

# Sexual Harassment Training



**METRO ONE**  
HUMAN RESOURCES

- ✦ Discuss all facets of harassment/discrimination in the workplace
- ✦ Determine what constitutes these facets of harassment/discrimination (sexual: quid pro quo and hostile environment)
- ✦ Establish your role in preventing harassment/discrimination in the workplace
- ✦ Review our policies on sexual harassment .

## **TODAY'S OBJECTIVES**

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*Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that tends to create a hostile or offensive work environment.*

Sexual harassment is a form of Sex Discrimination that occurs in the workplace. Persons who are the victims of sexual harassment may sue under Title VII of the Civil Rights Act of 1964 (42 U.S.C.A. § 2000e et seq.), which prohibits sex discrimination in the workplace.

## **SEXUAL HARASSMENT**

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## **Sexual Harassment**


## **EEOC Definition**

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- **Unwelcome sexual advances.**
- **Requests for sexual favors.**
- **Verbal or physical conduct of a sexual nature connected to decisions about employment.**
- **An intimidating, hostile or offensive work environment.**

# How Much Do You Know?

## Harassment Quiz

1. A female employee wears miniskirts.
2. A female supervisor makes frequent comments about a male employee's physique.
- 3. A male supervisor makes frequent comments about a male employee's physique.
4. Two co-workers forward each other off-color jokes they received in emails.
5. An employee asks a co-worker out on a date.
6. Two co-workers develop a personal relationship.
7. An employee posts a swimsuit calendar in his work area.
8. A valued client makes provocative comments to employees.

**• SEXUAL HARASSMENT: TRUE OR FALSE**

A situation must be both  
*OFFENSIVE* and *SEXUAL* to  
be sexual harassment.

**REMEMBER**

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**Quid Pro Quo:  
“This for That”**

**Hostile Work Environment**

**TWO TYPES OF SEXUAL HARASSMENT**

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**Quid Pro Quo**

**Employment  
decisions or  
expectations based  
on an employee's  
willingness to grant  
or deny sexual  
favors.**

**Definition**

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- **Demanding sexual favors in exchange for a promotion or a raise.**
- **Disciplining or firing a subordinate who ends a romantic relationship.**
- **Changing performance expectations after a subordinate refuses repeated requests for a date.**



**Quid Pro Quo:**

- **This for that.**
- **You do this for me and I'll do that for you.**

## **EXAMPLES OF QUID PRO QUO**

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## **Hostile Work Environment**

### **Verbal or Non Verbal behaviors that . . .**

- Focus on the sexuality of another person or his/her gender.
- Are unwanted or unwelcome.
- Severe or pervasive enough to affect the person's work performance and/or environment.

## **Definition**

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- **Offensive Conduct**
- **Offensive Behavior**
- **Offensive Language**
- **Offensive Graphics**
- **Dating & Relationships**



**Hostile Work Place:**

- **Hostile**
  - **Intimidating**
  - **Offensive**
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**EXAMPLES OF HOSTILE WORK ENVIRONMENT**

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- Calling a person a girl, hunk, doll, babe, honey, sweetie, etc.
- Whistling at someone or cat calls
- Making sexual innuendoes
- Turning work discussions to sexual topics
- Telling sexual jokes or stories
- Asking about sexual fantasies, preferences, or history
- Asking personal comments about a person's clothing, body, or looks
- Repeatedly asking out a person who is not interested
- Making kissing sounds, howling, smacking lips
- Telling lies or spreading rumors about a person's sex life

## **VERBAL ACTIONS**

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- Looking a person up and down (elevator eyes)
- Staring at someone
- Blocking a person's path; restricting, hindering the other person's movements
- Following the person
- Displaying sexually suggestive visuals, artifacts, items
- Displaying sexual and/or derogatory comments about men/women on coffee mugs, hats, clothing, etc.
- Making facial expressions, such as winking, throwing kisses, or licking lips
- Making sexual gestures with hands and/or body movements
- Giving letters, gifts, and or materials of a sexual nature
- Hanging around a person
- Invading a person's body space; standing closer than appropriate or necessary for the work being done

## **NON-VERBAL ACTIONS**

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- Massaging a person's neck, shoulders, etc.
- Touching the person's clothing, hair, or body
- Hugging, kissing, patting, and stroking
- Touching or rubbing oneself sexually around or in the view of another person
- Brushing up against a person
- Patting, goosing, caressing, or fondling
- Gestures/sounds: making sexual pleasure/desire/groaning sounds; gestures that nonverbally describe/draw/sexual parts of the anatomy
- Tearing/pulling/yanking a person's clothing
- Exposing oneself

## **PHYSICAL ACTIONS**

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- Generally occurs when there is a disparity of power – not just when men & women are working together.
- Does not have to be intentional.
- What is offensive is in the “eye of the beholder.”
- Men can be sexually harassed.
- Men can harass men; women can harass women.
- Harassment does not have to be directed at a particular individual.
- Offenders can be supervisors, co-workers or non-employees (customers, vendors or suppliers) .

## **IMPORTANT FACTS ABOUT SEXUAL HARASSMENT**

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- According to federal guidelines, conduct must be unwelcome—in the sense that the employee did not solicit or incite it, and in the sense that the employee regarded the conduct as undesirable or offensive.
- There is a distinction between conduct that is invited, uninvited but-welcome, offensive-but-tolerated, and flatly rejected.
- If the individual willingly participates, it may not be seen as unwelcome.
- Some sexual conduct is so blatant that it is inherently offensive and unwelcome.

## **WHAT DOES “UNWELCOME” MEAN?**

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**Fraternization**

**Intimate, romantic,  
or sexual  
relationships  
between a member  
of management and  
an employee.**

**Definition**

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## Manager is . . .

- In direct reporting relationship with employee.
- In same functional pyramid as employee.
- So highly placed in the organization that the employee's direct supervisor could become compromised in managing the employee fairly.
- In an audit or investigative function where integrity & impartial performance may be compromised as a result of the relationship with the employee.

## **EXAMPLES OF FRATERNIZATION**

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- The harasser's intent is irrelevant when evaluating his or her conduct.
- The conduct is evaluated from an objective, reasonable person.
- Standard: whether a reasonable person in similar circumstances would have found the conduct to be so severe or pervasive that it created a hostile environment.

**THE HARASSER'S INTENT IS IRRELEVANT**

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- **Fear of:**
- **Loss of Job Opportunities**
- **The “Rumor Mill”**
- **Not Being Believed**
- **Of Being “Wrong”**
- **Rejection from Co-Workers**
- **Retaliation**
- **Being Accused of Not Having a Sense of Humor**
- **Being Labeled:**
  - **Trouble Maker**
  - **Feminist**
  - **Overly Sensitive**
  - **Mentally Unstable**

**WHY VICTIMS DON'T SPEAK OUT**

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- Sex-based harassment—that is, harassment not involving sexual activity or language—may also give rise to a policy violation if it is sufficiently patterned or pervasive and directed at employees because of their sex.
- Examples: A male manager promotes a male candidate over a female candidate solely based on her sex, despite the female having more experience and qualifications.
- Same-sex sexual harassment—this is sexual harassment between individuals of the same sex

## **SEX BASED & SAME SEX HARASSMENT**

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- Preventing Sexual Harassment:
  - **Management** needs to create, communicate, and enforce a policy that:
    - Provides a clear statement of the company's position against sexual harassment.
    - Promotes compliance and prevention by defining responsibilities.
    - Protects employee rights and foster respect for all parties.

# MANAGEMENT RESPONSIBILITY

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- Preventing Sexual Harassment:
  - Know and comply with company policy.
  - Address incidents of sexual harassment immediately.
  - Cooperate with investigations.

**EMPLOYEE RESPONSIBILITY**

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- **YOU ARE A RECIPIENT:**
  - Don't just take it. Confront the person and let him/her know that the behavior is offensive and you want it to stop. Keep records. Write down dates, times, places, and witnesses to what happened. If you receive any notes, emails, or written letters from the harasser, keep them.
  - Make a complaint with Human Resources. If you are afraid, bring a friend, co-worker with you.
- **YOU ARE A WITNESS:**
  - Contact your Manager or Human Resources. Metro One will take it seriously. Keep records. Write down dates, times, places, and names of others that witnessed the harassment. The Company will investigate the allegation and take prompt, effective action to correct the problem.
- **YOU ARE A HARASSER:**
  - Stop your behavior immediately and seek help.

# **WHAT TO DO IF...**

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- SEXUAL HARASSMENT QUIZ

**CERTIFICATE OF  
COMPLETION**

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**CONTACT HUMAN RESOURCES**  
**718.370.6771**



**QUESTIONS & CONCERNS**

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