

Harassment and Sexual Harassment in the workplace



Learning Objectives

- Definition of sexual harassment
- Learning the different types of sexual harassment
- Identifying sexual harassment
- Steps to filing a complaint



Definition

- Unwelcome verbal, visual, or physical conduct of a sexual nature that is severe or pervasive and affects working conditions or creates a hostile work environment.



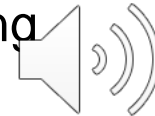
Breaking down the definition : “Conduct”

- Conduct is NOT sexual harassment if it is welcome. For this reason, it is important to communicate (either verbally or in writing) to the harasser that the conduct makes you uncomfortable and you want it to stop.



“Of a Sexual Nature”

- **Verbal/Written:** Comments about clothing, personal behavior, or a person’s body; sexual or sex-based jokes; requesting sexual favors or repeatedly asking a person out; sexual innuendoes; telling rumors about a person’s personal or sexual life; threatening a person, sending emails or text messages of a sexual nature
- **Physical:** Assault; impeding or blocking movement; inappropriate touching of a person or a person’s clothing; kissing, hugging, patting, stroking



“Of A Sexual Nature”



- **Nonverbal:** Looking up and down a person’s body; derogatory gestures or facial expressions of a sexual nature; following a person
- **Visual:** Posters, drawings, pictures, screensavers, emails or text of a sexual nature



Of a Non-Sexual Nature

- ** Non-sexual conduct may also be sexual harassment if you are harassed because you are female, rather than male, or because you are male, rather than female.
- For example, it may be sexual harassment if you are a woman working as a carpenter on an all-male job, and you are the only one whose tools are frequently hidden by your male co-workers.



“Severe or Pervasive”

- The conduct of the harasser must be either severe or pervasive to be classified as sexual harassment.
- Although a single unwanted request for a date or one sexually suggestive comment might offend you and/or be inappropriate, it may not be sexual harassment. However, a number of relatively minor separate incidents may add up to sexual harassment if the incidents affect your work environment.



Questions to ask yourself:



- How many times did the incidents occur?
- How long has the harassment been going on?
- How many others have been sexually harassed?
- Who were witnesses to the harassment?



“Affects working conditions or creates a hostile work environment”

- It may be sexual harassment if the conduct unreasonably interferes with your work performance or creates an “intimidating, hostile, or offensive work environment.”
- For example, it may be sexual harassment if repeated sexual comments make you so uncomfortable at work that your performance suffers or you decline professional opportunities because it will put you in contact with the harasser.



Types of Sexual Harassment

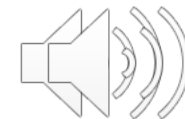
- Quid Pro Quo
(“This for that”)

A person in a position of authority, typically a supervisor, demands sexual favors as a condition to getting or keeping a job benefit.



Hostile Work Environment

- Verbal, physical or visual forms of harassment, that are sexual in nature, "sufficiently severe, persistent, or pervasive" and unwelcome fall under the category of Hostile Environment Sexual Harassment.
- A single, severe incident, such as a sexual assault, could create a hostile environment. More commonly, a "hostile environment" is created by a series of incidents.



Examples of Sexual Harassment

- Unwanted jokes, gestures, offensive words on clothing, and unwelcome comments and witty responses.
- Touching and any other bodily contact such as scratching or patting a coworker's back, grabbing an employee around the waist, or interfering with an employee's ability to move.
- Repeated requests for dates that are turned down or unwanted flirting.



Examples of Sexual Harassment

- Transmitting or posting emails, texts, or pictures of a sexual or other harassment-related nature.
- Displaying sexually suggestive objects, pictures, or posters.
- Playing sexually suggestive music.





Steps to File a Complaint

1. Let the harasser know that his/her conduct is unwanted and unwelcome.
2. Go to a supervisor and explain the circumstances. Be sure to take with you documented dates, times, and specific occurrences if you have them. Also, report the incident to Human Resources. If the appropriate supervisor is unavailable, or is the offender, report the incident directly to Human Resources.

