

What is Sexual Harassment in the workplace? How can we fight it?

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According to the UN Calendar, the month of March is considered to be Women's Month (8th of March-International Women's Day). In celebrating Women's month, it is important to discuss an issue that commonly affects most women in the workplace and that is sexual harassment. This is one important topic that organizations should work hard to root out. Now sexual harassment in most cases affects women but there are cases of men being victims of sexual harassment especially in the workplace.

According to Harvard Business Review, the #MeToo movement broke the silence on sexual harassment in the workplace, inspiring leaders in every industry to reckon with their organizations' culture and their behaviour to build a work environment that's safe and supportive for everyone. And as more and more people open up about their experiences with harassment and abuse, leaders can pretty much guarantee that they'll find themselves dealing with these issues at one point or another.

In most organizations in Africa and across the world access by women to positions of power and authority remains skewed in favour of men, with fewer women occupying managerial or senior positions. As a result gender-based violence against women prevails, thriving off these unequal power relations. Sexual violence remains one of the most hidden forms of abuse of power, the victims of whom are generally the most vulnerable, and mostly women.

What is Sexual Harassment?

The ILO defines sexual harassment as sex-based behaviour that is unwelcome and offensive to its recipient. For sexual harassment to exist these two conditions must be present.

Sexual harassment may take two forms:

- 1) Quid Pro Quo, when a job benefit - such as a pay rise, a promotion, or even continued employment - is made conditional on the victim acceding to demands to engage in some form of sexual behaviour; or;
- 2) Hostile working environment in which the conduct creates conditions that are intimidating or humiliating for the victim.

The Equal Employment Opportunity Commission (EEOC) has defined sexual harassment in its guidelines as:

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

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or
- 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.

The keyword in the definition of Sexual Harassment is *Unwelcome Behavior*. Unwelcome does not mean "involuntary." A victim may consent or agree to certain conduct and actively participate in it even though it is offensive and objectionable. Therefore, sexual conduct is unwelcome whenever the person subjected to it considers it unwelcome. Whether the person welcomed a request for a date, sex-oriented comment, or joke depends on all the circumstances.

The predominant psychological model of sexual harassment in the workplace proposed by Fitzgerald, Hulin, and Drasgow (1995; Gelfand, Fitzgerald, & Drasgow, 1995), argues that sexual harassment is composed of a set of interrelated domains of behaviour. These include gender harassment (later split into sexual hostility and sexist hostility), unwanted sexual attention, and sexual coercion. Sexist hostility refers to comments and behaviours that indicate that one sex (e.g., females) is worse than the other (e.g., males) in some way, such as being unsuited for some jobs, less intelligent, or humourless.

Examples of Sexual Harassment

Behaviour that qualifies as sexual harassment:

- **PHYSICAL**- Physical violence, touching, unnecessary proximity
- **VERBAL**-Comments and questions about the appearance, lifestyle, sexual orientation, offensive phone calls
- **NON-VERBAL**-Whistling, sexually-suggestive gestures, display of sexual materials

Below are some examples of unwanted or unwelcome behaviour that can constitute sexual harassment:

- Actual or attempted rape or sexual assault.
- Unwanted pressure for sexual favours.
- Unwanted deliberate touching, leaning over, cornering, or pinching.
- Unwanted sexual looks or gestures.
- Unwanted letters, telephone calls, or materials of a sexual nature
- Unwanted pressure for dates.
- Unwanted sexual teasing, jokes, remarks, or questions.
- Referring to an adult as a girl, hunk, doll, babe, or honey.
- Whistling at someone.
- Catcalls.
- Sexual comments.
- Turning work discussions to sexual topics.
- Sexual innuendos or stories.

- Asking about sexual fantasies, preferences, or history.
- Personal questions about social or sexual life.
- Sexual comments about a person's clothing, anatomy, or looks.
- Kissing sounds, howling and smacking lips.
- Telling lies or spreading rumours about a person's personal sex life.
- Neck massage.
- Touching an employee's clothing, hair, or body.
- Giving personal gifts.
- Hanging around a person.
- Hugging, kissing, patting, or stroking.
- Touching or rubbing oneself sexually around another person.
- Standing close or brushing up against a person.
- Looking a person up and down (elevator eyes).
- Staring at someone.
- Sexually suggestive signals.
- Facial expressions, winking, throwing kisses, or licking lips.
- Making sexual gestures with hands or through body movements.

Key Facts and Statistics on Sexual Harassment in the workplace

Below are some key facts and statistics on sexual harassment in the workplace:

- LeanIn.org and McKinsey's 2018 Women in the Workplace study found that 35% of women have experienced some form of sexual harassment throughout their careers (the share jumped to 45% of women working in technical fields, 48% of lesbian, and 55% of senior-level women). And men experience sexual harassment as well; they filed about 16% of total sexual harassment complaints with the Equal Employment Opportunity Commission (EEOC) in 2018.
- A survey published in Hong Kong in February 2007 showed that nearly 25% of workers interviewed suffered sexual harassment with one-third of the men. Among male workers, only 6.6% reported their grievance (compared to 20% of women) because they felt too embarrassed to face "ridicule".
- According to a 2004 report issued in Italy, 55.4% of women in the 14-59 age group reported having been the victim of sexual harassment. One out three female workers are subjected to sexual intimidations for career advancement with 65% blackmailed weekly by the same harasser, usually a co-worker or supervisor. Furthermore, 55.6% of women subjected to sexual intimidation had resigned from the job.
- In the European Union, 40-50% of women have reported some form of sexual harassment at the workplace;
- According to a survey carried out by the Australian Equal Opportunity Commission in 2004, 18% of interviewees aged between 18 and 64 years said they had experienced sexual harassment in the workplace. Of those who experienced sexual harassment, 62% were physically harassed and less than 37 % were likely to report the abuse;
- Research shows that the type of women most vulnerable to sexual harassment are young, financially dependent, single, or divorced and with migrant status. For men, those most harassed

are young, gay, and members of ethnic or racial minorities.

- Sexual harassment between people of the same sex is a recent but growing trend.
- 81% of women have experienced sexual harassment-While men have reported sexual harassment in the workplace and outside of the workplace, it's more common for women to experience it in general during their lifetimes.
- According to one study conducted by Vox, 75% of people who did speak out when they were harassed in the workplace experienced retaliation from their bosses or colleagues.
- In studies conducted by the EEOC, it was discovered that only 6% to 13% of individuals who experience harassment at work file a formal complaint, while on average, anywhere from 87% to 94% of individuals choose not to file a formal complaint.
- Many countries have witnessed an increase in reporting rates since the advent of #MeToo. In India, registered cases of sexual harassment in workplaces increased by 80%. In France, the number of calls to the national hotline for women victims of violence rose by 105%. In Canada, calls to the Ottawa Rape Crisis Centre went up 100% in one year alone. A study covering 24 countries even showed a 14% increase in sex crime reporting in the months following October 2017.

Effects of Sexual Harassment in the Workplace

According to an article by World Bank Blogs, sexual harassment in the workplace not only is unacceptable behaviour but is also detrimental to the economy. It impacts employees' physical and psychological health and also leads to higher employee turnover and increased absenteeism. Recent studies have associated it with a decrease in companies returns and profitability, and ultimately in women's labour force participation. In 2018, workplace sexual harassment imposed several costs, according to Deloitte. The costs included \$2.6 billion in lost productivity or \$1,053 on average per victim, \$0.9 billion in other costs, or \$375 on average per victim. A study published by The BMJ found that workers who have been exposed to sexual harassment are at greater risk of suicide and attempting suicide.

According to data compiled by Equal Rights Advocates, a women's law centre in the U.S., 90 to 95% of sexually harassed women suffer from some debilitating stress reaction, including anxiety, depression, headaches, sleep disorders, weight loss or gain, nausea, lowered self-esteem and sexual dysfunction. Also, victims of sexual harassment lose \$4.4 million in wages and 973,000 hours in unpaid leave each year in the United States.

According to the Minnesota Advocates for Human Rights, sexual harassment has a cumulative, demoralizing effect that discourages women from asserting themselves within the workplace, while among men it reinforces stereotypes of women employees as sex objects. Sexual harassment in the workplace also creates a hostile or intimidating environment that causes women to leave their jobs and look elsewhere for work or discourages them from seeking those jobs in the first place. The effect on the morale of all employees can also be serious. Both men and women in the workplace can find their work disrupted by sexual harassment even if they are not directly involved. Sexual harassment can have a demoralizing effect on everyone within range of it, and it often negatively impacts company productivity on the whole.

Below are examples of costs associated with sexual harassment in the workplace:

- Health Costs:
 - Mental health symptoms
 - Physical health symptoms
 - Additional health services
- Productivity costs:
 - Absenteeism
 - Reduced performance
 - Lower job satisfaction
- Career costs:
 - Employee's cost of changing jobs
 - Employer's cost of replacing employees
- Reporting/ Legal Costs:
 - Legal fees
 - Settlements or awards
 - Damage to reputations

How to root out sexual harassment in the workplace

Sexual harassment can be damaging to both employee and employer. Though many organizations have put in strategies to deal with sexual harassment, more still needs to be done.

Based on guidelines from the British Columbia Human Rights Commission manual *Preventing Harassment in the Workplace* below are some ways in which organizations can mitigate sexual harassment:

- Make it clear that this is a workplace where harassment will not be tolerated.
- Provide education and information about harassment to all staff on a regular basis-The circulation of information, open communication and guidance are of particular importance in removing the taboo of silence which often surrounds cases of sexual harassment. Information sessions, personnel meetings, office meetings, group discussion and problem-solving groups can prove very effective in this respect. Staff should also be informed of the best way of coping with aggression utilizing guidelines and staff development programs on sexual harassment at work.
- Develop an anti-harassment policy together with employees, managers, and union representatives.
- Communicate the policy to all employees
- Make sure that all managers and supervisors understand their responsibility to provide a harassment-free work environment.
- Ensure that all employees understand the policy and procedures for dealing with harassment - new and long-term employees alike - this involves training, information and education.
- Show you mean it - make sure the policy applies to everyone, including managers and supervisors.
- Promptly investigate and deal with all complaints of harassment.

- Appropriately discipline employees who harass other employees.
- Provide protection and support for the employees who feel they are being harassed.
- Take action to eliminate discriminatory jokes, posters, graffiti, e-mails and photos at the worksite.
- Monitor and revise the policy and education/information programs regularly to ensure that it is still effective for your workplace.

Even as more teams work from home, sexual harassment is happening. Organisations need to continue taking steps to root it out in all of the places it is happening. It's the role of the employer to ensure that a workplace is a safe place for every employee, give your team the ability to report harassment safely, and create a healthy culture through zero tolerance

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