

# Sexual harassment



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Sexual harassment involves unwanted advances from a person in the workplace. Sexual harassment can detail any form of unwelcomed advances such as inappropriate touching or speech. Laws have been implemented into companies that protect employees from this type of harassment. The Equal Employment Opportunity Commission has enforced strict guidelines that protect employees and employers from claims against sexual harassment. To prevent claims against sexual harassment, employers must implement certain workplace practices to minimize the amount of claims filed against companies. Implementing certain workplace practices will decrease company costs and increase company employee morale.

The definition of workplace sexual harassment

According to Byars and Rue (2008) the EEOC Guidelines on Discrimination Because of Sex define as unlawful any unwelcome sexual conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment (Byars & Rue, 2008, pg. 9). Workplace sexual harassment can involve unwelcomed advances such as inappropriate touching, conversation, or actions. Workplace sexual harassment is common in the workplace and challenging to prove therefore certain laws and practices must be implemented to prevent these situations. Most employees and employers do not realize the types of workplace conversations that seem engaging can result in an EEO claim. Employees, managers, and supervisors are required to be mindful of the types of conversations that are discussed within the workplace.

## The law that make sexual harassment illegal

Title VII of the 1964 known as one of the most important legal tools to prohibit unlawful employment discrimination “ based on race, sex, color, religion, or national origin” (Byars et. al, 2008). The law state workers have legal protection from “ two types of sexual harassment (1) quid pro quo and (2) hostile work environment” (“ FindLaw”, 2013). In the first, “ quid pro quo sexual harassment requires the employee to engage in some type of sexual favors as a condition of employment.” For Example an exchange for workplace entitlements or benefits such as promotions, raises, or continued employment. Addition, “ FindLaw” (2013), the second consist of “ unwelcome patterns of severe or pervasive sexual actions that create an abusive” or offensive work environment in which one gender subjected but not the other (Bennett- Alexander, & Hartman, 2007).

## Examples of workplace sexual harassment

As the following real-life examples shows acts of sexual harassment, not meant to be a comprehensive review of each type of behavior that can constitute harassment. A Chicago State University tenured professor lost her job title and banished from university committee work because she rejected repeatedly requests for sexual activity from her supervisor. The court looked at the causation between the loss of her job benefits and the activity by the supervisor and determined that her rejecting supervisors’ request caused the loss, resulting in quid pro quo sexual harassment (Bennett- Alexander et. al, 2007). In Kentucky, two female coal miners were stripes, greased, and run

out of the mine as an “ initiation rite.” The court determined the conduct was hostile, abusive, or offensive work environment (Woodrum, 1981).

Practices employers can engage in to reduce the occurrences of sexual harassment

The legal obligation of an employer is to maintain a work environment free of sexual harassment. If an employer allows sexual harassment in the workplace, the employer leaves him or herself open to lawsuits, low employee morale, and low productivity. According to Guerin (2013), " The following are examples of preventing sexual harassment:

- Adopt a clear sexual harassment policy. In the employee handbook, there should be a policy devoted to sexual harassment. That policy should: • define sexual harassment • state that sexual harassment is not tolerated • state that discipline or firing of any wrongdoers will take place • set out a clear procedure for filing sexual harassment complaints • state that complaints are investigated, and
- state that retaliation against anyone who complains about sexual harassment is not tolerated. • Train employees. At least once a year, conduct training sessions for employees. • Train supervisors and managers. At least once a year, conduct training sessions for supervisors and managers separate from the employee sessions. • Monitor the workplace. Get out among the employees periodically and talk to them about the work environment. • Complaints are taken seriously. If an employee complains about sexual harassment, act immediately to investigate the complaint."

## Conclusion

In conclusion sexual harassment can be a major problem not only for those involved but in the workplace as well. The biggest problem can occur if managers do not investigate accusation or ignores anyone who makes the claim. It is important that management seek the Human Resource Department to ensure there is a resolution for all parties. Most important, the business needs to follow all laws and policies to ensure that they will not be held liable for covering anything up.