



September 2014

## REGULATORY COMPLIANCE SERVICES

# News Brief

### Harassment in the Workplace

### Are you doing enough to protect your business?



### Hospitality Industry Sexual Harassment Lawsuits

The United States Equal Employment Commission saw 78 harassment cases go to litigation in 2013, rewarding \$22 million (\$282,000/case). Of a separate 837 cases that didn't go to litigation and were found to have reasonable cause, monetary benefits totaled \$97.3 million (\$116,000/case). A hefty price tag either way, and that's before taking legal fees into consideration. Ask yourself: Are you doing enough, as an employer, to ensure a harassment charge isn't filed against your business? One of the most critical roles you can take in preventing such outcomes is by handling grievances and complaints in an appropriate manner. Here are few necessary points to remember.

- Take ALL allegations seriously. Of the 21,371 harassment cases received by the EEOC last year, 65% were closed because they determined there was no reasonable cause or reason to believe that harassment occurred. So, yes. You're bound to run into some erroneous complaints with no real grounds; however it's imperative you save your personal judgments until *after* an investigation is complete.
- Follow up on all allegations within 48 hours of being reported. This does **not** mean you must have a "final answer or solution" to the charging party within 48 hours. It's important to acknowledge you have received the complaint and inform the charging party that an investigation is ensuing promptly.
- Complete a thorough investigation. This will most likely involve multiple people including the accuser, the accused, witnesses to the harassment, supervisors/managers and other employees. Ask the following questions:
  - Was the perception of the behavior inappropriate?
  - Was the perception of the conduct a violation of company policy?
  - Was the perception of the conduct a violation of federal, state or local laws?
  - If corrective action is required, will it STOP, PREVENT and CORRECT the problem from occurring again in the future?
- If you allow harassment to continue, you're dramatically increasing the probability of a harassment case being brought against you or your company.

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**"Protecting Your  
Business is Our  
Business"**

## WELCOME TO THE RCS FAMILY OF CLIENTS!

Hilton Key Largo Resort - Key Largo  
The Bay - Santa Rosa Beach  
Great Southern Café - Seaside  
Coyote Ugly Saloon - Destin  
Gluttonous Goat - Boca Raton  
Wyndam Garden - Fort Walton Beach  
Crafted Block and Brew - Orlando  
Courtyard Marriott - Lakeland  
The Porch - Orlando  
Roys Restaurant - Steinhatchee  
Brix 33 - New Port Richey  
Dania Beach Bar & Grill - Dania Beach  
Victory Cruise Casino - Jacksonville  
Cantina La Veinte - Miami  
Yo! Sushi - Sarasota  
Sun Gas I - Delray Beach  
Sun Gas II - Delray Beach  
Sky's Pizza Pie - Pensacola  
Burger Fi - Windermere  
McNab's Dockside - Pompano Beach  
Rodbender's Rawbar - Miami  
Shark Tails - St. Pete Beach  
Cantina Dos Amigos - Indialantic  
Sea Critters Café - St. Pete Beach  
Mi Pueblo - Sarasota  
Mi Pueblo II - Sarasota  
Mi Pueblo - Venice  
Coyote Ugly - Tampa  
Waterside Grill - Placida  
The Florida Theatre - Jacksonville  
McNab's Dockside - Pompano Beach  
Marathon Grill & Ale House - Marathon  
Riviera Foracceria Italiana - Miami  
Sonesta Fort Lauderdale - Ft. Lauderdale  
Dockside Grille - Vero Beach  
Coyote Ugly - Panama City Beach  
Bodega Charlies - Sarasota  
Time Out Sports Grill - Jacksonville  
Bru's Room - Pompano Beach

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- NEVER retaliate against an employee who makes a complaint. This is illegal, and can result in “monetary benefits or litigated rewards” statistics discussed above. Just to be clear, this includes cases that you may have found to be senseless and unmerited. Remember, perception *is* reality, and we all have different perceptions. As the employer, stay neutral and keep *your* perception to *yourself*!

It's essential for all employees to know your company policies on harassment. This should include education on what constitutes harassment and proper channels to follow if employees have a complaint. ***The best way to do this is through regularly scheduled trainings. If you're interested in more information on harassment in the workplace or would like to arrange an on-site harassment training workshop for your business, contact Regulatory Compliance Services at 850-224-2250.***

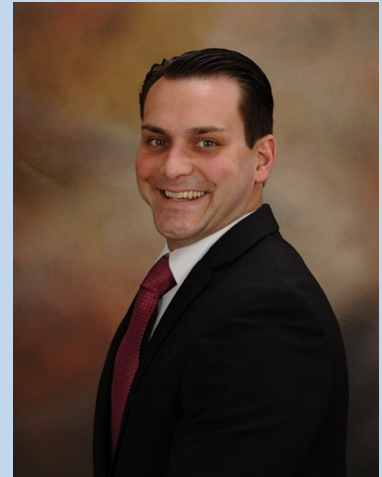
Statistical data retrieved from the US Equal Employment Commission- *Enforcement and Litigation Statistics*- Harassment Charges. <http://eeoc.gov/eeoc/statistics/enforcement/>.  
Web. 16 September 2014.

~John Shermetaro, RCS Regional Manager Northeast Florida

## RCS Employee Profile of the Month

### John Shermetaro Regional Manager Northeast Florida

John Shermetaro is an Eagle Scout and graduate of Florida State University. He's been involved in the hospitality industry since the age of 16. His experience includes full service hotels, restaurants, and independent living centers. He is knowledgeable with multiple brands including Intercontinental Hotels Group, Choice Hotels, Wyndham Hotels and Resorts and Marriot properties. In June of 2013, John was awarded the distinction of “Certified Hotel Administrator” from the American Hotel and Lodging Educational Institute. He's currently serves as the Regional Manager with Regulatory Compliance Services/ the Florida Restaurant and Lodging Association in Northeast Florida;



specifically covering topics of Alcohol Compliance, Food Safety and Sexual Harassment. Before John joined the Florida Restaurant and Lodge Association's team, he served as Director of Corporate Sales and General Manager for multiple properties with Murphco of Florida in Tallahassee.

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