

Sexual Harassment in the Workplace

Sexual harassment in the workplace has been in the news lately. Two recent examples are Uber and the Besh Restaurant Group. The Times Picayune did an in-depth investigation into the Besh Restaurant Group, and it reported on a culture of sexual harassment throughout the organization. Celebrity chef Josh Besh, who owns the New Orleans-based company, was forced to step down in the wake of the scandal. Uber's scandal started when a former engineer wrote a blog post about the pervasiveness of sexually inappropriate behavior at the company. That led to an investigation and ultimately, the company's founder, Travis Kalanick, resigned and 20 senior employees were fired.

Incidents like these have a profound impact on a company, and leaders should do everything possible to prevent sexual harassment in the workplace. Employees need to feel comfortable and safe. But besides the atmosphere sexual harassment creates, it's illegal. The Supreme Court ruled in 1998 in *Faragher v. City of Boca Raton* that sexual harassment violated Title VII of the Civil Rights Act of 1964. It applies to companies with 15 employees or more, and the court ruled that companies are liable when supervisors behave inappropriately. The ruling also established standards for sexual harassment training in the workplace.

What is considered sexual harassment? A few of the possible behaviors are:

- Unwanted sexual advances
- Unwanted touching
- Request to exchanging sex for employment benefits
- Off-color or comments that are sexual in nature
- A request for sexual favors
- Unwanted offensive romantic attention
- Offensive sexual conduct, gestures
- Unwanted exposure to pornography
- Unwanted offensive sexual texts, emails or social media communications

California companies must conduct training

As of Aug 17, 2007, companies with 50 or more employees in California are required to conduct sexual harassment training for anyone in a supervisory position. Employees must receive two hours of training within six months after being named to a supervisor position. The training must be repeated every two years. Companies must properly document the training, and records must be kept for a minimum of two years. They should also provide proper guidance when it comes to issues of sexual harassment.

Problems with traditional sexual harassment training

As a result of the Supreme Court ruling, companies have developed training videos and classes to protect themselves against sexual harassment lawsuits. These trainings have often focused on male power relationships with female co-workers. They tend to look at behaviors that are deemed inappropriate. Yet, some research has shown that these types of training sessions are ineffective at reducing sexual harassment in the workplace.

Justine Tinkler, a sociologist at the University of Georgia, found that resentment often exists among employees who are required to participate in these types of training. Furthermore, she argues that traditional sexual harassment training reinforces stereotypical gender roles and suggests that laws should be designed to remove such gender-based beliefs.

Another study in the Academy of Management suggested that traditional sexual harassment training “potentially threatens (employees’) valued identities” and can make them feel uncomfortable by requiring them to discuss sexual issues in the workplace. For many of these training, employees are required to discuss sexuality in a way that most would never do in a real work situation.

Bystander training

Recently, some sexual harassment experts have emphasized the need for bystander training rather than the traditional power-dynamic training. It is a new approach to sexual harassment training where bystanders play a major role in stopping and preventing sexual harassment. Bystanders are encouraged to speak up when they see something wrong taking place. The bystander can both confront the person who is sexually harassing an individual but is also encouraged to comfort the victim. Experts say that just a few simple words like, “What the person did is wrong” goes a long way toward helping a victim feel comfortable in the workplace.

For the training, employees are encouraged to be part of the process. These types of training often teach employees tools for identifying sexual harassment as well as some of the best ways to intervene in a situation. Lessons can also involve ways to keep the situation from escalating once a bystander intervenes. The training tries to stop sexual harassment and keep it from escalating.

Create a culture of respect

Uber and the Besh Restaurant Group are perfect examples of where a culture of sexual harassment thrived. Top management did nothing to prevent sexual harassment activities, and at times, they were also actively participating. It’s hard to create an environment where women and men feel safe when management creates a culture of disrespect.

To begin creating a culture that revolves around respect, companies must understand their history. Leaders should examine what has historically worked for the company and what must be changed. They need to communicate a coherent message and explain the company’s values and its

desire to treat everyone with respect.

For new hires, the process begins the moment an employee first steps foot in the facility. While this begins at orientation with human resources, the process should exist throughout the company. Everyone should welcome new employees and help them understand the company's culture.

Encourage reporting

Women and men who experience sexual harassment should be encouraged to report the behavior to a supervisor or the human resources department. A company should have a policy to handle complaints. The victim should feel validated and know that the complaint will be taken seriously. For the Besh Restaurant Group, no formal reporting process was ever created. Victims had no place to report inappropriate behavior, and many women reported feeling unsafe at work. At Uber, the human resources department is accused of knowingly disregarding accusations of sexual harassment.

Conduct training often

Sexual harassment training should take place on regular intervals. Normally, training takes place when an employee is hired or a person is promoted to management. A company should design a regular schedule for sexual harassment training. It might be once a year or once every two years. The key is to make the training part of the company's DNA. Employees must become refreshed on the tools that can prevent sexual harassment and understand the company's commitment to a safe workplace.

A company can develop an internal training package or hire an expert. Either can serve the firm's needs, but no matter which direction, the training must be well designed and presented in a professional manner.

Promote more women to management positions

Women represent 52% of professional positions in the United States, but they only occupy 14.6% of executive officers and less than 5% of Fortune 500 CEOs. In some professions, like technology, the numbers are even lower. A key to creating a culture of respect within the workplace is promoting more women to management positions.

Organizations that are male-dominated tend to be ripe for abuse. The U.S. military and police departments are a great example. They are a male-oriented hierarchy where abuse is often allowed to take place. Studies show that women report incidents of sexual harassment in the military at twice the rate of other organizations, according to a study in the Journal of Social Issues. The author says these types of organizations, where a greater proportion of male versus female exists, create a culture where inappropriate behavior often goes unchecked. The culture is

changed with more women in decision-making positions. The women don't necessarily correct bad behavior, the researcher argues, but they create an environment where it can't grow and thrive.