#MeToo & Organizational Responses

Society for Corporate Compliance & Ethics Regional Conference 2018

Let’s (Not) Talk About Sex

- Is it Even Possible to Discuss #MeToo without discussing sex, politics and gender bias?
- From the Harvard Business Review 8-part series called “Managing #MeToo”:

  “If your business is serious about eliminating the risk of sexual harassment — and it should be — you need to approach the problem comprehensively. This means recognizing that sexual harassment is part of a continuum of interconnected behaviors that range from gender bias to incivility to legally actionable assault. All these kinds of misconduct should be addressed collectively, because sexual harassment is far more likely in organizations that experience offenses on the “less severe” end of the spectrum than in those that don’t.”

First Responses

In September 2018, CBS announced that it would be donating $20 million of former Chairman Les Moonves' severance to #MeToo. Moonves was forced to step down after numerous sexual misconduct accusations.

From a recent Business Wire press release: [The Company] announced today that the Board of Directors has terminated the employment of its Chief Executive Officer, effective immediately, for reasons relating to his engaging in and failing to report a consensual relationship with a subordinate employee.
Recent Press Accounts of #MeToo Responses

“Mr. Rubin was one of three executives that Google protected over the past decade after they were accused of sexual misconduct. In two instances, it ousted senior executives, but softened the blow by paying them millions of dollars as they departed, even though it had no legal obligation to do so. In a third, the executive remained in a highly compensated post at the company. The New York Times October 24, 2018, How Google Protected Andy Rubin, the “Father of Android”, by Dasuke Wakabayashi and Katie Benner.

“As many as 48 people have been fired from Google over sexual harassment allegations over the past two years, Pichai said, 13 of whom were senior managers and above. “None of these individuals received an exit package,” he wrote in the memo. The Washington Post October 24, 2018, The Switch, by Brian Fung.

Plus Ça Change...

▸ What’s the Same and What’s Different?
  ▸ Generational Coping & Responses
  ▸ Social Media’s Impact – the time crunch
▸ What Does Your Company Stand to Gain or Lose?
▸ What is Your Role?
Voices in the Crowd

“We’ve never seen something like this before,” said Joan Williams, a law professor who studies gender at the University of California, Hastings. “Women have always been seen as risky, because they might do something like have a baby. But men are now being seen as more risky hires.”

Tarana Burke, Founder of the #MeToo movement: “Where’s the self-reflection and accountability?” she said. “Perhaps if we saw some evidence of that, then we can have a more robust conversation about the road to redemption.”


Rule No. 1: Know Your Culture

Is Your Workforce Unique?

What Does Your Code of Conduct Say? Does Anyone Actually Read It?

Do You Already Have Issues Exacerbated by MeToo?

Any Collective Bargaining Impacts?
Have You Done Your Training? Of Course You Have

Show of Hands – How Many of You Put Training on Everyone’s Calendar After the Weinstein News Broke?

Did You Experience an Uptick in Complaints?

If It’s Time to Revisit Your Policies

How Has Your Workforce Changed?

Should Generational Differences in Your Workplace Influence the Content of Your Policies?
Traditionalists

2% of the Workforce
Lived through the Great Depression & World War II
Work is a Privilege
Prize Loyalty in their Employer
Just get me to Retirement!
Baby Boomers

- 30% of the Workforce and Dropping
- Grew up in the Cold War, formative years during the Antiwar Movement, the Civil Rights Movement, the Feminist Revolution, the Kennedy and King Assassinations, Watergate and the moon landing.
- Work hard and expect others to “Pay Their Dues”
- Their leadership mentors tend to be autocratic and not collaborative

Generation X

- 34% of the Workforce but only half as large as the Boomers
- Grew up during the fall of the Berlin Wall, Iran-Contra, Operation Desert Storm, the OJ trial, Rodney King riots and higher divorce rates
- Latchkey Kids
- Embraced technology, the Internet, video games & mobile phones
- Leadership style involves coaching and teamwork
Millennials

- By 2025 will constitute 75% of the workforce (34% now)
- Childhood marked by 9/11 attacks, Enron, Iraq, and Afghanistan
- Helicopter Parents & Participation Ribbons
- Rise of Social Media
- Value their personal lives and happiness
- Value flexibility, feedback, and social consciousness

Generation Z

- Grew up in Global Recession due in part to the Financial Crisis
- Insecurity brought about by foreclosure, job loss, and student debt
- Innovative and excellent users of technology & data
- Extremely Competitive and value security and growth more than Millennials
- More likely to stay in a job if they are given opportunities to partner with leaders and detailed guidance
You Have the Tools

Open the Toolbox

- Are You Consistent In Application of Your Policies and Code of Conduct?
  
  "Google’s sexual harassment policy states that violators may be terminated - but it was flexible in how it enforced the rules."

- Do You Have a Code of Conduct for Contractors and Vendors?

- Who are your Partners?
**Embrace the Opportunity**

- Rewrite Your Code of Conduct & Policies in Plain Language
- Find New Ways to Communicate & Socialize
- Reward Positive Behavior Aligned with Company Values

**Employee Engagement & Communication**

- How many of you have Employee Engagement as a corporate goal?
- How are companies supposed to appeal to the 5 Generations with a uniform message?
- What are the risks of getting it wrong – disengagement, turnover and litigation
Other Means of Communication

- Have You Asked Your Employees How They Feel? Is That a Good Idea?
  - Surveys may be appropriate depending on the culture
  - Does your company have a Culture of Communication? Can you create one?
  - Impact of Social Media on Decision-Making

What’s Your Role?