WORKPLACE ANTI-DISCRIMINATION AND HARASSMENT STRATEGIES IN BREWERIES

A TOOLKIT BY THE BREWERS OF EUROPE

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"Discrimination is not a personal problem, it is a social problem. It requires a collective solution."

Ai-Jen Poo

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Based in Brussels, The Brewers of Europe brings together national brewers' associations from 29 European countries and provides a voice to represent the united interests of Europe's 10,000+ breweries. The Brewers of Europe promotes the positive role played by beer and the brewing sector in Europe and advocates the creation of the right conditions to allow brewers to continue to freely, cost-effectively and responsibly brew and market beer across Europe

THE BREWERS OF EUROPE

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ABOUT THIS TOOLKIT AND THE IMPORTANCE OF WORKPLACE ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICIES

SCOPE

The Brewers of Europe focuses on breweries and brewing company employees, whether they are working in breweries, offices, or with the companies' customer base. The aim is to engage a dialogue with partners across the entire value chain to tackle discrimination, violence, harassment, bullying, and victimization in our industry.

WHAT IS IT FOR?

This toolkit gathers a framework for breweries large and small to encourage their employees who are subject to discrimination, ictimization, bullying, harassment, or violence, in and outside the workplace, to speak up against such behaviors and also to encourage those around them to speak up against such behaviors too.

Every brewery or brewing company should be an inclusive and safe place where everyone, no matter what gender, race, religion, sexual orientation, nationality, or disability is welcome to participate free from discrimination, violence harassment, and intimidation.

The workplace anti-discrimination and anti-harassment toolkit provides specific approaches for identifying, reporting, and addressing discrimination, harassment, violence, and intimidation across the entire value chain. Implementing these policies means making them part of an ongoing conversation about how to create an inclusive and safer business environment for everyone, and to encourage everyone to make their best contribution to drive our business.

WHAT IS IT NOT FOR?

It is neither intended to be prescriptive nor set as a recollection of ready-to-use best practices. There is no silver bullet to solve these issues, as every company will have different challenges and opportunities to discover and address, and actions will be different for each organization based on a variety of factors. This tool is intended to offer a framework for organizations to build on as they progress through their journey to build a more inclusive and safe workplace.

HOW TO USE IT?

This toolkit has been designed as a guide to be inspired from. Breweries will feel free to select the steps that make sense to shape and deliver their own inclusive and safe workplace environment within the toolkit.

AUTHORSHIP

This toolkit has been put together by experts of The Brewers of Europe's network involved on a daily basis in all incidents of discrimination, violence, harassment, and intimidation, from large and smaller brewing companies.

KEY DEFINITIONS

DISCRIMINATION

The unfair denial of equal treatment based on characteristics such as race, gender, religion, sexual orientation, nationality or disability.[1]

HARASSMENT

Illegal behavior towards a person that causes mental or emotional suffering, which includes repeated unwanted contacts without a reasonable purpose, insults, threats, touching, or offensive language.[2]

SEXUAL HARASSMENT

Unwelcome sexual, advanced requests for sexual favors, and other verbal or physical conduct of a sexual nature.[3]

VIOLENCE

Violence is the intentional use of physical force or power, threatened or actual, against another person that either results in or has a high likelihood of resulting in injury, death, or psychological harm. There are several forms of violence that can occur, such as:[4]

- Physical and sexual violence: involves physical acts of a physical and/or sexual nature carried out without the clear and voluntary consent of all parties involved. Consent must be informed, enthusiastic, and freely given to engage in any (sexual) activity.

- Emotional or psychological violence: emotional abuse, psychological abuse, or mental abuse involves a pattern of behaviors and tactics that are aimed at manipulating, controlling, or intimidating another person in a way that is harmful to their emotional well-being and mental health.

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1 https://www.apa.org/topics/racism-bias-discrimination/types-stress
2 https://dictionary.cambridge.org/dictionary/english/harassment
3 https://dictionary.cambridge.org/dictionary/english/sexual-harassment
4 https://www.unwomen.org/en/what-we-do/ending-violence-against-women/faqs/types-of-violence

BULLYING

Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation, ignoring people, or unfair work practices, whether it takes place in a physical or online environment.[5]

VICTIMISATION

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, sexual harassment, or victimisation. Victimisation is against the law.[6]

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5 https://www.unicef.org.au/workplace-discrimination-and-harassment-policy
6 https://www.equalityhumanrights.com/en/advice-and-guidance/what-victimisation

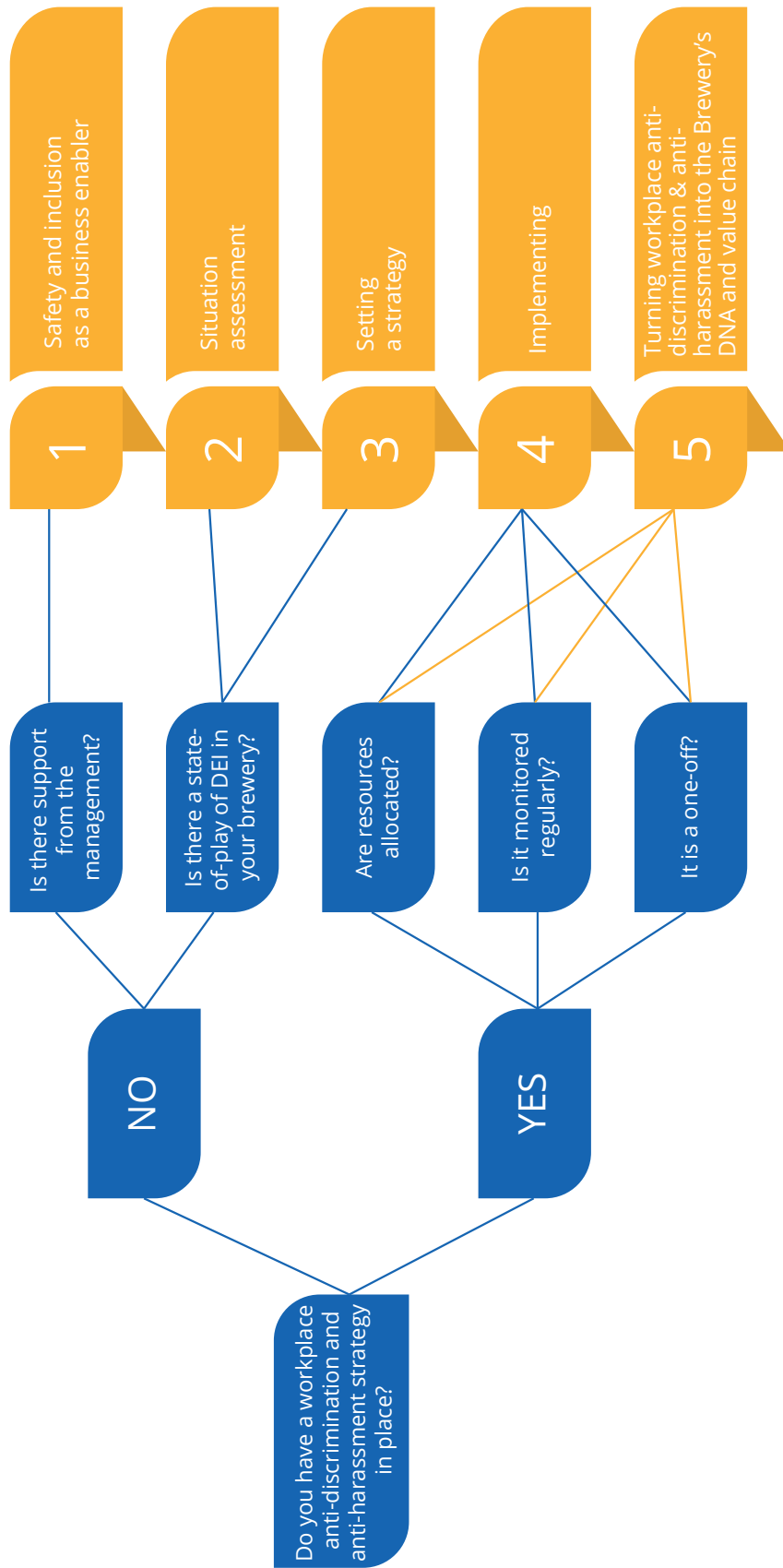# SETTING UP A WORKPLACE ANTI-DISCRIMINATION AND ANTI-HARASSMENT STRATEGY

A workplace anti-discrimination and anti-harassment strategy can be developed following a 5-step process:

1 Safety and inclusion as a business enabler

2 Situation assessment

3 Setting a strategy

4 Implementing and monitoring

5 Turning workplace anti-discrimination and harassment into the brewery's DNA and value chain

DECISION TREE

1 — Safety and inclusion as a business enabler

2 — Situation assessment

3 — Setting a strategy

4 — Implementing

5 — Turning workplace anti-discrimination & anti-harassment into the Brewery's DNA and value chain

Is there support from the management?

Is there a state-of-play of DEI in your brewery?

Are resources allocated?

Is it monitored regularly?

It is a one-off?

NO

YES

Do you have a workplace anti-discrimination and anti-harassment strategy in place?

STEP 1: BUILDING THE CASE FOR CHANGE

WHAT?

The first step is convincing the brewery management and employees that developing and implementing a workplace anti-discrimination and anti-harassment policy will benefit not only the brewery company but all the stakeholders that are involved in the entire value chain.

Research has proven that companies adopting Workplace anti-discrimination and harassment policies have better workplace atmosphere, stronger organizational culture, lower risk of non-compliance, and higher employee loyalty, and engagement, therefore promoting a culture where people feel safe and can flourish.

RECRUITING AND RETENTION

69% of employees testified that proactive Workplace anti-discrimination and harassment policies are important to them.

If given the choice, 61% of staff would be more likely to choose to work for a company with a strong Workplace anti-discrimination and harassment policy.[1]

HEALTHY WORKPLACE ATMOSPHERE

Workplace discrimination, harassment, violence, and intimidation create a toxic work environment. Adopting policies against this behaviour helps companies guarantee a protected working atmosphere that ensures excellence, productivity, and profits.[2]

STRONGER ORGANIZATIONAL CULTURE

Workplace anti-discrimination and anti-harassment policies reinforce organizational culture and inspire people by communicating its strategies, purposes, and values to its various members. It strengthens the relationship with employees, and they usually will remain more sensitive when dealing with their co-workers.[3]

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1 https://itstopswithme.net/sites/default/files/2023-07/ISWM%20Delivery%20Toolkit.pdf
2 https://www.getimpactly.com/post/benefits-of-anti-harassment-policies
3 https://www.getimpactly.com/post/benefits-of-anti-harassment-policies

HOW?

Making the case for change can be achieved by using one of these means:

- Getting brewery management to buy into the importance of adopting a workplace anti-discrimination and harassment policy by:

  - Evaluating how the brewery performs on each of the above-listed items[4], across the entire value chain;

  - Highlighting the margin for improvement of each and how it would benefit the brewery; and

  - Presenting the results, as well as a cost assessment of no-action/ sticking to the bare minimum to the brewery management.

- Getting the support and appetite from all employees for the development and roll-out of a workplace anti-discrimination and harassment policy, allowing them to give their input into this (e.g. via panel discussions, surveys,… being able to   highlight/indicate what it means to them…):

  - Collectively, for the brewery performance across the entire value chain (impact on growth, reputation, culture, talent acquisition, …);

  - Individually (better for future employability, improvement of work conditions, …).

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4 better workplace atmosphere, stronger organizational culture, lower risk of non-compliance, and higher employee loyalty, and engagement

STEP 2: SITUATION ASSESSMENT

WHAT?

It's about knowing the workplace atmosphere in your brewery company and across the value chain, and outside as well (once colleagues leave the brewery) or when your staff operates outside their location (e.g. in a festival, in a pub...). This is about having a 360° understanding of the conduct in and outside the workplace. This may cover:[1]

- The ability of your staff to recognize discrimination, harassment, violence, and intimidation. They come in various forms, and they affect employees in different ways. Recognizing them can be tricky. Defining what discrimination, harassment, violence and intimidation truly mean is vital and there should be clear examples to help recognize such unacceptable behaviors

- Your staff's understanding of workplace discrimination, harassment, and intimidation laws. How well are they familiar with relevant legal rights and laws, and how often do they participate in training?

- Your organization's procedure for investigating and reporting incidents of workplace discrimination and harassment, in a safe and confidential manner, inside and outside the brewery company

- The brewery's requirements towards suppliers and distributors, i.e. staff behaviors or how they operate their business towards end consumers either in hospitality or festivals

- Your organization's procedure to deal with discrimination, violence, harassment, and intimidation outside of the workplace. Whether employees are aware of the situation they might encounter outside the brewery environment and trained to deal with it/react, e.g. when dealing with suppliers, distributors (retailers, hospitality), or consumers directly (at point-of-sale owned or operated by your brewery), what procedures are in place to empower employees to speak up and how the company responds, to tackle these types of harmful behaviors

- Your staff's understanding of the consequences of potential discrimination, harassment, violence, and intimidation happening inside and outside of the workplace

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1 https://www.neuroworx.io/magazine/anti-harassment-policy/
https://www.scirp.org/journal/paperinformation.aspx?paperid=123564
https://wagefirm.com/how-to-handle-discrimination-in-the-workplace/
https://www.wenzelfenton.com/blog/2023/02/13/guide-to-understanding-the-policy-of-non-retaliation/#:~:text=Non%2Dretaliation%20policies%20are%20in,an%20employer%20or%20a%20coworker.
https://humanrights.gov.au/our-work/employers/workplace-discrimination-and-harassment-policy-template
https://centreforglobalinclusion.org/

HOW?

To assess your company's workplace anti-discrimination and harassment policy, you should establish a diagnosis/assessment, by:[2]

- Performing qualitative analysis:

  - Interview your leaders to assess their views and mindsets on discrimination, harassment, violence, and intimidation

  - Interview, on a regular basis, staff on discrimination and harassment behaviors

  - Interview, on a regular basis, suppliers, and distributors, as well as end consumers (if applicable), concerning discrimination, harassment, violence, and intimidation issues

  - Collect the responses into a presentation to explore trends, highlighting common themes and concerns

- Performing quantitative analysis:

  - Tracking related data, when available

  - Running questionnaires/surveys to your staff and outside partners (suppliers, distributors, consumers) to better understand their experience with discrimination, harassment, violence, and intimidation

- Contacting a third-party, specialized in (brewery) discrimination, harassment, violence, and intimidation matters, to perform an external audit and suggest a diagnosis and a strategy forward to improve the situation in the workplace

- Propose actionable solutions with clear support from senior leadership within the organization

- Benchmarking / best practices

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2 https://www.neuroworx.io/magazine/anti-harassment-policy/
https://www.scirp.org/journal/paperinformation.aspx?paperid=123564
https://wagefirm.com/how-to-handle-discrimination-in-the-workplace/
https://www.wenzelfenton.com/blog/2023/02/13/guide-to-understanding-the-policy-of-non-retaliation/#:~:text=Non%2Dretaliation%20policies%20are%20in,an%20employer%20or%20a%20coworker.
https://humanrights.gov.au/our-work/employers/workplace-discrimination-and-harassment-policy-template
https://centreforglobalinclusion.org/

STEP 3: SETTING A STRATEGY

WHAT?

Set a workplace anti-discrimination and anti-harassment policy that helps to improve the environment across the entire value chain, within and outside the brewery, if applicable. The policy necessitates a strategy with long-term ambitions and targets, as well as intermediary targets and monitoring.[1]

HOW?

- Based on the situation assessment (see step 2):
  - Define what constitutes discrimination, harassment, violence, and intimidation inside and outside the workplace, with clear examples of the type of behavior that is not acceptable
  - Define potential consequences of not acceptable behavior, and be clear about the fact that the nature of the consequence will be linked to the severity of the misbehavior
  - Develop a reporting process, that must outline the steps employees should take if they witness not acceptable conduct or find themselves victims of discrimination, harassment, violence, and intimidation at work or outside of work, and ensure confidentiality
  - Define exactly how complaints will be investigated and responded to, and include a non-retaliation clause. This means that employees reporting misbehaviors will not be negatively impacted, directly or indirectly
  - Define and implement training sessions that require employees to participate on a regular basis, to make sure they understand the policy clearly and stay up to date
  - Define long-term ambitions/goals and related targets
  - Identify short-term and mid-term targets
  - Develop an implementation roadmap for all the short-, medium- and long-term targets, including how to monitor progress

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1 https://www.neuroworx.io/magazine/anti-harassment-policy/
https://www.researchgate.net/publication/369109849_Creating_an_Anti-Harassment_Policy_for_Workplace_Sexual_Discrimination
https://www.neuroworx.io/magazine/anti-harassment-policy/
https://centreforglobalinclusion.org/

- Build a roadmap that covers resource allocations:

  - Financial/budgetary resources.

  - Human Resources, including:

    - Brewery management involvement in the workplace anti-discrimination and harassment policy implementation

    - Employing, possibly, an expert or training a staff member to cover the policy and its implementation or make sure to have an external trusted person involved in setting the strategy and whom the staff can contact in case they want to discuss further.

  - Identify monitoring tools, to be able to regularly review and revise the workplace anti-discrimination and harassment policy, to reflect changes in employment law and organizational practices

  - Consider the effectiveness of the policy for the staff

- The strategy development can be done in-house, together with the staff (and possibly external stakeholders when the strategy covers the out-of-brewery environment), and/or involve a third-party expert in (brewery) workplace anti-discrimination and harassment policy.

STEP 4: IMPLEMENTING AND MONITORING

WHAT?

Once a workplace anti-discrimination and harassment policy is identified and validated, it needs to be implemented across the brewery and monitored to track progress, identify risks, and detect issues that will hinder reaching targets/goals.

HOW?

- Engage and educate staff, enabling discussions and welcoming their questions:

  - Make sure everyone (staff, manager, and leaders) understands the policy and what the organization expects from them. And outline clearly, the consequences of not adhering to the policy

  - Be clear about what you want to achieve, the specific targets, and how to reach them

  - Make colleagues part of the process to own the targets, and ambitions and identify the most practical solutions in their remit that they have a direct influence on

  - Give them the tools to succeed in policy implementation

  - Educate management and leaders on their responsibility to assist in creating a fair and safe workplace, so it becomes part of their daily way of working

  - Educate staff on the policy to gain their commitment to adhering to the expected behavior

  - Frequently recognize and reward employees for responsible conducts

  - Ensure relevant processes and forums are in place to enable colleagues to raise concerns in a psychologically safe way (i.e. confidential speak-up process)

- Allocate the necessary resources

  - Human Resources, be it through employing an employee relation manager (full or part-time) or empowering a staff member with the necessary skills to own this position

  - Set up a committee with current employees from different departments acting as ambassadors to drive change, and spread the message that the company prioritizes people over profit

- Clearly define the roles and responsibilities of each stakeholder

- Ensure a regular forward-looking (i.e. improvement-minded, and not punishment-oriented) monitoring system to track progress, understanding improvement areas through:

  - Top management

  - External third-party company

  - Survey towards employees/suppliers/distributors/

  - Employees' evaluation interview

  - Gather employee/supplier/distributor feedback

  - Document best practices and policies

STEP 5: TURNING WORKPLACE ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY INTO THE BREWERY'S DNA AND ENTIRE VALUE CHAIN

WHAT?

Instead of making only a one-time policy, the work must be turned into an ongoing agenda, enshrined into the brewery's DNA and entire value chain to which attention must be paid.[1]

HOW?

- Set up appropriate structures, by ensuring the policy and goals are enshrined into the brewery's culture:

  - Make it part of the standard recruitment procedure (i.e. checking new employees are aligned with the policy…) and leadership expectations (when applicable).

  - Offer training to new colleagues to understand the policy and the consequence of misbehaviors.

  - Set up a diverse (beyond senior management and human resources department) cross-functional committee (when the size of the brewery allows)

- Perform regular audits (Internal and/or external) to see if the previous objectives are still being met, and what are the areas of improvement.

- Perform regular new situation assessments to prioritize and adjust the workplace anti-discrimination and harassment policy to new societal, political, or legal developments:

  - Regarding a potentially changed situation (i.e. the initial objective may have been met, but regulatory expectations might have changed, meaning the brewery may now be lagging behind).

  - Other topics were not dealt with previously in the initial strategy

  - To continually learn about the advancements in employment law

1 https://www.neuroworx.io/magazine/anti-harassment-policy/
https://www.researchgate.net/publication/369109849_Creating_an_Anti-Harassment_Policy_for_Workplace_Sexual_Discrimination
https://www.neuroworx.io/magazine/anti-harassment-policy/
https://centreforglobalinclusion.org/

ANNEXES

GLOSSARY

ORGANISATIONAL CULTURE[1]

Is defined as a system of shared beliefs, values, norms, habits, and assumptions that impact the organization's environment and influence how people behave within it.

NON- RETALIATION CLAUSE[2]

Non-retaliation policies are in place to safeguard employees from retaliation after reporting a violation of company conduct or applicable law. These policies include protections whether you have made a report about an employer or a coworker.

EMPLOYEE RELATION MANAGER[3]

A human resources professional who specializes in managing the relationship between employees and the organization. They handle employee grievances, disputes, and disciplinary matters, ensuring fair treatment and compliance with company policies and employment laws.

ADDITIONAL RESOURCES

1. Creating an Anti-Harassment Policy for Workplace sexual discrimination by Bahaudin G.Mujtaba & Jasmine Kuzak

2. The Center for Global Inclusion: https://centreforglobalinclusion.org/

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1 https://hbr.org/2013/05/what-is-organizational-culture
https://www.achievers.com/blog/organizational-culture-definition/
2 https://www.wenzelfenton.com/blog/2023/02/13/guide-to-understanding-the-policy-of-non-retaliation/#:~:text=Non%2Dretaliation%20policies%20are%20in,an%20employer%20or%20a%20coworker
3 https://snaphunt.com/resources/job-descriptions/employee-relations-manager-job-description#:~:text=An%20Employee%20Relations%20Manager%20is,company%20policies%20and%20employment%20laws

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