

The Effect of #metoo on the Workplace

By Jane Gleaves, Attorney, Kegler Brown Hill + Ritter



What has been unofficially named the “#metoo movement” or “#metoo era,” represents a revolution of empowerment by survivors and victims of sexual assault and harassment. The movement gained traction on social media in October 2017 when actress Alyssa Milano invited her Twitter followers to tweet out #metoo if they had been sexually harassed or assaulted. Towering figures like Harvey Weinstein, Matt Lauer, and Kevin Spacey went down after individuals brought to light claims of harassment and assault against them. The downfall of these celebrities is the obvious effect of the movement. There are, however, many other and more subtle reverberations of the movement that can be seen in the 2019 workplace. In the past year, we have seen employers grapple with the issue of sexual harassment and gender inequity, as the #metoo movement has made the problems impossible to ignore. Here are five ways the workplace is changing:

1. A renewed focus on sexual harassment policies

As human resources professionals and other decision-makers see the headlines about the downfall of giants due to sexual harassment allegations, they have been forced ask the question – could this happen to us? While many businesses have always had sexual harassment policies, those policies may have been buried in an employee manual and were largely ignored. The #metoo movement has brought to light the importance of not only having a policy, but also the importance of applying it uniformly.

2. Creating a company culture where victims are comfortable to report bad actors

Conscientious employers realize that policies alone are not going to solve problems in the workplace; rather, the culture of the workplace needs to change. Some employers have made formal efforts to improve company culture. One way employers are doing this is by identifying at least one strong female leader, to whom they believe employees will feel comfortable reporting problems in the workplace. Once that person is identified, the employer sets aside a specific budget for that leader to have breakfast, lunch, or just informal meetings with females in the workplace where they can feel comfortable enough to raise or identify any misconduct. This method is gaining popularity in places like the restaurant industry, which was slammed by the #metoo movement as a particularly abusive industry for women to work in.

3. Investment in sexual harassment training

Many businesses recognize that the issue of sexual harassment is so important that they are bringing in third-party experts to deliver training to employees. Those third-parties can be lawyers, human resources experts, or other professionals. Good training includes detailed examples of how issues of harassment may occur in each unique workplace. Employers are showing an interest in getting legal counsel involved proactively, hoping to identify and resolve issues in the workplace early.

4. Inspections of social media

The #metoo movement was born out of social media. It opened a door for employees who may have been uncomfortable reporting incidents of sexual harassment to HR, and encouraged them to share the experience with the world on social media. Because of this, employers are working to encourage their employees to run their reports through the HR channels, rather than posting online. At the same time, employers are increasingly aware of their employees’ social media presence and have been increasingly monitoring such activity.

5. Gender pay equality

While the Equal Pay Act was passed all the way back in 1963, the #metoo movement coupled with the Time’s Up Movement renewed the public’s attention on the gender pay gap. Large companies like Google and Nike have taken heat after groups of female employees have filed suit claiming that their male counterparts are compensated at higher rates. The increased attention on the gender pay gap has increased the focus on more subtle matters that effect and perpetuate unequal pay for women. For example, activists are pushing for the prohibition on allowing an employer to base a new employee’s pay on her pay at her prior job. It has been shown that basing new salaries on old can perpetuate the wage gap. Employees are also pushing to have more open disclosure of compensation plans and demanding to know at least a range of salaries similar work. Finally, there is a push for compensation plans that are more

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Remembering Katherine Giumenti



Katherine Spies Giumenti (1964-2019), 54, of Westerville, was taken by the hands of the Lord and gently lifted to Heaven on January

12, 2019, in Mt. Carmel/St. Ann's Hospital in Westerville after winning her battle with cancer. She fought cancer like a true warrior and overcame it for 14 years, making it possible for her and her husband to raise their two sons to become fine young men. For the last two months of her life, she chose to stop chemotherapy so that she could live life on her terms and laugh with her family and friends, eat what she wanted, sleep when she wanted, and just enjoy life undictated by the ravages of chemotherapy. And she let cancer know there was no seat at the table when she and God decided it was her time to pass. The daughter of the late Judge Harlan R. Spies and the late Marjory A. Spies, she was born on August 18, 1964, at Union Hospital in Dover, Ohio. After their father's death, Katie along with her brother and sister donated the Hospice Room at Union Hospital as she and her sister, Amanda, had slept on the floor of their father's room keeping vigil over him until he passed. The siblings did not want any other family to have to go through the same. Katie graduated from Dover High School in 1982 as a Valedictorian of her graduating class. As she was growing up, she was very active in many different sports at the local YMCA as well as in high school. She graduated from [Ohio State University](#) cum laude in 1986, and from the Ohio State University Moritz College of Law cum laude in 1989, and was on the Ohio State Law Journal. She passed the Ohio State

Bar Examination in 1989, and began to practice law in Columbus, Ohio. She spent several years with a highly recognized law firm until she found her fit with the prestigious law firm of Bricker & Eckler, LLP in 1997, where Katie specialized in Employment and Labor law. She pioneered the way for female lawyers to work part-time while their children were young, and when Katie's own children were older, she resumed full-time work and became Partner with Bricker & Eckler in 2016. She proved that through hard work and perseverance, any goal is achievable for a working mother and professional. She married Michael J. Giumenti, of Dover, on June 10, 1989, after graduating from law school, and they celebrated their 29th wedding anniversary on June 10, 2018. After their marriage, they moved to Westerville, Ohio, where they raised their family.

Katie is survived by her husband, Michael J. Giumenti; her sons, Nicholas M. and Marshal L. Giumenti; her sister, Attorney Amanda K. Spies (husband, Chief Michael P. Goodwin) of New Philadelphia; her brother, Andrew J. Spies (wife, Joan Spies) of Palm Harbor, Fla.; best friend, Juli Faris Bruce of Columbus; and many other beloved family members and close friends.

In her life on this Earth, Katie was blessed with a beautiful and vivacious laugh and smile. You could always tell when Katie was in the building. Her sense of humor was second to none. She believed that you should show kindness every day to at least one person you did not know, without regard for who they were or what they had. We called this "Katie's Message." She was the first person to help someone with a problem, all you needed to do was ask, and she was

right there. Katie knew no strangers in her life; everyone was a friend, and she was blessed with many, many friends. There will be no sitting for Katie in Heaven. God will keep her very, very busy. Please feel free to make donations in Katie's honor to the Stefanie Spielman Fund for [Breast Cancer](#) Research through the Ohio State University, at 1145 Olentangy River Rd., Columbus, OH 43212. ■

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#metoo (*Continued from page 8*) objectively based on performance metrics, rather than those based on subjective criteria.

It is hard to believe that the #metoo movement as we know it began only about a year and a half ago. The extremely public nature of the movement shook up every industry and has certainly changed the landscape of the modern workplace. It is likely that we are in only the early stages of the change that will come. ■

Jane Gleaves focuses her practice in the area of commercial litigation. She is an active member of the litigation community, having taken on leadership roles within the American Bar Association and the Ohio State Bar Association. She is also a volunteer with The Legal Aid Society of Columbus's Tenant Advocacy Project. Jane is a leader within the firm, serving as co-chair of Kegler Brown's Women's Collaborative, and an active presenter, speaking at seminars on subjects related to legal ethics, employment law and more. She is a graduate of Miami University and Vanderbilt University Law School.