

SEXUAL HARASSMENT IN THE WORKPLACE

Definition:

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. Unwelcome sexual advances, requests for sexual favors and other conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

Myths:

Sexual harassment is rare: Fact, harassment is common; 40-60% of women and 10-24% of males in the workplace file reports. Between 9000 and 12,000 complaints are filed with the EEOC each year (Equal Employment Opportunity Commission). Even though these numbers appear significant, there are many more people who experience sexual harassment and never file formal complaints.

Women make up stories: Fact, fewer than 1% of harassment complaints are false.

Most harassment is trivial: Fact, a great deal of harassment is serious, offensive, and insulting – often forcing people to change jobs in order to escape the pressure. It is estimated that sexual harassment is the single largest financial risk facing companies and organizations today, public and private. For example, Mitsubishi recently paid out more than \$34 million to 300 women who were exposed to rampant sexual harassment during the course of their employment.

Responsibilities of the Manager:

- Sets the tone for the office: Establishes an environment of respect and consideration for others, while acknowledging the existence of sexual energy in the workplace.
- The manager is aware of what he or she says and does, and how others respond to what the manager says and does (power position). The key is role-modeling appropriate behaviors (by the manager).
- The manager knows or establishes the sexual harassment policy in terms of behavioral expectations and grievance procedures, if needed (the rights and responsibilities of the employee).
- The manager must not ignore observed or reported cases of sexual harassment; every instance must be taken seriously and acted upon promptly.

- When instances of sexual harassment arise, the manager does a good job of documentation and reporting to the appropriate people in the organization.
- The manager should establish non-threatening reporting personnel in the organization (3rd party reporting procedures).
- The manager protects the complainant and never downplays or tries to explain away the behavior: Honor and respect the feelings of the complainant.
- The manager provides on-going opportunities for training:
 - Impact of sexual harassment on the workplace environment
 - Definition and types of sexual harassment
 - Prevention strategies
 - Grievance system and punishment
 - Investigations

As a potential victim or co-worker:

- Know that this kind of behavior is never acceptable when it makes you feel uncomfortable or threatened in the workplace:
 - Jokes
 - Comments about appearance
 - Inappropriate touching or staring
 - Propositions
 - On-line sharing of jokes or inappropriate pictures
- That it is never too late to say no or to please stop the behavior (and many times this is all that is required).
- That you always have the right to file a formal complaint, which must be honored and investigated.
- That you have the right to file a complaint without fear of retaliation or displacement.
- That others in your organization may also feel threatened by the behavior.
- As a general rule, it's best to separate your personal and professional lives (romance on the job is almost always a bad idea).