

Sexual harassment training expanding — but effectiveness questioned



Kit Goldman and a fellow actor demonstrate unwanted sexual harassment in the workplace. She is promising the man extra holiday time off in exchange for her advances. (Workplace Training Network)



By **Roger Showley · Contact Reporter**

Requests for sexual harassment awareness training are skyrocketing in response to recent scandals in Hollywood, Silicon Valley and the White House.

- California has expanded training requirements and new laws have been introduced on the subject.
- Experts say training is a good start but changing corporate culture is a necessity in reducing harassment.
- The food, beverage and hospitality industry gets the most complaints about sexual harassment.

The San Diego Union-Tribune and the University of San Diego School of Law are co-sponsoring a free community forum Tuesday on sexual harassment. It will be held from 6 to 8 p.m. at USD's Joan B. Kroc Institute for Peace and Justice, 5998 Alcalá Park in Linda Vista. Registration begins at 5:30 p.m. Reservations may be made online **Here's the full story:**

The recent reports of sexual harassment — from Hollywood to Capitol Hill to Wall Street — have prompted an upsurge in training courses that experts are updating to reflect the latest examples making front-page news.

Jeremy Tillman, founder and chairman of [TrainUp](#), a Dallas-based company that more than 50 San Diego companies hired last year, said inquiries on his sexual harassment training programs have skyrocketed. They stood at 267 in January 2017 and about 2,150 last month.

“We’ve reached a point to where companies can no longer turn a blind eye,” he said.

Since 2005, California employers have been required to conduct two hours of sexual harassment awareness training every other year for supervisors and executives in companies with 50 or more employees. The subjects covered have expanded over the years, extending to gender identity, expression and orientation as of Jan. 1.



Actors play a scene in a fictitious breakroom where one woman wears a provocative T-shirt and falls into the arms of her colleague at her birthday party. (Workplace Training Network)

Experts say two hours of training doesn’t guarantee better behavior, judging by the publicized cases of late.

“Here’s what doesn’t work — relying solely on compliance rules, education and training — to prevent or address sexual harassment,” said Johnny C. Taylor Jr., president and CEO of the [Society for Human Resource Management](#), at a joint legislative committee hearing in Sacramento last month. “We could demand that every employee take 10 hours of sexual harassment training every week and accusations would still happen.”

[Nina Woodard](#), a CSU San Marcos lecturer on human resource management, said the presentations most workers receive, though mostly canned and generic, at least raise the awareness level of what harassment means.

“One of the really big gifts President Trump has given us is to peel off the scabs on a lot of sores.” Woodard said.

[Kit Goldman](#), a San Diego actress who runs in-person and online sexual harassment training sessions, said she has seen an upsurge in calls in recent months.

“There’s definitely an awareness of how damaging (harassment) is, because people have seen companies and careers evaporate from this,” she said.

Next month, she and her team will be shooting nine new videos to bring her sexual harassment vignettes up to date. She also gathers fellow actors together to demonstrate the don’ts in the workplace at onsite training sessions.

“My job is to help my clients stay solvent, lawful and happy in the workplace,” she said.

Personally she recalls a harassment encounter when she interviewed for her first job at the age 16 — to wrap holiday packages at a Los Angeles department store.

“I remember walking into the manager’s office and he asked me to take my shirt off to get the job,” she said. “I unbuttoned it and said, ‘That’s all I’m going to do.’”

She got the job, nevertheless.



Actors play a human resources director, left, administrator, center, and a doctor discussing inappropriate behavior by a department head in a hospital. (Gregg Ward Group)

If companies don’t take steps to deter harassment, they can pay a high price. The [U.S. Equal Employment Opportunity Commission](#) said it received a record \$46.3 million in monetary benefits in 2017 in sexual harassment cases, up 13.8 percent from 2016.

The [Consumer Attorneys of California](#) said several laws have been introduced in Sacramento this year to clamp down even further:

- Extend the statute of limitations from the current one-year maximum to three years.
- Broaden the definition of who can sue in the course of searching for work.

- Loosen arbitration-require provisions in employment contracts.
- Regulate how many years company must keep complaint records.

But the group's legislative counsel, Jacqueline Serna, said no bills have yet been introduced to require all employees to undergo harassment awareness training. Some companies conduct training for nonsupervisory workers.

Hollywood, Silicon Valley, New York and Washington, D.C., may have dominated the headlines of egregious behavior, mostly men harassing women.

Food, beverage, hospitality industry a harassment hotspot

But the food, beverage and hospitality industry has historically seen the most cases, experts say.

"We just have much more exposure than any of these other industries," said Stephen Zolezzi, president and CEO of the San Diego Food & Beverage Association. "It's a hospitality environment. There's more of an opportunity to be familiar with people and that could be offensive to somebody — where do you draw the line?"

His members pay \$30 per person for online biannual sexual harassment training — a charge that can run much higher for in-person sessions. And the need is constant, he said.

Melody Nelson, vice president of human resources at [Burger Lounge Restaurants](#), said her company uses online training courses that feature animated scenarios and quizzes throughout. Onsite instructor sessions also have been held.

"We're at work and we can be friendly and caring and have close bonds with employees, but we always have to maintain professionalism," she said.

Heather Whitley-Quinn, human resources director at the [Manpower](#) employment agency, said virtually the entire staff, not just management, receive sexual harassment training. But she acknowledged that low-level employees at any company may still not feel empowered to complain because they cannot afford to quit and look for a new job.

"That makes a person hesitant to speak out," she said. "If they leave an organization they may not necessarily be able to get good references if they make waves. These issues are probably still pretty common."

Local attorneys who represent both employers and employees in sexual harassment cases said while training is required, many bosses and their workers don't take the rules very seriously — that is, until there's a problem.

"It's not just about sex — it's about power," said [Joshua Gruenberg](#), who represents workers suing companies, "and there are folks in the workplace who want to exert power over others."

[Gruenberg](#) began his legal career in the aftermath of Anita Hill's allegations against Supreme Court justice nominee Clarence Thomas in 1991 and has gotten a boost in calls from potential clients as with allegations multiplied against President Donald Trump, Hollywood mogul Harvey Weinstein, NBC anchor Matt Lauer and many others — despite robust anti-harassment policies in place.

"People tend to let the worst of their human nature come out at times," Gruenberg said. "We don't expect this to stop, just like we don't expect discrimination cases to stop."

Tough policies don't prevent bad practices

Just recently, he sued the city on behalf of a Park and Recreation Department employee who alleged her boss had created an intolerable working environment when she fended off his advances. The city has extensive training and anti-harassment policies that also failed it when former Mayor [Bob Filner](#) did not take the required training and resigned over allegations from numerous women five years ago.

[Aimee Axelrod Parker, a Cozen O'Connor](#) attorney who represents employers and management, said in recent training sessions, clients have expressed concern about false accusations. But she warns them that every accusation must be taken seriously and handled objectively.

When someone is found to be harassing, training veteran Gregg Ward said the most effective deterrent is company action.

“The best way to send a message is to fire somebody who’s engaged in this behavior, and everybody knows it,” he said.

Link to original article: <http://www.sandiegouniontribune.com/business/growth-development/sd-fi-sextraining-20180212-story.html>