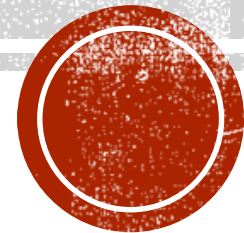


BEYOND THE BASICS: SEXUAL HARASSMENT

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OBJECTIVES FOR TODAY

Learn how to

- Motivate and reward positive and respectful workplace behaviors.
- Identify and respond to problematic attitudes and behaviors.
- Empower your employees to intervene in questionable conversations and behaviors as effective “bystanders”



WORLD CAFE

- What is Sexual Harassment?



INCIDENCE AND PREVALENCE

Sexual harassment accounts for 1/3 of the 90,000 charges filed with the EEOC in 2015.

Only 1 in 4 victims report it, so the EEOC and other experts say the actual number of incidents is far higher than the official number of complaints.



PSYCHOLOGICAL AND PHYSICAL CONSEQUENCES TO VICTIMS

Sexual
harassment
has been
shown to
be
associated
with:

increased stress,
anxiety,
depression;
sleep problems,
weight gain/loss issues,
problematic drinking,
post-traumatic stress disorder,
and overall poorer mental and physical health status



NEGATIVE WORK-RELATED EFFECTS

- The negative work-related effects include:
- decreased job satisfaction,
- lower work motivation,
- higher job-related stress,
- lower job commitment,
- and financial stress associated with attempts to avoid harassment by taking time off, transferring positions, or quitting from positions



EFFECTS OF SEXUAL HARASSMENT ON OTHER EMPLOYEES

- Even employees who are not directly victimized by sexual harassment are subject to feeling the negative effects of working in an environment that has become hostile due to sexual harassment.



- Sexual harassment is a form of sex discrimination and violates Title VII of the Civil Rights Act of 1964 when it occurs in the workplace. (Title VII applies to employers with 15 or more employees.) EEOC guidelines define sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

DEFINING SEXUAL HARASSMENT



Submission to such conduct is a term or condition of an individual's employment. The requirement may be stated outright or may be implicit, or implied.

Submission to or rejection of the conduct is a basis for employment decisions.

Conduct of a sexual nature has the purpose or effect of unreasonably interfering with work performance.

Conduct of a sexual nature creates an intimidating, hostile, or offensive working environment.

DEFINING SEXUAL HARASSMENT



DEFINING SEXUAL HARASSMENT

Unwelcome is the critical word. Unwelcome means unwanted. Sexual conduct is unwelcome whenever the person subjected to it considers it unwelcome.

These acts can also rise to the level of sexual harassment when they unreasonably interfere with an individual's work performance or create a hostile or offensive work environment.



TWO TYPES OF SEXUAL HARASSMENT CLAIMS

Quid pro quo sexual harassment: when employment decisions – like promotions, assignments, or keeping your job – are based on your willingness to submit to the sexual harassment.

- Unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature is quid pro quo sexual harassment when:
 - submission to such sexual conduct is explicitly or implicitly a term or condition of employment or
 - Submission or rejection of the sexual conduct is the basis for employment decisions.



TWO TYPES OF SEXUAL HARASSMENT CLAIMS

Hostile work environment claims: when sexual harassment makes your workplace environment intimidating, hostile, or offensive.

- Unwelcome sexual advances, requests for sexual favors, and other verbal sexual conduct is hostile environment sexual harassment when:
 - the conduct has the purpose or effect of unreasonably interfering with an employee's work performance or
 - the conduct creates an intimidating, hostile, or offensive working environment.



EEOC- FEDERAL ENFORCEMENT

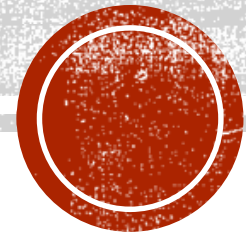
The Equal Employment Opportunity Commission (EEOC) is the federal agency responsible for investigating charges of job discrimination related to sex in workplaces of 15 or more employees. Most states also have their own agencies that enforce state laws against discrimination.

Employers can be legally responsible for sexual harassment against their employees and liable to them for damages. Liability depends on the type of harassment, and who committed it.



BEYOND LEGAL DEFINITIONS

Gender differences exist in perceptions of sexual harassment.



WHAT DOES SEXUAL HARASSMENT INCLUDE?

REUTERS STUDY, 2017

The #MeToo movement is resetting standards about conduct in a variety of ways after an unprecedented outcry that already has pushed out lawmakers, entertainers and industry titans like Harvey Weinstein.

- Is sexual harassment
- Is not sexual harassment
- Don't know

NON-CONSENSUAL TOUCHING

While most adults agreed that aggressive acts such as intentional groping or kissing “without your consent” amounted to sexual harassment, they disagreed over how to regard a number of other actions.

Seven out of every 10 men said that “Intentionally touching anywhere on your body without consent” is sexual harassment

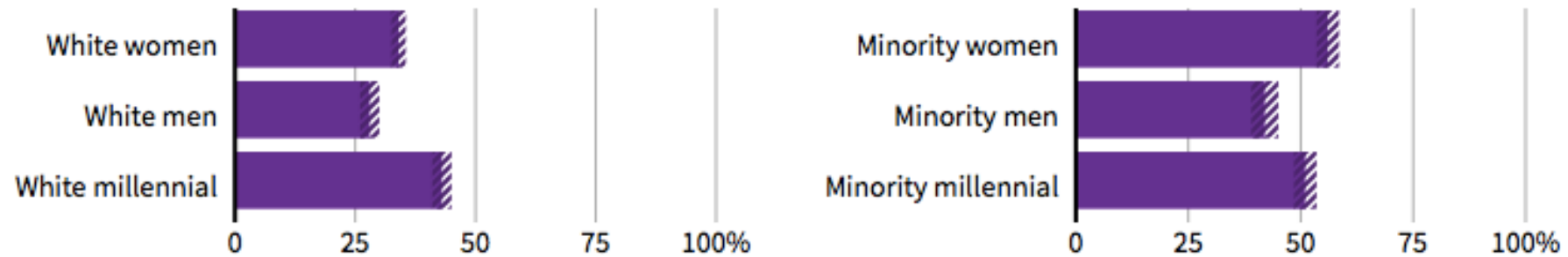


... compared with eight out of 10 women.



COMPLIMENTS ABOUT YOUR APPEARANCE

When asked about “Unwanted compliments about your appearance” people of different backgrounds widely disagreed over whether that amounted to sexual harassment.



HUGGERS

When asked about someone “hugging you without your consent” minorities were more likely than whites to label this as sexual harassment.

Five out of every 10 minorities said it was sexual harassment

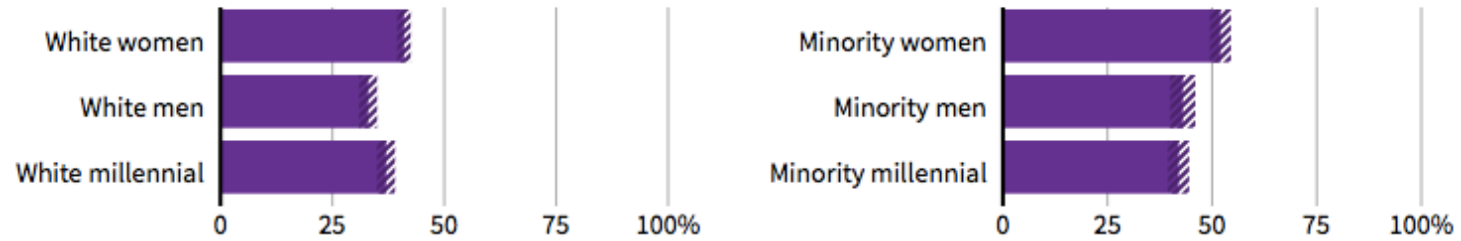


... compared with **four out of 10 whites.**



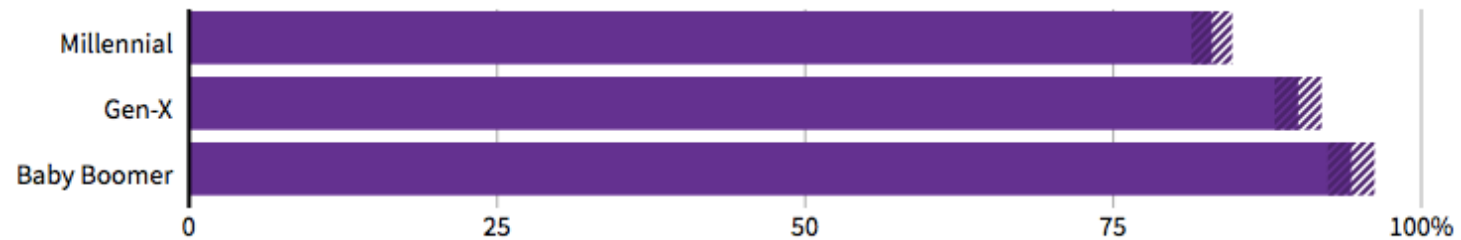
'DIRTY' JOKES

Adults from different backgrounds largely disagreed over whether telling dirty jokes is sexual harassment.

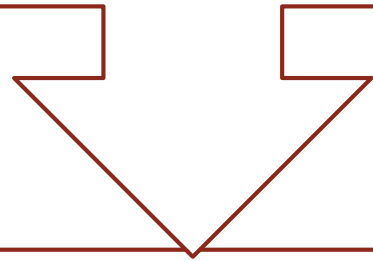


NAKED SELFIES

And while most adults said they thought that it was sexual harassment to send “pornographic pictures” to someone without their consent, Millennials appeared to be more permissive than older generations.



Psychologically, sexual harassment may be experienced even in situations in which no sexual harassment has legally taken place.



This may be especially true for women in the workplace.

**WHAT DOES
THIS MEAN?**



EXAMPLES OF SEXUAL HARASSMENT

- If unwelcome, the following behaviors may constitute sexual harassment:

Unwanted sexual statements: Sexual or “dirty” jokes, comments on physical attributes, spreading rumors about or rating others as to sexual activity or performance, talking about one’s sexual activity in front of others and displaying or distributing sexually explicit drawings, pictures and/or written material. Unwanted sexual statements can be made in person, in writing, electronically (email, instant messaging, blogs, web pages, etc.) and otherwise.



EXAMPLES OF SEXUAL HARASSMENT (CONT.)

- *Unwanted personal attention:* Letters, telephone calls, visits, pressure for sexual favors, pressure for unnecessary personal interaction and pressure for dates where a sexual/romantic intent appears evident but remains unwanted.

Unwanted physical or sexual advances: Touching, hugging, kissing, fondling, touching oneself sexually for others to view, sexual assault, intercourse or other sexual activity.



CONTINUUM OF SEXUAL HARASSMENT

Are all incidents of sexual harassment the same?

Should responses be tailored to behaviors?



- A respectful workplace can be defined by a number of qualities within your organization; example qualities include:
 - employees are treated fairly and respectfully;
 - an environment free from harassment and discrimination;
 - a workplace where individuals work collaboratively to help each other succeed instead of put each other down.



RESPECTFUL WORKPLACE

Create

Create an inclusive work environment. Hire employees from a range of backgrounds



Use

Use active listening when talking with employees.



Show

Show courtesy to others in meetings by showing up on time, listening to what others say and giving everyone time to contribute. Avoid interrupting others during meetings.

**CONCRETE
STEPS
EVERYONE CAN
TAKE TO CREATE
A RESPECTFUL
WORKPLACE**



BEST PRACTICES TO PREVENT AND RESPOND TO SEXUAL HARASSMENT- FOR ORGANIZATIONS

**Inoculate against
sexual harassment
with positive
corporate culture.**

**Keep harassment
policy current and
remind employees
of it often.**



BYSTANDER INTERVENTION

**This
involves
four
steps:**

make observers aware of the problem so they can identify it when they see it,

teach observers that help should always be given,

increase accountability of the observer so they know that they responsible to help, and

inform observers of the process for intervening.



HOW DO YOU PERSONALLY RESPOND TO SEXUAL HARASSMENT?

- **Shift the focus — and record the evidence**
- **Make shrewd pre-emptive moves**
- **Resist the urge to normalize**
- **Tailor your response to an incident's severity**
- **Take a bold stand and own it**
- **Fight to keep reporters safe**
- **Line up allies and use them wisely**
- https://www.washingtonpost.com/news/inspired-life/wp/2017/12/12/seven-research-tested-ways-to-stand-up-to-sexual-harassment/?utm_term=.b20569e7b025

