sexual harassment complaint and could be held individually responsible for money damages. This means that a court could order a manager to pay sexual harassment victim money out of their own pocket for violating the statute. This is in addition to any disciplinary action that the company may take in connection with the prohibited conduct and/or failure to comply with company policies.
- OneSource Building Technologies prohibits any form of discipline or retaliation for reporting in good faith the incidents of harassment in violation of this policy, pursuing any such claim or cooperating in the investigation of such reports.

Your Responsibilities

- Know and comply with our policy and procedure.
- Report incidents that you experience directly or witness immediately to Human Resources.
- Cooperate with investigations.

Summary

Sexual harassment is unwelcome sexual advances, requests for sexual favors and other verbal, written, electronic or physical conduct of a sexual nature that affects an individual's employment, unreasonably interferes with his or her work performance or creates an intimidating, hostile or offensive work environment.

Summary (cont.)

There are two forms of sexual harassment: quid pro quo and hostile work environment.

It is important to prevent sexual harassment in our workplace because it harms us all. It conflicts with our corporate value that all employees are treated with respect and dignity.

Summary (cont.)

Sexual harassment is illegal under federal and state laws.

Your responsibilities regarding prevention of sexual harassment are to know and comply with our policy and procedure, report incidents that you experience directly or witness, cooperate with investigations, and support victims.

OSBT will take immediate, appropriate corrective action to sexual harassment.

Executives, managers, supervisors and others acting on behalf of the company can now be personally sued and held individually liable.