

SCHICKMAN AMENDMENT TO 302

ADOPTED AS REVISED

RESOLUTION

1 RESOLVED, That the American Bar Association urges all employers, ~~and specifically including~~
2 all employers in the legal profession, to adopt and enforce policies and procedures that prohibit,
3 prevent, and promptly redress harassment and retaliation based on sex, (including gender, gender
4 identity, ~~and~~ sexual orientation), and the intersection of sex with race and/or ethnicity. Such
5 policies and procedures should include:
6

7 1. dissemination to all employees, management and directors of a clear statement that
8 harassment, including harassment based on sex, as defined above, ~~gender, gender identity, sexual~~
9 ~~orientation, and the intersectionality of sex with race and/or ethnicity~~ will not be tolerated;
10

11 2. confirmation that the policy applies to conduct by directors, officers, management at all
12 levels, supervisors, employees, and third parties, at or in connection with any work related
13 function irrespective of where that conduct occurs;
14

15 3. provision of alternative methods for reporting violations of the policy, including methods
16 which do not involve any accused party, including at least one ~~confidential~~ anonymous reporting
17 method (such as a hotline);
18

19 4. communication ~~upon commencement of employment~~ of the process for reporting to a
20 governmental agency and the relief therefrom ~~if the complainant desires independent review~~;
21

22 5. investigation of all complaints in a prompt, competent, fair, thorough and objective
23 manner, with a report to complainant at closure of the process;
24

25 6. prohibition of retaliation against the complainant and/or witnesses;
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27 7. implementation of corrective actions as appropriate, including, but not limited to,
28 restoration of lost wages or bonuses and disciplinary actions including, but not limited to
29 termination, to prevent and correct unlawful harassment or retaliation in the workplace, ~~enforce~~
30 ~~the policy against harassment and retaliation~~;
31

32 8. communication regarding the existence, resolution, and any consideration paid for the
33 settlement of claims to the highest levels of the entity, such as reporting to the Board of Directors
34 or Executive Committee;
35

36 9. ~~development of initiatives that foster training and other innovative programs to address~~
37 ~~the problem of sexual harassment~~.
38

39 9. Creation of regular and effective training programs for all employees and other persons
40 protected by and/or subject to the policies and procedures.

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DELETIONS STRUCK THROUGH; ADDITIONS UNDERLINED