

What You Need to Know about Sexual Harassment

Understanding sexual harassment is crucial to assure a productive workplace and avoid lawsuits.

By Kendrick Kleiner

Many organizational leaders think sexual harassment is mostly a thing of the past. But, despite laws against it and education about it, sexual harassment hasn't decreased as much as we'd like to think. It still causes immense suffering and dramatic drops in workplace productivity.

Why You Can't Let Up on Preventive Measures

Sexual harassment is a serious crime and among the worst torments an employee can undergo. Feelings of anger, embarrassment, and fear cause victims to leave their jobs or perform their work poorly. The loss of morale can spread throughout the office and hurt the entire organization. Every year, lawsuits are filed against organizations by employees who feel their claims weren't investigated properly or the perpetrators punished appropriately.¹

There are two distinct types of sexual harassment:

1. Quid pro quo harassment is also known as the "tangible job benefit" type of harassment. This type of harassment directly affects the victimized employee's career path. For example:

- An employee feels obligated to submit to a supervisor's request for sexual favors as a condition of continued employment.
- A supervisor grants job benefits, such as a raise or a promotion, in exchange for sexual favors.
- A supervisor withholds job benefits or assigns more work to an employee who has rejected a request for sexual favors.

2. Hostile work environment harassment is unwelcome conduct of a sexual nature that is severe or pervasive. Some examples include:

- unwelcome sexual advances, such as leering or touching
- requests for sexual favors
- sexual remarks, jokes, or gestures.

The behavior needn't be deliberate or meant in a negative way. A calendar in your office with photos of half naked people could be considered harassment. So could giving your assistant a friendly massage.

People often forget that women aren't the only victims of sexual harassment. The number of women sexually harassing men has been steadily growing every year. In addition to females harassing male employees, sexual harassment can come from employees of the same sex.

Why Victims Don't Always Report Harassment

People are less likely to perceive sexual attention as harassment if any of the following conditions exist:

- The offenses are infrequent.
- No obvious negative effects result.
- The perpetrator's status is the same as or lower than the victim's.
- The victim is a man.
- The victim is young.

“The number of women sexually harassing men has been growing.”

Under any of those circumstances, many people don't report the incidents. Indeed, they often don't even realize they're being harassed. Table 1 lists other reasons

sexual harassment goes unreported, as shown in a recent study.²

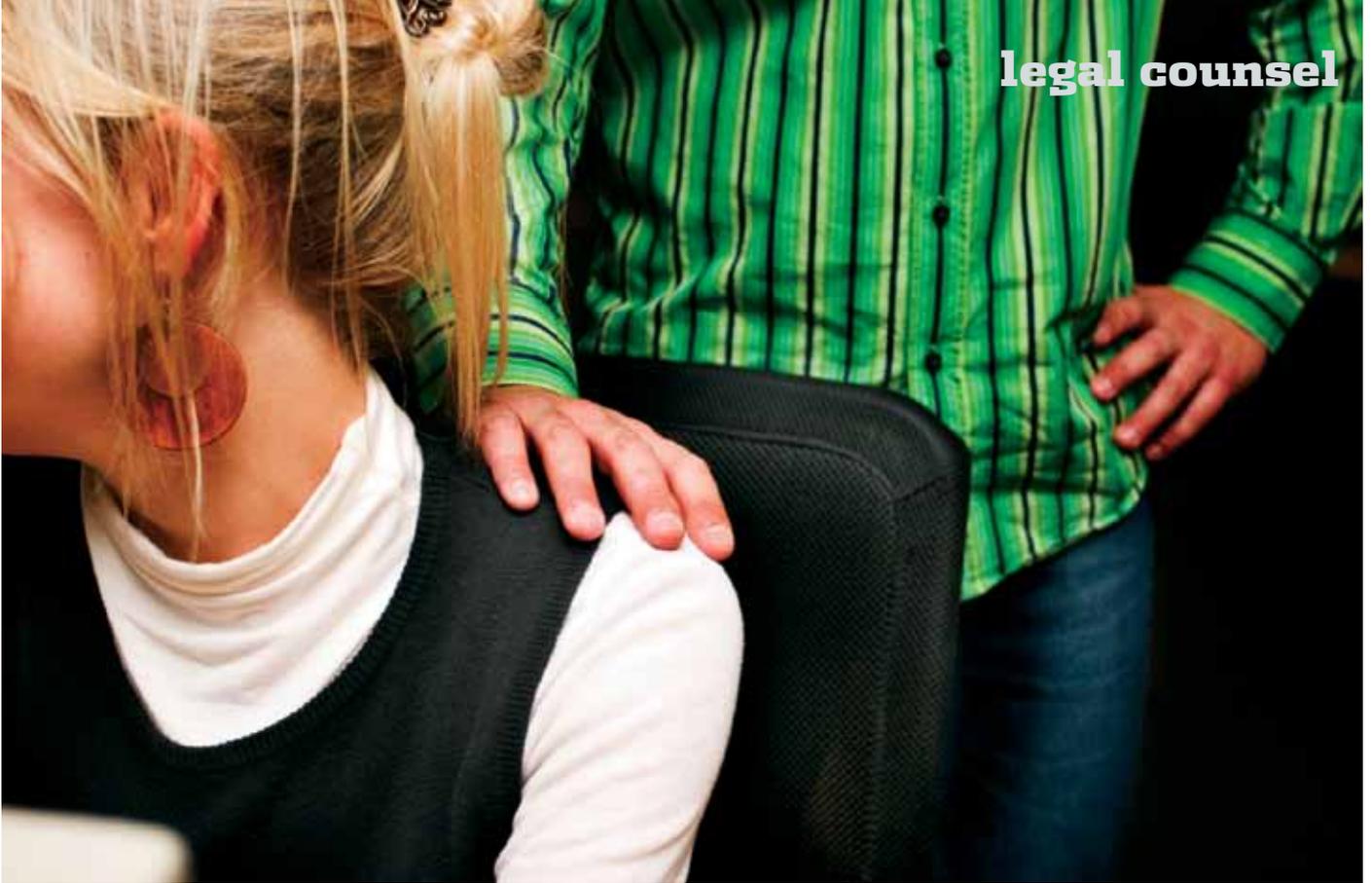
When people are sexually harassed but make no formal complaint, they tend to become dysfunctional. Another study³ reveals ways employees reacted when they were sexually harassed at work:

REASONS TARGETS ARE RELUCTANT TO REPORT	PERCENTAGE
Did not think it was serious enough	50
Other actions seemed to resolve situation	40
It would make work situation unpleasant	29
Did not think anything would be done	20
Thought this would not be kept confidential	19
Did not want to hurt the harasser	17
Thought it would affect my career	17
Too embarrassed	11
Thought I would be blamed	9
Did not think I would be believed	8
Supervisors were not supportive	6
Did not know what actions to take or how to take them	5
Would take too much time or effort	5
Other	4

¹“Handling Sexual Harassment in the Workplace,” *The CPA Journal*, www.nysscpa.org/cpajournal/old/12106205.html.

² Benier, Theresa M., *Gender Myths v. Working Realities*, New York University Press (www.nyupress.org), p. 163.

³ *Ibid.*, p. 165.



- 8% used sick leave to avoid the workplace.
- 8% used annual leave to avoid the workplace.
- 1% took leave without pay.
- 3% sought medical or emotional help.
- 2% were reassigned or fired.
- 2% were transferred to a new job.
- 21% reported a decline in productivity.
- 0.01% quit without a new job.

“Make it clear that all facts will be kept confidential.”

Enforce your sexual harassment policy. One way to be sure your policy is enforced is to hold periodic meetings with employees, going over the policy with them. Have employees sign papers stating that they’ve thoroughly read the policy and fully understand the consequences of sexual harassment. Everyone needs to be aware that sexual harassment is disrespectful, hurtful, and illegal.

Continually encourage people to report any incidents of sexual harassment. Only when people make such reports can the causes be found, future problems prevented, and the situation improved for everyone’s benefit. 

What Steps to Take

Create a written sexual harassment policy. In your policy, describe what sexual harassment is (including examples), and state that it is unacceptable. Detail the procedure for reporting and investigating complaints. Make it clear that all facts will be kept confidential. Highlight the fact that sexual harassment is against the law and will be strictly punished.

Screen potential employees before hiring to make sure they don’t have a history of sexually harassing others.

Orient new employees by going over your employee handbook, calling attention to your harassment policy, and stressing the importance of a harassment-free workplace.

Foster a secure environment. Employees need to feel comfortable reporting sexual harassment allegations, knowing that they’ll be supported, taken seriously, and treated with care and sensitivity.

Investigate all complaints of harassment quickly and thoroughly. Once a conclusion is reached, take corrective action. This action could be termination of the accused employee. Whatever the punishment, it should be severe enough to demonstrate that sexual harassment won’t be tolerated.

OTHER RESOURCES

*Conroy, Charles, “Sexual Harassment: Don’t Let It Destroy Your Organization,” *Nonprofit World*, Vol. 10, No. 2.

*Myers, John, “Do You Think Sex When You Hear Harassment?,” *Nonprofit World*, Vol. 24, No. 4.

“New Light Shed on Sexual Harassment in the Workforce,” University of Missouri – Columbia, mentalhealth.about.com/library/sci/0202/blharass0202.htm.

“Sexual Harassment,” U.S. Equal Employment Opportunity Commission, www.eeoc.gov/types/sexual_harassment.html.

*Quak, Sze Min & Brian Kleiner, “The Need for Anti-Bias Policies,” *Nonprofit World*, Vol. 22, No. 5.

*Starred resources are available at www.NonprofitWorld.org/members.

Kendrick Kleiner is a researchers and consultant who specializes in human resource management in nonprofit organizations. You may contact the author at 551 Santa Barbara Avenue, Fullerton, California 92834.