

Lessons Learned from #MeToo; Preventing a Conspiracy of Silence

Susan A. Parkes, CCEP
General Counsel & Vice President
Alyeska Pipeline Service Company



What keeps you up at Night?



Unless you've lived off
the grid in a cave for
the past two years,
#MeToo is on the list.



The Headlines attest to the fact that NO Industry, NO organization is immune.

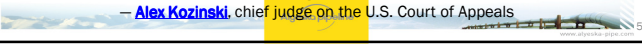
Headline NEWS

In the aftermath of the Harvey Weinstein allegations, hundreds of women and men came forward to share their own stories of workplace sexual misconduct.

Here is but a sample of the many who have been accused:



- Roy Price, former chief of Amazon Studios
- Chris Savino, creator of Nickelodeon's *Loud House*
 - Oliver Stone, movie director
 - John Besh, celebrity chef
- Matthew Mondanile, former guitarist of Real Estate
- Lockhart Steele, former editorial director of Vox Media
 - Alex Calder, musician
- Twigg Ramirez, former bassist Marilyn Manson
 - Terry Richardson, photographer
 - James Toback, movie director
 - Kevin Spacey, actor
- Steve Wynn, casino mogul and RNC finance chairman
- Charlie Walk, president of Republic Records
- Wayne Pacelle, CEO of The Humane Society
- Trent Franks, Congressman from Arizona
- Alex Kozinski, chief judge on the U.S. Court of Appeals



- Mark Halperin, political journalist
- Michael Oreskes, former head of NPR News
 - André Balazs, hotelier
- Roy Moore, Senate candidate in Alabama
- Sepp Blatter, former president of FIFA
- Glenn Thrush, reporter for the *New York Times*
- John Conyers, Congressman from Michigan
- John Lasseter, head of Pixar and Disney Animation
 - Matt Lauer, anchor of TODAY
- David Sweeney, NPR Chief News Editor
- Shervin Pishevar, venture capitalist
 - Israel Horowitz, playwright
- John Hockenberry, public radio host
- Bruce Weber, fashion photographer
- James Levine, conductor of Metropolitan Opera
- Ruben Kihuen, Congressman from Nevada



Warren Sapp, former NFL player

- Eric Weinberger, President of Bill Simmons Media Group
- Ken Friedman, restaurateur
- Johnny Iuzzini, celebrity chef
- Morgan Spurlock, documentary filmmaker
- Matthew Berry, ESPN fantasy football analyst
- Carter Oosterhouse, HGTV host
- Ed Murray, Wyoming Secretary of State
- Chris Matthews, host of MSNBC's Hardball
- Charlie Hallowell, chef
- Miguel Sano, baseball player for the Minnesota Twins
- Andrew Creighton, president of Vice Media
- Steve Chaggaris, CBS News political director
- Rich Rodriguez, college football coach
- Thomas Roma, photographer
- Andy Savage, megachurch pastor
- James Rosen, FOX News reporter

Rampant Workplace Sexual Misconduct despite that since 1998, it is well established that organizations have a legal obligation to protect employees from abusive – sexual or otherwise - supervisors and managers.

Faragher v. City of Boca Raton, 524 U.S. 775 (1998)

Burlington Industries, Inc. v. Ellerth, 524 U.S. 742 (1998)

Why don't harassed employees report it?

1. Fear of Retaliation
2. Belief that nothing will happen
3. Fear of not being believed
4. Fear of being blamed
5. Wanting to “fit in”

Why don't witness employees report harassment?

1. Fear of Retaliation
 2. Belief Nothing will happen
 3. Fear of not being believed
 4. Bystander Effect
- *Diffusion of Responsibility
 - *Social Influence



What you don't know, will hurt you
We must break the Conspiracy of Silence



our lives begin to **end**
the day we become
silent about things that
matter.

Martin Luther King Jr.



Sexual Harassment Is Not The Only Thing
To Fear



Culture is King (and Queen)



Alyeska Pipeline Service Company – Lessons Learned (the hard way)



Alaska Pipeline Operators Chase Down News Leaks



John Enders: September 11, 1991

ANCHORAGE, Alaska (AP) _ Operators of the Alaska pipeline have been running after leaks in recent months - and not all of them oil leaks.

Alyeska Pipeline Service Co. hired a security firm early last year to spy on an industry critic and find out which employees fed him inside information that got Alyeska in trouble with the Environmental Protection Agency.

The man, retired tanker broker Charles Hamel, obtained information about corrosion in the 800-mile pipeline and in storage tanks at Valdez, as well as benzene emissions and ballast-water disposal problems. Hamel in turn passed the information on to environmental and safety regulators, the press and Congress.



The Los Angeles Times said the security firm, Wackenhut Co. of Miami, also monitored Rep. George Miller, D-Calif., chairman of a subcommittee investigating alleged environmental wrongdoing by Alyeska, a consortium of seven oil companies.

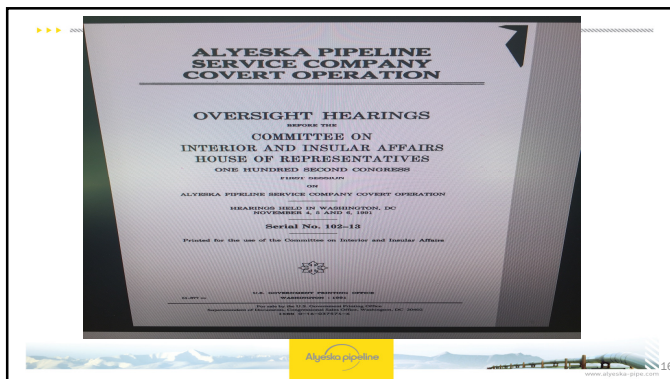


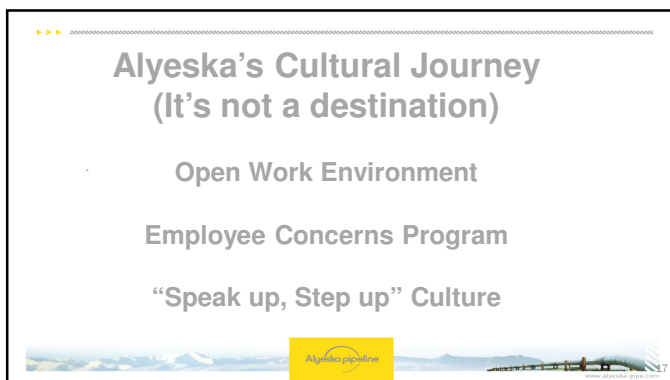
Alyeska Pipeline Service Company – Lessons Learned

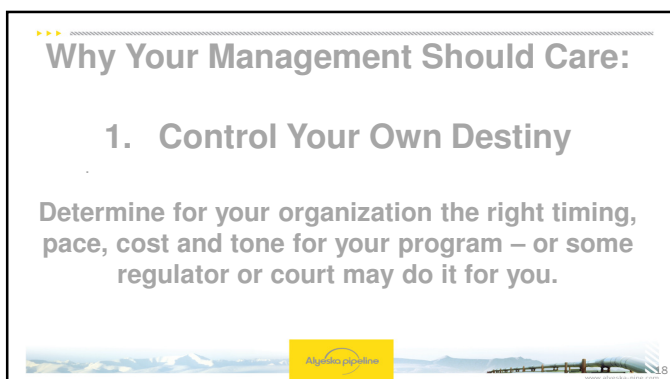
Probe of Alyeska Conduct Goes Behind Closed Doors : Congress: The public was ejected as a House panel began hearings into allegations of wrongdoing by the operator of the trans-Alaska pipeline.
[November 05, 1991](#) | PATRICK LEE | TIMES STAFF WRITER

Chief Alyeska Pipeline Investigator Quits : ENERGY: The secret probe of whistle-blowers causes flap.
[November 16, 1991](#) | PATRICK LEE | Times Staff Writer









2. Reputation

“It takes many good deeds to build a good reputation, and only one bad one to lose it.”

Benjamin Franklin



3. Impacts to The Bottom Line

Enforcement Costs/Civil Fines and Penalties

Law Suits/Civil Settlements

Lost Business, Company Value

Employee Morale/Productivity



4. Criminal Liability: Personal or Corporate

5. Professional Self Interest

6. Because it's the right thing to do!



“Best” Practices – Your Tool Box for Creating an Open Work Environment

1. Code of Conduct – Foundation for Behavioral Expectations, Clear & Direct
2. Tone from the Top – Leadership as a Role Model, Leadership Communications



Tool Box - Continued

3. Provide Multiple Reporting Avenues: Supervisor, HR, Employee Concerns Program, Hot Line
4. Periodic Surveys – Feedback opportunity, Take pulse of organization, Allows for trending



Tool Box - Continued

5. Hire for Culture – Incorporate expectations into interview process, reference checks
6. Hold ALL employees accountable – Performance Expectations, Consistent Discipline



Tool Box – Continued

7. Training – Reinforce Expectations, Concrete Examples, Bystander Training
8. Recognition – Positive reinforcement of desired behaviors, Award Programs, Compliance & Ethics Week Celebrations



THE EMPEROR'S NEW CLOTHES



Questions/Feedback