

Forms of Sexual Harassment

- ***Reprisals***

- Making reprisals, threats of reprisals, or implied threats of reprisals following a negative response to sexual advances.
- For example: either threatening to withhold or withholding support for an appointment, promotion, or change of assignment, or suggesting that a poor performance appraisal will be given

What Constitutes Sexual Harassment?

A female wears a short skirt to work . **Is this an invitation for sexual harassment?**

NO

A female supervisor makes frequent comments about a male employee's physique.

YES

Is this sexual harassment?

A male supervisor makes frequent comments about a male employee's physique.

YES

Is this sexual harassment?

Two co-workers forward each other off- color jokes via email.

Is this sexual harassment?

NO

An employee asks a co-worker out. **Is this sexual harassment?**

NO

Sexual Harassment Scenario Part 1

Bob hired Jen straight out of college. He has always been attracted to Jen and likes to make comments about her appearance and about how nice her body is. One day, Bob calls Jen into his office and tells her he'd like to go out for drinks after work to discuss a possible promotion. Jen is excited about the possible promotion and would love to discuss this promotion further but in a professional context and not over drinks. She politely declines the offer and expresses to Bob that she would like a professional relationship but would like to discuss the possibility of a promotion. What do you think? Is this sexual harassment?

Sexual Harassment Scenario Pt. 2

Let's discuss another possible outcome. Almost immediately, the comments stop, but so does any attention from Bob. The promotion ends up going to someone else, and a couple of months later, Jen receives a poor performance review.

Is this sexual harassment?

Sexual Harassment Scenario

YES

This is a form of sexual harassment known as Quid Pro Quo. Jen might not have gotten fired, but Bob dangled the idea of a work promotion in her face to manipulate her to get drinks with him. When Jen declines the offer, Bob decides to decline her benefits and gives it to someone else.

There is also some possible hostile work environment harassment initially. It's fine to compliment a co-worker, but it's not okay to do so in an unwelcome, sexual manner.

Sexual Harassment: What Should I Do?

What Should I Do If I See Sexual Harassment?

- **Bystander Effect and Diffusion of Responsibility**
- **All of us can make a difference.**
- **Varying tools for varying levels of sexual harassment.**
- **Tell the harasser to immediately stop his/her behavior**
- **Tell the harasser that the company does not tolerate or condone sexual harassment**
- **If possible, separate the harasser and the victim**
- **Report when appropriate.**

IMMEDIATELY REPORT IT TO THE APPROPRIATE PERSON IN MANAGEMENT!

What Should I Do if I Experience Sexual Harassment?

- Identify the behavior or environmental factor which is unwelcomed/unwanted.

Tell the person in a serious manner that you interpret their behavior as sexual harassment and it must stop.

If it does not stop, inform your supervisor, Sexual Harassment Representative, or Human Resource Officer. If the harasser is your supervisor go immediately to Human Resources or other Representative.

- HR or designated person should conduct a thorough investigation. The victim, alleged harasser and any witnesses will be interviewed.
- The designated investigator will determine whether sexual harassment has taken place. If it is determined sexual harassment has taken place, the employee will be disciplined, up to and including termination, if warranted.
- Follow your company's sexual harassment grievance procedure.

What Should I Do If I Experience Sexual Harassment (Continued)?

If your company does not remedy the situation, contact the local EEOC office.

- To find the closest EEOC office: <https://www.eeoc.gov/>
- EEOC is Equal Employment Opportunity Commission

Retaliation for reporting harassment is against the law. You should not experience any retaliatory behavior. If you do, immediately inform your supervisor Representative, or Human Resources, and or contact the EEOC if it is still not addressed effectively by your company.