

Sexual harassment in the workplace

Newsmaking incidents have organizations considering the implications of the problem and how best to deal with and prevent it

BY MELISSA CAMPEAU

THE PAST few months have seen an unprecedented wave of sexual harassment claims against literally dozens of high profile men including Harvey Weinstein, Kevin Spacey and Matt Lauer.

Employers are reacting to the claims with increasing speed. The Weinstein Company fired Weinstein after months — by some accounts, years — of speculation. Netflix suspended production on *House of Cards* one day after the first claim of sexual harassment surfaced against Spacey, and NBC appears to have fired Lauer almost immediately, before the first complaint became public.

As the depth and extent of the problem comes to light, there's a growing awareness among employers of the need to address it. "All the focus in the media is encouraging many of our clients to take a good long look at their policies and practices around sexual harassment and revisit any strategies they have for prevention," says Cissy Pau, principal consultant with Clear HR Consulting in Vancouver.

Workplace impact

The impact of sexual harassment in the workplace can be devastating to an individual, and costly to an organization. According to research by Equal Rights Advocates in the United States, 90 to 95 per cent of sexually harassed women experience anxiety, depression, headaches, sleep disorders, weight gain or loss, nausea and lowered self esteem, among other symptoms. The organization estimates that results in 973,000 hours of unpaid leave each year in the U.S.

When harassment is witnessed or even just whispered about within an organization, it takes a toll on the workforce as a whole. Barbara Bowes, president of Legacy Bowes Group in Winnipeg, says, "Sexual harassment can lead to staff turnover, low productivity and low morale, as well as a hostile work environment."

And then there's the reputational hit. "Social media being what it is, somebody will hear about it and put it on Facebook or glassdoor.com and the repercussions can be huge," says Pau. "Customers see your company differently and candidates will think twice about whether they want to work there."

Underlying causes

Tackling the problem means understanding its causes. A 2009 study by researchers at the University of Minnesota found women supervisors were 137 per cent more likely to be sexually harassed than women who did not hold managerial roles. Primary investigator Heather McLaughlin commented, "This study provides the strongest evidence to date supporting the theory that sexual harassment is less about sexual desire than about control and domination." She added, "Male co-workers, clients and supervisors seem to be using harassment as an equalizer against women in power."

Change, in some cases, happens slowly. Sexual harassment wasn't recognized as a form of discrimination when parliament passed the Canadian Human Rights Act in 1977. It was added to the act in 1983 and the Supreme Court confirmed its definition in 1989. If mindsets can be slow to change, actions can lag further behind. "What was once tolerated isn't okay anymore," says Pau. "You might assume people know that, but sometimes they don't."

Still a mainly silent problem

An organization not flooded by sexual harassment complaints might assume it doesn't have a problem, but that's not necessarily the case. A recent survey by *Cosmopolitan* magazine found one in three women surveyed between the ages of 18 and 34 reported they had been sexually harassed at work. However, only 29 per cent of the women who had experienced harassment reported it.

Ignoring the problem doesn't make it go away, however. "If you have a workplace that doesn't take steps to address the problem, then the issues fester and they don't go away," says Heather MacKenzie, principal with The Integrity Group: Respectful Workplace Solutions, in Vancouver. "That's when you really start to have negative impacts," she adds.

Address and prevent the problem

Experts suggest several measures to encourage employees to come forward, to address the problem and to deter sexual harassment in the first place.

First, an organization needs a clear policy that outlines what is and isn't appropriate workplace behaviour, then they need to update that policy regularly, says Kerry Wekelo, managing director of human resources and operations for Actualize Consulting in New York City. "Every organization should have a clear policy about sexual harassment that includes how to report an incident and the consequences for the harasser," says Wekelo.

Training, too, should be refreshed and repeated on a regular basis. "I spoke to one individual who is a contractor and has been with a company for 20 years and I asked him, 'When's the last time you had sexual harassment training?' and he said 20 years ago.' Things have changed tremendously since then," says Wekelo. "I'd suggest a refresher training course every year, or so."

Part of any training should include encouraging employees to speak up when there's inappropriate behaviour. "It's about developing trust in the workplace, where everyone feels safe," says MacKenzie. "Anyone who finds themselves in a situation where they're being harassed has to feel they can say, that's not okay for me, and not fear repercussions or feel their life is going to become more complicated if they speak up."

Simplifying the process of making a formal complaint can help bring these issues to light. “One option is to set up an online form that employees can use to submit complaints.” She adds, “Then at least the you can get everything down on paper and you have it all documented. Just from a legal perspective, I think it’s really important.”

Some action required

Even without a complaint, a manager needs to act if they witness or hear about an incident of sexual harassment. “Management gets hung up on this point and tends to think, well, nobody complained so I’m not obliged to do anything,” says MacKenzie.

However, Canadian law says employers have a responsibility for ensuring that their workplace is free from discrimination and harassment. “A leader doesn’t have the luxury of turning a blind eye on this, but they also don’t have to come down on the subject in a heavy-handed manner.” MacKenzie says managers should have a conversation with the person engaging in the harassing behaviour and let them know that what they’re doing is not okay in the workplace. “Check in with the person on the receiving end, as well,” she adds.

Swift consequences

Any policy should outline how an organization will respond to sexual harassment, and then those steps need to be followed to the let-

ter, says Wekelo. “Organizations should take a zero tolerance stance and just make sure every single complaint is handled immediately.” She adds, “If people know the behaviour isn’t tolerated, then it’s not going to happen as much and people will step forward more, too.”

Bowes recommends suspending the perpetrator with pay until an investigation is complete. “An organization should then provide private counseling for the complainant, determine if the complainant needs time off work, and make arrangements for their support,” says Bowes.

Starts at the top

Pau points out that, as with most issues involving organizational culture, leadership sets the tone. “What’s missing in some organizations where sexual harassment is a problem is that there’s not an honest, genuine belief that employees are and should be respected at all levels,” says Pau. “Sometimes an organization can say it but not mean it, and employees can see if you walk the talk.”

High profile cases of sexual harassment might just be moving the needle on that, however. “We did a session recently and people were really opening up and emotional about the topic,” says Pau. “It’s started a conversation in a lot of workplaces and people are feeling more safe about having those conversations.” She adds, “It’s pretty incredible how many people are coming forward with stories and I think it’s just the tip of the iceberg.”

When the conversation re-ignites trauma

A 2014 study by University of Mary Washington researchers found women who experienced frequent sexual harassment displayed signs of trauma associated with PTSD, including re-experiencing the trauma and avoiding people or things that may remind the victim of the harassment.

“For people who’ve experienced sexual harassment in the past, all the headlines and conversations on the subject may be bringing up issues and concerns they don’t want to face head on, right now,” says Pau. “That’s certainly affecting health and safety in the workplace, as well.”

To help with this, Pau recommends organizations offer employee assistance programs for anyone who might need a hand dealing with re-experiencing trauma. “We’ve seen some of our clients have employees who are really upset at work, and it turns out there’s no specific problem with work, but just these emotions coming to a head,” says Pau.