



Additional Help



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Harassment Policy Checklist

The following checklist is designed to assist you in developing an anti-harassment workplace policy for your organization. These policy elements are not mandatory; however, they are recommended to reasonably prevent and correct harassing behavior in the workplace:

1. **Language regarding harassment prohibitions.** General anti-discrimination language should include the organization's commitment to providing a professional environment, free from physical, psychological, verbal and non-verbal harassment based on any legally protected characteristic.
2. **A definition of what constitutes harassment,** including sexual harassment, accompanied by examples of prohibited conduct and a statement that such conduct will not be tolerated. Define harassment under the company's policy in plain language, avoiding modifiers such as "unwelcome" and "severe or pervasive." Rather than have employees try to determine unwelcomeness, the policy should simply explain what types of conduct are prohibited. (e.g. "sexual advances" and "requests or demands for sexual favors")
3. **A statement that the policy applies off-hours and off-premises.** Harassment may occur during the scope of employment outside of the workplace (e.g. during work-related social functions and business-related travel).
4. **A statement that the policy applies to conduct by and toward third parties in the work environment.** Inappropriate conduct is prohibited by and toward vendors, contractors, customers and other third parties.
5. **Language that "encourages" employees to come forward with complaints,** as opposed to language which merely "permits" or "allows" employees to file a complaint.
6. **Language that directs employees to specific individuals to make a complaint** (e.g. supervisor, Human Resources Manager or any other member of management with whom the employee feels comfortable). Include names of at least 2 individuals, including their contact information – address, phone and email address.. Alternatives should always be offered in the event the employee is not comfortable with the

designated manager, or that the designated manager is the alleged harasser.

7. **A statement that all complaints will be promptly and thoroughly investigated and that interim measures may be taken** pending full investigation and resolution of the complaint (e.g. such as temporarily transferring an employee to another work area).
8. **A list of possible consequences,** including termination, if the investigation of the complaint reveals inappropriate workplace conduct.
9. **An anti-retaliation statement that clearly indicates that employees who come forward with harassment complaints will not be subject to reprisals.**
10. **A confidentiality provision, indicating that complaints will remain confidential to the extent possible.** Circumstances may arise in which others may have to be informed (e.g. to interview witnesses or inform members of management who have a business need to know).
11. **A signature page indicating acknowledgement of receipt if policy is separate from the Employee Handbook.**

Whether or not an employer can prove that it exercised reasonable care will depend on the circumstances of each situation. Even the best written policy and complaint procedure will not ensure a favorable defense if an employer does not consistently and effectively follow them.

Need help reviewing or updating your anti-harassment policy? MRA's [Handbook](#) experts can help you!

About MRA

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Founded in 1901, MRA is one of the largest employer associations and serves 3,000 employers. Our members range in size from small entrepreneurs to Fortune 50 companies and reflect the diversity of industries in Illinois, Iowa, Minnesota and Wisconsin.

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