

What Will Really Move The Needle In Improving Harassment Prevention?

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I just published an article in the Ohio State Bar Association Labor & Employment news examining which of the hot topics of discussion in the wake of #MeToo are likely to actually decrease workplace harassment. The question is not whether it is a good idea to improve harassment prevention – even most employers that have done an excellent job complying with their legal requirements and promptly addressing complaints believe there is unreported harassment out there and they want to find it. The question is *what will actually work?* In the article, I submit that the two popularly identified villains to date – arbitration clauses and non-disclosure agreements – may not really be the path to reducing unreported harassment. Rather, I submit two things that are most likely to really change workplaces:

- Rethinking the once-a-year, come-to-HR or watch-a-video training model, including with more frequent smaller touches that match our attention spans and are more likely to keep prevention top of mind.
- Developing reporting mechanisms and other ways to be aware of harassment situations short of the formal, naming names report on which employers have often relied to initiate an internal inquiry.

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