



# Sexual Harassment

## Quick Reference Card

### Types of Legal Harassment

There are 2 types of legal harassment in the workplace: **Quid pro quo** and **hostile work environment**.

#### Quid Pro Quo

The Latin translation of quid pro quo is “this for that.” It means a person in authority demands sexual favors from a subordinate in exchange for a benefit or prevention of a threat.

Here are 2 examples of quid pro quo in the workplace:

- 1 A supervisor offers a promotion if a subordinate is sexually cooperative. (benefit)
- 2 A supervisor fires a subordinate for refusing to be sexually cooperative. (threat)



#### Hostile Work Environment

A hostile work environment is defined as unwelcome behavior related to a legally protected class that is ongoing, pervasive, or severe.

This includes discussing sexual activities or topics; telling jokes about race, sex, disabilities, or other protected classes; displaying sexual or racially insensitive pictures; and engaging in unnecessary touching or physical contact.

Who contributes to a hostile work environment:

##### Management

- Executives
- Managers
- Supervisors

##### Staff

- Colleagues
- Staff from other departments

##### Outsiders

- Contractors
- Customers

### Legally Protected Classes

The U.S. Civil Rights Act is a federal law that was passed in 1964. It provides legal protection from discrimination based on certain characteristics.

These protected characteristics include:

- Sex
  - Sexual Orientation
  - Gender Identity
  - Pregnancy
- Race
- Color
- National Origin
- Religion
- Older Age (40+)
- Disability

### Unwelcome Conduct

Unwelcome behavior consists of any conduct that you never initiated and is personally offensive to you.



##### Verbal

- Crude jokes
- Slurs
- Offensive nicknames



##### Physical

- Unwelcome touching
- Blocking someone's way
- Getting in someone's face



##### Visual

- Photos
- Gestures
- Clothing

## Bystander Intervention

Bystander Intervention is when someone who isn't directly involved with harassment witnesses it and steps in help stop it. When they see harassment happening, co-workers should speak up and support each other. It isn't always easy to intervene when you witness harassment but standing up can make a big difference in someone's life.

### The 4 Ds of Bystander Intervention:



#### Direct

Ask the harassing individuals to stop.



#### Distract

Change topics if a conversation is heading in the wrong direction.



#### Delay

Wait for the offending party to leave, and then check in with the harassed coworker.



#### Delegate

Get help from others with authority, like a manager or HR.

## What Is / Isn't Harassment

Quid pro quo and hostile work environment are both illegal in the workplace. There are also 2 types of behaviors that are not illegal.

**Fraternization** - When co-workers or supervisors have friendly, or even romantic relationships. Since fraternization is consensual, it isn't considered sexual harassment.

**Sexual Preference** - When an employee gets special treatment because they're in a relationship with a supervisor. For example, they might not have to follow the same rules as their coworkers, get first dibs on a promotion, or receive special perks.

## Consequences of Harassment

Workplace harassment is a serious issue that can have devastating consequences for everyone involved.

### For the Perpetrator

- Damage to personal and professional reputation
- Negative impact on career opportunities and advancement
- Possible legal consequences

### For the Victim

- Emotional distress
- Physical health problems
- Damage to personal and professional reputation

### For the Organization

- Increased absenteeism and turnover
- Damage to company reputation
- Legal consequences

## Complaints and Retaliation

If you feel you're a victim of sexual harassment in the workplace, file a complaint with your employer. Often, individuals are wary about retaliation for filing a complaint. Here's what you need to know:

### Complaints

Every organization is different, but if you file a complaint at your workplace, here's what will likely happen:

#### **An investigation will take place to establish facts.**

Your organization will investigate the claim. The more information and details you provide, the easier it is for your organization to corroborate any complaints.

**Those leading the investigation will attempt to be discreet.** The people investigating the complaint may not be able to promise total confidentiality, but they should try to be as discreet as possible.

**A determination will be made.** Once the complaint has been investigated, a determination will be made about the incident and actions, including possible discipline of the offender, may need to be taken.

### Retaliation

Retaliation occurs when someone at work punishes you for reporting sexual harassment. For example:

- Verbal abuse
- Demotion
- Harassment
- Termination
- Isolation



Retaliation is against the law, and it's important to report any retaliation to your employer.

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Customer Service Basics



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Diversity in HR  
Inclusion



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