DEFENSIVE DRAFTING of HANDBOOKS

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EEO Policies

- Define Prohibited Discrimination:

  Age, Race, National Origin, Religion, Sex (Gender; Gender Stereotyping; Sexual Orientation; Gender Identity; Transgender Status), State Specific Protected Classes

- Process for Disability Accommodation Requests
- Process for Religious Accommodation Requests
- Prohibit Retaliation
- Process for Reporting Discrimination / Harassment / Retaliation

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Harassment Policy – Definitions

- Define Prohibited Harassment:

  Age, Race, National Origin, Religion, Sex (Gender; Gender Stereotyping; Sexual Orientation; Gender Identity; Transgender Status), State Specific Protected Classes

- Consider using definition of sexual harassment from amended Texas TCHRA
- Includes Conduct of Employees / Customers / Vendors / Contractors / Cotenants / Etc.

Harassment Policy – Reporting Process

- Provide Process for Reporting Discrimination / Harassment / Retaliation

- Careful encouraging employees to address their concern with the harasser!

Harassment Policy – Reporting Process

- Report to HR or Top Mgmt. Telling the harasser to stop is not a report!
- Don't assume others know conduct is unwelcomed. (Don't rely on a witness to report for you)
- Report again if conduct continues. Don't assume result of investigation will be the same.

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Harassment Policy – Investigation Process

The Company will investigate and take immediate and appropriate corrective action.

Employee cooperation in Company investigations is mandatory.

Don't guarantee confidentiality.

X Information will be shared only with those who need to know

✓ While confidentiality cannot be guaranteed, the company will endeavor to limit the information to those with a need to know.

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