WORKPLACE HARASSMENT: THE REAL DEAL
PROGRAM INFORMATION HIGHLIGHTS

WHAT IS HARASSMENT?

⇒ Quid Pro Quo Harassment: (Quid pro quo means “this for that”)
Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
✓ Submission to such conduct is made either explicitly or implicitly a term or condition of a person’s employment
✓ Submission or rejection of such conduct by an individual is used as the basis for decisions affecting an individual’s employment

⇒ Hostile Environment Harassment:
• Unwelcome, unwanted, offensive or intimidating conduct
• Ongoing, severe, pervasive and interferes with someone’s job performance
• Verbal, visual or physical
• Relates to protected classes under Federal and/or State law, for example:
  ✓ Race
  ✓ Color
  ✓ Religion
  ✓ National origin
  ✓ Sex or Gender
  ✓ Age
  ✓ Disability
  ✓ Sexual orientation
  ✓ Pregnancy
  ✓ Marital status
  ✓ Genetic make-up

EXAMPLES OF INAPPROPRIATE CONDUCT

⇒ Verbal
• Unwelcome sexual advances, language, banter, innuendoes
• Offering threats if sexual favors are not provided
• Lewd, off-color sexually oriented comments, teasing, or jokes
• Foul or obscene language
• Offensive whistling
• Comments about appearance or body parts
• Sexually oriented or explicit remarks, including written or oral references to sexual conduct, gossip regarding one’s sex life, body, sexual activities, deficiencies or prowess
• Questions about one’s sex life or experience
• Repeated requests for dates
• Demeaning nicknames (i.e. “honey,” “cutie,”)

⇒ Visual
• Hanging suggestive or sexually explicit pictures, posters, calendars, or cartoons on company premises
• Offensive or inappropriate e-mails, screen savers, downloads
• Writing unwanted or obscene letters, comments, notes, or cards

⇒ Physical
• Hugging, kissing, squeezing, grabbing, groping or fondling in a forcible manner
• Sitting, gesturing, or posing in a sexually suggestive manner
• Back or bottom slapping, knee patting
• Violating someone’s “personal space”
• Neck or shoulder massages
• Touching of private body parts or touching in a sexually suggestive manner
• Leering, staring, and ogling
• Blocking someone’s movement
Other actions which may result in hostile environment harassment, but are non-sexual in nature, include:

- Use of racially derogatory words, phrases, epithets
- Demonstrations of racial or ethnic nature such as a use of gestures, pictures or drawings which would offend a particular racial or ethnic group
- Comments about an individual’s skin color or other racial/ethnic characteristics
- Making disparaging remarks about an individual’s gender
- Negative comments about an employee’s religious beliefs (or lack of religious beliefs)
- Expressing negative stereotypes regarding an employee’s birthplace or ancestry
- Negative comments regarding an employee’s age when referring to employees 40 and over
- Derogatory or intimidating references to an employee’s mental or physical impairment

EMPLOYEES:

What should you do if you feel you or another employee is being harassed?

- Let your supervisor know
- If necessary, elevate it to the next level of management
- If your company has a Human Resources professional, that door is always open
- If you have an employee hotline, call it to speak with a trained Human Resources professional
- FOLLOW YOUR COMPANY’S REPORTING AND PROBLEM SOLVING PROCEDURE.

MANAGERS AND SUPERVISORS:

What should you do if aware of possible harassment?

- You are agents of the corporation
- You have a mandatory duty to take prompt, appropriate action if aware of possible harassment
- You must act even if an employee being harassed asks you not to
- If you witness harassment, take action to stop it, document it, and notify Human Resources or management.
- If you hear about harassment or get a complaint, document it, and notify Human Resources or management. Retaliating against an employee for a good faith complaint is prohibited by policy and the law
- Absolute confidentiality cannot be guaranteed
- Handle complaints as confidentially as possible and only share information on a “need to know” basis

**Companies are responsible for protecting employees against harassment by non-employees, such as customers, vendors, contractors**

Managers and supervisors may be held personally liable for engaging in, aiding or abetting harassment or retaliation

WHAT CAN YOU DO ABOUT HARASSMENT IN THE WORKPLACE?

- Know what it is
- Review your company’s policy
- Know and act on your responsibilities as supervisors and employees
- Don’t engage in harassment or put yourself in a position to have your behavior questioned.
- Say something if someone “crosses the line”
- Follow your Company’s reporting procedures if the behavior does not stop, or you’re not comfortable confronting the alleged harasser yourself
- If someone complains about your behavior: stop!
- Personalize the issue by asking yourself:
  - Would I do this in front of family?
  - Would I feel OK if this happened to someone I care about?
  - Would I like this behavior discussed at a staff meeting or in the company newsletter?