

# Recognizing Sexual Harassment

You may feel you understand what constitutes sexual harassment. You know that the law and company policy protect your right to work in an atmosphere of dignity and respect. You'd recognize and report sexual harassment if you saw it, or if it happened to you. And, like most people, you certainly have no intention of harassing someone else.

But sexual harassment isn't always like the high-profile cases we see on TV, where it seems clear-cut and deliberate. In reality, sexual harassment is often difficult to recognize.

Sometimes, innocent or unintentional behavior can be considered harassment.

## Sometimes it's obvious

The obvious examples are easy to spot. Let's say John is Jane's supervisor, and during her performance review, John suggests that if Jane goes out with him, she will get a better raise (or a promotion, or a desk by the window.) John may even tell Jane that, "If you want to keep your job, you need to have a special relationship with the boss."

This is clearly sexual harassment. It's harassment to suggest that providing sexual favors (of any kind) will result in a raise, promotion, or other on-the-job privileges. Jane should contact Human Resources or the Ethics OpenLine immediately. They will explain her rights and suggest appropriate action.

## Actions Add Up

But what if John and Jane are just friendly coworkers. One day, John asks Jane to have dinner with him after work. Is that harassment?

No. But suppose Jane refuses John's offer, firmly and politely. Then, the next day John asks again, and he keeps asking every day for the next week. Now the situation could be considered sexual harassment. The law says that Jane should be able to do her job without worrying about fending off John's advances.

Maybe John didn't set out to harass Jane. But sometimes small, innocent actions add up. Unintentional behaviors can accumulate to create a "hos-

tile" or unsafe atmosphere that could be considered sexual harassment. Think about the negative impact of these examples, which commonly occur in many offices:

- Fred always has a new joke, and he especially loves the ones about "dumb blondes" or gay men. Most people laugh when he tells the jokes, so he doesn't see any harm in them.
- Sue has a sexy poster of a shirtless rock star on her office wall. She thinks it's all good fun. Some of her coworkers are embarrassed but don't want to say anything.
- Charlie loves to tell his female coworkers how flattering their outfits look. Charlie thinks he's being complimentary, but the comments make some of his coworkers uncomfortable.
- Dot has a list of friends and coworkers to whom she forwards e-mail jokes, especially the ones about the faults and weaknesses of men.

## E-mail and Sexual Harassment

The electronic mail system is one of the easiest places for inadvertent sexual harassment to occur. Suppose you receive inter-office e-mail that contains offensive jokes or image attachments.

You're embarrassed to read the e-mail, and even more embarrassed when you think about reporting it. But what is the right thing to do?

You have a responsibility to report the e-mail and the sender. The sender will be reminded of the appropriate use of e-mail, and may receive a warning or other employment action.

## The Ethics Office Is Here to Help

Always speak up if you are harassed or if you see someone else being harassed. Notify your Manager, HR representative, or Ethics OpenLine (410) 765-1919 or toll free at (800) 247-4952). A single incident, even if it does not directly affect you, can harm the atmosphere of teamwork and professionalism at ES<sup>3</sup>.

## *sexual harassment*

### Q & A

- Q:** *I saw a cartoon on the bulletin board in the break room. I found it offensive, but when I complained to my supervisor she said I was "too sensitive." What can I do?*
- A:** Offensive cartoons posted on company bulletin boards are against harassment policy. Your supervisor was wrong to ignore your complaint. Report the incident to your HR representative or the OpenLine.
- Q:** *I've been talking a lot to a coworker. I've just found out that my actions were reported and now I'm being accused of sexual harassment. What's going to happen to me?*
- A:** First, understand that management takes this kind of report seriously, and the allegation will be thoroughly investigated. You will likely be interviewed by a HR representative and given an opportunity to tell your side of the story. Any warning or other action will take into consideration the seriousness of the conduct, past warnings, and your attitude about the incident.
- Q:** *A coworker has made repeated references to my sexual orientation. This includes gestures and derogatory names. I confronted my coworker and was told it was only a joke. The behavior has not stopped. What can I do?*
- A:** Notify your manager or HR representative immediately. Be prepared to provide specific information, including what was said, when it was said, and where you were at the time. To conduct a thorough investigation, your HR representative also needs to know the names of any coworkers who may have heard this person speak in a derogatory manner. "I was only joking" is not an excuse for harassment.