

States Require Organizations to Conduct Sexual-Harassment Training

Many organizations are turning their attention to the evolving landscape of #MeToo initiatives. Not only has the movement emboldened women to report sexual harassment in the workplace, it has also caused state legislatures to respond with additional legal requirements. Case in point: requiring employers to conduct sexual-harassment training.

For many years, lawyers have counseled organizations to offer sexual-harassment training to supervisors and employees. Across-the-board training educates supervisors on appropriate conduct and gives employees an understanding of unlawful harassment and an avenue to report misconduct. Based on the important rulings by the U.S. Supreme Court in 1998, lawyers have advised organizations to embrace a sexual-harassment policy to protect employees from harassment and protect themselves from liability.

In some states, these judicially created standards are no longer sufficient. A number of states and municipalities are passing laws that create stand-alone legal obligations for employers to conduct sexual-harassment training for supervisors and employees.

Connecticut has required employers with 50 or more employees to train managers since 1993. Effective January of this year (2019) Delaware requires employers with 50 or more employees to conduct interactive sexual-harassment training for all employees. Maine organizations with 15 or more employees must train all employees within one year of their start date.

Both the state and city of New York have recently implemented new laws. New York State requires all organizations (regardless of number of employees) to provide interactive sexual-harassment training by October 9, 2019, and annually thereafter. New York City requires organizations with more than 15 employees to train all employees within 90 days of their hiring. The law, which became effective April 1, 2019, requires that training must cover, among other things:

- an explanation of sexual harassment and bystander intervention
- information on the organization's internal complaint process
- specifics on how to file with state and federal authorities
- the responsibilities of supervisors and managers.

Effective January 2019, California amended its sexual-harassment training statute to apply to organizations with as few as five employees. (Previously, it applied only to employers with 50 or more.) California requires two hours of training for supervisors and one hour for regular employees every two years.

Organizations in the named states should consult legal counsel and make changes to their policies and procedures immediately. They should also be aware that such broad training requirements can have unintended or unforeseen consequences. Consultation with an attorney can help employers understand the requirements and explore how best to implement them in their own organization.

Employers outside the above states can anticipate that similar laws may be making their way through their own legislatures. If you have questions about the requirements of your state, contact Gammon & Grange, P.C. (gg-law.com). 

Intuitive Decision-Making

Intuition – gut feelings, spirituality, insight – can help us make wise decisions, especially when yoked with rational thought based on data. *Bursting the Big Data Bubble: The Case for Intuition-Based Decision-Making* (taylorandfrancis.com) frames the issue from the perspective of leading researchers in intuition-based decision-making.

Intuition often rests on experience – learning from prior, similar examples. People who practice something often enough become masters of it, intuitively making decisions within the practice. This means that those with more experience have an advantage in the use of intuition. But it's important for those with less experience to pay attention to intuition in decision-making, learning how to use it effectively.

In the end, this book doesn't really burst the big data bubble. Rather, it explains that we can't depend entirely on data, just as we can't rely solely on intuitive judgments.

Intuition isn't a panacea to making effective decisions. But it's integral to human intelligence. And, coupled with analytical thinking, it can make us wiser. 

—reviewed by Terrence Fernsler

The Biggest Challenge Facing Nonprofit Leaders: How Should You React?

The biggest challenge for today's leader is to manage change. No organization can survive without adapting to a shifting environment, so leaders must put change processes in place on a constant basis.

The nonprofits that are the best at managing change are agile and collaborative, according to a study by KA MATE Strategy (24presse.com). There are four keys to a successful change process:

1. Act fast. Leaders can no longer wait for their management team to be made up of the “best elements” before embarking on a change process. Rather than trying to find the ideal situation, they favor action and construct a dynamic team of a few members, adding newcomers at a later date.

2. Find a facilitator. To accelerate change implementation, you need a facilitator to get people on board with the new initiative and lift people's natural resistance to change.. As outsiders, facilitators can identify actions needed to help change happen quickly, which will never be the case for someone within the organization who will be confronted, directly or indirectly, with power issues.

3. Reinforce the CEO's leadership. The management team has a relay role for managing the change process until results are achieved. But their role isn't to take the leap in making decisions and driving strategy. That's up to the CEO.

4. Protect the management team from overload. To keep managers from being overwhelmed by all the change programs that are necessary for the organization's survival, leaders need to help them prioritize the changes needed (so as to stagger them over time). 

Prepare for Coming Trends

Ride the latest trends into the future with these strategies:

Abandon the five-year strategic plan. Replace it with an 18-month vision, and be ready to adapt all your plans as circumstances change.

Hire for excellence, and fire non-performers. Your organization can be no more excellent than the least-excellent employee.

Put your smartest people in charge of risky decisions.

Build exceptional teams by fostering collaboration and communication skills.

Develop an “eye-of-the-customer” orientation, seeing everything through your stakeholders’ eyes.

Budget quickly. Don’t tie yourself to long-term strategies that rely on budget decisions that may have to change.

Create a culture of change and commitment to learning. Only with such a culture can you grow, change, evolve, and succeed. 

—adapted from *Challenge the Ordinary* (careerpress.com)

Boost Learning to Improve Your Organization

A learning culture leads to better performance, motivation, and personal growth. Learning, as Mark Burns and Andy Griffith tell us in *The Learning Imperative* (crownhouse.co.uk) is “motivation cement.” It binds your team together, making people more cohesive, resilient, energized, and eager to perform. It turns meetings from “pedestrian information dumps” to exciting opportunities to challenge ideas, consider new views, and make creative decisions.



Given the risks of poorly designed learning, it’s vital to create a clear, step-by-step process. The book details the following steps:

1. Define the results you want from the learning program.

2. Establish the starting points of learners.

Use a brief questionnaire to find out the answers to questions such as:

What previous training do you have in this area?

What are your hopes and fears about this training program?

What would you like to do differently as a result of this learning?

What do you see as your strengths and possible areas for development in this area?

3. Design a learning program based on the gaps identified by comparing the results of steps 1 and 2.

4. Gain buy-in from learners. Some ways to do so:

Shape the learning environment so it’s welcoming, inclusive, and conducive to learning.

Integrate the diversity of personalities and learning preferences when considering how to structure buy-in.

Model the attitudes you’re seeking to nurture. Ask yourself, for example:

- **How can I model** a curious, inquiring approach?
- **How can I show that effort and openness** are key to learning and personal growth?
- **Where are there chances** to showcase the power of sharing and collaboration?

5. Develop shared clarity.

Shared clarity happens when leader and learners have a common understanding of the answers to three fundamental questions:

Why? Why do I need this? Why should I prioritize this?

What? What are the connections between what I’m learning today and the big picture? What are the key principles I need to grasp?

How? How will I apply what I’m learning? How will I know I’m moving in the right direction?

6. Prompt deeper thinking, and test people’s learning.

Ask questions such as these:

- **Can you give me an example** of how you’ll use this knowledge in your job?
- **What assumptions** might you be making here?
- **Are there any other ways** of looking at this issue?
- **What will be your first steps** as a result of what you’ve learned today?
- **What support** might you need along the way?

7. Seek feedback

Ask for regular input to see if learners are on track in meeting the learning goals and happy with their progress. Listen carefully to what they say, and address any questions or concerns immediately. 

Does Motivating People Work?

No, according to Susan Fowler in her book *Why Motivating People Doesn’t Work . . . And What Does* (Berrett-Koehler Publishers, bkconnection.com). Why? Because people are already self-motivated.

What *does work*? The answer is to be aware of people’s needs for three basic things: autonomy, relatedness, and competence. Help them satisfy those drives, and they’ll motivate themselves better than you ever could from the outside.

External motivation and praising subverts people’s deep desires to make their own choices, connect with others, and meet challenges on their own. Here are a few steps to supporting those inner drives:

Help people clarify their values. Then link those values to the tasks and projects assigned to them.

Encourage mindfulness and reflection. Harness the power of why? Urge people to constantly ask questions and look for the greater meaning of what they're doing.

Listen to people without imposing your values, trying to problem-solve, or leading the witness. Relax, and let conversations take their course. Trust people to learn and grow on their own time.

Embrace the idea that all behaviors aren't acceptable but all emotions *are*. Don't exclude feelings from the workplace. Open your heart, and connect human to human.

Rethink the idea that leaders are in a position of power. Consider everyone a leader.

Collaborate with people to find alignment between their values and those of the organization.

Promote a learning environment and provide continual training opportunities. Training is one of the most important ways you can let people know you believe in them and support their desire to grow.

Clarify your own values and sense of purpose, and share them with others so that you can be a role model in their search for meaning. 

Nonprofit E-mail: What You Need To Know

A report by Blackbaud (blackbaud.com) provides statistics about how nonprofit e-mail fared last year. It offers insights about the strength of nonprofit e-mail campaigns and unveils the most promising areas for growth. Here are key takeaways, summarized by Victoria Pallien of Digital Media Solutions (digitalmediasolutions.com):

Each usable e-mail address on nonprofits' lists last year was worth \$14.23 in annual revenue.

E-mail lists grew at 7.1%, nearly the same rate as the number of e-mails sent (7.6%), which is a positive sign for deliverability.

Nonprofits received donations from 18.4% of their e-mail lists last year. Some saw even more success. For example, health services and research organizations saw a full 60% of their lists donating, while food banks and hospital foundations received monetary gifts from 28% and 24% of their lists.

Sustainer revenue generated by e-mail grew by 18.4% whereas non-sustainer donations grew by 7.4%. Some monthly donations grew as much as 40%.

Fundraising e-mail open rates declined by 7.06%, but click rates increased by 4.35%, so overall conversion rates remained steady.

First-time giving from e-mail and online initiatives struggled throughout the year and decreased in growth by -6.25% to 1.5%.

There was strong growth in retention. Repeat online giving increased by 13.8%, and nonprofit organizations saw an increase in recurring donors.

It's important for nonprofits to stay aware of e-mail trends. Understanding these trends will help them optimize their e-mail campaigns for the best performance possible. 

In Praise of Curiosity

Historically, curiosity has had a bad reputation. Early tales about curiosity were ones of warning. There remain vestiges of this attitude: Curiosity is often perceived as a threat to established order. This view of curiosity keeps us from investing time into it, although doing so leads to learning and deep understanding.

As a society, we confuse curiosity with ease of access to information. We often think that diverse curiosity (the attraction to "shiny new things") is sufficient, without thinking deeply about subjects (epistemic curiosity). In *Curious* (Basic Books, basicbooks.com), Ian Leslie explores these two forms of curiosity and insists that we need both in tandem.

Epistemic curiosity may be hard to justify in the short term because it can seem distracting. Today, our capacity to absorb information can't keep up with the amount of information worth learning. Yet, we're fortunate to live in a time when we do know so much. It makes it easier to connect concepts that haven't been joined before.

The most successful and thoughtful people are curious about a wide variety of things, because it enables them to solve problems by bringing disparate things together. People in demand in the nonprofit marketplace have expertise in one field but curiosity about many to help make these valuable connections.

To succeed, every organization needs to create a culture of curiosity. *Curious* offers a number of ways to do so:

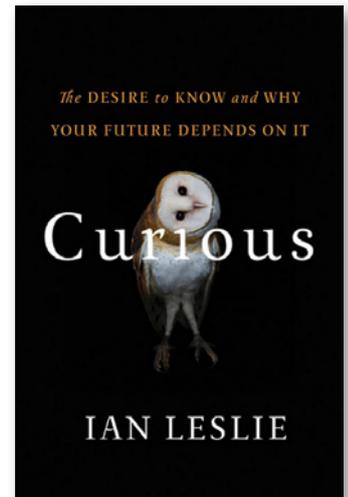
Stay foolish. Keep probing for what you and your organization *don't* know.

Build the database. After gathering the facts you need, look at them from as many different angles as possible. Then let your unconscious do its work, melding the new information with all the knowledge stored in your brain. This layering of old and new, along with an openness to new perspectives, leads to the greatest breakthroughs.

Forage like a foxhog. As Archilochus said: The fox knows many things (how to evade attackers in a variety of inventive but exhausting ways), but the hedgehog knows one big thing (how to hunker down and let its spikes do the work). The thinkers best positioned to thrive today are "foxhogs" – hybrids of these two strategies.

Make boring things interesting. Many of the greatest inventions have come from seeing the ordinary stuff of life in a new way.

As with anything, there's a shadow side to curiosity, but it's time we explore the opportunities its bright side offers us. This is a valuable book to help us learn more about curiosity and how to apply it for beneficial purposes. 



—reviewed by Terrence Fernsler

How to See into the Future

Anticipate: The Art of Leading by Looking Ahead (harpercollinsleadership.com) offers a plethora of exercises to help you see around the upcoming corner. Here are a few to get you started:

Look at lost customers. They're the ones who have abandoned hope that you will satisfy them. They could provide early indicators of changing customer needs, which always surface first at the edges.

Start creative conversations. Innovations typically come out of left field. Exploring different thoughts with others will help you build a database of creative ideas.

Train yourself to catch poorly designed questions, asked by you as well as others, and reformulate them. How, what, and why questions are especially useful and much better than the less exploratory who, when, where, and which. (But even those are better than closed yes/no questions.)

Engage in three pure listening conversations every week. They needn't be longer than 15 minutes. They can be at the coffee machine; they can be formal or informal. Ask questions such as: What signs do you see that might be early signals of change? How have your life and ideas changed in the past few years? What surprises you about the way things are going with our clients, competitors, and suppliers? Keep your opinions to yourself. Just listen, and then reflect on what you've heard. Dare to challenge your own beliefs. 

Donations Dropped amid Complex Year for Giving

Overall giving decreased by 1.7% last year when adjusted for inflation, according to "Giving USA 2019" (Givingusa.org). The decline is due mainly to individual Americans giving less.

Giving by individuals decreased as a percentage of total giving to 68% (down from 70% in 2017), despite achieving its third-highest total dollar amount on record, adjusted for inflation. Individual giving totaled an estimated \$292.09 billion, declining 1.1% (a decrease of 3.4%, adjusted for inflation).

The giving environment was much more complex than most years, with a volatile stock market and a federal tax change that caused fewer people to itemize deductions on their tax returns.

While contributions from individuals and their bequests declined, giving by foundations and corporations experienced healthy growth. Such giving was buoyed by the strong run of the stock market in the past few years. Other highlights from the report:

Giving by foundations had a record-breaking year, reaching its highest-ever dollar amount even when adjusted for inflation, and growing to its largest share (18%) of total giving to date.

Giving by corporations experienced solid growth. This type of giving is highly responsive to changes in corporate pre-tax dollars and GDP, and its year-over-year trend lines tend to be more turbulent as a result.

Giving by bequest did not keep pace with inflation.

Only two types of recipient organizations experienced substantial growth in giving: (1) Giving to international affairs

grew by 9.6% (an increase of 7.0% adjusted for inflation), to \$22.88 billion. (2) Giving to environment and animal organizations is estimated to have increased 3.6% (a boost of 1.2% adjusted for inflation), to \$12.70 billion.

Giving to human services stayed relatively flat, dropping by 0.3% (a decrease of 2.7% adjusted for inflation), totaling \$51.54 billion.

Giving to religion declined by 1.5% (a reduction of 3.9% adjusted for inflation), receiving \$124.52 billion in contributions.

Giving to education declined by 1.3% (decreasing 3.7% adjusted for inflation), to \$58.72 billion.

Giving to health organizations was flat, decreasing by 0.1% (a decline of 2.3% adjusted for inflation) at \$40.78 billion.

Giving to public-society benefit organizations dropped by an estimated 3.7% (decreasing 6.0% adjusted for inflation), to \$31.21 billion.

Giving to arts, culture, and humanities stayed relatively flat, (declining 2.1% adjusted for inflation) to \$19.49 billion. 

Beyond the Briefs

To explore issues raised in these briefs in more detail, take a look at these articles (NonprofitWorld.org):

How Changing Your Lenses Will Strengthen Your Leadership (Vol. 34, No. 3)

Beyond the Single E-Mail Message: Running Effective E-Mail Campaigns (Vol. 23, No. 3)

Motivate Workers with Training Opportunities (Vol. 33, No. 3)

Intuition in Decision-Making (Vol. 25, No. 4)

Not Taught in Business Schools: How to Cultivate Creative Leading (Vol. 24, No. 5)

Be a Better Leader by Being a Careful Listener (Vol. 37, No. 1)

Grounded Visioning: A Quick Way to Create Shared Visions (Vol. 26, No. 4)

How to Change the World by Changing Your Culture (Vol. 31, No. 2)

Training Programs Need More than Good Information (Vol. 21, No. 2)

Leading from Feeling: Coaching Tools for Interpersonal & Organizational Excellence (Vol. 27, No. 1)

12 Heuristics that Will Raise Your EQ (Vol. 26, No. 4)

Planning for the Unforeseeable: How Smart Risk Management Provides Peace of Mind (Vol. 24, No. 2)

The Best Leaders Are Change Agents (Vol. 34, No. 1)

What You Need to Know about Sexual Harassment (Vol. 30, No. 5)

E-Mail Mistakes that Could Be Damaging Your Fundraising (Vol. 36, No. 2)

Fighting Harassment & Improving Inclusion (Vol. 36, No. 2)

Where to Find Free Legal Assistance (Vol. 26, No. 2)

Debunking the Myth of Bill Gates (Vol. 16, No. 2)

How to Impress the Wired Wealthy (Vol. 30, No. 3)