

Supervisor's Role Checklist

As a supervisor, your organization relies on you to be a leader and serve as a resource for employees.

This "Supervisor's Role" Checklist will serve as a guide by providing a "To Do" checklist. This checklist is intended to aid you in fostering a work environment free from Sexual Harassment.

Have a Clear Understanding of:

- ✓ Federal and State Sexual Harassment laws
- ✓ Federal and State definitions of harassment, sexual harassment, hostile work environment, retaliation, and other relevant terminology
- ✓ How your organization's policies and procedures support and reinforce these laws
- ✓ Who the law protects
- ✓ How to protect an employee's legal rights with respect to Sexual Harassment laws
- ✓ The two types of sexual harassment: "Quid pro quo" and "Hostile work environment"
- ✓ The difference between sexual harassment and a "bad" working relationship
- ✓ The "determining factors" that define whether sexually harassing conduct has occurred
- ✓ The organization's current exposure to potential sexual harassment liability and legal action
- ✓ Your own obligations as a supervisor and representative of your organization
- ✓ How to handle complaints according to the law and your organization's policies
- ✓ The procedures for investigating sexual harassment
- ✓ The fact that supervisors are a mandatory reporting party

Be Pro-active

- ✓ If uncertain about the specifics of a law, speak with your human resources department or legal department
- ✓ Create an internal process within your organization to ensure you are kept up-to-date on new and revised laws
- ✓ Identify and address all conduct that can be construed as sexual harassment immediately in a professional manner, in accordance with your organization's policy
- ✓ Address retaliation immediately, in accordance with the law and your organization's policy
- ✓ Address employees engaged in unprofessional behavior such as "flirting" and making inappropriate "innuendoes"
- ✓ Address workplace romance according to the organization's policy
- ✓ Provide continuous and appropriate sexual harassment training to all employees; remember, even if it is not required by the law, this is considered a "best practice"
- ✓ Be alert to any potential liabilities or threats of legal action against the organization or yourself
- ✓ Communicate with human resources and legal personnel as needed
- ✓ Follow your organization's policies and procedures at all times – No exceptions
- ✓ Protect all parties involved in a sexual harassment case from retaliation
- ✓ Protect the privacy of all parties involved in a sexual harassment case
- ✓ Always document all incidents and complaints, regardless if they are "minor" or "casual"

Educate and Coach

- ✓ Educate employees on Federal and State sexual harassment laws and relevant definitions
- ✓ Educate employees about the types and forms of sexual harassment; answer any questions they have
- ✓ Reinforce the organization's policies as needed
- ✓ Inform employees about their rights according to the law and company policies
- ✓ Provide employees with training on the organization's policies and procedures
- ✓ Have open communication with all employees

Avoid

- ✓ Your own biases about sexual harassment – do not create opinions
- ✓ Your own perceptions of who can be a “victim” and who can be a “harasser”
- ✓ Engaging in any type or form of conduct that could be perceived or interpreted as sexual harassment
- ✓ Inappropriate physical interaction, language, and be aware of non-verbal interactions, such as staring

Never

- ✓ Retaliate
- ✓ Ignore any type or form of sexually harassing behavior
- ✓ Expose your organization to risk or legal action
- ✓ Guarantee “complete confidentiality” in a sexual harassment case
- ✓ Disregard sexual harassment

When addressing a complaint, a supervisor must be:

- Objective
- Serious
- Non-judgmental
- Unbiased
- Gentle when asking questions
- Respectful

Remember: Keep an open mind. Reassure the complainant that you will handle the situation according to the law and the organization’s policy. Respect each person’s right to confidentiality. Retaliation is against the law.

When addressing a complaint, a supervisor must avoid:


- Making the complainant feel ashamed
- Ignoring the complainant or being distracted
- Downplaying the complaint
- Interpreting what happened
- Making assumptions

Note: Even if you feel a complainant is making a false accusation, you must always accept the complaint and follow the organization's policy. Focus on "evidence and facts," not on assumptions and uninformed judgments.

Basic complaint record keeping includes documenting:

- Names of all parties involved
- Dates
- Time
- Locations
- Accusations
- Any other relevant information

WARNING: Once a complaint is made you have a responsibility and liability to address the complaint. Even if the employee asks you to keep it confidential, "forget about it", or requests that you not tell anyone else. A lack of action opens the door for liability and lawsuits.



The information provided in the "Supervisor's Role Checklist" is for informational purposes. This document does not provide legal advice, and should not be relied upon as legal advice. You should contact your human resources or legal representative to obtain advice with respect to any particular issue.