

The Future Ethics & Compliance Evolution

Modern Harassment Prevention Training and Techniques

In this whitepaper, we present three articles that explore the vital issue of ethics, compliance, and sexual harassment in the workplace—a subject that resonates deeply in our current social and corporate landscapes.

First, we present a fresh, dynamic approach to ethics and compliance (E&C) training, transforming what's often seen as a checkbox exercise into an engaging, meaningful experience.

Second, we explain why this training is not just a company requirement but a valuable skillset for employees' professional growth.

Third, we confront the persistent challenge of sexual harassment, offering practical strategies for creating safer, more respectful work environments.

This compilation is a call to action to collectively foster a culture of integrity and respect in our professional spheres.

Four-Step Process for an Effective E&C Program

You want employees to have a positive impression when they learn about E&C training. However, many struggle to see how an E&C program makes their day-to-day jobs easier, safer, or better. They may not understand the practical value of E&C training for themselves or for the company. In contrast, the growing number of well-known corporate [malfeasance cases](#) making headlines

demonstrates that E&C training is more important than ever to reduce incidents and protect employees.

E&C officers know the value of ethical and compliant behavior. The question is, how can you find new and innovative ways to bring more attention, relevance, and excitement to E&C training?

Emphasizing value plays a vital role in successful E&C training.

When employees don't value their training, it fails to add any benefit to accomplishing their daily job responsibilities.

Therefore, it's important to help employees understand how the content learned as part of E&C training is integrated into their job responsibilities.



A campaign-based approach to ethics and compliance training

If you fundamentally agree with that idea, then a campaign-based approach can be a very successful way to deliver an effective learning program. We know it works. SAI360 helps global organizations build E&C programs that go beyond one and done training courses in order to address business risks and protect their brand.

Like advertising and marketing, learning is about changing behavior and requires repetition to break through the day-to-day noise. Thinking like a marketer can help E&C officers create a strategy for learning that leads to behavior change.

The following four steps apply a marketing framework to creating effective learning campaigns:

1. Prime (Discovery): This stage is about making employees aware of an E&C topic like [diversity, equity, and inclusion](#) and helping them recognize they have a learning need. It's the same process as advertising a product.

2. Train (Consideration): At this stage, you deliver key knowledge about the E&C program and focus on why it matters. The goal is to compel employees to recognize the value of the training. In marketing and advertising, it's called persuasion.

3. Apply (Conversion): This is when you help employees transfer what they learned to apply in their everyday workday. For E&C programs, it's all about connecting the dots to operationalize the training and instill the knowledge in employees so they understand their roles and responsibilities. Again, like marketing, the goal is to satisfy customers.

4. Sustain (Retention): The last stage isn't the end of the learning journey. It's a continual effort to embed a desired outcome and behavior. Like marketing, it's all about repeat business and serving your customers. For your E&C program, it means helping someone maintain what they have learned and reinforcing why it is essential to them. Learning is about changing behavior.

Gaining valuable, transferable workplace skills

According to SAI360's deep expertise in the field of E&C programming, there are two driving forces behind the perception of E&C training: time and value. Today's workforce feels overwhelmed and distracted when they learn about E&C training.

It's time for a reset. Position E&C training as a valuable skill for employees to learn that can help them in their current jobs and in their careers.

[LinkedIn's 2022 Workplace Learning Report](#) surveyed 1,444 Learning and Development professionals and 610 learners, and found skills—both upskilling and reskilling—are the most critical component of future-proofing organizations and advancing an individual's career. Employees demand not only flexible on-the-job learning, but they also expect organizations to provide them with more opportunities for personal growth and purpose. E&C training can be a valuable component of on-the-job learning that companies also benefit from.

Organizations now recognize the need to nurture and cultivate human capabilities in the workforce to match employees' expectations of on-the-job relationship building, social responsibility, and compassionate behavior.

That said, taking a campaign-based approach to your E&C training program can help employees recognize your program's value and make it easier for them to engage with that information. Making these experiences more flexible, i.e. considerate of their time and aligned with their values, can go a long way in changing employees' perception of E&C learning.

3 Ways to Prevent & Combat Sexual Harassment in the Workplace

Legislation On the Rise

In 2021, the [International Labour Organization Violence and Harassment Convention](#) (ILO Convention No. 190) came into force. It's the first international treaty to recognize the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment. In January 2023, Canada became the 25th country to ratify the convention.

Recent legislation focuses on increased transparency, more protections for employees, and more legal obligations on the part of employers to take “all reasonable steps” to prevent harassment. For example, in the United States, the [Chicago Human Rights Ordinance](#) includes specific requirements for sexual harassment prevention training and bystander training for all employees and supervisors working in Chicago. (To help organizations meet these new training requirements, SAI360 [launched](#) a new comprehensive Dignity and Respect Course and a Bystander Course.)

A measure to increase transparency by stopping employers from enforcing nondisclosure agreements and non-disparagement clauses—tools that are often used to stop discussion of sexual harassment cases—was signed into law in the United States in late 2022. [The Speak Out Act](#) also enables employees to speak out if they see mistreatment of colleagues.

In the European Union, national legislation applicable to all members prohibits sexual harassment at work. Legislation in Denmark also clarifies what constitutes sexual harassment and requires employers to produce a risk assessment on harassment in the workplace. While Romanian law requires employers to implement an internal policy aimed at eliminating harassment at work.

In the United Kingdom, the [Worker Protection \(Amendment of Equality Act 2010\)](#) Bill introduced in the House of Commons in late 2022 proposes increased protections against workplace sexual harassment. It places legal obligations on employers to take “all reasonable steps” to prevent harassment, including harassment of employees by third parties.

[Australia's recent national survey](#) on sexual harassment in the workplace shows relatively little change over the last four years. In 2022, 33% of workers said they were sexually harassed at work in the previous five years, compared to 2018 when 41% of women and 26% of men reported being harassed at work. The Australian Parliament passed the Respect@Work Bill, which requires employers to proactively take steps to prevent workplace sexual harassment.

In October 2022, China's legislature passed the revised Law on the Protection of Women's Rights and Interests (“Women's Protection Law”), effective January 1, 2023. The law added several new provisions, including a definition of sexual harassment and specific employer obligations in sexual harassment prevention.

Three Things to Know About Sexual Harassment

- Sexual harassment training exists because everyone has the right to be in a harassment-free workplace. Yet statistics show that globally more than [1 in 5 workers](#) have experienced violence or harassment at their workplace.
- Not only do employers have a legal obligation to protect their workforce, but they also have a moral and ethical duty. They have one basic obligation—to provide a safe working environment free from discrimination and harassment, which means taking all reasonable steps to ensure employees' health, safety, and well-being.
- The #MeToo movement resulted in increased awareness of workplace sexual harassment and elevated the importance of training on sexual harassment. This heightened public scrutiny and recognition of the consequences of sexual harassment, combined with a sharp increase in legislation, led employers to make significant changes to training, policies, and dispute resolution.

Sexual Harassment Prevention is Everyone's Responsibility

Preventing sexual harassment at work is everyone's responsibility. Cultural change needs to happen at every level of the professional ecosystem to build a workplace that is equipped to address sexual harassment. Providing resources and training tools to prevent and address workplace sexual harassment and assault is critical to making workplaces safer for all.

Identifying sexual harassment can be difficult, and one of the main challenges organizations face in preventing it is ensuring that employees understand the gray areas and know where to draw the line. It's critical for your workforce to understand just how damaging sexual harassment can be to the organization. Sexual harassment cases often carry steep costs: victim settlements, reputational damage, loss of revenue, product boycotts, loss of consumer confidence, along with a drop in workplace productivity and morale.

The steps below can help your organization reduce the risk of sexual harassment by helping your people understand what constitutes sexual harassment and [empowering them to speak up](#).

1. Ingrain the right behavior across the entire organization

Your organization's sexual harassment policy needs to clearly outline behaviors that are not acceptable and the consequences of breaching the policy. This must be followed with comprehensive training to develop an understanding of what constitutes sexual harassment. The training needs to be engaging, specific, and relevant to your workplace. It should incorporate different realistic scenarios that may occur in your workplace, so people know what to do if they are ever in a similar situation. Scenarios need to be both obvious and more nuanced, and cover common gray areas, e.g., complimenting someone's appearance, telling a joke, or tagging a colleague on social media. Employees need to have a clear understanding of what is and isn't acceptable, however minor the situation.

2. Maintain employee awareness of expected conduct

To build a culture of zero tolerance, employees should be reminded of the organization's expectations of their conduct. An ongoing awareness campaign comprised of training and short courses accessible on mobile, is an easy and efficient way to communicate reminders about appropriate conduct across the organization. Without reminders, it's easy to conflate right and wrong ways to behave—especially in the gray areas.

As part of the ongoing awareness campaign, employees should be trained on and encouraged by both managers and peers to be role models for good behavior and to speak up—calling out inappropriate conduct as it happens and reporting it.

3. Educate managers on how to handle reports of sexual harassment

Victims or witnesses of sexual harassment need to trust the reporting process and its commitment to confidentiality. They need to feel safe and protected from retaliation, and confident that their workplace takes their report seriously. Managers need to be trained on how to respond to a report of harassment, know what is expected of them during an investigation, be equipped with ways to avoid sex-based discrimination, and support employees throughout the process. They must lead by example and be approachable and empathetic, regularly reminding and encouraging employees to speak up to them.

The SAI360 Approach

SAI360's training takes a behavioral approach by using real-life scenarios that people may encounter in their workday. We also use a "show, then do" approach where a scenario is presented with the result, allowing learners to decide how to handle a similar situation with feedback provided.

The Incalculable Cost of Workplace Sexual Harassment

From broken cultures and decreased productivity to severe reputation damage, the far-reaching consequences of workplace sexual harassment can have a significant impact on your company's bottom line.

The wave of public accusations of sexual harassment and abuse fostered by the #MeToo movement seared the issue into the public consciousness in 2017 when the [New York Times broke its story on producer Harvey Weinstein's history of sexual harassment and coercion](#).

Before that, stories of widespread sexual harassment flew largely under the radar and lurked in the shadows of the corporate world. For the most part, organizations kept a lid on sexual harassment allegations through a combination of nondisclosure agreements and behind-the-scenes settlements. And despite the financial and reputational costs to organizations of high-profile payouts—such as the [\\$45 million that 21st Century Fox paid to settle allegations of sexual harassment](#)—executives seemed unaware of the scale of the problem or chose to ignore it.

The Weinstein scandal thrust sexual harassment into the limelight and kicked off the reckoning around sexual misconduct that continues to make headlines. Cases include the resignation of New York State Governor Andrew Cuomo over allegations of sexual harassment, celebrity chef Mario Batali's settlement in two sexual misconduct cases for undisclosed amounts, and billionaire [Elon Musk's payment of \\$250,000 to a flight attendant](#) from his SpaceX company to settle a sexual misconduct claim.

Cause & effect of workplace sexual harassment

Organizations are now scrutinized from the outside in, and the inside out, on how they handle worker sexual harassment and assault allegations. This has thrown them into a turbulent process of confronting and rapidly reassessing this form of abuse and triggered a broader conversation about sexual harassment in the workplace.

Beyond being legally and morally the right thing to do, aggressively fighting workplace sexual harassment is also good for business, and not just monetarily. Sexual harassment can come at a steep price, but a price measured not only in dollars.

Workplace sexual harassment cases can cost organizations millions of dollars in victim settlements and in reputational damage. Although brand damage is hard to quantify, it can have long-term financial consequences, including drops in advertising revenue, product boycotts, the loss of investors, decreased worker productivity, and a decline in consumer confidence.

Considering the devastating consequences of sexual harassment on the individuals involved, it may seem somewhat cold to

examine its economic aspects, but it's a vital aspect to consider in terms of precipitating organizational change. Looking at financial markers provides a strong basis for corporate policy changes, since they offer concrete and tangible evidence of the impact that sexual harassment and assault have on the business.

While most employers tend to focus on direct costs, like legal fees or settlement amounts, the true price of sexual harassment includes indirect costs such as driving away customers, investors, and potential talent. It can also decrease productivity, increase worker turnover, and lower employee morale—which can all deter progress toward an organization's growth targets.

Providing support and a modern approach to learning, culture, and employee communication is essential, as the effects of sexual harassment and assault can be detrimental to workers' wellbeing. Numerous researchers have found that dealing with sexual harassment negatively impacts workers' psychological wellbeing and their job satisfaction—effects that could lead to absenteeism and lower productivity.

More than a decade ago, an analysis of [41 studies of workplace sexual harassment](#) estimated that, on average, organizations lose about \$22,500 in productivity per harassed individual. That amount would undoubtedly be larger today and, realistically, the damage for victims may never be able to be fully calculated.

In addition, when investigations reveal that warning signs were ignored, the collateral damage for the C-suite and board members may result in major business disruptions. Given this, it's easy to understand why corporate culture and ethics are no longer viewed as a side project, but as a corporate imperative to future-proof an organization against reputation damage.

Workplace Sexual Harassment Prevention Training

Between FY 2018 and FY 2021, the [U.S. Equal Employment Opportunity Commission \(EEOC\) received a total of 98,411 charges](#) alleging harassment under any basis and 27,291 charges alleging sexual harassment. We know that sexual harassment cases are still being under-reported, so it's virtually impossible to draw up a balance sheet when so many cases are settled privately. On the positive side, the issue of sexual harassment has intensified the efforts of business leaders and boards to retool their perspectives on what they know about their own organizational culture.

With more organizations now recognizing the personal and business consequences of sexual harassment, they're increasingly acting to address it in the workplace—from firing and ridding themselves of harassers and predators to integrating workplace sexual harassment prevention training across the workforce.

Although the tide is turning, cultural change needs to happen at every level of the professional ecosystem, to build the workplace structure needed to address sexual harassment. This includes holding third-party partners accountable to your organizations own code of conduct standards.

Culture is more than a word, more than a poster or a saying—it's the DNA of your business, and it needs to be carefully managed across the entire organization. Providing resources and training tools to prevent and address workplace sexual harassment and assault is critical to making workplaces safer for all.

Interested in learning more about the sexual harassment training resources created by SAI360? [Let's start a conversation.](#)

Our unified approach to risk sets us apart

Today's complex risk landscape demands more. SAI360 leads the way with an integrated GRC platform and Learning solution that spans the entire risk spectrum.

Risk Management Solutions

- Enterprise & Operational Risk Management
- Regulatory Change Management
- Policy Management
- Third-Party Risk Management
- Internal Control
- Internal Audit
- Incident Management
- Conflicts of Interest (COI) Disclosure Management
- IT & Cybersecurity
- Business Continuity Management

Ethics & Compliance Learning Solutions

- Anti-Bribery & Anti-Corruption
- Competition & Anti-Trust
- Conflicts of Interest
- Data Protection & Privacy
- Information Security
- Exports, Imports & Trade Compliance
- Harassment & Discrimination