

## Sexual Harassment

# Across Industries, Business Owners Review Sexual Harassment Policies

October 5 is the day the sexual harassment fuse ignited in the national consciousness, the day The New York Times published the first allegations against Harvey Weinstein, Hollywood producer mogul. On October 15, the bomb exploded, as the #MeToo hashtag blasted through 24-hour records for tweets and Facebook postings. Three months later, sexual harassment allegations have dismantled careers of over 100 powerful men in various industries, including entertainment, politics and broadcast journalism. The juggernaut shows no sign of slowing, as fresh allegations persist in the news cycle. A cultural shift is underway, and it will impact every workplace, including the floral industry.

Sexual harassment is “definitely the topic du jour,” said Glenna Hecht, a human resources speaker and consultant. “The laws protecting people against sexual harassment have been in place since 1964, under Title VII of the 1964 Civil Rights Act. What’s new is that people are coming forward who were afraid before.”

The Hollywood star power associated with the Weinstein allegations has served as a catalyst to help remove victim fear. (The high profile [Time’s Up campaign](#), prominent in last weekend’s Golden Globes Ceremony, was inspired by the sexual harassment stories rocking Hollywood and an [open letter of solidarity from 700,000 female farmworkers](#).)

“People who felt they had no voice and no support are seeing that allegations are being taken seriously, so they’re stepping up — and learning that someone will listen,” said Hecht. “Employers definitely need to pay attention to these issues now in an aggressive way.”

What should floral business owners have in place to navigate this era of sexual harassment awareness? “Start with an employee handbook,” said Hecht. “It’s not a must-have, but it’s an important-have. That handbook states your company’s expectations and gives the blueprint for employee success. It takes the guesswork out of issues like attendance, dress code, time away from work, violence and harassment of all types, including sexual.”

Skip Paal, AAF, president of Rutland Beard Floral Group (200 employees), worked with a consulting HR agency to develop his company’s employee handbook about five years ago.

“We do have a harassment policy in place that’s fairly robust,” he said. “It covers all harassment, including sexual. From a personal perspective, we don’t want employees to feel uncomfortable coming to work. From a legal perspective, we want to operate by the book, which is why we had our attorneys sign off on the handbook.”

Typically, Rutland Beard Floral reviews the handbook with new employees at the point of hire and any time there’s a change to the content.

At Arizona Family Florist (48 employees), CEO and owner Cheryl Denham also gives the employee handbook, which includes a section on harassment of all kinds, to new employees upon hiring. Historically, Denham said her company hasn’t reviewed the handbook with any formal frequency, but that’s changing.

“One of our initiatives this year is to increase awareness with staff as a whole. We’re doing that through weekly huddles that cover everything from operational items to fun things (birthdays) to training, including harassment issues.”

In the past, Denham and her management team took an online ethics and compliance training course on harassment. She plans to make taking the course part of an ongoing policy for team members.

“That way, the issues of harassment stay fresh in our minds so we can be watchful among employees and know how to react,” she said.

Denham is no stranger to dealing with harassment issues in the workplace.

“We’ve had two issues in 13 years,” she said. “The employees know we don’t tolerate any bullying — I actually had to fire a family member many years ago over this. We want people to enjoy coming to work, not to be afraid to come in. I’ve always made it very clear that there’s no favoritism, no bullying, no conflict, no sexual harassment. We rectify situations immediately if we get wind of any type of hostile work environment.”

One of Denham’s tactics to make reporting easier for employees is actively maintaining an open-door policy.

“I do this by coming to work each day and making it a point to talk to everyone — at some point — individually so they feel comfortable with me and know they can come to me.”

Arizona Family Florist does have a formal reporting policy. Employees report harassment issues to their supervisors, if available, or to another supervisor. After the issue is properly documented, an email goes out to the management team to explain it, and appropriate action unfolds. Denham stresses, “It’s important as a leader to set the example in this area. When I say bullying or sexual harassment won’t be tolerated and I set the example, employees feel more comfortable. They feel respected.”

At Rutland Beard Floral, the harassment reporting policy — outlined in the employee handbook — gives employees three options for reporting. One is an immediate supervisor, but then two other names are provided in case the harasser is the supervisor. When a situation warrants an investigation, human resources handles that and presents the findings to a panel of three managers, none of whom is the direct manager of the employee filing the complaint.

“We don’t want one person arbitrating these cases because someone can be swayed or biased based on their own experiences,” Paal said. “We use this same policy for any critical employment decisions, such as hiring, pay raise or deduction, or firing. We never let one individual make the decision. This eliminates the option for an unhappy employee to accuse others.”

Hecht supports having at least two routes of reporting within any organization. Once a complaint is filed and recorded on paper, she suggests bringing in HR support. With larger companies, that support may be available in house. For smaller firms, calling in HR support is often more cost-effective than consulting an attorney. An outside voice can also assess the situation without the emotional attachment an owner might have to the alleged harasser.

“I always counsel firms, when they draft their harassment policies, to consider what they would do if the harasser were their best designer or their top salesperson,” Hecht said. “Are you willing to call your

policies into action even for your best producer? The moment you fail to call policy into action is the moment you do not walk your talk.”

One area that Paal has found to create confusion around the issue of sexual harassment in the workplace is dating relationships.

“We have found that when an employee asks another out on a date, a rejection can lead to an uncomfortable workplace that, on at least one occasion, was reported as harassment,” he said. “That’s why we developed a workplace dating policy. We don’t permit someone to be in an undisclosed relationship with a subordinate, supervisor or vendor. If they disclose, it’s OK. We’ve actually had people meet at work and wind up getting married.” Rutland Beard Floral includes this in a “Conflicts of Interest” section of the employee handbook.

“It’s important for people to remember that when they come to work, there will be relationships that exist. Some are familial in nature, some are friends, and some are ‘I don’t want anything to do with that person.’ That’s normal,” Paal said. “A harassment policy just makes sure that if something escalates beyond not getting along, there’s a fair way for everyone to express themselves and get involved.”

The bottom line? As a business owner, take every complaint seriously.