

FIRM NEWS

FOLLOWING UBER'S SEXUAL HARASSMENT HOUSE CLEANING, DETROIT EMPLOYMENT ATTORNEY LOOKS AT TODAY'S CORPORATE CULTURE, SEES NEED FOR MORE TRAINING AND DISCIPLINARY MEASURES

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PROFESSIONALS

Patricia Nemeth

Patricia Nemeth, founder of Detroit-based management side labor and employment law firm, Nemeth Law, P.C., said Uber Technologies' significant house cleaning to rid its employee ranks of those contributing to a perceived culture of sexism and sexual harassment is a reminder that educating employees on acceptable workplace behavior and attitudes – and meting out appropriate discipline to halt a negative situation - is an ongoing process.

"I've had a labor and employment firm for 25 years, and while the claims of sexual harassment have ebbed and flowed somewhat through the years, the issue never goes away," Nemeth said.

Published reports cite Uber as having fired more than 20 workers on June 6, 2017, as part of an investigation into claims of a company-wide climate that allowed sexism and harassment to flourish. Nemeth said good corporate leaders take sexual harassment claims seriously and go beyond training to help eradicate the problem.

"As with the Uber situation, sexual harassment and sexism in the workplace do not go away on their own. They grow and fester and permeate the work environment until the situation gets intolerable – and illegal," Nemeth said. "Training is critical, but it's not enough. Employers also need to take effective disciplinary measures to remedy a workplace culture where there is sexual harassment. We are definitely seeing that, too. Progressive companies are training, investigating and disciplining promptly – and terminating employees when necessary."

Nemeth says CEOs, especially those with a workforce that is largely under 35, are being reminded that their businesses can suffer irreparable damage from a toxic workplace, regardless of how popular the company's product or service may be. She also stressed the importance of employees speaking up when they experience or witness any type of harassment.

"Employers can't investigate a situation unless and until someone complains; that's a key reason a hostile situation like sexual harassment won't go away on its own. Employers cannot be expected to be clairvoyant.

Women and men need to speak up, and the corporate culture should reflect that it's safe to do so," Nemeth said.

Nemeth offers tips for avoiding sexual harassment in the workplace and handling cases should they arise:

1. Have a strongly worded anti-sexual harassment policy that is disseminated to and signed by employees as an acknowledgement that they are aware of the policy details.
2. Post the policy in a visible place, such as the staff kitchen or Intranet.
3. Educate all supervisors and leadership teams on recognizing and avoiding behavior that can be deemed sexually offensive; ensure they know the importance of taking all claims to management/HR for investigation.
4. Take all claims of sexual harassment seriously and follow the guidelines outlined in the policy during the investigation.
5. Once the investigation is concluded, take appropriate action to remedy the situation. Otherwise, the situation will continue to escalate.
6. Don't retaliate against an individual who files a sexual harassment claim or another employee who supports the claim.

Nemeth founded Nemeth Law as a solo practitioner in 1992. The firm, celebrating its 25th anniversary in 2017, is the largest woman-owned law firm in Michigan to exclusively represent management in the prevention, resolution and litigation of labor and employment disputes.

About Nemeth Law, P.C.

Celebrating 25 years in 2017, Nemeth Law specializes in arbitration, mediation, workplace investigations, employment litigation, traditional labor law and management consultation/training for private and public sector employers. It is the largest woman-owned law firm in Michigan to exclusively represent management in the prevention, resolution and litigation of labor and employment disputes.