

WORKPLACE SEXUAL HARASSMENT

What It Is, What To Do



Respect for the talents of all workers is essential for a healthy work environment.

One of your co-workers is a real teaser. Sometimes the jokes go too far and make fun of you and other employees. The situation makes you uncomfortable and your co-workers angry. Obnoxious behavior is not illegal. But the dividing line is thin between unsavory conduct and sexual harassment.

Defining Sexual Harassment

Sexual harassment used to be the blatant asking for sexual favors in exchange for promoting an employee. It often involved inappropriate touching and used power in a harassing and illegal way. Today the term has been expanded to include verbal abuse, such as insults, jokes and specific remarks about personal appearance. The verbal abuse must be found to have been annoying, alarming, offending, humiliating or abusive to you. To call it sexual harassment the person's actions need to have been gender related.

To prove that the harassment has affected your performance, you need to show that its frequency created a hostile work environment. You don't have to be fired, demoted or denied promotion to file a charge.

Steps For The Employee To Take


If you feel you are being harassed on the job, repeatedly let the person know that you find the actions or comments offensive. If the behavior or comments do not stop, contact your superior. There's a good chance the situation can be rectified informally.

When you become aware of the harassment, start to keep detailed notes of what was said, who heard the comments, how you felt and responded, and what response you got in return. Make note of the dates in order to prove frequency. Make copies of your documentation and be as accurate as possible in case you go to court. If you decide to go to court, get a lawyer who specializes in discrimination suits. Under Title VII of the

1964 Civil Rights Act you must file the complaint within 300 days of the abuse or you lose your right to sue. Check your state laws because some have an even shorter filing date.

If you win, you may receive money for any loss of salary and benefits, and possibly for punitive damages. These punishments serve as a deterrent against future harassment.

What Steps To Take

If your work environment is not conducive to productivity because you are being harassed, you need to take action. Speak up for yourself or the situation will probably worsen. If talking to several supervisors does not help, go to your union representative, or personnel department, or file a grievance. Try and resolve the issue internally if you can. But if you do not get the problem handled to your satisfaction, get a lawyer and pursue it through the legal system. 

Steps For Managers

As the manager you obviously don't want to become involved in a sexual harassment case, but you could be liable for any harassment caused by your subordinates. You are responsible for providing an abuse-free work environment for all your employees. When you suspect there is a problem, it is important for you to document it.

All supervisors need to know that harassment of any kind is not tolerated by their company. The company policy on sexual harassment should be circulated to all managers.

Your company or personnel department can form a grievance or complaint committee to which employees can bring their problems. This internal process can effectively stop harassment and may avoid costly litigation.