Sencenbaugh and Adams in Texas Lawyer: A Company's #MeToo Moment

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The #MeToo movement has empowered victims of harassment in ways never before thought possible, exposing the “open secrets” of serial abusers and prompting a rethinking of interactions both inside and outside of the workplace.

But that empowerment has brought new challenges for companies responding to public allegations of wrongdoing by their employees.

The immediate impact of a viral hashtag can tempt employees to skip traditional reporting mechanisms and seek instant justice by naming the perpetrator and the company through social media. No company wants to first learn of an employee’s allegation only after it starts trending on Twitter.

How can a company address harassment complaints fairly and effectively when they are launched with a tweet and a hashtag?

A Company’s #MeToo Moment

Imagine the following scenario. HR Manager is nervously approached by an employee. The employee shows HR Manager a post made by Jane Doe, another Company employee, on social media the previous evening:

> **I’m so done with my boss. #MeToo**

HR Manager is familiar with the #MeToo tag and has an idea of what the post means. HR Manager is also taken by surprise. The Company has a comprehensive anti-harassment policy in place, which provides employees multiple avenues to report sexual-harassment. But Jane Doe has not used any of the Company’s reporting mechanisms. HR Manager immediately alerts the Company to the post. What should the Company do next? …

Reducing Risk in the #MeToo Era

There are several steps a company can take to reduce risk and prepare itself in the #MeToo era. Companies need to consider the following approaches:

- Review anti-harassment policies. ...
- Train employees and managers. ...
- Develop a strategy in advance for addressing a #MeToo post. ...
- Watch out for retaliation. ...

Responding to a #MeToo social media post can have serious legal and public relations consequences. The movement has not yet changed the laws prohibiting sexual harassment in the

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workplace. However, it has accelerated the time frame in which companies need to address an accusation of harassment. Now, more than ever, a company must be prepared for its own #MeToo moment.

To read the full article, click on the PDF linked below.

Sencenbaugh-Henson-MeToo.PDF

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