
Sexual Harassment Prevention Policy and Procedures Report

House Subcommittee on Workplace Safety and Respect – March 26, 2018

Emily Lefholz, Director of Policy Research and Planning

Kristyn Anderson, General Counsel

Report Summary – Full report available at mn.gov/mmb

At the request of Governor Mark Dayton, Minnesota Management and Budget (MMB) examined statewide sexual harassment prevention policies and procedures. The report issued in January 2018 summarizes our current policies and procedures, and also provides 10 recommendations for ways to improve them.

The outcome of our assessment: Minnesota has a strong state policy prohibiting sexual harassment. However, we can do more to improve the state's workplace culture, increase consistency of sexual harassment processes, and provide state employees more resources in this area. Employees must feel safe to report incidents, confident in the responsiveness of their supervisors, and certain of a fair and effective investigation process.

In understanding how the state can improve upon current efforts, we reviewed what dynamics unique to state government present challenges in providing consistent and effective processes and procedures for sexual harassment prevention. These include:

- A large and diverse workforce of over 33,000 employees in 23 separate agencies
- A decentralized model and wide diversity of employment environments
- Whether resources are equitably distributed for prevention efforts and processing complaints
- Data privacy laws restricting transparency into the process for those who report harassment

Through our review of these challenges and the conversations we had with employees, agency leaders, and other stakeholders, we found opportunity for progress in creating a more inclusive, safe, and respectful workplace free of sexual harassment in the executive branch.

We recommend improvements through a multifaceted approach to address the complex issues of process, culture, training, and communication, all with requirements of accountability and regular re-evaluation. We identified high-level areas of improvement for both the short-term and long-term. Some recommendations are already underway, while others require further study, more resources, or both.

Recommendations

1. Create an independent office to receive reports of sexual harassment, conduct investigations, and enforce consistent application of the policy and procedures across the executive branch.
2. Expand and routinely require multifaceted training on the sexual harassment prevention policies, procedures, and issues peripherally related to creating an inclusive and respectful workplace. The training should be entwined with a broader communication strategy to reinforce and engage employees.
3. Hire and retain more diverse senior leaders and managers, improve retention rates of women in leadership positions, and expand women in leadership roles in traditionally male-dominated career fields.

4. Implement a robust communication plan to educate and remind all employees of the sexual harassment prevention policy, procedures, and training and highlight resources available in creating a more inclusive and respectful workplace. The communication plan should specifically include a comprehensive all-employee survey with routine follow-up and evaluation of progress and a statewide communications toolkit to provide resources uniformly across all agencies.
5. Expand sexual harassment reporting options for employees, including studying the creation of an external hotline.
6. Expand resources for enhancing a culture of respect in the workplace through employee resource groups, diversity speaking engagements, and cultural competency training.
7. Update the statewide Sexual Harassment Prohibited Policy to include guidance on the roles and responsibilities of those who witness the sexual harassment of others.
8. Develop senior leadership and management accountability for the implementation of the sexual harassment prevention policy and procedures and achieving the goal of a more respectful workplace through separate management training, evaluation through reporting to the governor, measurement through performance reviews, and support the role of affirmative action officers as integral to the sexual harassment reporting process and in achieving the goals of an inclusive work environment.
9. Regularly review agency sexual harassment prevention policies, procedures, and reporting. Ensure strong internal controls by monitoring for changes and deficiencies and make adjustments when needed.
10. Propose law changes that will allow more transparency into the process for those who report sexual harassment.