

Lawyers Explain What The Restaurant Industry Needs To Do To Protect Women

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In the wake of sexual harassment allegations facing celebrity chef John Besh and his company Besh Restaurant Group, the restaurant industry now shares the spotlight with Hollywood. Carlton Fields attorneys Allison Oasis Kahn and Steven Sidman discussed this news and, at-large, how restaurants can comply with the law and establish, maintain, and ensure a culture of treating people with human dignity, with the *Huffington Post*, Kahn and Sidman were quoted extensively in the article “Lawyers Explain What The Restaurant Industry Needs To Do To Protect Women.” Provided below are a few of their comments. [READ the entire article to learn what else they had to share.](#) Sidman:

There’s kind of a social perception that [harassment of women in kitchens] is somehow more tolerable or more easily tolerated in the restaurant industry today due to traditions or some cultural aspect of it. The fact is that it should not be the case. No matter what the perception is of how things operate with celebrity chefs or established chef restaurateurs, they’re not inoculated against compliance with the law or for that matter, just treating people with basic human dignity. It’s always been the case, but now there is an enormous amount of attention being turned to these issues.

Kahn:

Without a presence of HR, there is likely no sexual harassment training, no EEO policies, and no notice to employees to report mistreatment and to whom. If a company cannot show it provided this information to employees, the company loses a key affirmative defense for some harassment cases (the Faragher Ellerth affirmative defense) because employees are then not required to report harassment and give the company an opportunity to remedy it.

Regarding enforcement of human resources policies, Kahn said:

You have to mean it. You have to enforce it. Management, especially, has to set the tone for the culture. There can’t be excuses for this type of behavior. It affects morale,

it affects credibility, it affects productivity and it's illegal.

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