



DON LEACH AND JAN HENSEL SEXUAL HARASSMENT IN THE WORKPLACE

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Don Leach and **Jan Hensel** shared today's presentation about Sexual Harassment in the Workplace.

The presentation was based on a slide presentation. Don noted that sexual harassment is far from just a business workplace issue. It occurs in many environments – including organizations such as service clubs like Rotary.

Don introduced Jan Hensel. He and Jan have worked together for about thirty years in three different law firms. Jan's focus is on employment law and she has been recognized over the years for her expertise in this specialization. She is recognized as one of the top women lawyers and one of the top employment lawyers in central Ohio.

Sexual harassment began to get a lot of attention in October, 2017 when the #MeToo movement took flight. The movement itself had been around for about ten years but it moved into the mainstream when the Harvey Weinstein sexual harassment accusations were first leveled. Within one day

of the initial Weinstein allegations over 500,000 additional responses appeared under the #MeToo banner.

In 2017 Time magazine recognized the silence breakers as person of the year.

As a follow up, #TimesUp was an effort by the celebrity community to provide financial support to victims. Currently, over \$21 million has been raised.

Don commented on the fact that in the past there were probably actions taken and things said by many people that, in today's environment, would not be considered acceptable. The EEOC (Equal Employment Opportunity Commission) is focused on the issue of sexual harassment more than ever. Last year the EEOC recovered more than \$70 million for victims. The Commission also estimates that 25% to 85% of women face harassment in the workplace. Up to 75% of these cases are not reported - many times out of fear for their job.

There are statistics cited that one in four women will be sexually assaulted in their lifetime and one in six or seven men will experience the same. On average, 450 workplace sexual harassment lawsuits are filed every day in the United States.

Jan noted that she works with employers to help them avoid liability through training and policy implementation. Here again, the #MeToo movement moved the needle substantially when it comes to employer focus on sexual harassment training.

Human Resource Directors were somewhat perplexed by the fact that some of the issues that arose from the #MeToo movement should have been covered by simple common sense. We saw a humorous video that highlighted the fact that some behaviors are so obviously wrong that anyone with any sense would refuse to engage in them. The stressed out HR Director ("Clare from HR") was beside herself trying to deal with the situation.

GREETERS

October 30
Jim Nicklaus
Telanda Sidari

November 6
Steve Frame
Matt Kirby

November 13
Joe Valentine
Bill Hosket

REGISTRATION DESK

October 30
Jim Hamilton
Rich Simpson

November 6
John Hansel
John Cleland

November 13
Keith Schneider
Debbie Johnson

CALENDAR

October 30 | Scioto CC
Upper Arlington Schools Update
on Construction Planning and
Schedule

Hosted by: Paul Imhoff

November 6 | Scioto CC
Dr. Susan Moffatt-Bruce
Exec. Dir. of University Hospital,
The Ohio State University

Hosted by: Brad DeHays

November 13 | Scioto CC
UA Rotary's World Service
Projects in Guatemala and
Partnership with Mayan Families

Hosted by: Steve Sandbo

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OUR NEXT MEETING

October 30th
Scioto CC

Upper Arlington
Rotary
Club



DON LEACH AND JAN HENSEL

SEXUAL HARASSMENT IN THE WORKPLACE

Jan cited the power inequities in workplace environments and how they play a part in a victim's decision not to report the situation to Human Resources. There are also still failures in HR and legal departments to follow up properly.

The culture in some businesses is simply bad. If senior management is not committed to assuring that harassment does not occur then efforts to curb it will probably not be successful. Top executives must participate in training to demonstrate the proper commitment. Management must be prepared to deal with difficult situations even though they may impact the company's bottom line when a top producer or other key employee is involved. Some companies still look at harassment lawsuits as a risk and measure the potential cost of a harassment case against the potential loss of revenue if a key employee is involved.



Ignorance is a problem. Some people look at behavior that could be deemed harassment as "simply having fun" and do not see it in the light that the person on the other side sees it. "Just joking" or "I talk that way to everybody" are no longer excuses in this day and age.

Jan noted that people come to an employer for a job and a means of supporting themselves and

their family. They are thrust into a place where they interact with people they did not choose to be with. We need to think about that and try to remember the golden rule – and treat people the way we would like to be treated.

Sexual harassment weakens the workplace culture, weakens morale, reduces productivity and increases turnover and absenteeism.

There are two types of harassment: Quid Pro Quo harassment involves if-then situation. "If you don't submit to me then you will suffer negative consequences such as loss of job or the loss of future opportunities" or "If you do submit you will receive future benefits". This scenario is not seen much outside of Hollywood. The second type of harassment is the hostile workplace type. In this case, sexual conduct is intolerable for a reasonable person. Examples include demands and requests for sex, solicitation for dates, unwanted flirting or sexual advances, conversations about sexual experiences or jokes, teasing or sexual banter.

Prevention includes an awareness of power dynamics in the workplace. Be aware that victims often do not feel they have the power to resist or report. People who are victims need to be given an opportunity to report to HR. Simple awareness of your own actions and how someone is reacting to them is important.

Policies need to be in place which assure employees that they have the right to report and that they will be protected if they do report. Enforcement of discipline is also an important preventative measure. This enforcement should also apply to discipline for anyone who protects the bad actor.

Organizations have a defense against claims of sexual harassment if they can demonstrate reasonable care to prevent it and also show a history of correcting any issues promptly. Another component of a defense would be showing that an accuser failed to take advantage of opportunities to report the problem or take advantage of corrective opportunities. Accusers must give the employer the opportunity to correct the situation.

Don emphasized the importance of recognizing that such issues can apply to organizations like Rotary clubs and that clubs must work to prevent harassment and be aware of the potential damage which could occur to the organization.

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OUR NEXT MEETING

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Scioto CC

Upper Arlington
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Club



The Meeting



President **Brad DeHays** asked **Glen Dugger** to offer the invocation and lead us in the Pledge of Allegiance.

Tom Westfall introduced visiting Rotarian **Don Turner** from the Columbus club. **Herb Gillen** introduced his guest **Jeff Miller**.

Brad DeHays announced that the Holiday Party will be on Tuesday evening, December 11. There will not be a noon lunch meeting on that day.

We are to be prepared and braced for harassment next week (10/30) since World Polio Day is upon us. Harassment funds are designated for the Polio Plus campaign this year.

The program for next week (October 30) will be changed from the previously announced discussion of new park land for Upper Arlington. **Kip Greenhill** announced that the City of Columbus has pulled out of discussions about selling newly acquired land from the OSU sheep farm to the City of Upper Arlington.

The new directories are in. They were available after the meeting for any takers.



Notes and Announcements



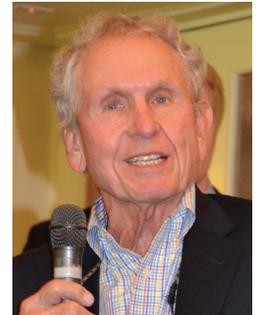
Ground has been broken for the Jack Nicklaus Park. **Jim Nicklaus** noted that phase I is underway at last. Contributions are still being accepted. Phase II will come at a later date.

Brendan King announced that now is the time to sign up for the UA Trolley Tour this weekend. The Upper Arlington Historical Society sponsors the semiannual tours. Plenty of spots are still available. Information is available from **Brendan** or **Linda Cummins** or on the Society's website – uahistory.org.

Tom Davis recognized Rotarians who helped with the first Senior Service Saturday on October 20. He thanked **Jim McKinney**,

Ned Clark, Ralph Griffith, Doug Godard, Chip Knoop, Eric Stoll, Ted Foster and **Alan Yaretts** for their help. A good contingent of Interact students from UAHS and the middle schools also chipped in. The next Senior Service Saturday will be November 17.

Chip Knoop reminded us of the upcoming Special Olympics swim meet at UAHS this Saturday, October 27. We have 30 Interact students and Rotarians currently signed up to help. Anyone interested in helping can still participate. The Saturday afternoon shift could still use some folks. Let Chip know if you're interested. The PM session begins at 1:00 PM.



UA ROTARY VOLUNTEERING AT SPECIAL OLYMPICS SWIM MEET Saturday, October 27 • Time: 1:00 PM

Upper Arlington Rotary will be providing volunteers to help with the Special Olympics Swim Meet at Upper Arlington High School on Saturday, October 27th.

Please contact **Chip Knoop** at cknoop@sbcglobal.net to sign up or for more information.

UA ROTARY HOLIDAY PARTY

Tuesday evening, December 11 • *There will not be a noon lunch meeting on that day.*