

Sexual Harassment Training

Sexual Harassment... We've all heard of it. We're pretty sure that it is something you are NOT supposed to do. But what do you really know? Do you understand what is or is not sexual harassment? Do you know the law, or the Harnett County policy? Could you be harassing someone without even knowing it? If you are being harassed, do you know what you should do?

Objectives – During this webinar, we will...

- Establish clarity on a definition of sexual harassment.
- Understand the law and the Harnett County Sexual Harassment policy.
- Identify some types of sexual harassment.
- Recognize your role in reporting and preventing sexual harassment.
- Discuss the effects of sexual harassment on an individual and a team.
- Explore some tactics for preventing sexual harassment and protecting yourself.
- Clarify the reporting procedure and any next steps you should take.

Definition of Sexual Harassment

Many definitions of sexual harassment exist, but perhaps the clearest is the one shared by the Equal Employment Opportunity Commission (EEOC). It says that sexual harassment is-

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when...

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment. For example, if you are in a job interview and your potential new Supervisor implies that having sex with him or her will enhance your chances of getting the job. OR

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual. For example, your Supervisor has asked you out on a date several times and you have turned them down. Suddenly, you get an unexpected poor performance appraisal. OR
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. For example, one of your coworkers has been continually touching you in ways that make you uncomfortable. It has gotten to the point where you dread coming to work.

Behaviors that are generally **not** considered **harassment** are those that arise from a relationship of mutual consent.

- ✓ A hug between friends,
- ✓ mutual flirtation,
- ✓ polite compliment on physical appearance

Sexual Harassment – The law and Harnett County Policy

Harnett County Promotes a work environment free of unlawful workplace harassment and has a zero tolerance policy for any employee who fails to follow this Policy. Any unlawful workplace harassment, in any form, is strictly prohibited.

Violation of this policy will result in disciplinary action, up to and including termination. The perpetrator may also be liable for any penalties under federal, state, or local law.

Steps you should take...

1. If you believe that you are a witness to or the subject of sexual harassment, you are encouraged to report the situation orally or in writing to your Supervisor, your Department Head, or the Human Resources Director.

2. Immediately after you report your situation, your Supervisor, your Department Head, or the Human Resources Director will ask you to fill out the Unlawful Workplace Harassment form. They have 3 working days to submit the form to the Human Resources Director.
3. Once your report or complaint and supporting evidence is received, the Human Resources Director shall, if necessary, take immediate action to stop and/ or remedy the inappropriate conduct.
4. If immediate action is not required, the Human Resources Director will notify all concerned parties that a complaint has been filed and an investigation will be conducted by the Human resources Director and the Legal Department. The investigation should be completed within 15 working days and delivered to the County Manager.
5. When the investigation has been completed, the Human Resources Director will inform all concerned parties, the Supervisor and Department Head, and the County Manager of the outcome. At that time, the Human Resources Director and the County Manager will make sure that all appropriate actions are taken.

If you are a Supervisor or Manager, you are considered an agent of Harnett County. If sexual harassment was reported to you, or if you have observed it, then the law states that the County was aware of the situation.

So... who might be guilty of sexual harassment?

Because sexual harassment is about POWER rather than about SEX, many complaints are made by employees against their Supervisor or Manager. Any Supervisor or Manager (male or female) could be guilty when harassment involves the first two conditions of the law –

1. Submission as a term or condition of an individual's employment,
or
2. Submission to or rejection of such conduct is used as the basis for employment decisions.

It is important to know that the third condition of the law which states – when...

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Means that virtually any employee could be found guilty of sexual harassment. This includes:

- Men harassing women,
- Women harassing men,
- Men harassing men,
- Women harassing women.

That person could be a co-worker, an employee in another department, a client, or even a vendor.

Types of Sexual Harassment

There are 2 types of sexual harassment:

1. **Quid pro quo** which is a Latin phrase that basically means one thing in return for another. It occurs when your employment benefits (such as getting a job, getting a raise, etc.) are tied to giving in to your Supervisor's unwelcome sexual advances.
2. **Hostile work environment** which occurs when you have to deal with offensive sexual comments, unwelcome physical contact, or offensive sexual materials as a regular part of the work environment.

Sexual Harassment also comes in 4 different forms.

1. Physical – which would include
 - ✓ Unwanted touching
 - ✓ Rubbing against someone or standing too close

2. Verbal – which would include
 - ✓ Making suggestive comments
 - ✓ Telling obscene jokes
 - ✓ Making inappropriate comments about another person's appearance.
 - ✓ Discussing sexual exploits, etc.
 - ✓ Repeated requests for dates, etc.
 - ✓ Excessive and unwanted flirting
 - ✓ Wolf whistles
 - ✓ Calling someone a sexual name

3. Non-verbal – which would include
 - ✓ Staring
 - ✓ Leering
 - ✓ Non-verbal sounds
 - ✓ Lewd or suggestive gestures
 - ✓ Touching oneself in a suggestive way

4. Visual – which would include
 - ✓ Calendars with nude pictures
 - ✓ Graphic personal photos
 - ✓ Inappropriate "trinkets" on your desk

The Effects of Sexual Harassment

Sexual Harassment in the workplace can create both emotional and tangible damage.

In terms of emotional damage,

- ✓ humiliation,
- ✓ anger,
- ✓ anxiety,
- ✓ fear,
- ✓ depression
- ✓ stress.

In terms of tangible damage,

- ✓ loss of a job
- ✓ loss of a promotional opportunity,

- ✓ undeserved poor job appraisal,
- ✓ inadequate working conditions
- ✓ poor job performance,
- ✓ poor morale,
- ✓ job turnover.

Tactics for Protection and Prevention

You have the right to work in an environment free from sexual harassment. If you think you are being sexually harassed, here are some things you may want to consider doing:

1. Address the harasser directly. In less severe cases, they may not know that you are offended or uncomfortable. Give them an opportunity to apologize, and change their behavior. If you do this verbally, be sure to make some notes about your conversation as soon as possible.
2. Use the difficult conversation model which says...
 - When you...
 - I feel...
 - This is important because...
 - I would like...
3. Be sure that your tone and body language match your message. In order to avoid conflict, you may want to address it in a friendly or joking manner. If you smile or laugh, the individual may get a mixed message or not understand that you are serious.
4. If a verbal warning does not work, address your harasser in writing by email or letter. Always keep a copy of your email or letter and also any responses made by the offender.
5. Always write down all details about a situation right after it happens so that you have a record of it.
6. If the event was a major offense, or if a minor situation persists even after you have asked the harasser to stop, report the event to your Supervisor immediately.

The Penalty for Sexual Harassment Violations in the Workplace

Some forms of sexual behavior are so offensive that the first time they occur they are considered deliberate, inappropriate, and sometimes even illegal actions. In most of those cases, you can be terminated immediately. If your actions are illegal (i.e. assault or rape), you may also be arrested.

In cases where the harassment is less severe, penalties may include

- ✓ oral or written reprimands,
- ✓ unpaid leave,
- ✓ relocation of an employee to a different work assignment
- ✓ termination.

This is the end of our Sexual Harassment webinar. I know you may have questions, so we have included a frequently asked question document on the web. If you still have questions after reading that document, you may always call your Human Resources Director.

Thank you for attending.