

Sexual Harassment

Abstract:

Sexual harassment is an unacceptable behavior characterized by inappropriate and unwelcome sexual remarks or physical advances. Sexual harassment is a type of harassment that involves the use of explicit or implicit sexual overtones. Either the statements or actions are obvious, or they are presented in a subtle way, possibly leaving the person questioning what was actually meant by the comment. Sexual harassment can also include the promise of a reward if these unwelcome and inappropriate sexual favors are provided. Sexual harassment includes a range of actions from verbal or written transgressions, visual inappropriateness, and unwelcomed physical touch that could lead to sexual abuse or assault.

Learning Objectives:

1. Define sexual harassment.
2. Explain ways to de-escalate sexual harassment.
3. Identify actions to take to protect yourself or others from sexual harassment.
4. Describe how to report harassment.

Introduction

Sexual harassment can happen in many different environments and may not only make the victim to feel uncomfortable but those who witness the interaction. If experiencing sexual harassment, it is best to immediately express the inappropriateness to the individual and tell them to stop. If unable to do so there are protocols to follow and ways to have the issue addressed or resolved. In this course, we will discuss the different types of sexual harassment, how to minimize or diminish the sexual insult if you are experiencing it or witnessing it, and what your rights are if you are a victim of sexual harassment.

Prevalence of Sexual Harassment

An online survey launched in January 2018 by a nonprofit called Stop Street Harassment, found that 81 percent of women and 43 percent of men had experienced some form of sexual harassment during their lifetime. The survey involved a broader definition of sexual harassment that includes verbal forms of sexual harassment, like being whistled at or receiving unwanted comments of a sexual nature. This survey also includes physical harassment, cyber harassment, and sexual assaults. Locations where individuals experienced harassment most often were in public places. Perpetrators appear to feel safer in crowds.

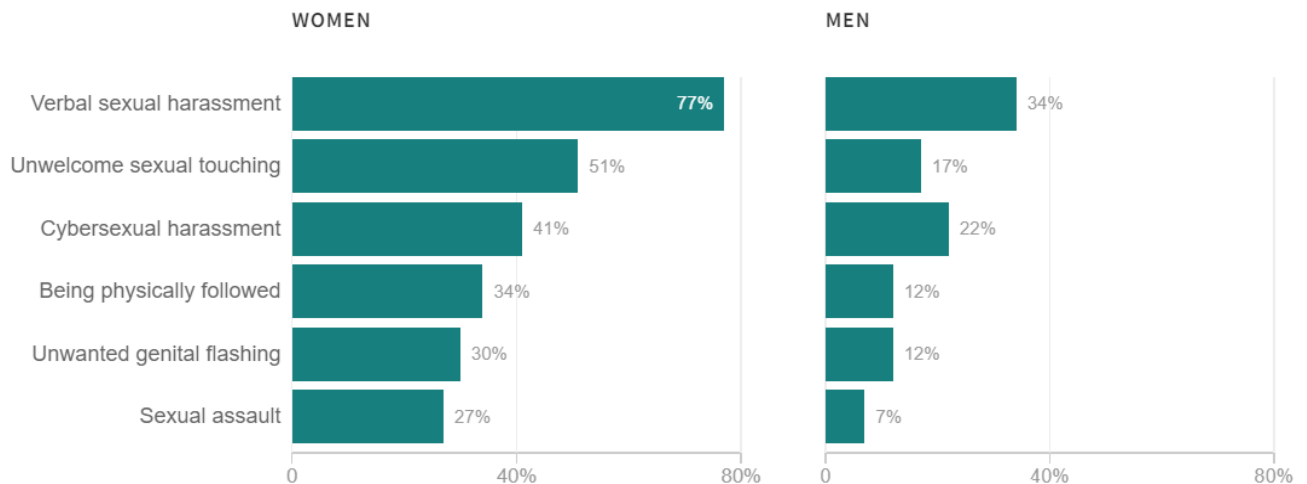
Women reported sexual harassment 66 percent of the time in public spaces, 38 percent of the time at work, and 35 percent of the time was at home. For men, the numbers are quite different. Public locations are still the highest at 19 percent, school is a second at 14 percent, and 13 percent of the time men experience sexual harassment at work, at home, and on social media.

Men and women experience sexual harassment through different avenues or approaches as reflected above. Sexual harassment is a manifestation of power and women are much more likely to be victims of sexual harassment. Women have historically been looked at as the weaker sex and have been viewed as less important than males in some cultures. Table 1 below breaks these down and gives a visual of just how different men and women experience sexual harassment.

Table 1:

More Than 3 Out Of 4 Women Have Been Verbally Harassed

Share of respondents who have experienced different forms of harassment or assault



Identifying Harassment

There are several types of harassment, and these are listed below with examples of how they might occur.

1. Discriminatory Harassment
2. Harassment Based on Religion
3. Power Harassment
4. Psychological Harassment
5. Sexual Harassment
6. Online Harassment

Discriminatory harassment involves physical or non-physical abuse towards another individual because they do not share the same race, gender, color, nationality, religious beliefs, or age. This could be expressed by someone not being hired because of the color of their skin, or because someone thinks they are too old for the job but are the most qualified applicant. The Civil Rights Act of 1964 is a landmark civil rights and labor law in the United States that outlawed discrimination based on race, color, religion, sex, and national origin.

Religious harassment occurs when individuals must deal with taunts and religiously degrading jokes. Religious harassment is not limited to workplace environments but also within areas with a religious minority in the form of hate crimes, forceful conversions, forceful marriages, and rape. An

example of this type of harassment would be telling holocaust jokes to someone or in the presence of someone of the Jewish faith.

Power harassment occurs when there is a huge power difference between the victim and the offender. The harasser uses their elevated position to repress the individual into coercion and unwanted acts. The harassed again have no choice but to either comply with the offender's demands or quit their position in an attempt to remain dignified. Some harassers tend to show superiority using their physical strength over the victim which can result in physical injuries for the victim when not giving in to the demands.

Psychological harassment can damage a person's well-being by degrading their mental health. The individual or individuals harassing can do so by spreading hurtful, untrue rumors, intimidating the victim both physically or emotionally, and demoralizing the victim by having them do demeaning tasks, or prying into their personal lives and exposing certain aspects of it. This humiliating and intimidating behavior can lead to long-term adverse effects on the victim's mental health. This could cause the victim to question many aspects of their life. Depression can follow due to a lack of control of their own life and the loss of hope surrounding their goals and dreams.

Sexual harassment is unwanted, degrading behavior towards another person that is of a sexual nature. Sexual harassment is common in school or workplace settings, but it can take place, anywhere. Sexual harassment can be difficult to define as everyone has different definitions of inappropriate behavior, personal space, and boundaries. A touch or sharing of a "dirty" joke may be welcomed by some but when it is unwanted or forced on another person it falls within sexual harassment.

Online harassment comes in many forms. When online, it isn't hard to pose as someone else or make yourself out to be something you are not. There are various ways a harasser can stay anonymous on the internet and easily target others who can become their victims. Pictures that are on the internet can be downloaded, altered, and uploaded back to social media accounts to be used against the victim. Pictures can also be taken, and false profiles created to pose as someone else. The harasser can use these pictures to get close to contacts of the person they are posing as or use these images to blackmail the victim and get their demand met.

Sexual harassment can occur in a variety of circumstances. Some of these circumstances are listed below.

1. The victim or the harasser could be a woman or a man. The victim does not have to be the opposite sex.
2. The harasser can be the victim's supervisor, a representative of the employer, a supervisor in another department, a co-worker, or a non-employee.
3. The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
4. Unlawful sexual harassment may occur without economic injury to the victim.
5. The harasser's conduct must be unwelcome.

Prevention is key to warding off and eliminating sexual harassment in the workplace. It starts with the understanding that sexual harassment will not be tolerated, harassment training prevention, establishing an effective reporting process, and taking immediate and appropriate action when an employee reports an issue. Employers have a responsibility to stop inappropriate behavior before it reaches the point of legal action.

Very apparent ways an individual can be sexually harassed or assaulted are:

1. unwanted kissing
2. touching of privates
3. butt slapping
4. sexually explicit comments
5. uninvited massages
6. requests for sexual favors
7. sexually suggestive gestures
8. ogling
9. catcalling
10. cornering someone in a tight space

More subtle forms of sexual harassment are:

1. sexual jokes
2. repeated compliments of another's appearance
3. commenting on the attractiveness of others in an inappropriate way
4. discussing another's sex life in front of others
5. circulating nude photos of women in bikinis or shirtless men in the workplace
6. interrogating someone about their sex life
7. leaving unwanted gifts of a sexual or romantic nature
8. spreading sexual rumors about others

9. repeating hugs or other types of unwanted touching

There is a misconception that harassment must be sexual in nature to be a legal matter. Title VII, offensive conduct rule states that if an employee's gender creates an abusive work environment because they are told to compete and live up to another gender stereotype and scorned if not taken seriously or unable to live up to that, the workplace is hostile.

Under Title VII it is the responsibility of the supervisor or manager to protect their employees from any kind of sexual harassment from anyone coming in contact with their employee. This includes clients, vendors, business partners, and customers. If there is knowledge that harassment is taking place and no action is taken against it, this would be grounds for legal action against the company or business.

It is common to think that females are the only ones who are subjected to sexual harassment but there are cases where females harass males. Any form of sexual harassment is illegal. Sexual harassment does not have to be motivated by sexual desire it just has to be based on the victim's gender.

If you are a victim of sexual harassment, you should follow the steps below.

1. Many women would rather forget about the sexual harassment and don't want to report it or feel like they can't due to fear of retaliation. Stay the course and report the issue.
2. Tell the individual harassing to stop! If unable to do this during the incident, then approach it in a later conversation.
3. Build unity among others experiencing the same or similar circumstances of harassment.
4. Talk with a lawyer.

Workplace Harassment

Workplace harassment falls into 3 main categories. These are listed below.

1. Verbal/Written
2. Physical
3. Visual

Verbal/Written

Verbal or written is the most common. Listed below are examples of this type of harassment:

1. Sending emails with offensive jokes or graphics.
2. Repeatedly requesting dates or sexual favors in person or through text.
3. Asking about family history of illnesses or genetic disorders.
4. Making derogatory comments about someone's disability or age.
5. Imitating someone's foreign accent behind their back.

Technology can create unwanted issues when it comes to written correspondence such as emails, texts, or messaging. If one employee forwards an email to one person in the office with a pornographic image or a possibly offensive joke, this email can circulate around the entire office, even if that's not what the original sender was intending.

Physical

Physical harassment can sometimes be very subtle and might be a little harder to recognize.

1. Lewd hand gestures or other gestures meant to convey curse words.
2. Unwanted touching of a person or their clothing.
3. Frequently following or standing too close to a certain individual on purpose.
4. Making sexually suggestive facial expressions toward others.
5. Playing music with offensive or degrading language.

If anyone witnesses any of the above examples, they may feel uncomfortable and even harassed.

Visual

Visual is probably the hardest to spot because it's the most subjective and requires you to put yourself in the shoes of the other person.

1. Wearing clothing with offensive or vulgar language on it.
2. Displaying posters or pictures of a sexual nature where others can see them.
3. Showing other people sexually suggestive text messages or emails.
4. Watching pornographic or violent videos where others can see.
5. Drawing violent or derogatory images where they can be seen by others.

Setting an Example in the Workplace

Expecting those individuals in positions of power such as top-level executives to set an example for others. If the supervisor or manager curses,

they are setting a standard for the environment that this type of behavior is acceptable. Set appropriate and desirable standards at the top and they will trickle down.

Defining unacceptable behaviors in official policies will set a standard for all employees. It is vitally important to clearly define the acceptable code of conduct for all employees in the employee handbook and enforce those standards.

Implementing workplace harassment training exercises to clearly define acceptable roles will help prevent workplace harassment. These training will reinforce the guidelines set for acceptable behavior.

Online reporting procedures and investigating claims when employees bring complaints of workplace harassment. Most importantly, take preventative action.

Prevention is an ongoing process. Paying attention to what's happening around the office through observations of interactions among co-workers creates the ability to see subtle inappropriate behaviors and actions. This gives the opportunity to educate employees on the different forms of workplace harassment by giving examples and what they can do to prevent them.

Harassment Training Prevention

The training is normally mandatory, stating there is a problem, and everyone needs to pay attention. The main message being sent is that men are the problem, and they need to change. This creates a situation where men take the defense and are much less likely to be a part of the solution, rather they will resist. Research has shown that it makes men more likely to blame the victims and to think that women who report harassment are making it up or overreacting. This has created a shift in the way sexual harassment is perceived. 30 percent of men stated that false claims are a problem and 58 percent of women who made reports of sexual harassment stated they are not being believed.

Training Alternatives

These alternate trainings have been very beneficial when used in the workplace.

1. Bystander-intervention Training

- a. Uses individuals as allies working to solve the problems of harassment and assault.

2. Manager Training

- a. The focus of the training is what someone else might do wrong and takes the focus off of the self. The training teaches early signs of harassment and how to intervene swiftly and effectively to prevent escalation. Managers take on a new role as potential hero rather than the enemy.

Witnessing Sexual Harassment

Title VII, as discussed above, does not protect everyone. If working for a business that has less than 15 employees, you are not protected by federal law against sexual harassment. This may include domestic workers and farm workers, independent contractors, and self-employed individuals. It is illegal for an employer who is covered by Title VII to retaliate against an employee for filing a claim of sexual harassment or against a bystander for reporting it. If someone witnesses offensive conduct, they could be the victim of sexual harassment even if not directly harassed.

If you witness workplace sexual harassment, you can play an important role in supporting the person targeted by harassment. The following tools can be used when you witness harassment in a variety of settings, including sexual harassment in the workplace. If appropriate, an immediate intervention to defuse the situation is important. Table 2 are the Five D's and provides bystanders with a range of options to respond to witnessing harassment regardless of where it takes place.

Table 2:

Direct
Distract
Delegate
Document
Delay

Direct:

If you feel that directly addressing harassment is safe and may be effective, you can confront the harasser and call out the behavior in the moment. Let them know you find their behavior inappropriate, intimidating, or hostile, and ask them to stop. This approach may escalate the situation, so consider whether you and the person being harassed are safe and whether you believe the person being harassed wants someone to speak up.

Distract:

You can stop an incident by simply interrupting it. Rather than focusing on the aggressor or action, this subtler intervention allows you to engage the person being targeted through a distraction. Maybe ask a question, start an unrelated conversation, physically interrupt the incident, or find a reason to call the person out of that space.

Delegate:

Find an appropriate third party to intervene, such as a supervisor, human resources officer, security officer, or another colleague.

Delay:

If you aren't able or choose not to intervene in the moment, you can still support the person who has been harassed by following up with them afterward. You can offer acknowledgment and empathy and can ask whether they need additional support, resources, or documentation of the incident. You can also confront the harasser later and let them know that you found their behavior inappropriate.

Document:

Depending on the circumstances and whether other interventions are more urgent, it may be most helpful to document what you did or what you witnessed. If you are able to record an incident or jot down details, be sure to follow up with the targeted individual and ask them what they would like done with the documentation; do not share it without their consent.

As a witness of sexual harassment, permission should be sought from the individual who has been harassed before sharing any of the details. This would also apply prior to reporting the incident to a supervisor or the HR department. People who experience harassment and bystanders who witness it have the right to report it but the individual who experiences harassment should ultimately decide whether they want the incident to be reported or not. The individual who was sexually harassed may have valid reasons for

not wanting to report the incident. This could be due to fear of retaliation or simply an embarrassment. If you witnessed an event of sexual harassment and the individual decides to report it, you can assist them by helping them navigate the process and serving as a witness. First, determine what protections you have based on your workplace policies and state and federal law.

Read your employer's policy on harassment. Follow it to report an incident in the appropriate way. If your employer does not have a policy, consider reporting harassment to a trusted supervisor or human resources specialist. ***Save all written communications and take notes on all conversations.

Contact the Equal Employment Opportunity Commission (EEOC) or your local EEOC field office to learn more about harassment and your rights. You can submit a charge of harassment online or in person within 180 days (some states allow 300 days) of when the harassment occurs. You do not need a lawyer to file a harassment charge. Once filed, a notice will be sent to your employer, and the EEOC will determine how to proceed. You can check the status of your claim via the EEOC Public Portal.

Bystanders and those individuals who have directly experienced sexual harassment and who file a claim cannot be retaliated against. They are protected by Title VII of the Civil Rights Act. Promotions cannot be withheld and being demoted to a less desirable position or a position for less pay would go against Title VII. The most effective way to address harassment is to prevent it.

Consider your own biases. How does your opinion affect colleagues surrounding gender, sex, race or ethnicity, and privilege? Start conversations with colleagues, supervisors, and decision-makers about ways to promote diversity, equity, and inclusion in your workplace.

Request that your workplace implement staff trainings on sexual harassment, bystander intervention, and diversity and inclusion.

Experiencing Sexual Harassment

If you are directly experiencing sexual harassment, follow these steps:

Communicate:

If possible, directly address the harasser, and tell the person who is harassing you that you find it inappropriate, intimidating, hostile, or abusive,

and they need to stop. This can be done either in the moment or in a follow-up conversation, making it clear the behavior is inappropriate and you do not agree with it.

Record:

Whether you experience an isolated incident or if it is recurring harassment, write down the details. Leave opinions out and write only factual information. Include the date and time, who harassed you, where it took place, whether there were any witnesses, and what was said and/or done. Keep a copy of the information outside of your workplace and in a safe place.

Report internally:

Read your employer's policy on harassment and follow the steps to report an incident. If your employer does not have a policy, you can report harassment to a supervisor or human resources specialist that you trust. If the first person you report it to doesn't act, report it to someone else. Again, it is important to record who you reported it to, when you did this, and if anything was done about it. Save all communications and take notes on all conversations. You can also report harassment to your union representative if you have one.

Report externally:

Contact the Equal Employment Opportunity Commission (EEOC) or your local EEOC field office to learn about your rights, resources and/or to file a charge. You can submit a charge of harassment online or in person within 180 days (some states allow 300 days) of when the harassment occurs. You do not need a lawyer to file a harassment charge. Once filed, a notice will be sent to your employer, and the EEOC will determine how to proceed. You can check the status of your claim via the EEOC Public Portal.

Contact a lawyer:

If you are wanting to find a lawyer, go to the National Employment Lawyers Association (NELA) Exchange (Find-A-Lawyer database), the American Association of University Women's list of legal aid organizations, or contact the TIME'S UP Legal Defense Fund.

Request improved internal policies:

Request that your employer implement climate surveys and staff trainings on sexual harassment, bystander intervention, and diversity and inclusion.

Taking Legal Action

There are two types of sexual harassment claims. These are "quid pro quo" and "hostile work environment." The EEOC provides guidance establishing employer liability and defining sexual harassment.

Quid pro quo means "this for that." It involves expressed or implied demands for sexual favors in exchange for some benefit. This could be a promotion, a pay increase, or on the flip side it could be to avoid being terminated or demoted. Quid pro quo harassment occurs because someone is in a position of power over another person. Quid pro quo harassment would be a supervisor threatening to fire an employee if he or she does not have sex with them.

When speech or conduct is so severe that it creates an intimidating or demeaning environment or situation and affects an individual's ability to do their job adequately, you have a hostile work environment. This type of harassment can be created by anyone in the environment and does not have to be created by someone of authority. This could include a peer, supervisor, subordinate, vendor, customer, contractor, or a manager. Sometimes hostile work environments are not easy to identify when incidents occur with longer spans between incidents, the demeaning behavior may occur that is not based on sex, or the severity of the incident is mild. Incidents involving inappropriate touching, sexual jokes, or comments, repeatedly asking someone on a date when they were told no, and openness involving the sharing or displaying of offensive pictures are all forms of hostile work environments.

The difference between Quid pro quo and a hostile work environment is that Quid pro quo always involves a person in a position of power looking to get something from a person beneath them professionally in exchange for something. The other form, on the other hand, doesn't have to involve a person who has authority. The offensive action or speech can come from anyone within the workplace and not necessarily from a supervisor or boss.

At the same time, it's important to know that by law, there is really no difference between these forms of sexual harassment. Both are against the law as per the Civil Rights Act of 1964 and cause harm to the victims.

When Harassment Becomes a Crime

Harassment is not considered illegal but some of the behaviors associated with it are. Some of these behaviors include:

1. assault
2. indecent exposure
3. sexual assault
4. stalking
5. illegal recording or photography

A person can be charged with harassment if they engage in certain behaviors, such as:

1. repeated unwanted phone calls, text messages, or emails
2. sending unwanted gifts
3. following someone
4. causing another person to fear for their safety or the safety of their family or property

Legal Penalties

Sexual harassment-related offenses can be a felony of the second degree if convicted and punishable by:

1. up to 20 years in prison
2. a fine of up to \$10,000
3. mandatory registration as a sex offender

If a person is accused of sexual harassment and then chooses to engage in other harassing behaviors, they may be arrested and charged with a Class B misdemeanor, punishable by:

1. up to six months in jail
2. a fine of up to \$2000
3. a restraining order

Harassment Charges

A harassment charge is a charge filed against someone who intimidates, threatens, stalks, or otherwise makes another person feel unsafe or annoyed. This charge may also be filed against someone who steals personal information, snoops, or invades other people's privacy. It is important to know how to press criminal harassment charges if you want to pursue charges.

Reporting of harassment can be done through the police department so that criminal charges can be instituted. If you feel you are an imminent danger, report immediately for protection purposes. You can report in person or by calling the police department. Every state defines harassment differently, so you will need to determine if the behavior constitutes harassment in your state.

Stress Associated with Harassment and Sexual Trauma

According to data collected by Equal Rights Advocates in the U.S., 90 to 95% of sexually harassed women suffer from some debilitating stress reaction. Victims, both men and women of sexual harassment can suffer significant psychological effects. These can include:

1. Anxiety
 - a. Anxiety can manifest as restlessness or an inability to relax, muscle tension, fatigue, and persistent worry.
2. Depression
 - a. Symptoms of depression may include loss of interest in activities, lack of motivation, social withdrawal, feeling tearful or sad, or having a low mood.
3. Headaches
 - a. Headaches can be caused by tension due to stress or lack of sleep.
4. Sleep Disorders
 - a. Sleep issues can arise because of worry and fear. If someone already has issues with sleep this can just exacerbate the problem.
5. Weight Loss or Gain
 - a. Stress has a complex relationship with weight and can be responsible for weight gain (due to emotional eating as a coping mechanism) or in some cases weight loss.
6. Nausea
 - a. Stress can wreak havoc on your digestive system, causing nausea and other symptoms. The digestive system contains the second largest number of nerves in your body.
7. Lowered Self-esteem

- a. Good self-esteem grows from a safe and secure environment. If you have been abused or harassed, you will most likely suffer from lower self-esteem.
- 8. Sexual Dysfunction
 - a. The ability to be vulnerable and close in a relationship can be affected by harassment and significantly altered by sexual assault.
- 9. Suicidal Ideation
 - a. Sexual trauma can also be a risk factor for triggering suicidal thoughts. This is significantly true if the victim has been violated repeatedly or continues to be exposed to the perpetrator.
- 10. Self-harm
 - a. This can include physical harm to the body (cutting), drugs, alcohol, and other self-harming behaviors in an attempt to escape the memories of the trauma.

Post Traumatic Stress Disorder (PTSD)

Some people can develop PTSD following sexual harassment. Symptoms will present as unwanted memories of the event that automatically resurface in the thought process and are difficult to remove. Individuals may begin to avoid people, places, or things that remind them of the trauma, and this could lead to isolation and depression. Sexual assault is the most frequent type of trauma in women diagnosed with PTSD.

Victims of sexual harassment or assault may blame themselves for the event. Second, guessing themselves or think they contributed to the incident possibly by being too friendly or possibly even showing interest in the other person. Therapy can help them figure out that it's not their fault and there's nothing they could have done." Victims also tend to have self-doubt and not trust their intuition or abilities.

Treatment for Trauma Associated with Harassment

There are several valid and evidence-based treatments available for posttraumatic stress disorder (PTSD) and interpersonal difficulties that can result from sexual harassment, abuse, and assault.

1. psychodynamic psychotherapy
2. trauma-focused cognitive behavioral therapy (TF-CBT)
3. eye movement desensitization and reprocessing therapy (EMDR)

Treatment for Sexual Misconduct

There are no evidence-based programs for sexual misconduct behavior but those receiving treatment through therapy would receive the same treatment as substance abusers. These would include:

1. 12-step programs
2. group counseling sessions
3. teaching classic impulse-control techniques
4. avoiding friends, social situations, and places that put them at high risk of repeating the behavior
5. talk therapy
6. medication

It's not clear how any of these approaches work. That is particularly true for men with more serious sexual behavior. They have found that confronting the individual, especially in public, can sometimes put an end to the behavior if the individual has a lot to lose personally. These individuals do not want to lose their social standing or have any kind of effect on them financially.

When confronting the individual is not enough, the therapist has some alternative approaches. Individuals who have inappropriate sexual behaviors often minimize their behavior. Having the perpetrator describe the behavior or assault makes them identify with the victim. Those who have committed assaults attend court sentencing hearings and listen to victims read detailed accounts of their attacks so offenders can witness how assaults forever change others' lives. Empathy training for offenders has had weak outcomes when attempting to demonstrate the victim's point of view. Empathy is an emotion that is very hard, if impossible to teach to others.

The harasser on the other hand has these assumptions that they are not actually hurting the other person. They assume because they are not forcing themselves on the other person or touching them, they are not hurting them. Approaches to help them understand what they are doing is:

1. Help the person understand what they might lose regarding their family, work, and reputation.
2. Create strategies to move away from the trigger.
 - a. distraction
 - b. relaxation
 - c. meditation

3. Help the harasser understand that their actions are partially rooted in unacknowledged feelings of:
 - a. inadequacy
 - b. abandonment
 - i. Having some power over long-standing wounds of inadequacy and abandonment is giving an excuse for the exploitation of another person.
4. The harasser must be willing and committed to therapy to help, otherwise, they will be seeking sympathy for their actions and not be accountable.

Resources for assistance:

<https://www.eeoc.gov/sexual-harassment>

EEOC Headquarters

131 M Street NE

Washington, DC 20507

[1-800-669-6820](tel:1-800-669-6820) (TTY)

[1-844-234-5122](tel:1-844-234-5122) (ASL Video Phone)

[1-800-669-4000](tel:1-800-669-4000) (For Deaf/Hard of Hearing callers)

National Sexual Assault Hotline at [800.656. HOPE \(4673\)](tel:800.656.HOPE.4673) or chat online at online.rainn.org.

Resources on Sexual Harassment focus on preventing sexual assault or harassment in a variety of settings, and much of the information is applicable to the workplace.

<https://www.workplacesrespond.org/>

https://www.nsvrc.org/sites/default/files/201802/publications_nsvrc_tip-sheet_bystander-intervention-tips-and-strategies_1.pdf

<https://www.rainn.org/articles/your-role-preventing-sexual-assault>

<https://www.compliance.gov/sites/default/files/compliance-bystanders.pdf>

<https://righttobe.org/>

<https://www.nationalpartnership.org/our-work/resources/economic-justice/sexual-harassment/know-your-rights-sexual-harassment-in-the-workplace.pdf>

Case of Sexual Harassment and Hostile Work Environment

In 1998, the Mitsubishi Company in Illinois was charged with allowing a hostile work environment for women for many years. These women reported being routinely fondled, verbally abused, and subjected to obscene jokes, inappropriate behavior, and visual obscenities. Promotions were denied when they refused to perform sexual favors for their superiors. Many women quit their jobs because of this hostile work environment.

Mitsubishi paid \$34 million to one female worker and paid out several more million to other women in individual suits for this mistreatment. Because this damaged the reputation of the company and affected them financially, they decided to create a change. They hired Lynn Martin, who was the former Secretary of Labor who moved on to completely overhauled the anti-sexual harassment and complaint system for Mitsubishi. The company now operates with a zero-tolerance policy.

In 1991 Anita Hill accused Clarence Thomas (chair of the Equal Employment Opportunity Commission) of using inappropriate language and sexually harassing female colleagues. Hill was questioned by a panel of 14 white men led by chair senator Joe Biden on live television. Thomas denied all allegations and Anita Hill's claims were never proven or disproved.

Following Hill's accusations, she received many death threats but stands strong on her professional duty as a lawyer, and believed it was her ethical responsibility to bring forward her accusations. Because of her persistence and reporting the sexual harassment, sexual harassment cases filed since the trial has risen by 50%. Hill believes that what she did was effective because it opened the conversation about sexual harassment publicly.

Paula Jones was a state employee when Bill Clinton was Governor of Arkansas in 1991. She claimed that Clinton exposed himself and asked her for oral sex in a hotel room. Clinton denied all allegations.

A settlement was reached, and Jones dropped her suit against Clinton in exchange for \$850,000. She never received an admission of guilt or an apology. Due to these allegations, investigations of the President's sex life were followed up on. The Monica Lewinsky scandal and the impeachment of President Clinton were a direct result of the Paula Jones case.

The Tailhook Association is the top professional association for naval and Marine Corps aviators. Its annual Naval Aviation Convention became one of the biggest and most important gatherings for Navy officers. In 1991, the Tailhook Convention took a turn at the Vegas Hilton Hotel.

During the convention, the 3rd floor of the Vegas Hilton Hotel was labeled as the "Gauntlet." As Lieutenant Paula Coughlin walked down the hall, she reported her clothes were ripped off, and she feared being gang-raped before she managed to escape to an empty suite. Several other assaults occurred on the 3rd floor of the Vegas Hilton Hotel during the convention.

On April 23, 1993, the Department of Defense Inspector General released its report, finding 83 women and seven men were assaulted during the Tailhook Convention. The majority of the victims were civilians who were not associated with the military, but some were female government employees and military spouses.

There were over 300 officers identified as having committed some sort of offense over the weekend, but only 140 were referred for disciplinary action. None of these officers went to trial, and most were given non-judicial punishments, fines, official reprimands, and, at worst, demotion.

Coughlin sued both the Tailhook Association and the Las Vegas Hilton. The Tailhook Associations settled for \$400,000 out of court, while the Hilton Hotel paid \$5 million to Coughlin in compensatory and punitive damages for negligence in not providing adequate security for attendees.

In 2001 the University of Colorado Football Program was accused of sexual assault charges. 2 women claimed they were sexually assaulted while at an off-campus party. The two women held the university responsible because they stated the university fostered an atmosphere that attempts to draw in the best high school football prospects with sex and alcohol parties.

The case was filed under Title IX, which promotes gender equality in education. This was different than the sexual assault claim and in order to be in violation of Title IX, the university would have had to of been informed of the sexual assault and deliberately denied or refused its claim. This case was recently rejected by the U.S. District Court, the women have filed an appeal.

Following the allegations by these women, the University of Colorado Board of Regents conducted its own independent investigation. Results confirmed that drugs, alcohol, and sex have been used to draw in recruits.

The University has now created strict recruitment policies, and these are some of the strictest recruitment policies in the country.

Because of all these above lawsuits, the United States has experienced a cultural shift that will continue to impact us as time goes on. The workplace has changed because sexual harassment is taken more seriously. Trainings help people understand what is appropriate and what is not and ways to report issues as they arise. This is making schools, workplaces, and social interactions safer and more inclusive for everyone.

Conclusion

Sexual harassment comes in many forms. It can be subtle comments about your appearance from a co-worker, being exposed to crude sexual jokes, unwanted touch, or being offered a promotion for sexual favors. Knowing how to respond when it is happening to you or if you are witnessing the harassment is vitally important to put an end to the harassment.

If you or someone you care about has experienced sexual harassment, there are steps to follow to report the incident and put a stop to any further issues. Treatments and support are available to help in the healing and recovery process if needed. Understanding that you are not responsible for someone else's actions is the first step in beginning the healing process.

Resources:

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