

Sexual Harassment in the Workplace

Unsolicited verbal expressions, gestures, comments of sexual nature that are not welcomed are classified as sexual harassment according to the Civil Rights Act of 1964 (§. 703 of Title VII) (Sexual harassment: what it is and what you can do about it, p. 5). Guidelines defining sexual harassment as sexual discrimination under the Civil Rights Act of 1964 (CRA) were passed by the Equal Employment Opportunity Commission (EEOC), and additions to the above includes request for sexual favors and advances. Two claims, namely “quid pro quo” (tangible actions taken by an employer to receive sexual exchange) and uncomfortable emotional environment, exist in the workplace when sexual harassment occurs. A representative of New York Transit Authority claimed that the authority’s indifference to sexual harassment has created the environment that encourages sexual misconduct (Bliss, p. 9). In the environment where same-sex harassment cases take place, the standard has shifted to “reasonable person” from “reasonable woman”.

Companies should ensure taking effective actions against sexual harassment in the workplace by implementing anti-harassment policies and procedures that employees may use to raise complains. Cases of sexual harassment in the workplace continue to be reported and dealt with in the courts. Sexual harassment in the workplace, in addition to attracting law suits and eventual punishment to the offenders, can contribute to companies’ bad reputation and even cause losses since it is a violation of ethical code. An example is a case of the Boeing CEO Harry Stonecipher who was fired by the Board of Directors for having an affair with a female executive (ibid.). Companies should be very attentive towards any signs of sexual harassment, as

it tends to turn into a significant problem with a big number of aggrieved parties. In turn, the government should be resolute in ensuring that individuals are protected against sexual harassment by employers and colleagues in the workplace, the more so because both kinds of misbehavior may co-exist (Canoni, p. 1).

Romance in the workplace and workplace harassment are related. According to Solie (cited in Bliss), workplace romance takes place since women became employed, and this issue is not new; according to Gurchiek (cited in Bliss), today it is considered more acceptable than before. Like sexual rights violation, romance at workplace also can affect the work process. For example, in a survey carried out in 2006 by the Society for Human Resource Management (SHRM), in 2005, 36% believed that dating a colleague can damage one's career; the increase in the number of those who had office romance went up to 70% in 2005 in comparison with 60% in 2001. In an AOL Love@work survey conducted in 1998, 71% of the respondents had dated someone at workplace, and some cases implied that managers dated their subordinates. Sexual harassment at workplace may be a result of a workplace romance that has evolved inappropriately (Bliss, p. 7).

Most cases of sexual harassment are underreported, because victims tend to think that nothing will be done; sometimes harassed persons want to avoid making harm to a culprit. Finally, they may be just ashamed of the non-standard situation they are involved in. According to the 2002 report by the Department of Labor, in the USA, 72% of working women had to cope with some type of harassment (ibid.).

Sexual harassment is a form of intimidation or abuse of power. The consequences of sexual harassment range from psychological and self-esteem traumas

to substantial financial compensations paid by an employer. For example, in EEOC Litigation Settlements (according to their 2005 report), Imclone Systems had to meet a financial obligation of \$85,000 to a plaintiff. Harassment cases also significantly impact the future career of all involved parties: while a culprit may lose their career opportunities due to the spoiled reputation, a victim may also feel the desire to leave the workplace after the conflict. The causes of sexual harassment include stress at workplace, poor pay and working conditions which make employees consider the favors of powerful supervisors who may terminate employment if sexual relation is declined.

It is necessary for companies to be aware of the most common trends that concern sexual harassment: for example, employees who became victims of harassment may need certain time to find courage to report about sexual harassment; thus, a problem may exist for a long time in a low-intensity mode.

Another problem may appear in case sexual harassment actions are not clearly defined by the company's policies. The company should implement policies that clearly define misbehaviors so that employees will be aware of what actions are classified as sexual harassment. The company also should demonstrate its willingness to deal with sexual harassment cases so that employees will not hesitate to report violations in time. Finally, a company's code should provide clear instructions about measures taken against an individual who commits sexual harassment in the workplace (Sexual Harassment).

There is a need for strict measures and harsh policies prohibiting sexual harassment, and effective means of punishing culprits. In addition, companies should be geared towards dealing with situations that may lead to increased cases of sexual

harassment. For example, sufficient staffing should be ensured to eliminate the need to have employees working extra hours to eliminate the effects of understaffing: a long working day may make employees look for means of substituting pleasures they obtain during their free time and mitigating stress. Such situation may result in numerous cases of romance at workplace and sexual harassment. Special trainings about sexual harassment and protection of employees from this misbehavior may be organized to ensure that each employee is aware about how to behave appropriately in this challenging situation.

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