



FOUNDATION

*Promoting Lifelong Fun Adventures for
the Developmentally Disabled Since 1968*

Sexual Harassment

Module Overview

This module will focus on defining and recognizing the various types of sexual harassment. It will also outline specific examples as well as dispelling the myths surrounding sexual harassment. This module directed towards non-supervisory personnel.

Module Goals

Upon completion of this module, you will be able to:

- Define the various types of sexual harassment.
- Understand the CIVITAN policy on sexual harassment.
- Site examples that include verbal, non-verbal and physical.
- Recognize the myths surrounding sexual harassment.
- Ensure that you are not sexually harassing others.
- Report an incident of Sexual Harassment.

Module Topics

- What is Sexual Harassment?
- Recognizing Sexual Harassment
- Dealing with Sexual Harassment

Ancillary Materials

- Student Guide
- Presentation Flipchart

Module Time

- ❖ 1 Hour

What is Sexual Harassment?

Definition

The courts define sexual harassment as “unwelcome sexual advances and requests for special favors or another verbal or physical conduct of a sexual nature.”

To many people, sexual harassment means:

- Lewd conduct.
- Inappropriate physical contact.
- Requests for sexual favors in return for job security or career advancement.

But sexual harassment is usually more subtle.

Defining sexual harassment is sometimes difficult because what matters most is the perception of the person who feels sexually harassed.

What is perceived as an innocent glance? by one person might be a suggestive leer to another. But the intent of a look isn't as critical as its effect.

If the person feels uncomfortable, then the person could file a claim for harassment.

The following could be construed or legally defined as sexual harassment:

- One employee may enjoy complimenting his female co-workers on how they look when he greets them in the morning.*
- Another might think telling dirty jokes is fun and encourages camaraderie.*

If someone complains, your own opinions about the alleged behavior are irrelevant. You may think the compliments are innocent or that the jokes are harmless, but if someone on your staff perceives them as a problem – they are a problem.

Civitan Foundation Policy

We are committed at Civitan to having a workplace that is free from Sexual Harassment.

How do we prevent it?

- First of all, if you are doing it . . . STOP!
- If it is happening to you, you should ask for it to STOP!
- If it continues, please notify your supervisor or anyone in CIVITAN management whom you feel comfortable speaking with.

Every employee working for CIVITAN has the right to be treated respectfully and professionally. Sexual Harassment will never be tolerated in any CIVITAN workplace.

There are two forms of sexual harassment.

Quid pro quo

“An exchange of sexual favors for improvement in work conditions and/or compensation.”

Hostile, intimidating, offensive working environment

“A situation of a sexual nature and may include verbal and/or physical contact, which is intimidating or offensive to the other party.”

Quid Pro Quo

The dictionary defines Quid pro quo [kwid pro kwo] as:

1. **Something done in exchange.** Something given or done in exchange for something else.
2. **Returning of favor.** The giving of something in return for something else, often in a spirit of cooperation.

Quid pro quo sexual harassment describes a situation in which an employee is confronted with sexual demands, in return for something that will benefit the employee, such as a raise, a promotion or even the ability to keep one’s job.

You don’t have to be the target of the abuse to be a victim of quid pro quo sexual harassment. An employee can file a harassment claim if they are passed over for a promotion for a less qualified co-worker who is having an affair with the manager.

Sexual harassment does not have to involve sexual touching.

It only takes one incident to get in trouble. A single sexual advance can lead to a lawsuit if it is linked to the granting or denial of employment benefits.

Examples of Quid Pro Quo

Scenario #1

Therese tells Andrew, her subordinate, that she needs him to escort her to a party. She says she's selecting him because he's the most handsome guy on her staff. Andrew says he's busy. Therese responds that she expects people on her staff to be team players.

Scenario #2

Susan was having an affair with her boss. They were meeting in motels for more than a year, until she suddenly ended the affair. Shortly after, her performance appraisals were lowered, and she was fired. When she sued for sexual harassment, she won the case. The court said that the fact that she was fired after ending the affair proved quid pro quo sexual harassment.

A Hostile Working Environment

A sexually hostile environment occurs when unwelcome conduct of a sexual nature unreasonably interferes with an individual's job performance or creates a hostile, intimidating or offensive work environment.

Inappropriate behavior that have created hostile work environments may include:

- Sexual jokes or remarks
- Sexual cartoons, posters or other graphics
- Sexual innuendos or suggestive looks

A victim doesn't have to suffer economic injury to build a case for hostile environment sexual harassment.

If the behavior unreasonably interferes with the victim's work or creates a hostile working environment, it is sexual harassment.

Remember, it doesn't matter whether we think an employee has been sexually harassed. Every complaint will be taken seriously.

Examples of a Hostile Working Environment

Scenario #1

A female employee objected to explicit photos and magazines left in plain view in the workplace. She complained to the company that sexual harassment had occurred.

When the company took no action, she sued claiming the pornographic material created a hostile environment. The court awarded her \$875,000.

Scenario #2

A person who walks into a room and hears co-workers telling sexually explicit jokes could file a complaint even though the jokes weren't directed at him or her.

Inter-Office Romance

Inter-office romances between supervisors and employees are a lose-lose situation for all parties involved.

When a supervisor dates an employee who works for him or her, other employees in the company will claim favoritism whenever it is perceived that the employee is treated positively.

If the relationship ends, the employee will often claim he or she has become a victim of retaliation.

CIVITAN's Policy prohibits relationships of a romantic/sexual nature between a supervisor and a subordinate.

Employees involved in sexual/romantic relationships are subject to disciplinary action up to and including termination.

Recognizing Sexual Harassment

Specific Examples

Sexual harassment is often related to power on the job – someone forcing someone else to put up with or do something they don't want. It can be:

Verbal Non-Verbal Physical

Verbal Examples

- Calling a person, a hunk, doll, babe, or honey.
- Turning work discussions to sexual topics.
- Sexual innuendoes and comments.
- Humor or jokes about sex or females/males in general.
- Asking personal questions about social or sexual life.

Non-Verbal Examples

- Staring at someone.
- Blocking a person's path.
- Restricting, hindering the other person's movements.

Physical Examples

- Massaging a person's neck, shoulders, etc.
- Touching the person's clothing, hair, or body.
- Hugging, kissing, patting, or stroking.

If you are in doubt, just ask yourself:

*Would I want my...
Spouse, Child, Sister, Parent
... to see or listen to this?*

Exercise – Recognizing Sexual Harassment

The following table has 15 examples of verbal, non-verbal or physical forms of sexual harassment. In the space provided, mark the example with the appropriate letter (**V** = verbal, **N** = nonverbal, or **P** = physical).

Example Letter

- 1 Brushing up against a person. **P**
- 2 Invading a person's body space; standing closer than appropriate or necessary for the work being done.
N
- 3 Letters, gifts, and/or materials of sexual nature. **N**
- 4 Telling lies or spreading rumors about a person's sexuality.
V
- 5 Making facial expressions, such as winking, throwing kisses or licking lips.
N
- 6 Patting, goosing, caressing, or fondling. **P**
- 7 Making sexual comments about a person's clothing, body, or looks.
V
- 8 Making kissing sounds, howling, smacking lips. **V**
- 9 Tearing/pulling/yanking a person's clothing. **P**
- 10 Exposing oneself. **P**
- 11 Sexual and/or derogatory comments about men/women on coffee mugs, hats, clothing, etc.
N
- 12 Asking about sexual fantasies, preferences, or history.
V
- 13 Making sexual gestures with hands and/or body movements.
N
- 14 Touching or rubbing oneself sexually around or in view of another person.
P
- 15 Rating a person's sexuality or attractiveness, as on a scale of 1 to 10.
V

Myths & Facts

There are many myths about sexual harassment that people have about what behavior is acceptable in the workplace. Examples include:

- It is only a problem for attractive young women.
- It can only be sexual harassment if an employee is harassed by a supervisor and fails to get a promotion or a raise if they refuse to comply.
- If harassment is not reported immediately, then a later complaint is probably made up just to get back at someone.

Harassment is not restricted to the young and beautiful nor to one level of an organization - workers can harass each other and employees can harass their managers.

The following are myths about sexual harassment:

Myth #1

A supervisor is not responsible for the behavior of his or her staff.

Supervisors, who know of sexual harassment or of inappropriate behavior that may develop into sexual harassment, must act to curtail the behavior and prevent sexual harassment. The courts have ruled that supervisors may be held responsible when appropriate action isn't taken.

Myth #2

So-called sexual harassment is just natural, normal behavior. People should feel complimented that they are considered desirable and attractive.

Sexual harassment is a power play using sexually directed behavior as a weapon. It is an inappropriate way to control another person through degradation and humiliation. It is not "sexy" and is not part of healthy human relationships based on mutual caring and respect. Remember -- Behavior that offends is not a compliment

Myth #3

Women are responsible for being sexually harassed by the way they dress and by provocative speech and behavior.

Victims who believe this myth have tried unsuccessfully to stop the harassment by making their physical appearance as unattractive as possible and otherwise behaving to discourage the harassment. Sexual harassment victims aren't limited to young or physically attractive people. Women's dress and behavior are an expression of who they are, not an invitation to be harassed.

Myth #4

The victim must be of the opposite sex of the harasser in order for there to be sexual harassment.

The victim, as well as the harasser, may be a man or woman. The victim and the harasser do not have to be of the opposite sex.

Myth #5

Nice girls don't get harassed.

Women of all ages, races, classes and appearance have been sexually harassed.

Myth #6

If you just ignore it the problem will go away.

Surveys show that most people initially try to ignore it; in 75% of cases it gets worse.

Myth #7

Those who complain are uptight and can't take a joke.

It is not funny to be harassed - especially after explaining that you do not like the behavior. Remember - Even if the harassment is directed to someone else, the victim could be an innocent bystander.

Myth #8

Men who are sexually harassed are gay.

There is no evidence to support this. On the contrary, evidence suggests men who are sexually harassed may be vulnerable in particular situations. They may for example be younger, less assertive or have less hierarchical power.

Dealing with Sexual Harassment

What About You?

Sexuality is part of our lives. People have always joked with each other, teased, flirted, and kidded around, but there's a BIG difference between good-natured fun and sexual harassment.

It all depends on how the other person feels.

Remarks or actions may not be intended to hurt anyone, but if they have that effect, they are harassment.

Remember:

If you're offended, don't hesitate to make clear to the

harasser and to your employer.

Always think about how others may feel before you speak or act.

Unwanted touching that occurs only once could still be considered sexual harassment.

Managers can also be sexually harassed. Sometimes by their own employees.

To ensure that you are not sexually harassing others, keep these two points in mind:

1. Most people do not like being touched, hugged, told sexual jokes, or subjected to sexual comments from people they work with.

2. Review your own behavior and determine if you engage in any sexual or sex-based behavior discussed in this training.

If yes, does the recipient of your behavior equally initiate and participate in similar behavior with you?

If not, your behavior is probably sexual harassment and should stop.