

# ARE YOU TAKING STEPS TO BE A PART OF THE SOLUTION FOR WORKPLACE SEXUAL HARASSMENT?

Learn how you can get your sexual harassment training program started with this helpful guide.

Here are some helpful guidelines to get your training program started

## WHAT IS SEXUAL HARASSMENT



### Sexual Harassment Is Unwelcome and Illegal Sexual Conduct

- Sexual harassment is behavior of a sexual nature that is unwanted by and unwelcome to its target.
- Sexual harassment is illegal discrimination under Title VII of the Civil Rights Act of 1964.
- Workers' compensation insurance may cover emotional distress resulting from sexual harassment as a workplace injury.

## Sexual Harassment Can Take Many Forms

- It may be one highly offensive incident or a series of less offensive incidents.
- It may be a request for sexual favors, unwanted touching, or repeated sexual comments.
- Harassers or victims may be of either sex, the same sex, or the opposite sex.
- Harassment may be physical, ranging from unwanted touching to kissing to rape.
- Harassment may be verbal, ranging from sexual threats to sexual teasing to sexual jokes or comments to personal sexual questions.
- Harassment may be nonverbal, ranging from lewd gestures to leering to circulating offensive e-mail.
- Harassment is generally defined by how the behavior is received.

## BE A PART OF THE SOLUTION

Get your employees and supervisors trained today—not only to stay compliant, but to start to change behaviors within your own organization.

Since recent news has come out, we have seen a 126% increase in the use of our online sexual harassment training.



**48%**

Percentage of people who have reported workplace sexual harassment in 2016



**\$40 Million**

Monetary settlements for sexual harassment claims in 2016



**#metoo** has been tweeted more than 1.7 million times.

## WHAT ELSE SHOULD YOU KNOW ABOUT SEXUAL HARASSMENT?

### Quid Pro Quo Sexual Harassment Ties Sex to Employment Decisions

- Quid pro quo ('something for something') is often an abuse of power.
- A job-related reward such as a raise or promotion may be promised in exchange for sexual favors.
- A job-related penalty such as being fired may be threatened for failing to provide sexual favors.
- The U.S. Supreme Court says that employers are always liable if a supervisor's harassment culminates in a tangible employment action like demotion or firing.



**6,758**

Number of sexual harassment charges filed with the EEOC in 2016



**72%**

Percentage of workers who experience sexual harassment at work and do not report it

## Sexual Harassment May Create a Hostile Work Environment

- A hostile work environment unreasonably interferes with someone's work performance.
- Sexual teasing, constant sexual discussion or jokes, or other behavior by one or more people may create this type of hostile work environment.
- A hostile, intimidating, or offensive work environment is generally defined by how the individual perceives it.

## Sexual Harassment is defined by the Reasonable Person Standard

- A reasonable person would find the conduct offensive.
- An employee should confront a harasser and tell him or her to stop the offensive conduct—if the employee is comfortable doing so.
- Employers can be liable for sexual harassment claims unless they develop, communicate, and enforce policies that:
  - Define and ban sexual harassment.
  - Spell out how to report and investigate sexual harassment.
  - Follow through on investigations and take appropriate action to correct situations and penalize harassers.
  - It is illegal for employers to retaliate against employees who make sexual harassment claims or who cooperate with such charges or lawsuits.

### SOURCES:

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