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10.12 Dealing with Sexual Harassment

PURPOSE: To prevent sexual harassment in the academic setting or workplace.

DISCUSSION: Sexual harassment in education or employment covers a broad spectrum of behavior, ranging from sexual innuendoes and gender-based comments—sometimes in the guise of humor—to coerced sexual relations. Shank (1994) notes:

Sexual harassment is an old problem but a new issue. Since the Clarence Thomas/Anita Hill hearings, sexual harassment has been the subject of increased attention in the media, the workplace, and the classroom. As a result, society is finally willing to acknowledge the existence of this problem, and victims are increasingly willing to confront the problem directly. (p. 12)

According to the Equal Employment Opportunity Commission (1980), unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature can be defined as *sexual harassment* when:

- Submission to such conduct is explicitly or implicitly made a term or condition of an individual's employment or participation in an education program or activity.
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual.
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive working or educational environment.

Sexual harassment includes both heterosexual and homosexual advances. Most often, the offender is a male.

Since social workers often need to help clients deal with harassment and because they themselves may be victimized, they need to be knowledgeable about the appropriate responses. Two strategies are available for dealing with sexual harassment—organizational and individual. At the organizational level, it is advisable to create an agency policy that clearly prohibits sexual harassment and identifies procedures for making a complaint. That statement should be published in the agency's personnel manual, and the agency director should periodically post or circulate the statement. Periodic training that sensitizes all staff to the problem can help prevent harassment.

A number of steps are recommended for the individual who is subjected to sexual harassment.

1. Tell the harasser to stop. Clearly and firmly describe the troublesome behavior and its effects. Inform the harasser that the sexual harassment is a violation of federal law and/or agency or school policy. Also you may wish to deliver to the

harasser a letter that outlines your complaint. Sandler (1983) states that such a letter should include three parts:

- a. *What happened.* Be as detailed and accurate as possible, providing dates (or approximate dates), places, and descriptions of the incidents. For example:
 - "On [date of incident], when I met you for a conference about my work, you asked me to come to your house that evening and said it would 'help' my [evaluation]."
 - "Several times this semester when I have talked to you after class, you put your arm around me. Once you also tried to fondle my breast."
 - "Last week at the department party you asked me to go to bed with you."
- b. *How you feel about what happened.* Express any feelings of dismay, misery, distrust, or revulsion, and include your opinions or thoughts about what happened. For example:
 - "My stomach turns into knots when I come to class."
 - "I cannot believe that you are able to evaluate my work fairly."
 - "It is very difficult for me to concentrate on my work."
- c. *What you want to happen next.* This part is usually short, since most victims just want the behavior to stop. For example:
 - "I want our relationship to be purely professional from now on."
 - "Don't ever touch me again or make remarks about my sexuality."

2. Keep a diary of the harassment, noting time, date, place, exactly what happened, and how you felt. Record names of any witnesses. Keep copies of all written materials received from the harasser as well as copies of your letters of complaint.

3. Consult with trusted co-workers. You may discover that they also are being harassed. A complaint by a group has more power and offers more protection from retaliation since the Federal Concerted Action Law protects two or more employees who take action to improve their working conditions.

4. Consult with your supervisor. If he or she is the harasser, go to the personnel department or affirmative action officer. Consult with your union representative, if applicable.

5. If in-house procedures to stop the harassment are nonexistent or ineffective, or if you are afraid to use them, contact your state human rights commission or the U.S. Equal Employment Opportunity Commission (EEOC). (*Note:* A complaint must be filed with the EEOC within 180 days of the incident; some employers may require an official complaint within 30 or 60 days of the incident.)

6. For further protection against retaliation, you may want to consult an attorney.

When you report harassment, be prepared for possible negative reactions from the harasser or others in the organization. The process can be stressful and expensive if you must hire an attorney and take legal action. Retaliation by an employer is illegal and should be reported. When you file a formal complaint, know how you

want the problem resolved (e.g., stopping harassment, a job transfer, monetary award, medical bills paid, modification of an unfair performance evaluation, etc.).

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