

THE
NATIONAL LAW REVIEW

The Weinstein Effect: Importance of Anti-Harassment and Anti-Discrimination Training

Wednesday, November 29, 2017

It seems as if a report of workplace sexual harassment or sexual battery is published nearly daily. While the media focuses upon notable public figures, workplace harassment can occur at any company. In many of those reports, it seems that the environment was not conducive to reporting the alleged misconduct or to obtaining an internal remedy. Employers would be well advised to publish anti-harassment policies, conduct anti-harassment training and to make available bona fide reporting and corrective protocols. Doing so is protective of the workforce and legally can serve as a shield to claims. For example, in *Morgan v. Triumph Aerostructures, LLC*, the United States District Court for the Middle District of Tennessee gave credit to an employer's proactive steps in addressing harassment by dismissing an employee's claims for sex discrimination, retaliation, and hostile work environment under Title VII and the Tennessee Human Rights Act.

Summary judgment was appropriate because the employer established its entitlement to the *Faragher/Ellerth* affirmative defense by proving it had promulgated and enforced an anti-harassment policy. Notably, the employer provided discrimination and harassment training, ensured that employees were aware of how to report harassment, fully investigated the complaints of the plaintiff, and engaged in remedial action thereafter. The importance of effective anti-harassment and anti-discrimination training should not be underestimated. Employers should periodically review their policies and conduct regular training to ensure (a) that all employees know how to report harassment and (b) that supervising employees are equipped to properly investigate and intervene when a complaint has been made.

Alyssa J. Calabrese also contributed to this post.

Jackson Lewis P.C. © 2019

Source URL: <https://www.natlawreview.com/article/weinstein-effect-importance-anti-harassment-and-anti-discrimination-training>

The logo for Jackson Lewis, featuring the name "jackson lewis." in a bold, lowercase, sans-serif font. The "j" and "l" are significantly larger than the other letters. The logo is set against a light gray background.

Article By [Jackson Lewis P.C.](#)
[Jeffrey M. Schlossberg](#)
[EPL Risk Management](#)

[Labor & Employment](#)
[Litigation / Trial Practice](#)
[6th Circuit \(incl. bankruptcy\)](#)