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The term "sexual harassment" means different things to different people;  
It depends on your life experience.



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Times change.  
What is acceptable changes.



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**Our goal:**  
to provide a common understanding  
of what is - and isn't - okay  
in the workplace or at your training site.

**Sexual harassment should not be tolerated.**



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**You should understand:**

- How to recognize harassment as inappropriate workplace behavior
- The nature of sexual harassment
- That harassment because of any protected characteristic is prohibited



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**You should understand:**

- The reasons why workplace harassment is employment discrimination
- That all harassment should be reported
- That supervisors and managers have a special responsibility to report harassment.



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**What is Sexual Harassment?**



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It is a type of sex discrimination and is unlawful.



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**It is harassment based on:**

- Sex
- Sexual orientation
- Self-identified or perceived sex identity
- Gender expression
- Gender Identity
- Transgender status



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**It's unlawful when it forces one:**

- to work in inferior conditions
- To receive inferior employment privileges



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**It is unwelcome behavior or conduct that is:**

- Sexual in nature, or
- Targeted at one because of their sex.

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**The unwelcome behavior must also :**

- Interfere unreasonably with the person’s work; OR
- Create an offensive, intimidating or hostile-feeling work environment; OR
- Make one believe it is a condition of employment; OR
- Relate to a decision to fire an individual if they object; OR
- Relate to a decision to hire an individual if they submit.

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Furthermore, if you aren’t the target, but you experience this environment . . .

**you** can report that you have been sexually harassed.

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**Two Types of Sexual Harassment**



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- 1. Hostile environment, and**
- 2. Quid Pro Quo**



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**What is Hostile Environment Sexual Harassment?**



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**These things make a work environment hostile:**

- Unwanted words, signs, jokes, pranks  
Intimidation, physical actions, violence
  - That are EITHER of a sexual nature, or directed towards another because of their sex.



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**These things make a work environment hostile, continued:**

- Sexual or discriminatory displays or publications *anywhere* in the workplace, that are sexually demeaning or pornographic.
  - Can be photos, posters, art, calendars, graffiti, reading material, etc.
  - Can be on a workplace computer or cell phone and being shared with others
  - Can be sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience.



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**These things make a work environment hostile, continued:**

- Actions taken against another because of that person's sex, such as:
  - Rape, sexual battery, molestation, or attempts to commit these.
  - Physical acts that are sexual in nature: touching, pinching, patting, grabbing, kissing, hugging, etc.
  - Damaging or destroying one's tools or workstation, or otherwise interfering with or sabotaging their work.
  - Bullying, yelling and name calling.



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**These things make a work environment hostile, continued:**

- Harassing a person because that person doesn't conform to typical gender stereotypes of the appropriate "look", speech, personality or lifestyle for one of that gender.
- Harassing someone for doing a job primarily or traditionally done by a person of a different sex.

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**What is Quid Pro Quo Sexual Harassment?**

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**These things are Quid Pro Quo harassment:**

- When a person in authority over someone trades – or tries to trade – job benefits for sexual favors from them;
  - ❖ Quo Pro Quo is a legal term; it means "a trade".
- Offering or granting better working conditions or opportunities in exchange for a sexual relationship;

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**These things are Quid Pro Quo harassment, continued**

- Threatening adverse working conditions (like demotions, shift alterations or work location changes) or denial of opportunities if a sexual relationship is refused;
- Using pressure, threats or physical acts to force a sexual relationship;
- Retaliating for refusing to engage in a sexual relationship.



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**Who can be the Target of Sexual Harassment?**



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- Employees
- Paid / unpaid interns
- Non-employees like independent contractors and service providers who work in the workplace
- Sex or gender doesn't matter



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**Who can commit Sexual Harassment?**



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**Anyone in the workplace can be the perpetrator:**

- A coworker
- A supervisor or manager
- Any third-party (non-employee, intern, vendor, visitor, customer, building security, etc.)



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**Where Can Workplace Sexual Harassment Occur?**



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- Wherever and whenever employees are carrying out a work responsibility:
  - In the field
  - Employer-sponsored events
  - Training or conferences open to the public
  - Office parties
- If at an off-site location or after work hours, the activity can be considered an extension of the work environment;
- Can even occur through calls, texts, email and social media.

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**How Does Retaliation Relate to Sexual Harassment?**

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**In addition to harassment, Retaliation is also illegal.**

- It is illegal to *retaliate* against someone who has engaged in a *protected activity*.

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**Retaliation is:**

- Negatively altering terms or conditions of employment;
- Taking an adverse action that effectively discourages one from making a complaint of harassment or discrimination;
- Can happen after the end of employment, such as giving a bad reference.
- Doesn't have to be job related or happen in the workplace.
- NOTE: An action is NOT retaliation if the person has otherwise failed to meet the requirements of the job or to follow company policies and rules.



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**PROTECTED ACTIVITIES.**

**The law protects you from being retaliated against if you:**

- File a formal complaint of harassment per your company's policy;
- Report that you suspect another is being harassed;
- Complain about harassment to a supervisor or manager;
- Oppose discrimination;
- Help another who is complaining they have been harassed;
- Give information or testimony in an investigation of harassment.



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**What Should you Do if You are Harassed?**



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- Report it to a supervisor, manager or the person designated to receive these complaints.
  - If they don't act, you can go to the next level of management or somewhere like the EEOC.
- Report any behavior you either experience or know about that seems inappropriate. **Don't worry or try to figure out if it is unlawful harassment.**
- Cooperate with management in its investigation.
- Write down what happened so you remember.

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**What should you do if you see another person being sexually harassed?**

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- Report it to a manager, supervisor or designee.
- When you see harassment right in front of you, tell the harasser that "it's not okay".  
(We realize this can be uncomfortable or scary).

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**Final Note:**

A4TD's Sexual Harassment Policy, including the procedure for making a complaint, can be found in your Participant Orientation Handbook starting on page 36.



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