Checklist Two: An Anti-Harassment Policy

An anti-harassment policy is a key component of a holistic harassment prevention effort. Anti-harassment policy should contain the following elements:

❖ An unequivocal statement that harassment based on *any* protected characteristic will not be tolerated.

❖ An easy-to-understand description of prohibited conduct, including examples.

❖ A description of a reporting system - available to employees who experience harassment as well as those who observe harassment - that provides multiple avenues to report, in a manner easily accessible to employees.

❖ A statement that the reporting system will provide a prompt, thorough, and impartial investigation

❖ A statement that the identity of an individual who submits a report, a witness who provides information regarding a report, and the target of the complaint, will be kept confidential to the extent possible consistent with a thorough and impartial investigation

❖ A statement that any information gathered as part of an investigation will be kept confidential to the extent possible consistent with a thorough and impartial investigation.

❖ An assurance that the employer will take immediate and proportionate corrective action if it determines that harassment has occurred

❖ An assurance that an individual who submits a report (either of harassment experienced or observed) or a witness who provides information regarding a report will be protected from retaliation from co-workers and supervisors

❖ A statement that any employee who retaliates against any individual who submits a report or provides information regarding a report will be disciplined appropriately

❖ Is written in clear, simple words, in all languages commonly used by members of the workforce

A reminder that this checklist is meant to be a useful tool in thinking about and taking steps to prevent harassment in the workplace, and responding to harassment when it occurs. It is not meant to convey legal advice or to set forth legal requirements relating to harassment.