

HR Clinic

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Workplace Implications of the #MeToo Movement

Before we begin, let's agree that perhaps the worst venue for vitriol-laden political debate is our shared, happy space, fondly referred to as Human Resources. And while taking partisan positions, in said space, is highly discouraged from a best-practices standpoint – we do need to be open and honest when considering what impact political and social movements can have on our corporate environments.

The Measurable Impact of #MeToo

The most popular way to limit potential adverse impacts in the workplace is pre-emptive training and awareness delivered by companies (via their highly capable human resource departments). That said, it is important to survey the landscape when new social awareness trajectories present.

The Equal Employment Opportunity Commission (EEOC) review of FY2018 showed a large jump in the number of sexual harassment lawsuits filed. Specifically, the EEOC filed 217 actions in FY2018, far surpassing the number of filings in recent years.

In fact, FY 2018 Claims (under Title VII of the Civil Rights Act) came in at a 74% clip for target sex-based discrimination – more than ten percent more than 2017 and astoundingly more than were seen from 2013-2016. Comparatively, cases for race discrimination fell by 25% over the last year – leading the EEOC to attribute the spike in sex-based cases to the #metoo movement and related media coverage/discussion.

What's Next for the #MeToo Effect?

Mark Rambo, MSM, PHR, SHRM-CP and Lead Advisor at HRWS noted that the number of sexual harassment filings and complaints being brought forward has definitely impacted the EEOC's agenda. Rambo stated that the EEOC is increasing its related enforcement activity, with a heightened focus on sexual discrimination and harassment.

Inasmuch as preliminary FY2018 data findings show, the EEOC reported it filed 66 lawsuits concerning workplace harassment, 41 of which alleging that of a sexual nature

(up more than 50% over FY2017). The EEOC also disclosed more than \$70 million was recovered for sexual harassment victims, up from FY2017's \$47.5 million.

The numbers speak for themselves. The impact of #metoo has made a definitive legal footprint, one likely to remain significant for the foreseeable future. That said, there are some great opportunities to not only improve one's work environments, but also to mitigate such negative results for both employees and corporations alike. For example, the State of New York has just finalized legislation for mandatory, annual sexual harassment training to be delivered to every employees working in the state beginning October 2018 with California recently updating their mandated training requirements to include all employees starting in 2020.

In order to best-address the need, HRWS is soon-releasing a comprehensive & fully interactive training to fully meet state guidelines. The advisory intends to produce similar trainings for all forthcoming state mandates, as they present. Should you have any questions about the NY State Sexual Harassment Training or similar trainings, you can email us at support@hrworkplaceservices.com.