

SEXUAL HARASSMENT TRAINING



Grambling State University
Office of Human Resources



TRAINING OBJECTIVES

- ✘ To understand the definition of sexual harassment
- ✘ To understand the types of sexual harassment
- ✘ To understand the federal laws regarding sexual harassment
- ✘ To be able to identify potentially harassing behaviors
- ✘ To understand one's responsibility regarding sexual harassment
- ✘ To understand GSU's prohibition against sexual harassment
- ✘ To understand the guidelines and procedures for the enforcement of GSU's Sexual Harassment Policy

DEFINITIONS

- ✘ Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964 and can involve anyone. (<http://www.eeoc.gov/policy/vii.html>)
- ✘ Sexual harassment is:
 - + unwelcome sexual advances
 - + threatening, demeaning, ridiculing, or offensive conduct/situation that unreasonably interferes with a person's ability to do his/her job or to perform academically
 - + requests for sexual favors and other verbal or physical conduct of a sexual nature which explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment

TYPES OF SEXUAL HARASSMENT

✗ Hostile Environment

- + This occurs when an employee is subject to unwelcome harassment that is severe enough or pervasive enough to interfere with the person's ability to perform his or her job.

✗ Quid Pro Quo

- + This is a Latin term meaning "this for that." It involves expressed or implied sexual favors in exchange for some tangible job benefit (pay increase, promotion, etc.) or to avoid a negative consequence (demotion, pay decrease, etc.).
- + Pressure to consent to sexual activity from a person with power in exchange for a job-related reward or treat.

TYPES OF SEXUAL HARASSMENT-VERBAL CONDUCT

Verbal conduct can create or encourage a hostile work environment. Conduct such as:

- ✗ Unwelcomed verbal comments
- ✗ Sexually explicit comments, stories or jokes
- ✗ Repeated and unwelcome requests for dates
- ✗ Offensive and/or sexually explicit language

TYPES OF SEXUAL HARASSMENT-GENDER STEREOTYPES

- ✘ Gender stereotypes are generalizations about the roles of each gender. Gender roles are generally neither positive nor negative; they are simply inaccurate generalizations of the male and female attributes. Since each person has individual desires, thoughts, and feelings, regardless of their gender, these stereotypes are incredibly simplistic and do not at all describe the attributes of every person of each gender.
- ✘ While most people realize that stereotypes are untrue, many still make assumptions based on gender. There are many stereotypes we may all be guilty of, such as assuming that all women want to marry and have children, or that all men love sports. Remember that these are stereotypes because they claim to apply to all men or women
- ✘ Derogatory comments, slurs or jokes based on gender stereotypes

EXAMPLES OF SEXUAL HARASSMENT

✖ Hostile Environment

- + can be in the form of general comments
- + sexually explicit jokes or vague suggestions that isolate, denigrate or show hostility or aversion toward an individual or a certain group of individuals
- + repeated offensive sexual flirtation or advances
- + the display of sexually suggestive objects or pictures
- + any offensive or abusive conduct, or suggestive gestures
- + unwelcome touching, hugging, kissing, or patting
- + standing too close for comfort
- + ogling/leering
- + unwelcome personal letters or emails

EXAMPLES OF SEXUAL HARASSMENT

- ✗ Quid Pro Quo
 - + explicit or implied unwelcome sexual advances that indicate that the victim must submit in order to keep their job or get a promotion
 - + a professor rewards students who submit to their sexual advances higher grades
- ✗ Third Party Harassment
 - + involves comments or conduct that a person witnesses but is not the direct object of, which creates a hostile environment for that person
 - + involves harassment of an employee by outsiders who do not work for GSU (vendors, contractors, service people)

EXAMPLES OF GENDER STEREOTYPES

Female Gender Stereotypes

- ✗ Women are supposed to have "clean jobs" such as secretaries, teachers, and librarians
- ✗ Women are nurses, not doctors
- ✗ Women are not as strong as men
- ✗ Women are supposed to make less money than men
- ✗ The best women are stay at home moms
- ✗ Women don't need to go to college
- ✗ Women don't play sports
- ✗ Women are not politicians
- ✗ Women are quieter than men and not meant to speak out
- ✗ Women are supposed to be submissive and do as they are told
- ✗ Women are supposed to cook and do housework
- ✗ Women are responsible for raising children
- ✗ Women do not have technical skills and are not good at "hands on" projects such as car repairs
- ✗ Women are meant to be the damsel in distress; never the hero
- ✗ Women are supposed to look pretty and be looked at
- ✗ Women love to sing and dance
- ✗ Women do not play video games
- ✗ Women are flirts
- ✗ Women are never in charge

EXAMPLES OF GENDER STEREOTYPES

Male Gender Stereotypes

- ✗ From the beginning boys are taught to be tough, to be protective, and to defend themselves. Boys' toys consist of trucks, dinosaurs, action figures, and video games. Boys are taught that daddy go to work and mommy stay at home; from their point of view, boys have fun and girls do all the work.
- ✗ Boys are not usually taught to do chores such as washing dishes or folding laundry. Instead, they are taught to take out the trash and mow the lawn. Early on, boys are made to think that certain household chores are "women's work." This is a major stereotype, but the majority of American households feel that men are supposed to do the dirty jobs and anything that requires muscle. They are also supposed to go to work and provide for the family. Little boys see this and the stereotype continues. Other male gender stereotypes are:
- ✗ All men enjoy working on cars
- ✗ Men are not nurses, they are doctors
- ✗ Men do "dirty jobs" such as construction and mechanics; they are not secretaries, teachers, or cosmetologists
- ✗ Men do not do housework and they are not responsible for taking care of children
- ✗ Men play sports and video games
- ✗ Men enjoy outdoor activities such as camping, fishing, and hiking
- ✗ Men are in charge; they are always at the top
- ✗ As husbands, men tell their wives what to do
- ✗ Men are lazy and/or messy
- ✗ Men are good at math and it is always men who work in science, engineering, and other technical fields
- ✗ Men do not cook, sew, or do crafts

PLACES SEXUAL HARASSMENT CAN OCCUR

Sexual harassment can occur:

- ✗ In the normal work place
- ✗ At temporary work sites
- ✗ At work gatherings (office party, off-site meeting, etc.)
- ✗ At conferences or training classes
- ✗ While traveling

CIRCUMSTANCES OF SEXUAL HARASSMENT

- ✘ The victim as well as the harasser may be male or female.
- ✘ The victim does not have to be of the opposite sex.
- ✘ The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, a student, or a non-employee.
- ✘ The victim does not have to be the person harassed, but could be anyone affected by the offensive conduct.
- ✘ The harasser's conduct must be unwelcome.
- ✘ The harassment interferes with an employee's work
- ✘ The harassment affects an employee's work performance
- ✘ The harassment makes an employee feel intimidated, degraded or abused

INTENTION VS. PERCEPTION

The offender's intention is insignificant compared with the perception of the victim.

- + Intention – Someone's motivation for performing a behavior
- + Perception – The result or another's interpretation of that behavior

Remember, the intent is not important, the results are.

“I was just joking”
doesn't matter.



FEDERAL LAWS

- ✘ Title VII of the Civil Rights Act of 1964
 - + Establishes sexual harassment as a form of discrimination.
 - + Prohibits discrimination against any individual with respect to terms and conditions of employment based on race, color, religion, sex, or national origin.
- ✘ Title IX of the Educational Amendments – A federal statute prohibiting discrimination on the basis of sex in any educational program receiving federal funds.
- ✘ Other federal and state laws protect people on the basis of: age, disability, marital status, political association, and sexual orientation.

GSU'S POSITION ON SEXUAL HARASSMENT

- ✘ Sexual harassment is discriminatory, unlawful, and **WILL NOT** be tolerated.
- ✘ GSU's policy has always been that all employees and students should be able to enjoy an academic and work environment free from all forms of discrimination, including sexual harassment and retaliation.
- ✘ No student or employee should be subjected to unsolicited and unwelcome sexual overtures or conduct either verbal or physical.
- ✘ Violation of this policy will result in appropriate disciplinary actions up to and including dismissal.
- ✘ The University also discourages any type of sexual relationship between supervisors and their subordinates, or between faculty and students.

GSU'S POSITION CONTINUED

- ✘ Individuals who make false and malicious complaints of sexual harassment may be subject to disciplinary actions.
- ✘ Retaliation against any complainant or a witness assisting in the investigation is also prohibited.

RETALIATION

- ✘ Retaliation is a type of punishment for complaining about or witnessing against sexual harassment
- ✘ Retaliation is illegal under federal laws and is strictly prohibited
- ✘ Retaliation may include: dismissal, demotion, transfer, ostracism, poor performance evaluations, hostility
- ✘ Complainants can win retaliation lawsuits even if they lose a harassment lawsuit

PERSONAL RESPONSIBILITY

- ✘ Everyone should follow a “hands off” policy at work.
- ✘ Respect one’s personal space.
- ✘ Use the “reasonable person standard” and ask yourself, “Would a reasonable person:
 - + Consider the behavior offensive or harassing?”
 - + Feel uncomfortable?”
 - + Be humiliated?”
 - + Be embarrassed?”
 - + Feel unsafe?”
- ✘ Any official notified of an alleged incident of sexual harassment should alert the AVP of Human Resources/EEO Officer.

AS A VICTIM OF SEXUAL HARASSMENT

What should a victim of sexual harassment do?

- ✘ Know GSU's sexual harassment policy
- ✘ Tell the harasser to stop the behavior
- ✘ Report the harassment to your supervisor and/or the Human Resources Office
- ✘ Cooperate fully with the investigation (who, what, when, where, how often, witnesses)
- ✘ Report any retaliation

AS A WITNESS OF SEXUAL HARASSMENT

What should a witness of sexual harassment do?

- ✘ Know GSU's sexual harassment policy
- ✘ Report the harassment to your supervisor and/or the Human Resources Office
- ✘ Cooperate fully with the investigation
- ✘ Report any retaliation

SUPERVISOR'S RESPONSIBILITY

- ✘ Be aware of what is going on in the workplace
- ✘ Know GSU's Sexual Harassment Policy
- ✘ Educate employees to prevent sexual harassment (distribute and post the policy, have meetings and ensure each employee attends compliance trainings)
- ✘ Handle sexual harassment complaints

HANDLING SEXUAL HARASSMENT COMPLAINTS

- ✗ Know GSU's Sexual Harassment Policy
- ✗ Take it seriously
- ✗ Act, listen, document and report
- ✗ Do not allow the victim/complainant to dictate your response
- ✗ Maintain confidentiality to the extent possible

CONFIDENTIALITY

- ✘ Will be maintained to the extent possible
- ✘ Supervisor and chain of command personnel may need to know
- ✘ Do not discuss a sexual harassment complaint or investigation with those in the workplace who do not need to know

GUIDELINES AND PROCEDURES FOR SEXUAL HARASSMENT COMPLAINT

Victims of sexual harassment or retaliation should consult with GSU's AVP for Human Resources/EEO Officer or an appropriate University official (Vice President, Dean, Department Head, Director) to gain an understanding of the Complaint Procedures.

TYPES OF COMPLAINT PROCEDURES

(Found on the Web)

<http://gsunet/eeo/shproc.asp>

- ✗ Informal Procedures
- ✗ Formal Procedures



INFORMAL PROCEDURES

- ✘ Complainant should complete the Informal Sexual Harassment Complaint Form.
- ✘ If violation is determined to have happened, then an informal investigation will proceed.
- ✘ Complainant should be informed of the results of the preliminary investigation within 10 business days.
- ✘ If charges are dropped during the preliminary investigation, the report and all related documents should be forwarded to the AVP of Human Resources/EEO Officer within 10 business days.
- ✘ If resolution is reached, the terms and all related documents should be forwarded to the AVP for Human Resources/EEO Officer.
- ✘ If no resolution is reached, then the complainant should file a formal complaint with the AVP of Human Resources/EEO Officer. All documents regarding the case should also be forwarded.

FORMAL PROCEDURES

- ✘ Complainant should complete the Formal Complaint Form within 10 business days of the conclusion of the informal procedure.
- ✘ Within 15 business days of receiving the complaint, the University's Sexual Harassment Committee (composed of nine (9) university employees) should be convened.
- ✘ The committee chair will contact the alleged harasser and allow them the opportunity to respond in writing. The written response should be received within 10 days.
- ✘ If alleged harasser admits guilt, appropriate disciplinary action will be recommended to the President.
- ✘ If allegations are denied, the case goes before the Sexual Harassment Committee.
- ✘ If the committee finds that a violation has been committed, corrective action will be recommended to the President within five (5) business days of the conclusion of the investigation.

CORRECTIVE ACTIONS

- ✗ Oral and/or Written reprimand
- ✗ Counseling
- ✗ Reassignment of duties, transfer, demotion, etc.
- ✗ Suspension
- ✗ Termination
- ✗ Any combination of the above

CONCLUSION

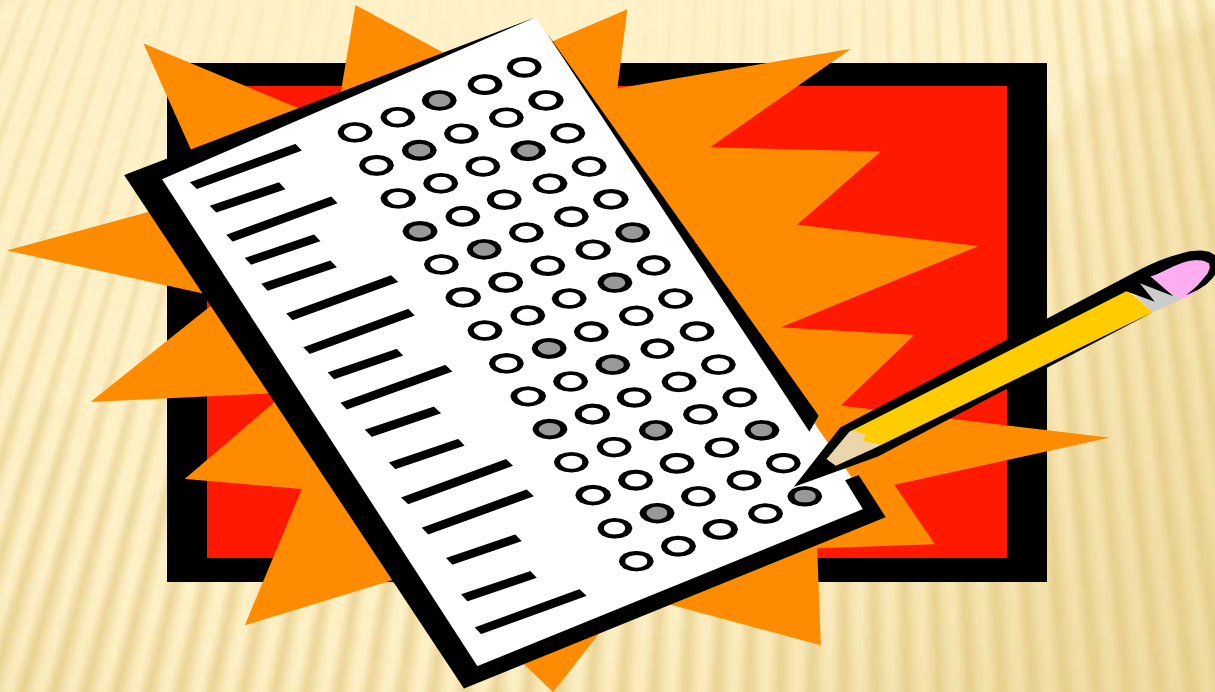
- ✘ The President's written ruling constitutes the final decision.
- ✘ The committee's findings and the President's written decision are forwarded to the AVP for Human Resources/EEEO Officer.
- ✘ GSU will make every effort to maintain confidentiality to the extent possible with a thorough investigation.

SUMMARY

- ✘ If ever in doubt about whether to say or do something, remember, if it is not appropriate at church, at a parent-teacher conference, or at the bank, then it is not appropriate at work either.
- ✘ Most people don't intend to harass others, they just forget to consider how others might perceive their behavior.
- ✘ To avoid harassment in the workplace:
 - + Respect the work environment
 - + Respect all co-workers
 - + Think before you speak



SEXUAL HARASSMENT QUIZ



QUESTION #1

If a professor or staff member does not intend sexual harassment toward students, staff or colleagues, his or her behavior cannot be considered sexual harassment.

Answer : False.

It is not the intention, but the perception of the person on the receiving end.

QUESTION #2

Some students who feel they may have been harassed by professors don't complain because they fear retribution through grades in future classes.

Answer: True

QUESTION #3

If I make sexually suggestive comments to a student, staff member, or colleague and that person doesn't ask me to stop, I can assume my behavior is welcome.

Answer: False

Be assertive enough to say no.

QUESTION #4

Any consensual sexual behavior between legal adults is okay.

Answer: False

Normally, it is, but not in the workplace.

QUESTION #5

Sexual harassment is a “male harassing female” situation. Men cannot be targets of harassment.

Answer: False

Sexual harassment can be male to female, female to male, or even same sex.

QUESTION #6

A person found guilty of sexual harassment may be ordered by a court to pay part or all of a judgment to the target of his behavior.

Answer: True

QUESTION #7

Sexually suggestive pictures or objects in my classroom or office don't create a legal liability unless someone complains or objects to them.

Answer: False

It creates legal exposure to a possible sexual harassment complaint.

QUESTION #8

Sexual harassment and sexual discrimination are the same.

Answer: False

Sexual harassment is a form of sex discrimination. An example of sex discrimination is a male and female employee have the same credentials, but the male receives better compensation.

QUESTION #9

Male students, staff or faculty members have the same rights as their female counterparts in being protected from sexual harassment and females have the same responsibility to prevent harassment.

Answer: True

QUESTION #10

Only people who have been the targets of sexual misbehavior may file claims.

Answer: False

Third parties can also file claims due to a hostile environment.

END OF QUIZ



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CERTIFICATE OF COMPLETION

This is to certify that

has successfully completed

SEXUAL HARASSMENT TRAINING

facilitated by the Office of Human Resources
Grambling State University
Grambling, LA
on this

_____ day of _____, 20____

Ashley D. Hudson, Facilitator

Monica Bradley, AVP for Human Resources