Don't Be A Rogue Runner: Employment Litigation & The #MeToo Impact

Speaker:
Gerry Preciado
TAKE NOTES & EMAIL THEM

Click on the pencil icon to take notes

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Dear Sisters,

We also recognize our privilege and the fact that we have access to enormous platforms to amplify our voices. Both of which have drawn and driven widespread attention to the existence of this problem in our industry that farmworker women and countless individuals employed in other industries have not been afforded.

To every woman employed in agriculture who has had to fend off unwanted sexual advances from her boss, every housekeeper who has tried to escape an assaultive guest, every janitor trapped nightly in a building with a predatory supervisor, every waitress grabbed by

This systemic gender-inequality and imbalance of power fosters an environment that is ripe for abuse and harassment against women. Therefore, we call for a significant increase of women in positions of leadership and power across industries. In addition, we seek equal representation, opportunities, benefits and pay for all women workers, not to mention greater representation of women of color, immigrant women, disabled women, and lesbian, bisexual, and transgender women, whose experiences in the workforce are often significantly worse than their white, cisgender, straight peers. The struggle for women to break in, to rise up the ranks and to simply be heard and acknowledged in male-dominated workplaces must end; time’s up on this impenetrable monopoly.

We are grateful to the many individuals — survivors and allies — who are speaking out and forcing the conversation about sexual harassment, sexual assault, and gender bias out of the shadows and into the spotlight. We fervently urge the media covering the disclosures by people in Hollywood to spend equal time on the myriad experiences of individuals working in less glamorized and valorized trades.

Harassment too often persists because perpetrators and employers never face any consequences. This is often because survivors, particularly
How common is sexual misconduct in Hollywood?

A TODAY SURVEY OF 843 WOMEN IN THE ENTERTAINMENT INDUSTRY FOUND 94% SAY THEY EXPERIENCED HARASSMENT OR ASSAULT.

Maria Puente and Cara Kelly, USA TODAY
Unwelcome sexual comments, jokes or gestures to or about you: 87%
Witnessing others experiencing unwanted forms of sexual comments: 75%
Being touched in a sexual way: 69%
Witnessing others advance professionally from sexual relationships with employer/managers: 65%
Propositioned for a sexual act/relationship: 64%
Being shown sexual pictures without consent: 39%
Someone flashing/exposing themselves to you: 29%
TIME'S UP

HOW DO WE CHANGE OUR FUTURE?

ONE CULTURE AT A TIME
FOUNDATIONAL ASSUMPTIONS BEFORE WE BEGIN

POLICIES ADOPTED
Governance team has adopted the requisite policies prohibiting harassment, discrimination, and retaliation.

EMPLOYEES TRAINED
Supervisory personnel and local agency officials are trained every two years (and all other staff are regularly trained as well).

ENFORCEMENT & INVESTIGATION
Any and all allegations of wrongdoing are taken seriously and responded to in a uniform and consistent manner to protect employees.
SHIFTING CULTURES AWAY FROM EPL EXPOSURES TAKES LEADERS, PROCESSES, AND COMMITMENT
“MY DEFINITION OF LEADERSHIP IS COMMUNICATING TO PEOPLE THEIR WORTH AND POTENTIAL SO CLEARLY THAT THEY ARE INSPIRED TO SEE IT IN THEMSELVES.”
STEPHEN COVEY
WHO ARE THE LEADERS WE NEED TO LEAD US INTO THE 2020s?

(Discuss with your neighbor)

Knowing what we know about 2018’s workplace climate, what are the characteristics we need in our leaders as we prepare to enter the third decade of the new millennium in just 18 months?
Caring
Empathic
Self-Aware
Self-Regulated
Communicative
Did we just describe you?
MOST COMMON CHARACTERISTICS EMPLOYEES USED TO DESCRIBE IDEAL LEADERS

- CARING
- APPROACHABLE
- ACCOUNTABLE
- FRIENDLY
- SELF-CONTROLLED
- HONESTY & INTEGRITY
- UNDERSTANDING & EMPATHIC
- RESPECTFUL
- POSITIVE
- WORK ETHIC
- MENTOR & ENCOURAGE
- SENSE OF HUMOR
- FLEXIBLE
- SUPPORTIVE TEAM PLAYER
- DECISIVE
- DISCIPLINED
HOW IMPORTANT ARE LEADERS IN THE CULTURE SHIFTING PROCESS?

INDISPENSABLE
HOW YOU ACHIEVE THE RESULT CAN OFTEN MATTER AS MUCH, OR MORE, THAN THE RESULT ITSELF.

THE ENDS ONLY JUSTIFIES THE MEANS WHEN ONLY ONE PERSON KNOWS HOW IT WAS ACHIEVED.
MAXIMS OF CHANGE™

• WALK THE TALK
• ENCOURAGE AUTHENTIC PARTICIPATION
• CHAMPION THE CAUSE
• ENCOURAGE ACCOUNTABILITY
WALK THE TALK
The Credibility Maxim
ENCOURAGE AUTHENTIC PARTICIPATION

The Buy-In Maxim
CHAMPION THE CAUSE

The Momentum Maxim
ENCOURAGE ACCOUNTABILITY

The Morale Maxim
MAXIMS OF CHANGE™

• WALK THE TALK
• ENCOURAGE AUTHENTIC PARTICIPATION
• CHAMPION THE CAUSE
• ENCOURAGE ACCOUNTABILITY
INDIVIDUAL COMMITMENT TO A GROUP EFFORT - THAT IS WHAT MAKES A TEAM WORK, A COMPANY WORK, A SOCIETY WORK, A CIVILIZATION WORK.

VINCE LOMBARDI
A WORKPLACE THAT ALLOWS OR CONDONES UNWELCOME SEXUAL CONDUCT WILL ALWAYS BE CHARACTERIZED AS LACKING IN TRUST.

TRUST IS A BYPRODUCT OF COMMITMENTS THAT ARE MADE AND KEPT. WHEN COMMITMENTS ARE BREACHED OR BROKEN, THE TRUST ERODES.
SOME OF THE ESTABLISHED WORKPLACE COMMITMENTS IN OUR SOCIETY

• EVERY EMPLOYEE IS ENTITLED TO A WORKPLACE FREE OF UNWELCOME AND OFFENSIVE SEXUAL CONDUCT
• EVERY EMPLOYEE IS ENTITLED TO WORKPLACE FREE OF DISCRIMINATORY CONDUCT
• EVERY EMPLOYEE IS ENTITLED TO WORKPLACE FREE OF RETALIATORY CONDUCT
• EVERY EMPLOYEE IS ENTITLED TO WORKPLACE FREE OF WORKPLACE VIOLENCE
HOW DO WE REESTABLISH TRUST IN A CULTURE?

THERE ARE NO SHORTCUTS
THE COMMITMENTS NEEDED FOR ANY WORKPLACE TO REESTABLISH TRUST

- WE WILL NOT TOLERATE UNWELCOME AND OFFENSIVE SEXUAL, DISCRIMINATORY, RETALIATORY, OR ABUSIVE CONDUCT.

- IF YOU COMMIT TO SHARING WITH US WHEN IT HAPPENS, WE COMMIT TO TAKING ALL REASONABLE STEPS TO (1) PROTECT YOU, (2) INVESTIGATE THE MATTER, AND (3) HOLD ALL RESPONSIBLE PARTIES ACCOUNTABLE, REGARDLESS OF THEIR POSITION WITHIN THE ORGANIZATION.

- WE ALSO COMMIT TO TAKING ANY SUBSEQUENT REMEDIAL MEASURES NECESSARY, INCLUDING CHANGING PROCESSES, EDUCATING PERSONNEL, AND STRUCTURAL CHANGES, TO ENSURE THIS NEVER HAPPENS AGAIN.
THE FUTURE IS THE ONLY PLACE WE HAVE INFLUENCE TO CHANGE. NO MATTER HOW TALENTED WE ARE, WE CANNOT CHANGE WHAT HAPPENED FIVE MINUTES AGO.
WINSTON CHURCHILL

“SUCCESS IS NOT FINAL. FAILURE IS NOT FATAL. IT IS THE COURAGE TO CONTINUE THAT COUNTS.”

DON’T GIVE UP ON YOUR EFFORTS TO RESHAPE THE FUTURE OF YOUR PUBLIC ENTITY
PLEASE RATE THIS SESSION

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Apple iOS
EMPLOYMENT LITIGATION & THE #METOO IMPACT

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