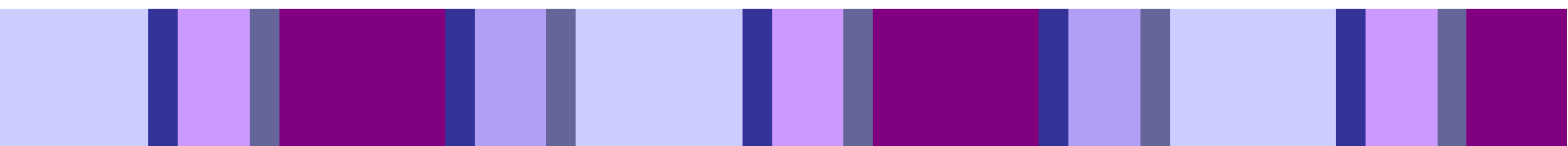


**Working Paper Series
No. 59**

Sexual harassment in the workplace: a literature review



**Carrie Hunt, Marilyn Davidson,
Sandra Fielden and Helge Hoel**

Manchester Business School,
University of Manchester



Women. Men. Different. Equal.
Equal Opportunities Commission



Women. Men. Different. Equal.
Equal Opportunities Commission

Sexual harassment in the workplace: A literature review

Carrie Hunt, Marilyn Davidson, Sandra Fielden
and Helge Hoel

The Centre for Equality and Diversity at Work
Manchester Business School, University of Manchester

The University
of Manchester

MANCHESTER
1824

© Equal Opportunities Commission 2007

First published Summer 2007

ISBN 978 1 84206 033 9

EOC WORKING PAPER SERIES

The EOC Working Paper Series provides a channel for the dissemination of research carried out by externally commissioned researchers.

The views expressed in this report are those of the authors and do not necessarily represent the views of the Commission or other participating organisations. The Commission is publishing the report as a contribution to discussion and debate.

Please contact the Research and Resources team for further information about other EOC research reports, or visit our website:

Research and Resources
Equal Opportunities Commission
Arndale House
Arndale Centre
Manchester
M4 3EQ

Email: research@eoc.org.uk

Telephone: 0161 838 8340

Website: www.eoc.org.uk/research

You can download a copy of this report as a PDF from our website, or call our Helpline to order a copy:

Website: www.eoc.org.uk/research

Email: info@eoc.org.uk

Helpline: 0845 601 5901 (calls charged at local rates)

Interpreting service available for callers to the Helpline

Typetalk service available: 18001 0845 601 5901

CONTENTS

	Page
TABLES AND FIGURES	iii
ACKNOWLEDGEMENTS	iv
EXECUTIVE SUMMARY	v
1 INTRODUCTION	1
2 SEXUAL HARASSMENT AND BULLYING	5
2.1 Relationship between sexual harassment and workplace bullying	5
2.2 Power and 'organisational violation'	6
2.3 Forms of sexual harassment	8
2.4 How big a problem is sexual harassment in the workplace	10
2.5 Summary	15
3 CHARACTERISTIC FEATURES OF SEXUAL HARASSMENT	17
3.1 Characteristics features of organisations and workplace situations	17
3.2 Individual factors	21
3.3 Race and sexual harassment	25
3.4 Sexual harassment and sexual orientation	27
3.5 Sexual harassment and disability	28
3.6 Societal characteristics	28
3.7 Summary	29
4 EXPERIENCES OF SEXUAL HARASSMENT	31
4.1 Perceptions of sexual harassment	31
4.2 The effects of sexual harassment	33
4.3 Coping strategies used	35
4.4 Summary	38
5 PREVENTION AND INTERVENTION	39
5.1 Levels of intervention	39
5.2 Prevention	39
5.3 Responding to sexual harassment	46
5.4 Follow-up	48
5.5 Examples of guidance and good practice	48
5.6 Summary	55

6	LEGAL RESPONSES TO SEXUAL HARASSMENT IN THE UK	56
6.1	Sexual harassment as sex discrimination	56
6.2	Health and safety law	57
6.3	Workplace violence and harassment	58
6.4	Taking a claim at the Employment Tribunal	58
6.5	Summary	60
7	FUTURE RESEARCH	62
8	CONCLUSION	66
	REFERENCES	68

TABLES AND FIGURES

Figure 1	Bridging the gap	x
Table 2.1	Frequency of sexualised behaviours	14
Figure 4.1	Typology of target responses to sexual harassment	36
Figure 5.1	Training models for preventing sexual harassment	44
Figure 5.2	Bullying and harassment procedure	51
Figure 5.3	Sexual harassment intervention model	54
Table 6.1	Special guidelines for violence and harassment, UK	61

ACKNOWLEDGMENTS

The Centre for Equality and Diversity at Work would like to thank the Equal Opportunities Commission for funding this project and, in particular, Liz Speed, Wendy Hewitt and Lesley Mountain for their advice and support. We would also like to thank members of the EOC Equality Exchange for submitting their sexual harassment policies and procedures.

EXECUTIVE SUMMARY

Introduction

Since it was established in 1975, the Equal Opportunities Commission (EOC) has been concerned about sexual harassment in the workplace. Over the years, the Commission has used its powers under the Sex Discrimination Act (SDA) to support claims of sexual harassment at employment tribunals to develop case law and has raised awareness of the problem through campaigns and lobbying. It has also instigated investigations of organisations which have a high number of sexual harassment complaints.

The aim of this study is to explore what is known about sexual harassment taking a multi-disciplinary approach and identifying, amongst other things, the workplace culture in which it occurs, the characteristics of those who suffer harassment and the harasser, and policy measures designed to prevent and deal with harassment. It also aims to identify gaps in knowledge.

What is sexual harassment?

The original Sex Discrimination Act did not contain a definition of sexual harassment or what would constitute harassment and this has been developed through case law. Amendments to the Act in 2005 introduced two definitions of sexual harassment: unwanted conduct on the grounds of someone's sex; and unwanted physical, verbal or non-verbal conduct of a sexual nature. The European Parliament has defined 'harassment related to sex' as follows:

Where an unwanted conduct related to the sex of a person occurs with the purpose or effect of violating the dignity of a person, and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

Where any form of unwanted verbal, non-verbal or physical conduct of a sexual nature occurs with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment.

Although there is general agreement about which behaviours *may* constitute sexual harassment, the individual experience of sexual harassment is subjective, but a key characteristic is that it is unwanted by the recipient.

Sexual harassment often reflects an abuse of power within an organisation, where members of one group of people yield greater power than others, generally women. It is linked with women's disadvantaged status at work and, more generally, in society. Sexual harassment can take many forms: from sexually explicit remarks and banter,

to harassment over the telephone and via email, to sexual assault. Studies have found that individuals have different perceptions of sexual harassment. For example, women are more likely than men to label certain behaviours as sexual harassment, similarly non-manual staff compared with manual staff. Behaviour is more likely to be seen as harassment when there is a large power difference between the person being harassed and the person doing the harassing.

Women are sometimes reluctant to label their own experiences as sexual harassment. This is because such acts are defined in terms of seriousness, and some women may not think their own experiences are serious enough. This is potentially problematic for research which seeks to clarify the prevalence of the problem and raise methodological questions.

Research estimates regarding its incidence vary widely, depending on the wording of any definitions of harassment and the questions used, as well as different sample populations and research methods. For example, a recent DTI survey on fairness at work (Grainger and Fitzner, 2006) included a question which asked specifically about "*Sexual harassment...that creates a hostile working environment*". This produced a very low estimate compared with previous national and organisational studies. In contrast, a study for the Ministry of Defence (Rutherford et al., 2006) asked more broadly about sexualised behaviours by providing a list of possible behaviours, asking if the respondent had experienced any of them, if they regarded them as sexual harassment and if they personally found them offensive. This produced a high incidence rate of sexually harassing behaviours.

In recent years, the emphasis in research has shifted somewhat from sexual harassment to bullying. There are strong links between the two concepts, with sexual harassment sometimes seen as falling within the wider context of bullying.

Where is it most likely to occur?

Sexual harassment occurs in all occupations and industries, and organisational culture is key to understanding how and why it occurs in some places and not in others. Sexual harassment, bullying and physical violence can all be seen in terms of 'organisational violation'. This is where the culture of an organisation makes it possible for individual employees to be treated abusively or with disrespect.

Hierarchical and managerial power are central to understanding how such a culture develops and continues. As the climate of disrespect within an organisation worsens, the more likely it is for certain inappropriate behaviour to be taken for granted, leading to the creation of an 'incivility spiral'. This is where discourteous behaviour becomes routine and regarded as normal by employees and employers.

Sexual harassment has been found to be more prevalent in certain work situations, for example, in jobs where there is an unequal sex ratio; where there are large power differentials between women and men; during periods of job insecurity; or when a new supervisor or manager is appointed.

Two types of leadership style are particularly, although not exclusively, associated with harassment and bullying: an authoritarian style where there is limited consultation with staff; and a laissez faire style where management fails to lead or intervene in workplace behaviour.

People who belong to a socially advantaged group, the 'in-group', tend to have a preference for members of their own group and are likely to be biased against members of any socially disadvantaged 'out-group'. What this means in terms of sexual harassment is that the greater the distinction between the in- and out-group in the workplace, for example in the power held by men and women, the more likely it is that sexual harassment will occur.

Which groups are most at risk?

Those who experience sexual harassment range from managers and professionals to unskilled manual workers. Although there is not a particular type, those being subjected to harassment are usually women and often young, single or divorced and with relatively low levels of education. Perpetrators of harassment are generally male and often in a position of power compared with the person they are harassing. Characteristically, they tend to have low levels of self-control and self-monitoring behaviour, in other words, do not take into account the effect of their behaviour on others.

There is limited evidence available which examines the relationship between sexual harassment and other characteristics:

- It is often difficult to disentangle racial and sexual harassment. The majority of the available evidence comes from the USA, and this suggests that ethnic minority women may be at greater risk of harassment than white women. They may experience male dominance from white and ethnic minority men and racial dominance from white women and men.
- Available data on sexual orientation, although limited, show that lesbians, gays and bisexuals are particularly vulnerable groups. Evidence suggests that same sex sexual harassment tends to go beyond issues of organisational power.
- Findings suggest that disabled employees are more likely to experience sexual harassment than employees without a disability.

What is the impact of sexual harassment?

Sexual harassment can have a negative effect on the individual, in both the short and long term. Those who have been harassed may experience illness, humiliation, anger, loss of self confidence and psychological damage. Sexual harassment may also lead to workplace problems such as decreased performance, lower job satisfaction and higher absenteeism. In some cases, it may lead to resignation.

Observing someone else in the organisation experience sexual harassment may also have a detrimental impact on an employee, by affecting their attitude towards work and even leading to psychosomatic problems. If employees believe that sexual harassment is not being tackled in the organisation this may lead to decreased job satisfaction and poorer physical health. On the other hand, the investigation of sexual harassment complaints may cause serious divisions between staff.

The presence of sexual harassment within an organisation may damage business performance due to low morale, lost productivity, damage to reputation and public image, and the cost of any compensation awards to sufferers of harassment who have taken a claim to employment tribunal. It may also have an impact on employee turnover, particularly that of female employees.

Given its potential impact on the health of those who have been harassed and its contribution to work-related stress for those involved both directly and indirectly, sexual harassment is also a health and safety issue and has been recognised by the Health and Safety Executive as a potential health risk or hazard in organisations.

What strategies are most useful?

There are three basic types of intervention that can be implemented by an organisation to prevent or deal with sexual harassment: prevention, responding to sexual harassment where it does occur, and follow-up in the aftermath of an investigation into a complaint of sexual harassment.

Preventative actions include the formation and adoption of a sexual harassment policy, training and awareness raising, monitoring and evaluation. There are two distinct approaches to policy formation: a 'top-down' and a 'consultative' approach. The consultative approach is advocated by researchers, who emphasise the importance of including multiple stakeholders, including employee groups and trade unions. This can also be seen as a 'bottom-up' approach, where staff and staff representatives are fully involved with management in developing and owning relevant policies and programmes. A culture of respect has to be developed within an organisation, and a strong zero tolerance policy towards sexual harassment is essential, whichever approach is adopted.

Training can be used to raise awareness and understanding of sexual harassment and to help equip individuals with the necessary skills to deal with it. Few studies have looked at the effectiveness of training but those that exist suggest that it is particularly effective for changing men's attitudes.

Responses to sexual harassment when it has occurred include the complaints procedure within an organisation and the identification of effective strategies for dealing with sexual harassment. Both a formal and informal route for reporting harassment are important. They should make it explicit that confidentiality will be maintained wherever possible and that employees bringing a complaint will be protected from victimisation. Making a complaint can be a very difficult procedure for an individual, especially if the organisation does not have clear policies and procedures in place and similarly, if the alleged harasser is the manager of the person making the complaint, as is often the case.

Following an investigation of a complaint of sexual harassment, rehabilitation of the person who has been harassed, including support and counselling where required, is essential. Others will need to be reintegrated, including the harasser and any witnesses or other colleagues who have been affected. Examination of how the harassment occurred and whether existing policies and procedures need amending, are also necessary.

A number of organisations have published good practice guides. These cover the relevant issues from prevention to follow up: establishing effective policies and procedures; changing the organisational culture to one where harassment is not tolerated; training for all employees; commitment and support from senior staff; effective monitoring systems and providing those suffering harassment with independent support.

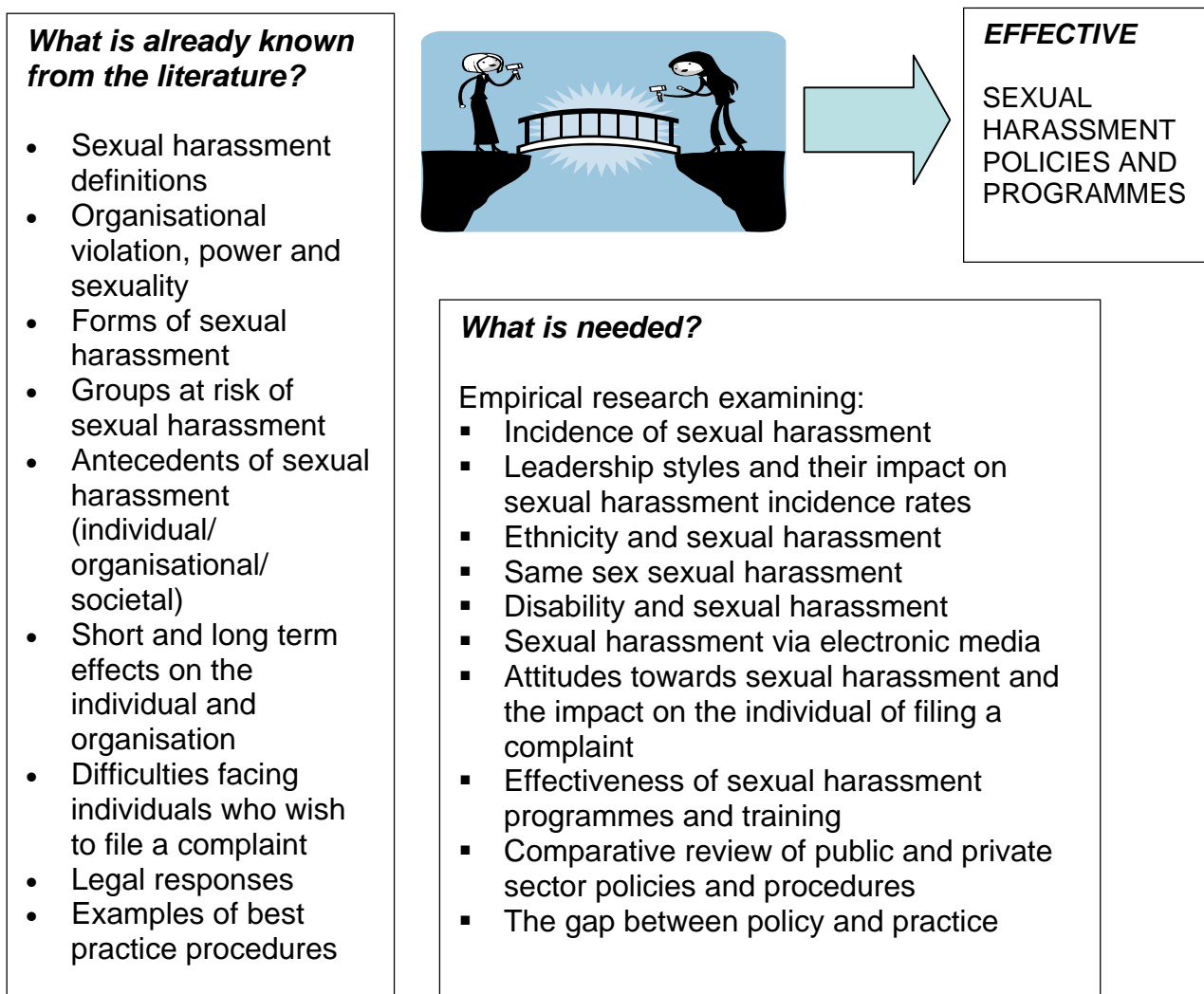
On an individual level, research evidence suggests that the most effective methods of dealing with sexual harassment are: confronting and negotiating with the harasser, for example, asking them to stop, threatening or disciplining them; or by seeking advocacy, that is reporting the behaviour, asking another person to intervene, or seeking legal remedy. The least effective methods of dealing with sexual harassment are thought to be avoidance of the harasser or denial that it is happening, but these tend to be the most common methods used.

One of the principal difficulties for people taking a sexual harassment claim to an employment tribunal is the lack of financial support for claimants. This means that many of those taking a claim have to represent themselves, which can include cross-examining the alleged harasser. Individuals have found the proceedings distressing, particularly having to confront their sexual harasser at such close proximity.

Future research

The diagram below illustrates what is already known from the literature and highlights gaps in our knowledge, many of which need to be filled to enable the move towards fully effective sexual harassment policies and preventative programmes.

Figure 1 Bridging the gap



Conclusion

This report has identified and reviewed the available literature on sexual harassment to provide an overview of the current state of knowledge. A number of key points have emerged which show that although some aspects of harassment are well documented, others are quite under researched. Harassment can have a serious impact on the individuals involved and the organisation where it occurs. The evidence strongly suggests that to avoid this, organisations take a proactive, i.e. preventative, rather than a reactive, i.e. response driven, approach to developing effective sexual harassment policies and procedures.

1 INTRODUCTION

Since it was established in 1975, the Equal Opportunities Commission (EOC) has been concerned about sexual harassment in the workplace. Over the years, the Commission has used its powers under the Sex Discrimination Act (SDA) to support employment tribunal cases and to fund dozens of women's claims of sexual harassment in order to stop sexual harassment, develop case law and raise awareness. It has also initiated two formal investigations into the Royal Mail and Ministry of Defence, which have resulted in the Commission working closely with these organisations to eliminate sexual harassment.¹

The emergence of the term 'sexual harassment' can be traced back to the mid 1970s in North America, although in the UK, the first successful case when sexual harassment was argued to be a form of sex discrimination was in 1986, under the Employment Protection Act (Hodges Aeberhard, 2001). There is no one definition of sexual harassment, either in terms of behaviour or the circumstances in which it occurs (Bimrose, 2004; Fitzgerald and Ormerod, 1991; Fitzgerald et al, 1995; Stockdale and Hope, 1997). A study which examined the frequency and nature of sexual harassment amongst women in traditional male occupations in North America defined it as:

...any action occurring within the workplace whereby women are treated as objects of the male sexual prerogative.
(Lafontaine and Tredeau, 1986: 435)

while Stanko (1988: 91) stated that sexual harassment is:

...unwanted sexual attention. Its behavioural forms are many and include: visual (leering); verbal (sexual teasing, jokes, comments or questions); unwanted pressure for sexual favours or dates; unwanted touching or pinching; unwanted pressure for sexual favours, with implied threats of job related consequences for non co-operation; physical assault; sexual assault and rape. The behavioural manifestation may be a singular event or continuous series of events.

Definitions of both 'harassment related to sex' and 'sexual harassment', which constitute the common basis for all national legislations in this area, were provided by

¹ Under section 57 of the Sex Discrimination Act, the EOC has the power to conduct formal investigations for any purpose connected with carrying out of the Commission's duties. Assessing the requirement to conduct a formal investigation can be pre-empted by: a complaint of persistent or institutional discrimination; an unsatisfactory response to the voluntary follow-up approach; regular monitoring of the number and nature of complaints of sex discrimination lodged with the employment tribunals and the EOC casework database.

the recently adopted Directive of 5 June 2002 of the European Parliament and of the Council (amending Council Directive 76/207/EEC):

Harassment related to sex: Where an unwanted conduct related to the sex of a person occurs with the purpose or effect of violating the dignity of a person, and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

Sexual harassment: Where any form of unwanted verbal, non-verbal or physical conduct of a sexual nature occurs with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment.

The EOC, in its legal guidance, states that there are two types of sexual harassment:²

- **Unwanted conduct on the grounds of sex:** It must be shown that the treatment is because someone is a woman (or a man). An example of this could be if s/he is being bullied at work and the harasser would not treat somebody of the opposite sex in this way. The conduct does not have to be of a sexual nature for this form of harassment.

The conduct must be done with the purpose of, or have the effect of, violating her/his dignity, or of creating an intimidating, hostile, degrading, humiliating or offensive environment for you.

OR

- **Unwanted physical, verbal or non-verbal conduct of a sexual nature:** If the conduct is of a sexual nature, this is unlawful in itself and an individual does not have to compare her/his self to how somebody of the opposite sex would be treated. This could include: comments about the way someone looks which they find demeaning, indecent remarks; questions about their sex life; sexual demands by a member of their own or the opposite sex. (Incidents involving touching and other physical threats are criminal offences and should also be reported to the police).

As above, the conduct must be done with the purpose of, or have the effect of, violating her/his dignity, or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

² See <http://www.eoc.org.uk/Default.aspx?page=15306>.

A key characteristic of sexual harassment is that it is unwanted by the recipient. It is for each person to decide what behaviour is acceptable to them and what they regard as offensive. Thus, although there is general agreement about what *can* constitute sexual harassment, the *experience* of sexual harassment is subjective in nature and precise quantification of workplace sexual harassment is problematic, partly due to the problems of identification (Bimrose, 2004).

The aim of this study is to:

- Place sexual harassment within a wider context of workplace harassment and bullying.
- Focusing on sexual harassment, explore the relevant literature and any relevant data.
- Identify the characteristics of those facing harassment and the harasser, and the characteristics of organisations where sexual harassment takes place, such as size and industry.
- Consider the obstacles faced by people who have been harassed who want to make a complaint and successfully remedy the situation.
- Explore the short and long term effects of sexual harassment.
- Identify projects and campaigns, both past and present, which are designed to raise awareness of, and/or tackle, the issue and evaluate their effect.
- Identify the policy measures currently used by employers to prevent, deal with, and offer advice on sexual harassment at work.
- Indicate where further investigation is necessary to increase our understanding.

Methodology

The primary information source for this literature review was a search of the following databases: BIDS Ingenta, Emerald, Proquest, SpringerLINK, Business Source Premier, ScienceDirect, and ABI/INFORM Global. To provide focus for the review, five search terms were used: sexual harassment, workplace violence, workplace bullying, gender harassment, and sexual harassment training.

The majority of available literature linked to the five research terms used originated from the United States and Australia, with many studies focusing on health care professionals, particularly nursing staff (Privitera et al., 2005; Lawoko et al., 2004). Mott and Condor (1997) reported that at that time, 85 per cent of sexual harassment studies had been conducted in the US and over 70 per cent of these involved academics or students as respondents, providing a somewhat limited perspective on the issue. Although we should be wary of generalising findings from research in, for

example, the US, to the British workplace, experiences are unlikely to be that dissimilar and the available literature provides some clarity and understanding.

It is also clear from the literature that there is a dearth of research examining the effects within companies of training programmes on sexual harassment. The research team conducted a small study to examine the effects of initiatives which had been implemented in organisations in Britain by contacting members of the EOC Equality Exchange.³ They were invited to provide details of any programmes or initiatives aimed at tackling sexual harassment within their organisations, and for any information relating to the effectiveness of these programmes.

Structure of the report

Chapter 2 examines the relationship between sexual harassment and bullying, power and 'organisational violation', different forms of sexual harassment and its incidence. Chapter 3 explores the characteristic features of sexual harassment, both in terms of the organisation and individual, while Chapter 4 explores experiences of sexual harassment, including perceptions, the effects on the individual and organisation, and different coping mechanisms. Chapter 5 examines different interventions designed to prevent and deal with harassment, and provides examples of best practice policies and procedures. Chapter 6 examines legal responses to sexual harassment, while Chapter 7 highlights gaps in the research and identifies areas for future study. Conclusions arising from the study are brought together in the final chapter.

³ This was a network of companies across Britain who were actively interested in gender equality issues, administered by the EOC. Members received regular newsletters, were invited to participate in seminars and conferences, and encouraged to network with other members. The Equality Exchange was disbanded in 2006.

2 SEXUAL HARASSMENT AND BULLYING

This chapter:

- explores the relationship between sexual harassment and bullying, power and 'organisational violation';
- examines various forms of sexual harassment;
- examines what is known about the incidence of harassment.

2.1 Relationship between sexual harassment and workplace bullying

Although the focus of this review is sexual harassment, it became clear early in the research process that the majority of the literature on sexual harassment appears to have been published in the 1990s, and in more recent years, the emphasis in the research has shifted to the broader issue of bullying. So before focusing on sexual harassment, it is useful to explore what constitutes workplace bullying and the relationship between that and sexual harassment.

The attention given to 'workplace bullying' has grown substantially since the term was introduced and defined as a workplace problem in Britain in the early 1990s (Adams, 1992). Whilst interest in bullying at work first developed in Scandinavia nearly a decade earlier, it has now become a globally recognised problem reflected in the recent agendas of international organisations such as the International Labour Office (ILO) and the World Health Organization (WHO) (Di Martino et al., 2003). Sustained effort by articulate victims, victim support groups and trade unions, aided by the results of several high profile nationwide surveys (e.g. Hoel and Cooper, 2000; Unison, 1997, 2000), have helped to keep the issue in the public eye as well as gradually attracting growing academic interest (Rayner et al., 2002).

The majority of literature on bullying is based on school bullying (Brown et al., 2005; Smith and Birney, 2005; Fox and Boulton, 2005; Hunter et al., 2004; Baldry, 2003), with noticeably less published on workplace bullying (MacIntosh, 2005; Lee, 2002; Cowie et al., 2002). However, the pervasiveness of workplace bullying in organisations (Hoel and Cooper, 2000; Quine, 1999; Rayner and Hoel, 1997), the psychological harm which is often suffered by those who have been bullied (Einarsen and Mikkelsen, 2003) and, not least, the impact on organisations in terms of absenteeism, turnover and productivity (Hoel et al., 2003), have resulted in it being increasingly recognised as a management and leadership problem (Smith, 1999).

No single agreed definition of bullying exists, although a convergence of definitions is gradually emerging (Di Martino et al., 2003; Hoel et al., 2003). Thus, there appears to be agreement that bullying refers to persistent exposure to negative behaviour and negative acts, often over a long time, where those at the receiving end have difficulty

in defending themselves. It follows that in most cases, a one-off negative encounter would not be considered to be bullying, albeit an unpleasant experience (Einarsen et al., 2003).

Workplace bullying has also been informed by the literature on sexual harassment, particularly with regard to research methodology. By highlighting the importance of power relations within an organisation, it is suggested that there may be strong links between these two concepts, with sexual harassment possibly falling within the wider context of bullying. However, it is recognised that although important theoretical development has taken place in recent years, the concept of bullying is still underdeveloped in the research literature, compared to the more mature field of sexual harassment. The latter has a stronger theoretical underpinning with links to feminist theories, and is firmly located within the broader framework of power relations, as discussed below (Cockburn, 1991; MacKinnon, 1979).

2.2 Power and 'organisational violation'

Collinson and Collinson (1989: 107) state that *"men's sexuality and organisational power are inextricably linked"*. Sexual harassment often reflects an abuse of power (Brewis, 2001; Sedley and Benn, 1982) and is:

not about sex, [but] about power... it supports and perpetuates a system in which one class of persons is systematically disempowered.

(Bratton, cited in Van Tol, 1991: 160).

Wilson and Thompson (2001) argue that it is primarily about men exercising power over women, and that harassment is linked with women's disadvantaged status at work and subordinate position in society. They believe that sexual harassment is too complex to be explained using simple theories of power and use Lukes' three-dimensional model to offer an analysis:

- The one-dimensional view - the organisational hierarchy creates the power, which is used within the organisation. In these structures men are typically in positions of power and women are not.
- The two dimensional view - power is exercised over others by controlling the agenda and deciding which issues are important and which will be marginalised. The organisation will ultimately dictate what is seen as normal behaviour and as sexual harassment is bound up within the culture of an organisation, it becomes normalised.
- The three-dimensional view - *"allows that power may operate to shape and modify desires and beliefs in a manner contrary to people's interests"* (Lukes, 1986: 9). This goes into the *"hidden faces of power or deep structures"* within

an organisation whereby sexual harassment may not even be apparent and the processes for dealing with it are non-existent, because it is not seen as an issue.

Hearn and Parkin have written extensively on these issues (1995, 2001, 2005). While recognising that there are certain distinctive features of sexual harassment and bullying, they see both of these behaviours as a form of 'organisational violation' or violation of the individual, where the culture of an organisation allows individual employees to be treated abusively or with disrespect. They believe that it is essential to examine gender **and** sexuality when discussing organisational characteristics, and that "*organisations and sexuality simultaneously construct each other*" (Hearn and Parkin, 1995: 94). However, organisational policies, on the whole, tend to deal with harassment, bullying and violence as separate issues with little attempt to recognise the links and relationships between and among them. Often, bullying is seen as something to be ashamed of whereas harassment is something which is asked for. In contrast, being a victim of physical violence receives the most sympathy and is also more closely linked to criminality.

Hearn and Parkin (2005) argue that taking a non-gendered approach towards examining a culture of organisational abuse and disrespect has many limitations, and that hierarchical and managerial power is a central theme. Firstly, the majority of people who are sexually harassed are women. Secondly, violence by men towards men tends to be based on the social construction of men and masculinity; for example, aggression is associated with male behaviour and acts of violence and crime are regarded as vehicles for men to demonstrate these behaviours (Messerschmidt, 1993). Thirdly, even if an organisation does not appear to be dominated by men and has an equal gender ratio of senior managers, masculine norms can still be apparent and overriding. This can be illustrated when looking at the profession of midwifery which is overwhelmingly a female profession where women care for women, but is still managed from a male medical perspective (Hearn and Parkin, 2005). There are also assumptions about what is good management; historically 'strong', 'masculine' environments were seen as positive and desirable (Collinson, 1988; Einarsen and Raknes, 1997) although this has changed considerably in recent years. However, the gender of a management team may be less relevant than its style.

As the climate of disrespect within an organisation increases, the more likely it is that certain inappropriate behaviours are taken for granted and seen as normal (Hearn and Parkin, 2005). Andersson and Pearson (1999) state that when uncivil behaviour is witnessed, this can lead to the creation of an 'incivility spiral', which eventually results in a workplace where uncivil behaviour becomes routine and normalised

(Pearson et al., 2001). Any individuals in the organisation “*can be harmed by workplace incivility*” (Miner-Rubino and Cortina, 2004: 109), and it may deter individuals who have observed sexual harassment from coming forward and reporting such behaviour, thereby allowing harassment to continue.

2.3 Forms of sexual harassment

Sexual harassment can take many different forms, as the definitions in Chapter 1 indicated. Case decisions on the EOC website show the wide range of behaviours in the workplace that have been taken to employment tribunals over the years and the body of case law that has been established.⁴ These include: making sexually explicit remarks and banter; leering, rude remarks and personal insults; showing sexually explicit obscene pictures and images from the internet; displaying calendars and pictures of nude women; and sexual assault.

It is generally accepted that sexual harassment includes two types of behaviour. The first is usually defined as “quid pro quo” and relates to where an individual, often in a position of power, will explicitly or implicitly make sexual requests and/or advances. In exchange they may offer some desired result, for example a promotion. The second is sexual harassment which can be defined as “hostile environment”, which refers to sex-related behaviours which make the person being harassed feel uncomfortable, thereby creating an intimidating working environment. This type of sexual harassment is a source of much debate as it may be more subtle and is often termed a ‘grey area’ (Smolensky and Kleiner, 2003: 60).

Smolensky and Kleiner (2003) provide examples of past court cases in the United States illustrating a hostile environment, including:

- Female office workers at AT&T Technologies in North Carolina who were ‘rated’ by male employees as they passed the men’s desks, followed by lascivious comments about their hips and breasts.
- Women who were subjected to a dress code which banned trousers by their supervisor, established by him specifically so he could admire their legs.
- A student at the New York City police academy who had to fight off the assault of a male student by hitting him with a box of ammunition, and who had her breasts fondled from behind by her instructor as she tried to fire her gun.

Also in the US, a 1988 study (Rutter, 1996) listed the seven most frequent forms of harassment. In order of frequency they were:

⁴ For examples of cases see: <http://www.eoc.org.uk/Default.aspx?page=15305>

- Sexual teasing, jokes, remarks or questions
- Pressure for dates
- Letters, telephone calls, or materials of a sexual nature
- Sexual looks or gestures
- Deliberate touching, leaning over, cornering or pinching
- Pressure for sexual favours.
- Actual or attempted rape or sexual assault.

An even earlier study (Till, 1980) of a national sample of US female college students, led to the formulation of five levels of sexual harassment: (a) gender harassment, (b) seductive behavior, (c) sexual bribery, (d) sexual coercion, and (e) sexual imposition. Gender harassment describes sexist or offensive remarks and jokes. The seductive behavior category describes inappropriate flirting and also stretches to sexual advances without the threat of sanctions. Sexual bribery, sexual coercion and sexual imposition categories normally involve the threat of sanctions, ranging from rewards for sexual activity (sexual bribery) to sexual assault (sexual imposition). These categories were validated by Fitzgerald and Hesson-McInnis (1989). Through analysis of court cases and a review of the literature, Gruber (1992) developed three general categories of the ways in which sexual harassment could be expressed: verbal requests, verbal comments and non-verbal displays.

Telephone and internet

Sexual harassment over the telephone is also a problem, especially for those who work in call centres, but to date, there has been little research into this. One study within the call centre of a German telephone company found that overwhelmingly, it was men harassing women and that 10 per cent of respondents described incidents which contained threats of sexual violence. It was a stressful experience for the women and those who experienced this harassment reported feeling “*disgusted or disrespected*” (Sczesny and Stahlberg, 2000: 133).

There have also been studies of sexual harassment when the telephone is in private use. Fifty per cent of women and two per cent of men had at some point experienced sexual harassment over the telephone, based on a sample of one hundred German students (49 women and 51 men) (Sczesny, 1997). The most serious form of harassment contained ‘groaning’ in 55 per cent of cases, ‘sexual advances’ in 49 per cent, and ‘silence’ in 26 per cent of cases (Sczesny and Stahlberg, 1999: 158). Silent phone calls can also constitute sexual harassment as a form of menace and intimidation. In a report of four studies covering a 10 year period in England and Wales, Buck et al. (1995) found that between 7 and 10 per cent of women suffered one or more obscene calls in the course of a year, and that the groups most likely to receive them were single, separated and divorced young women. Including other

types of nuisance call, such as threatening, offensive or heavy breathing, roughly doubled the proportion of women affected. There is limited information on how such harassment is handled by the person who faces it, or its effect upon them.

Harassment via electronic means has increased as the level of internet and email usage has grown. In the last decade, the proportion of female internet users has risen from 5 per cent to 66 per cent (LeClaire, 2005; Jackson et al., 2001). The percentage of women using the internet (66 per cent) still falls slightly behind the percentage of men (68 per cent) but because women outnumber men in the population, slightly more women than men are now online (LeClaire, 2005).

Tyler (2002: 195) states that *“the internet seems to have created a new way of doing old things”*. With this has come a general increase in unsolicited email, including emails which can be perceived as inappropriate or harassing (Khoo and Senn, 2004). Emails have a language and culture of their own and people who may never consider sexually harassing someone person to person, may be open to abusing the email system. A survey conducted by the Society for Human Resource Management found that 20 per cent of employers had received complaints from employees about improper or harassing emails received at work (Armour, 1999). Khoo and Senn’s (2004) study found that women were more likely than men to find email content offensive and that emails which amounted to a sexual proposition were perceived to be extremely offensive by women, whereas men appeared to find them rather enjoyable. Thus gender is critical to an individual’s perception of an email’s content, suggesting there is a need to focus on “immediate responses” (Woodzicka and LaFrance, 2001: 19) to increase understanding of how this form of sexual harassment affects the individual and how it can be prevented.

According to recent US studies, as little as 35 per cent of internet use by employees is work related, with porn sites, sports pages and online shopping cited as those visited by many employees. Soewita and Kleiner (2000) suggest that companies can do a range of things to protect their employees, the first step being to adopt a clear policy on the actual use of company email and the internet prior to allowing employee access. Further research is required to understand fully the experiences of those who face electronic sexual harassment and the efficacy of methods employed to deal with this form of harassment.

2.4 How big a problem is sexual harassment in the workplace?

In 2005/06, 14,250 claims were lodged with employment tribunals on the grounds of sex discrimination. In the same year, 17 per cent of sex discrimination claims disposed of were successful at tribunal and 13 per cent were ACAS conciliated settlements (ETS, 2006). It is not possible to say how many of these cases involved

sexual harassment. However, where records show that compensation was awarded by the tribunal in cases with sex discrimination jurisdictions in 2005, 18 per cent of awards were for sexual harassment (34 out of 189) (IRS, 2006). It is thought that the number of complaints which are registered with employment tribunals represent only a fraction of the sexual harassment experienced in the UK (EOC, 2005) but from these complaints it is possible to determine that women and men, across occupations and industries, are affected by it.

Estimates regarding the incidence of sexual harassment vary widely. The difference between existing surveys can, in part, be attributed to the different definitions of sexual harassment which have been used in the studies, the different groups of people that have been asked about their experiences, and the way in which the research has been carried out. Bajema (1999) reported on a number of UK national and branch studies:

- In 1993, a survey for the Industrial Society (which received 1700 responses) reported that 54 per cent of women and 9 per cent of men had been sexually harassed whilst at work, but only 5 per cent of individuals facing sexual harassment at work ever made a formal complaint against their harasser. In this, the respondents' own definitions of sexual harassment was used, and 27 forms of verbal, nonverbal and physical types of harassment were listed in the questionnaire.
- A 1989 study by Di Tomaso surveyed 360 workers in three companies: a heavy manufacturing company, a service company and public agency. Participants were asked if they had experienced sex discrimination in the job and responses differed widely between the three organisations: 30 per cent of women in the manufacturing firm said they had experienced it compared with 7 per cent in the public agency and 2 per cent in the service company.
- Also in 1993, a police survey with a response rate of 65 per cent found that nearly all the policewomen participating in the survey had experienced some form of sexual harassment from policemen, 3 out of 10 policewomen had been subjected to offensive insults or unwanted touching and 1 in 5 were pestered for unwanted dates.
- A 1999 survey of TUC women's conference delegates found that 27 per cent of women had experienced sexual harassment in the workplace (TUC, 1999).

Department of Trade and Industry (DTI)

A study conducted by the DTI in 2005 was Britain's first large scale survey examining unfair treatment, perceived discrimination, bullying and sexual harassment in the workplace (Grainger and Fitzner, 2006). The survey involved face-to-face interviews with 3,936 employees across Great Britain between November 2005 and January

2006. Amongst a number of other questions, survey respondents were given a definition of sexual harassment and then asked if they had ever experienced it at work, as follows:

Sexual harassment at work is any unwelcome sex or gender-related behaviour that creates a hostile working environment. In the last two years with your current employer have you experienced sexual harassment at work?

1. Yes - it was sexual in nature
2. Yes – it was because I am a woman/man

The survey found that:

- Few employees had experienced sexual harassment in the workplace in the last two years: less than one in every hundred (0.9 per cent).
- Women had a higher incidence of sexual harassment (1.1 per cent) than men (0.7 per cent). Three-fifths (59 per cent) of British employees who stated that they had been sexually harassed were women.
- Less than one fifth stated that the sexual harassment was still going on.
- Employees with a disability, or long-term illness were five times more likely to have experienced sexual harassment than employees without a disability.
- Men were more likely than women, and private sector employees more likely than those in the public sector, to report others being sexually harassed.

This survey raises some interesting issues about research methodology and question wording. Respondents in the study may have felt that the definition used did not adequately reflect their experience. For example, an employee may have had sexual remarks or comments directed at them, but feel that their experience did not fit the definition used in this study e.g. they could have felt that it did not create a generally hostile working environment. This could have led to a substantial underestimation of the scale of harassment in the UK workplace.

EOC

During 1998/9 the EOC (2000) surveyed people who had contacted the Commission on a range of issues, one of which was sexual harassment. It found that:

- 72 per cent of applicants claimed to have been harassed by managers or owners/managing directors.
- In 47 per cent of cases the alleged harasser was also said to be harassing others within the organisation.

- It was claimed that other people were being sexually harassed - not necessarily by that person - within 31 per cent of organisations.
- 95 per cent of respondents reported that they were harassed by men.
- In many cases, it was claimed that the harassment had been going on for several months, or even years, before the individual contacted the EOC.

Ministry of Defence

Rutherford et al. (2006) examined the nature and extent of sexual harassment experienced and observed in the armed forces; whether women felt free to complain and were confident in the complaints procedure; and the most effective measures to prevent such harassment. A questionnaire was sent to all service women (18,178) and 52 per cent responded (9,384). In addition, twenty-nine focus groups and nine one-to-one discussions were conducted to provide qualitative data.

The questionnaire did not ask women about sexual harassment in terms of whether they had been sexually harassed, or whether they even believed that they had. Instead, women were asked whether they had experienced specific behaviours which the authors termed 'sexualised behaviours'. Rutherford et al. (2006) recognised that women can often be reluctant to define their experience as sexual harassment, as previous research has shown (see Lee, 2001).

The survey found that:

- Sexualised behaviours, defined as jokes and stories, language and other material, were found to be widespread in all of the Services. Almost all (99 per cent) of the servicewoman who responded had been in situations where they experienced such behaviours in the previous twelve months (see Table 2.1 for a full breakdown of behaviours) and 52 per cent had been in a situation they found offensive.
- Two-thirds (67 per cent) of respondents had encountered sexual behaviours directed at them personally in the previous twelve months. These behaviours varied from making unwelcome comments, sending sexually explicit material and unwanted touching, through to sexual assaults.
- The more common the behaviours experienced, e.g. sexual comments, the less likely the survey respondents were to believe that they had experienced sexual harassment. This is important to recognise as different perceptions of sexual harassment will ultimately impact upon incidence rates.
- Over 15 per cent of respondents stated that they had had a "particularly upsetting" experience; one in eight had faced a sexual assault (13 per cent).

Table 2.1 Frequency of sexualized behaviours

	Consistently/All the time/Often/Sometimes	Once or twice	Never
Told sexual jokes and stories	88% 8233	10% 943	2% 186
Used sexually explicit language	79% 7442	14% 1334	6% 582
Displayed/used or distributed sexually explicit materials	41% 3829	25% 2388	33% 3142
Made gestures or used body language of a sexual nature	36% 3383	27% 2500	37% 3467

Source: Rutherford et al. (2006: 11) Base = 9,384, all survey respondents.

Note: Q8a-d 'How often over the past twelve months have you been in situations where male (or female) UK military personnel and/or civil servants around you have...'

International studies

The lack of consistency in reported figures is not only a problem in Britain. A number of national surveys in other countries found that between 40 and 90 per cent of women questioned had suffered some form of sexual harassment at work during their working lives. In 1999 the European Commission reported:

- A high incidence of sexual harassment had been identified in national surveys carried out in Austria, Germany and Luxembourg, and in branch studies in Austria, Germany, Norway and the UK. These studies found that exposure to sexual harassment can be between 70 per cent and 90 per cent.
- A medium incidence rate of 25 per cent to 60 per cent was identified in national Dutch, Finnish and UK studies as well as in most branch studies from these countries.
- Low incidence rates of 2 per cent to 25 per cent were identified in national and branch studies from Denmark, Sweden and the Netherlands as well as some studies from Finland.

A survey by the Australia Human Rights and Equal Opportunity Commission (HREOC, 2003) found that 28 per cent of adults (41 per cent female and 14 per cent male) had experienced sexual harassment. Two-thirds of these incidents were in the workplace, 22 per cent in the past year. While 86 per cent of complaints made involved a man sexually harassing a woman (of 152 complaints), the remaining 14 per cent included harassment of men and harassment by women. Women harassing men was a rare occurrence (three per cent or five complaints). Similarly:

- Same sex harassment was infrequent (one per cent for males, and two per cent for females).
- Seven per cent of complaints (10 complaints) involved men and women harassing women.
- One per cent of complaints (one complaint) involved a man and woman harassing a man.

Investigating sexual harassment

These studies illustrate the widely different approaches to investigating sexual harassment. On the whole, they suggest that sexual harassment is likely to be widespread but also that it is largely underreported. Consequently, it is difficult to gauge how big a problem it is in British workplaces. Gilbert et al. (1998) suggest that the true extent of sexual harassment is often hidden, *“disguised by the conspiracy of silence which shrouds the issues”*.

Evidence suggests that any survey investigating the problem needs to pay very close attention to the assumptions underlying the research and the way in which questions are phrased and asked. Generally, one question about sexual harassment will result in a lower incidence rate than a list of questions about actual behaviour. Similarly, the term 'sexual harassment' tends to be perceived as more severe types of sexual harassment, again affecting response rates.

The wide variation in sexual harassment incidence data highlights the importance of conducting more research in this area. Without knowing the true extent of the problem, it is difficult to determine whether sexual harassment policies and procedures are, in fact, effective. Dedicated studies of one sector or organisation are a good way forward, as the work with the armed forces testifies.

2.5 Summary

There are strong links between the concepts of sexual harassment and bullying, with sexual harassment sometimes seen as falling within the wider context of bullying. Both are explicitly linked to the power relations within an organisation. It is argued that sexual harassment represents an abuse of power where members of one group of people, generally women, may be systematically disempowered and at risk of abusive behaviour.

Sexual harassment, bullying and physical violence can all be seen in terms of 'organisational violation'. This is where the culture of an organisation makes it possible for individual employees to be treated abusively or with disrespect. Hierarchical and managerial power are central to understanding why such a workplace culture develops.

As the climate of disrespect within an organisation increases, the more likely it is that certain inappropriate behaviours are taken for granted, leading to the creation of an 'incivility spiral', where uncivil behaviour becomes routine and regarded as the norm. This will not only affect the person being harassed and the perpetrator of harassment, but other individuals within the organisation.

Sexual harassment takes many forms, from sexually explicit remarks and jokes, to harassment over the telephone and via email, to sexual assault. The key thing is that the behaviour is unwanted by the recipient.

Estimates regarding its incidence vary widely. This is largely due to the different question wording and definitions of sexual harassment used in surveys, the different sample populations approached and response rates achieved, and differing research methods used in the studies. For example, just one question about sexual harassment in a survey will generally result in a lower incidence rate than a list of questions about actual behaviour. Sexual harassment is more of a problem in some occupations or workplaces than others, so organisational studies can produce widely differing results.

3 CHARACTERISTIC FEATURES OF SEXUAL HARASSMENT

This chapter:

- identifies the characteristic features of organisations and workplace situations where sexual harassment has occurred;
- identifies the individual characteristics of those who are harassed and the harasser;
- broadens the identification of key risk groups, examining race and sexual orientation;
- identifies societal characteristics.

In order to understand sexual harassment and the various risk factors it is essential to understand its causes and how it occurs.

3.1 Characteristic features of organisations and workplace situations

Historically, research centred on sexual harassment has tended to focus on the person being harassed and the perpetrators' behaviour, including the psychological profile of a harasser (Jansma, 2000) and these characteristics are explored later in this chapter. However, a more holistic approach to sexual harassment needs to be taken. Although the majority of published research has paid little attention to the specific social contexts in which sexual harassment takes place (Arvery and Cavanaugh, 1995; Welsh, 1999) there is now increasing understanding that harassment will, and does, take various forms depending on different cultural and organisational contexts (Brant and Too, 1994; Dellinger and Williams, 2002; Gruber, 1998).

Organisational culture

The US Equal Employment Opportunity Commission (2003) states "*prevention is the best tool to eliminate sexual harassment in the workplace*", arguing that the best way to prevent it is by telling all employees that sexual harassment will not be tolerated and by introducing mechanisms which ensure that the organisation's culture supports this (Dougherty and Smythe, 2004). Whilst sexual harassment can be seen as an isolated incident, it can also be one which permeates the whole organisational culture.

Many have argued that an organisation's response to sexual harassment can have a negative or positive impact on the organisation as a whole (Clair, 1993). If individuals within an organisation believe that sexual harassment is not being tackled and that this form of behaviour is condoned and tolerated, it may lead to a culture of sexual harassment.

A useful theoretical insight into the relationship between organisational culture and sexual harassment is provided by Weick's theory (1995) of 'sensemaking'. This suggests that it is not shared meaning which helps us to understand organisational culture, but the shared experiences of a group of individuals:

...by telling and processing stories and experience, individuals create and sustain organisational cultures.

(Dougherty and Smythe, 2004: 295)

Dougherty and Smythe (2004) used a case study approach at a university, where three female members of staff had been sexually harassed by a former student who was now donating money to the institution. Exploring the 'sensemaking' process, they found that departmental members worked together to create a sense of community within the group and that by seeking a group version or story of the events, they were able to reach general agreement that sexual harassment would not be tolerated.

A small study by Handy (2006) investigated women's experiences of sexual harassment in three different organisations in the same New Zealand town: a local meat processing plant, a retail store and a local bank. Women employed by the bank and the retail store felt that their organisations were intolerant of workplace sexual harassment with clear policies and procedures in place for dealing with it. In contrast, women at the meat processing plant felt that they worked for an organisation where sexual harassment was tolerated and condoned by management. They believed that they did not have appropriate channels for filing a complaint, specifically because it appeared that tolerance of sexual harassment was something which stemmed from the unions and official regulatory bodies. (Interestingly, none of the organisations had a policy for dealing with sexual harassment by customers, which was deemed to be a problem by employees in the bank.)

Despite marked differences between the meat processing plant on the one hand and the retail store and bank on the other, it was clear that women in each organisation had a shared understanding of sexual harassment and what constituted such behaviour. These shared understandings were important as they helped female staff to establish informal guidelines which enabled them to interpret different forms of behaviour and to shape the organisation's culture.

Rutherford et al. (2006) provides an interesting insight into the culture in the Armed Services and how this culture may perpetuate the problem of sexual harassment.

- Firstly, there was the issue of 'emphasising women's differences'. In focus group discussions, physical differences between men and women were emphasised and women were often seen as unsuitable for this line of work. Women's emotional unsuitability was also referred to. There was a feeling that women who joined the army should adapt to the male environment.
- Secondly, respondents often 'sexualised women'; men continually reinforced their superiority through the sexual objectification of women.

A similar situation was found in the Royal Mail, where the workplace culture disadvantaged women through a process of segregation and exclusion (Jenkins et al., 1998). Between January 1999 and July 2002, 48 claims of sex discrimination against the business unit of Consignia (Royal Mail Group plc) were taken to employment tribunals. There were 140 internal formal complaints of sexual harassment made by female postal workers and the EOC received 22 complaints, many of which included an allegation that management had failed to investigate sexual harassment complaints promptly, fairly or at all. As a result, the EOC initiated a formal investigation into sexual harassment of women employees in the Royal Mail business unit, the mail sorting offices and postmen and postwomen in early 2003. (The investigation was suspended several months later on condition that Royal Mail tackled the problem via an action plan agreed by the two organisations.)

Staff may also be socialised into behaving in certain ways which, although discriminatory, are accepted within an organisation. A study of harassment in a British Fire Brigade highlighted that training processes are a powerful source of socialisation of behaviour (Archer, 1999). The culture of the Fire Brigade allowed little room for diversity, thus it was difficult to break the cycle of an autocratic leadership style and culture when every employee was subjected to the same training and socialisation process. Poor behaviour could be seen as the norm, ultimately leading to a culture which condoned and tolerated sexual harassment. This study illustrates how training which merely perpetuates an existing workplace culture which condones discriminatory behaviour, albeit covertly, will not have a positive impact on harassment or other forms of discrimination. (See Chapter 5 for a discussion of training as a means of combating sexual harassment.)

It is difficult for an organisation to establish a culture of respect and one where sexual harassment is not tolerated, if it does not proactively promote harassment policies. Taking a consultative approach to the establishment and implementation of policies is a positive step, as is ensuring that there is a common view of harassment so that all employees know what is, and is not, acceptable in the workplace. These need to be supported by effective actions where sexual harassment does occur, in order to maintain confidence in the policy.

Workplace situations

Sexual harassment has been shown to be more prevalent in certain social situations than others (Dekker and Barling, 1998; Pryor et al, 1995) and in organisations with certain characteristics. A framework for understanding the causes and precursors of sexual harassment and sexually harassing behaviour has been termed the Person X Situation Analysis. Pryor et al. (1993) suggest that a combination of personal and situational factors contribute to repeated sexually harassing behaviour, for example, that men who are likely to harass someone sexually usually only behave in that way when the circumstances and social norms actually permit that form of behaviour. Gutek (1985) suggests that sexual harassment is more likely to be apparent in highly sexualised settings and work environments; in organisations where all forms of sexual behaviours are common, then it will not be surprising to find that sexual harassment is more common too. If norms in the organisation are relatively permissive concerning sexual behaviour, sexual harassment is, in fact, more likely to occur (Pryor et al., 1995; Barongan and Hall, 1995; Haavio-Mannila et al., 1988).

Sexual harassment appears to be more prevalent:

- In jobs or occupations where there is an unequal sex ratio, especially in occupations which are male dominated (EC, 1999). However, Kohlman (2004) found sexual harassment to be more prevalent generally in occupations which were either predominately male or female dominated. Around half as much sexual harassment was reported by women in occupations which were dominated by women than other occupations. But men who were employed in positions that had a high percentage of female workers were more likely to experience sexual harassment. Therefore, the findings suggest that the gendered composition of the occupation is important in relation to the respondent's own gender.
- Where there are large power differentials between men and women. In other words, where men are in managerial roles and women predominantly in lower status positions (Veale and Gold, 1998).
- During periods of job insecurity. The cost of filing a complaint of sexual harassment may be too great for the person being harassed if they feel they are likely to lose their job (Björkqvist et al., 1994).
- When a new supervisor or manager has been appointed (HSA, 2001; UNISON, 1997). Studies suggest this can lead to an increased risk of victimisation following a complaint of sexual harassment.
- In certain industries. A study by Gilbert et al. (1998) of 32 companies in the hospitality industry found that the characteristics of the industry actually create a prime breeding ground for sexual harassment and perpetuate the problem, e.g. hotel employees can work long, irregular hours and these hours tend to

include night and evening work. The study also found that in 19 per cent of companies, employees had resigned because of harassment by customers. Furthermore, the service industry is largely populated by women, particularly at the lower echelons of the organisation.

Another key factor is the influence of leadership style. Two types of leadership style have been associated with harassment and bullying:

- An authoritarian style - an Irish study (O'Moore, 2000) found that a greater number of people who had experienced harassment or bullying worked in organisations which were managed in an authoritarian manner, compared with those who had not been harassed. This is further supported when looking at the work of Vartia (1996) who found that individuals who stated that they had never been bullied or witnessed bullying tended to work for organisations where disagreements were primarily solved by negotiation.
- A laissez faire leadership style (Einarsen et al., 1994) - a manager's failure to recognise or to intervene when bullying or harassment takes place may lead to employees believing that this behaviour is acceptable. This can then lead to sexual harassing behaviour being seen as the norm within the organisation (Di Martino et al., 2003).

3.2 Individual factors

Those who are harassed

Whilst research into physical violence has made considerable progress with regard to the identification of key risk groups, less agreement has emerged in other areas, such as bullying and sexual harassment (Hoel and Cooper, 2000; Hubert and Van Veldhoven, 2001). Sexual harassment is widespread and people who are harassed do not necessarily fit a particular 'type'. However, some patterns are emerging and research has shown that those who face harassment or physical violence tend to have certain characteristics which are related to for example: their age; marital status; personal appearance and behaviour; wearing a uniform; and personal attitudes and personality, for example, the capacity of the individual to handle difficult situations. Wearing a uniform can actually have an effect in two ways, either as a deterrent or as an antecedent (Chappell and Di Martino, 2000). In most cases uniforms will discourage violence, however there are situations when this may not be the case.

Studies of sexual harassment in EU countries (EC, 1999) have shown that those who are sexually harassed at work tend to be:

- female

- young (20-40 years)
- single or divorced
- with low levels of education
- on a short term contract – the individual may have fewer employment rights than other employees.

On this last point, there is some differing evidence. A study of sexual harassment cases which had been taken to employment tribunals reported that in the majority of cases, the individual making a complaint had been working for their present employer for less than one year, suggesting that staff with shorter tenure may be at particular risk (EOC, 2002). However, other research has shown that there appears to be a higher risk of bullying within the public sector than the private sector. To explain this some have argued that the idea of 'a job for life' leaves employees with less room for flexibility and mobility and, as a result, fewer leave an organisation after experiencing conflict (Zapf et al., 2003).

Younger employees appear to be particularly vulnerable to most forms of violence and harassment in the workplace (Di Martino et al., 2003; Mantel, 1994). The MOD survey (Rutherford et al., 2006) also found that younger women were more likely to have experienced unwelcome sexual behaviours; 77 per cent of women under 23 had experienced such behaviours compared to 44 per cent of women in their forties. Similarly, those in lower ranks were more likely to find themselves facing sexual harassment (75 per cent of other ranks) than more senior staff (44 per cent of Senior Officers) (Rutherford et al., 2006). Although this evidence suggests that certain employees may be more at risk than others, it also shows that they are not the only ones to suffer. Age and seniority are not necessarily a barrier to being sexually harassed, as the above illustrates.

Kohlman reported that "*women are not reporting sexual harassment based upon any one overriding factor integrally related to their gender*" (2004: 148):

- The prediction that women would be more likely to report being harassed than men, regardless of their race, class or occupation, was only partially supported by the data.
- Their age, education, race and marital status appeared to be more significant than their occupational position within the organisation.
- Women in lower level or in typically 'male' occupations were particularly likely to report sexual harassment.
- Conversely, men in higher status occupations or who were employed in positions which had a high percentage of female staff, were more likely than other men to report it.

- Women who were divorced or separated were 75 per cent more likely to report that they had been targeted for sexual harassment than married women.
- Divorced and separated men also reported more sexual harassment than married men.
- The hypothesis that ethnic minority groups would experience higher rates of sexual harassment received only some support in the findings. Black men reported more sexual harassment than white men, but this was not the case for ethnic minority women compared with white women.

Although it is overwhelmingly women who experience sexual harassment, it is not exclusive to women; men also experience such harassment. The DTI survey found that two-fifths of British employees who said they had been sexually harassed were men (Grainger and Fitzner, 2006). Furthermore, research cited by the European Commission (1999), although based on a very small sample, found that over half (51 per cent) of male healthcare workers reported being subject to sexual harassment.

Perpetrators of sexual harassment

The perpetrator of sexual harassment will often be in a position of power compared with the person they harass, who will be relatively powerless (Wilson and Thompson, 2001; Gruber and Morgan, 2005). The Ministry of Defence study (Rutherford et al., 2006) found that:

- Senior Rates/SNCO (38 per cent), Other ranks (33 per cent) and Leading Hands/Corporals (31 per cent) were the most likely to be perpetrators of the harassment. Thus, those in direct line of command were often those responsible for the harassment.
- Line managers were cited to be the perpetrators of sexual harassment by 21 per cent of survey respondents. This is particularly worrying as generally, the complaints process for those who have faced sexual harassment is to raise a complaint through the organisational hierarchy, starting with their line manager. Even if they go above their line manager there are questions about whether the complaint will be handled impartially.

A 1987 study of public centre employees found that managers were the most common harassers (45 per cent), followed by colleagues (18 per cent) while nearly a third reported harassment by members of the public e.g. patients, clients etc. A nationwide UK study commissioned by the Industrial Society in 1993 found that male colleagues were the most common harassers (65 per cent) followed by managers at least one level removed from the immediate supervisor of the person being harassed (30 per cent) (both surveys reported in EC, 1999). In a small study of complainants who contacted the EOC's advice service, 72 per cent claimed to have been harassed

by their manager or the owner/managing director of the company they worked for (EOC, 2000).

Many researchers have reservations about the profiling of personality characteristics (Di Martino et al., 2003), but most models of violence and harassment acknowledge that there are individual factors which may be of influence, for example, if individuals are competitive, hard-driving, or have low self monitoring (Anderson et al., 1996). Attempts to establish a profile of individuals who are likely to commit a violent act (Mantel, 1994) suggest that they are more likely to be young, male, with a history of violent behaviour and a troubled childhood. A study exploring the telling of sexually offensive jokes found that people who had low self-monitoring awareness i.e. did not take into account the effect of their behaviour on others, told more sexually offensive jokes than those who were moderate self-monitors (Mitchell et al., 2004). Men who have low levels of self-control have been found to be more likely to harass sexually than men with high levels of self-control (Done, 2005) while Perry (1983) found that sexual harassers often had reputations for exhibiting sexually exploitative behaviour.

Bullying has been associated with a variety of learned behaviours (Randall, 1997) and studies, such as that by Vartia (1996) have highlighted other personality characteristics, such as envy, jealousy, competitiveness, and lack of insight into their own behaviour. A German study of bullying found that 60 per cent of those being bullied endorsed the statement 'the bully was felt to be a competitor', and 40 per cent 'the bully was jealous of me' (Meschkutat et al., 2002).

According to Fiske and Glick (1995) there are two forms of sexism which may have an impact on someone's tendency to become a perpetrator of sexual harassment.

- Where men may sexually harass women because they have a genuine sexual interest or attraction to that woman which is unreciprocated, described as "benevolent sexism". Some men may misperceive friendliness on the part of women as a sign of sexiness or sexual availability and be more likely to tolerate, endorse and ultimately engage in sexual harassing behaviours.
- Where perpetrators believe that the person they are harassing threatens the heterosexual male power structure apparent within their organisation, described as "hostile sexism". There are men who may sexually harass women (and gay or effeminate men) because they are attempting to gain sexual access by coercion or to remove those women (and gay or effeminate men) from what they see as the male dominated work environment.

Begany and Milburn (2002) found that although 'benevolent sexism' did not lead to an increased likelihood of sexual harassment within an organisation, 'hostile sexism'

did. Evidence also suggests that men are more likely than other women to blame a woman for being sexually harassed. Sometimes, women blame themselves (Jensen and Gutek, 1982).

In-group/out-group

Individuals who belong to socially advantaged groups typically exhibit more implicit preference for their 'in-group' and more bias against members of any socially disadvantaged 'out-group' (Dasgupta, 2004). The degree of difference and distinctness between the groups is based on social and organisational norms and affects the way in which the groups are seen (Rosenthal and Crisp, 2006). It also provides the prerequisite for inter-group discrimination (Crandall and Stangor, 2005). Inter-group preferences and prejudices are influenced by two different psychological forces: people's tendency to prefer groups associated with themselves as a means of confirming their higher status (by increasing their self-esteem), and their preference for groups valued by the mainstream culture as a means of confirming their status within society. What this means in terms of sexual harassment is that the greater the distinction between men and women in an organisation, the greater the propensity for harassment to occur.

The path from implicit bias, in other words favouring one group over another, to discrimination is not inevitable. People's awareness of potential bias, recognition of their consciously held beliefs and of their ability to control the situation can determine whether or not the bias is translated into action (Dasgupta, 2004). One of the most effective means of reducing bias is to reduce the perceived differences between the groups by increasing perceptions of overlap in terms of inter-group characteristics. This is something which training may seek to address. In some cases, measures of prejudice have been found to decrease over time as organisational and societal awareness of the issues becomes greater, although it is unclear if this reflects any genuine reduction in prejudicial beliefs or a move to become more socially acceptable (Sassenberg and Weiber, 2005). Sometimes, members of a socially disadvantaged group may have a negative reaction towards their own group members and produce unintended consequences, which may be harmful to their own group and to themselves (Dasgupta, 2004). This can be seen in the Amnesty International survey where women were more critical than men of women who had been sexually assaulted (Amnesty International, 2005).

3.3 Race and sexual harassment

There appears to be a dearth of research exploring race and women's experiences of sexual harassment and the majority of that has been conducted in the USA, thus the discussion below is principally of American studies. Women can experience oppression in different ways (Collins, 1998; Hooks, 1989; Hurtado, 2003) and the

combined effect of both male and racial dominance, which ethnic minority women may face, may result in completely different experiences of sexual harassment than those of white women (Buchanan and Ormerod, 2002; DeFour, 1990).

It has been argued that sexual harassment should be defined differently for ethnic minority women. Murrell (1996: 57) states that:

Sexual harassment should be defined as a form of both sex discrimination and race discrimination because they are historically and experientially tied to one another.

In the USA, authors have emphasised slavery as having shaped, in some respects, black women's experiences of sexual harassment (Adams, 1997). Buchanan and Ormerod (2002) believe that the harassment experienced by African American women is unique both in its perception and its form and suggest that it should be termed racialised sexual harassment (Buchanan and Ormerod, 2002; Martin 1994). Mecca and Rubin (1999) found that *"for many African American women, the issue of sexual harassment seems inextricably intertwined with racism"* (1999: 877).

One of the first cases which established sexual harassment as a form of discrimination in Britain was brought by a black woman. The complaint alleged both racial and sexual discrimination⁵ illustrating that it is sometimes difficult to distinguish and disentangle sexual from racial harassment (Shelton and Chavous, 1999; Collins, 1990; Essed, 1992; Hooks, 1984). Indeed, a study of 35 Chicano women in America (Segura, 1992) found that the women did not report race and gender harassment as separate incidents.

Research has shown that there is a connection between racial and sexual dominance (Buchanan, 2005). Organisations tend to be run by white men who receive the greatest benefits because of the masculine and racial privileges inherent within the organisation. Status within the hierarchy may be maintained by harassment of those who are at lower levels and relatively powerless, and as ethnic minority women are often in low status positions, they are particularly vulnerable.

Theorists have suggested that ethnic minority women may be at a greater risk of experiencing sexual harassment than white women (Shelton and Chavous, 1999; Gruber and Bjorn, 1986; MacKinnon, 1979; Murrell, 1996) and there is some, albeit limited, research which supports this (Landrine and Klonoff, 1997; Mansfield et al., 1991). In a study of female managers in the UK, Davidson (1997) found that some

⁵ Vinson v. Taylor 1986 D.C. Cir. 753, F. 2d, 141, 36 FEP Cases.

ethnic minority women had been sexually harassed by men of the same ethnicity whereas others had been harassed by white men or men of a different ethnicity. Professional black women were more likely to experience gender and racial inequality within their organisation than professional white women (Higginbotham and Weber, 1999) while in a study with 37 African American women, Buchanan (2005) found that women believed their experiences were different to those of Caucasian women, particularly with regard to the fact they were often seen as the “*Jezebel*” (Buchanan, 2005: 306). In contrast, Wyatt and Rierdale (1995) concluded that more than half of the white women in their study reported sexual harassment, compared with just over one third of African American women.

It is not only ethnic minority women who may be at greater risk of sexual harassment. In an American study, Kohlman (2004) found that although Hispanic men were no more likely to report being targeted for sexual harassment than white men, black men were significantly more likely to report sexual harassment. As Kohlman suggests, race is a complicating factor which may in fact prevent some respondents from reporting sexual harassment. It is certainly an area where more research is needed.

3.4 Sexual harassment and sexual orientation

Whilst sexual harassment in the workplace has received considerable attention, harassment based on sexual orientation is still largely unresearched (Ishmael and Alemro, 1999). There is a paucity of empirical research examining the experiences of lesbians, gays and bisexuals at work but the data which are available seem to show that they are particularly vulnerable groups (Di Martino et al., 2003). Whereas older studies have tended to focus on sexual harassment where the person being harassed is a woman and the perpetrator of the harassment is a man (Fitzgerald et al., 1988; Gutek, 1985) more recent studies have started to examine other forms such as peer sexual harassment (Fineran and Bennett, 1999) and same sex harassment, although there is still very little research available (DuBois et al., 1998). These forms of harassment tend to go beyond the organisational power analysis previously discussed and may have different characteristics.

In one of the largest European studies on harassment of gays and lesbians, the British campaigning group, Stonewall (1993), found that:

- Over half (52 per cent) of lesbians and gays had been harassed at work because of their sexuality.
- The most commonly reported forms of harassment were:
 - o jokes or teasing (79 per cent)
 - o homophobic abuse (51 per cent)
 - o aggressive questions (41 per cent)

- o and threats (14 per cent).

A British study of 450 lesbian and gay trade union members confirmed the above findings, with 44 per cent of respondents stating that they had suffered discrimination at work which specifically related to their sexuality (TUC, 2000), while a recent study in Wales (TUC, 2007) found that a third of lesbian, gay and bisexual workers reported sexual harassment because of their sexual orientation. According to Stockdale (2005), 21 per cent of men who were sexually harassed were harassed by other men, compared with just 2 per cent of women who were sexually harassed by other women.⁶

DeSouza and Solberg (2004) examined women's and men's reactions to man-to-man sexual harassment. Women were significantly more inclined than men to believe that various forms of inappropriate behaviour perpetrated by men on other men could be considered as sexual harassment. A study by Goldberg and Zhang (2004) examined the effects of gender and self-esteem in responses to same sex sexual harassment and found that men were more likely than women to intend seeking some form of legal counsel, or to report formally and to confront the perpetrator. Clearly there are gender differences in perceptions of and actions towards same sex sexual harassment.

3.5 Sexual harassment and disability

Feminist writers have asserted that individuals with disabilities in general, and specifically women with disabilities, are at an increased risk of physical, sexual, and emotional abuse, humiliation and harassment (Waxman, 1991; Morris, 1993; Chenoweth, 1993; Howe, 2000). A review of the literature has highlighted that this remains an under researched area, despite the fact that it is clearly a problem which needs to be addressed. Grainger and Fitzner (2006) found that employees with a disability, or long-term illness were five times more likely to have experienced sexual harassment than employees without a disability.

3.6 Societal characteristics

There appears to be limited research examining how societal characteristics can affect the level of sexual harassment, although there have been studies examining the level of violence and societal factors. Examples of this are:

⁶ This problem has been addressed by Directive 2000/787/EC which established a general framework for equal treatment in employment and occupation, prohibiting any form of direct or indirect discrimination on the basis of sexual orientation. Any unwanted conduct having the effect of creating an intimidating, hostile, degrading, humiliating or offensive environment is now considered a form of discrimination (Di Martino et al, 2003). (See Chapter 6 for further information.)

- Countries with high levels of violent crime are more likely to have increased levels of violence in the workplace (Chappell and Di Martino, 2000).
- Where there has been dramatic economic change, the relationships between employees are ultimately affected (Sheehan, 1999).
- Rapid social change can be associated with increasing violence in the workplace (Di Martino, 2003).

Society's norms and values may also be a predictor of whether women will report violence, or indeed sexual harassment. Recent research on attitudes towards sexual assault in Britain illustrate how prevalent the 'sexist blame culture' is within this country, and how women are sometimes blamed for being the victim of a sexual assault (Amnesty, 2005). Studies also show that attitudes towards domestic violence differ dramatically around the world (WHO, 2002) with, for example, wife beating widely accepted in some societies. It is possible that in societies where domestic violence is largely tolerated, there may be a higher tolerance towards sexual harassment in the workplace.

3.7 Summary

Organisational culture is key to understanding how and why sexual harassment occurs in some organisations and not in others. If employees feel that it is not being tackled then they may believe that such behaviour is tolerated and even condoned, which in turn can lead to tolerance of sexual harassment within the organisation.

Sexual harassment is more prevalent in certain work situations, for example, in jobs where there is an unequal sex ratio; where there are large power differentials between women and men; during periods of job insecurity; or when a new supervisor or manager is appointed.

Two types of leadership style are associated with harassment and bullying: an authoritarian style where there is limited consultation with staff; and a laissez faire style where management fails to lead or intervene in workplace behaviour.

Those who face sexual harassment do not necessarily fit a particular 'type'. However, studies suggest that they are likely, though certainly not exclusively, to be female, young, single or divorced and with relatively low levels of education. Perpetrators of harassment are likely to be male, competitive, hard-driving and with low levels of self-monitoring behaviour. Typically, they will be in a position of power in relation to the person they are harassing, who will be relatively powerless.

People who belong to a socially advantaged group, the 'in-group', are likely to be biased against members of the socially disadvantaged 'out-group'. The greater the

distinction between the in- and out-group in the workplace in terms of their position and power, for example between men and women, the more likely it is that sexual harassment may occur.

There is limited research examining the relationship between sexual harassment and other individual characteristics:

- It is often difficult to disentangle racial and sexual harassment, and research suggests that ethnic minority women may be at greater risk of harassment than white women. They may experience male dominance from white and ethnic minority men and racial dominance from white women and men. It is also important to examine the experiences of ethnicity minority men.
- Available data on sexual orientation show that lesbians, gays and bisexuals are particularly vulnerable groups. Evidence suggests that same sex sexual harassment tends to go beyond issues of organisational power.
- Findings suggest that disabled employees are more likely to experience sexual harassment than employees without a disability.

Society's norms and characteristics may also influence how likely it is for sexual harassment to occur within the workplace, and for the person experiencing such behaviour to report it.

4 EXPERIENCES OF SEXUAL HARASSMENT

This chapter examines:

- perceptions of sexual harassment;
- the effects of sexual harassment on the individual and organisation;
- the coping strategies of those who experience sexual harassment.

4.1 Perceptions of sexual harassment

Despite the growing body of research examining sexual harassment and definitions discussed in Chapter 1 above, “*whether a person’s behaviour meets the standard for sexual harassment is highly subjective*” (Ware Balogh et al., 2003: 338). Research regarding the individual’s perceptions of sexual harassment suggests that:

- Gender plays a role. Generally, women are more inclined than men to label behaviours in the workplace as examples of sexual harassment (Konrad and Gutek, 1986, Riger, 1991; York et al, 1997) and to view a wider variety of behaviours as sexual harassment (Gutek, 1995; Kenig and Ryan, 1986), although not exclusively so (Icengole et al., 2002). Although a review of the evidence on gender differences in perceptions of harassment found that overall, women are more likely than men to perceive behaviours as sexually harassing, gender differences in perceptions were only small. This challenges the claim that there is a wide divergence between women’s and men’s perceptions (Blumenthal, 1998).
- The status or power of the perpetrator influences perceptions. In general, research finds that large power differences between the perpetrator and person being harassed increase the likelihood of the situation being viewed as harassment (Blumenthal, 1998; Bursik, 1992). Icengole et al. (2002) found that respondents were significantly less likely to identify the behaviours of colleagues, opposed to those of supervisory staff, as sexual harassment. It is possible that behaviour which may be tolerated by the peer group may be used to intimidate by someone at a higher level, or seen as a misuse of authority.
- Job type also affects perceptions of what constitutes sexual harassment (Icengole et al., 2002). A study in an American factory found that manual staff were less likely than non-manual staff to label certain behaviours as sexual harassment, and that there was a clear gap between different employees’ understanding. This was the case for both women and men. Recognising these differences would help to shape policies, procedures and training programmes which address the perceptions of employees.

- Different cultures and nationalities may impact upon perceptions. Limpaphayom et al. (2006) found that American students tended to perceive sexual harassment in situations where an individual's behaviour would have an impact on their employment prospects, for example, sexual coercion. But Thai students also viewed behaviours that created a hostile environment as sexual harassment, and considered that sexually explicit language and jokes were very offensive.
- Length of service also plays a role. Rutherford et al. (2006) found that the longer the survey respondents had been in the Armed Services the higher their perception that there was a problem of sexual harassment. This figure rose from 29 per cent for those with 2 years service or less, to 40 per cent with 3 to 6 years of service and up to nearly half (48 per cent) of those with 23 years or more service (Rutherford et al., 2006).

Considering that the majority of those who suffer sexual harassment are women, how do women themselves define sexual harassment? Lee's qualitative study (2001) of 50 women and men (29 women, 21 men) who had suffered, perpetrated, observed, or intervened against forms of workplace harassment suggests that using 'sexual harassment' as the only way to define and conceptualise unwanted male sexual attention may be unhelpful and that by doing so, alternative interpretations of women's experiences are not recognised or respected. Whilst women seemed reluctant to extend the meaning of sexual harassment to their own experience, this was not because they failed to understand what constituted sexual harassment. Rather, it was because women had defined certain acts in terms of seriousness and, therefore, did not define their own experience as serious enough, despite the fact that they clearly felt their experiences were important. It was evident that women often wanted to make some form of distinction between sexual harassment, sexism and working in a sexualised environment. Kelly et al. (1996: 86) suggest that new ways of naming the variety of sexually harassing experiences which women face, should now be found.

The informants in Lee's study chose not to label their experience as sexual harassment which is potentially very problematic for research which seeks to determine the scale and prevalence of the problem. For organisations to establish policies which both women and men can relate to, sexual harassment definitions need to reflect the specific behaviours which are experienced. Lee's work provides a basis for such debates by highlighting the importance of meaning and definition (2001: 37). The following emphasises this point:

Sexual harassment discourse must incorporate new terms, for example, "sexism"... a recognition of a range of terms for unwanted male sexual

conduct rather than just one term will enable more women to name and perhaps challenge unwelcome experiences.

Sexual harassment cannot be tackled if individuals are unclear what it is and what behaviours can be defined as sexual harassment. This can be addressed through training, awareness raising and discussion groups.

4.2 The effects of sexual harassment

On those who are harassed

Experiencing sexual harassment has been shown to affect peoples' psychological and physical well-being, as well as their employment situation (Earnshaw and Davidson, 1994; Dan et al., 1995; Dansky and Kilpatrick, 1997; Fitzgerald et al., 1997; Magley et al., 1999; O'Connell and Korabik, 2000; Schneider et al., 1997; Stedham and Mitchell, 1998). Harassment can lead to: illness; apparent lack of commitment; poor performance; absenteeism; and, in some cases, resignation (CIPD, 2005) while Sczesny and Stahlberg's study (2000) of call centres found that the experience of sexual harassment over the telephone had a negative impact on both job satisfaction and job performance.

A study by Dan et al. (1995), aimed at exploring female nurses' experiences of sexual harassment and the impact of those experiences in clinical settings, found that sexual harassment could have an impact in a variety of different ways. Nurses described feeling: annoyed, upset, shocked, threatened, uncomfortable, anxious, disgusted, tense, angry, embarrassed, isolated, resentful, intimidated, furious, frightened, guilty, worried, frustrated, nervous, and vulnerable. Other research has resulted in similar findings and identified additional feelings, in both women and men, of: humiliation; self-blame; loss of self-confidence and decreased self-esteem; reduction in the ability to perform in the job; decreased job satisfaction; decreased morale; damage to interpersonal relations at work; and various economic losses (Fitzgerald, 1993; Frazier and Cohen, 1992; Landrine and Klonoff, 1997; Livingston, 1982; Stanko, 1988; Gruber and Bjorn, 1986; Gutek, 1985).

Self-reported physical symptoms of sexual harassment have also been reported and include: gastrointestinal disturbances, headaches, inability to sleep, nausea, loss of appetite, and weight loss (Gutek, 1985). Furthermore, studies have shown that it can be linked to serious mental health problems such as depression (Gutek, 1985) and posttraumatic stress disorder (Kilpatrick, 1992).

A study of self perceived health and mental health among women flight attendants examined recent experiences of sexual harassment (Ballard et al., 2006). It found that they perceived their health as only 'fair' or 'poor' and reported psychological

distress more frequently than former flight attendants. Sexual harassment by passengers particularly affected their health and was related to low job satisfaction.

The organisation

A survey in 2002 (EOR, 2002) found that 17 per cent of employers viewed sexual harassment as a “*major problem*”, almost 7 in 10 employers considered it to be a “*fairly important problem for employers*”, while just 2 per cent did not see it as a problem at all.

Sexual harassment can affect an organisation as well as the individuals involved. It can damage business performance, damage the company's public image through adverse publicity, and cost money through potential personal injury claims (EOC, 2005). The latest compensation awards report (EOR, 2006) shows that at employment tribunal, 34 sex discrimination awards were made due to harassment in 2005. The average amount awarded for injury to feelings was £6,074 (with a median of £5,000) and total awards averaged £7,380 (with a median of £6,771). Awards were made not only against the employer but against individuals who carried out the sexual harassment.⁷ Furthermore, injury to feelings awards were higher in harassment cases than in other sex discrimination cases. Although fewer in number (21 in total), the average harassment award in race discrimination cases was considerably higher at £13,299 (with a median of £8,341).

The negative physical and psychological effects of sexual harassment may have a detrimental effect on the organisational culture (Glomb et al., 1997) by creating a stressful environment for all employees. Studies have shown that when women are disrespected in an organisation, this will ultimately have an impact on all employees (Miner-Rubino and Cortina, 2004). Employees who witness sexual harassment may conclude that the organisation does not care about the workforce, ultimately leading to negative assumptions regarding organisational norms and behaviours, specifically relating to fairness and justice (Lamertz, 2002; Tyler, 1998). The result can be a loss of confidence in management, a loss of loyalty to the organisation, lower productivity and increased sickness absence. This ‘incivility spiral’, whereby observed incivility can lead to unpleasant behaviour becoming routine and normalised within a workplace, was noted earlier in Chapter 2 (Andersson and Pearson, 1999).

As the frequency of sexual harassment increases within an organisation, it is increasingly likely to be recognised as an unwelcome form of behaviour but one that is likely to recur. A study by Barling et al. (1996) which examined the organisational and personal consequences of workplace sexual harassment confirmed that

⁷ See *X v (1) Coral Racing (2) My Y* (25 November 2005: case no. 2301932/05); *Eastwood v (1) JCT600 Ltd. (2) Mr A. N. Knight* (4 March 2005; case no. 2801089/04)

frequency of sexual harassment has a direct impact on negative attitudes towards work and professional relationships between colleagues and superiors. The investigation of any complaints, for example, not only carries a financial cost, but can lead to serious divisions between staff (Gregory, 2002). In turn, these workplace difficulties can increase the level of psychosomatic problems among staff, such as headaches, sleep and gastric problems. Furthermore, the frequency of sexual harassment was found to be a positive predictor of the turnover intentions for the female respondents (Barling et al., 1996). In other words, the higher the incidence of sexual harassment within an organisation, the higher the turnover of female employees. However, it did not appear to impact on the turnover rate for male employees, no doubt because those who faced harassment were primarily women. Thus, women's experiences of and reactions to sexual harassment differed significantly to those of their male counterparts.

These findings illustrate the detrimental impact that sexual harassment can have and the importance of treating it as a health and safety issue for all organisations. Health and safety regulations provide a practical framework for assessing risks and taking action to address those identified.

4.3 Coping strategies used

Individuals use a number of different coping strategies to deal with sexual harassment. 'The Typology of Target Responses to Sexual Harassment' by Knapp et al. (1997) illustrates various responses to sexual harassment following a thorough analysis of the existing literature. This combines a number of Gruber's (1989) categorisations based on the view that responses will vary in respect of two elements: focus and mode or type of response, to formulate a two-by-two typology of responses, illustrated by the four quadrants in Figure 4.1.

Responses to sexual harassment may be either self-focused or initiator-focused (vertical axis). Self-focused responses do not involve the perpetrator of the harassment, whilst initiator-focused coping responses address the perpetrator directly. The type or mode of response (horizontal axis) varies from self response, where the person facing sexual harassment uses no outside resources to deal with it, to supported response, where they use other individuals, organisational resources and/or extra organisational resources. According to their analysis:

- Quadrant 1 represents the least effective method of dealing with sexual harassment.
- Quadrant 2 responses are also generally ineffective, although they may, in time, encourage the individual to take more effective action.

- Quadrants 3 and 4 represent responses which have been shown to be the most effective.

Figure 4.1 Typology of target responses to sexual harassment

Mode of response		
	Self-response	Supported response
Self-focus	<p>Quadrant 1</p> <p>Avoidance/denial Most frequently used, yet least effective for ending harassment:</p> <ul style="list-style-type: none"> • Avoiding the harasser. • Altering the job situation by transferring/quitting. • Ignoring the behaviour. • Going along with the behaviour. • Treating the behaviour as a joke. • Self-blame. 	<p>Quadrant 2</p> <p>Social coping Not effective for ending harassment, but may assist target in coping with negative consequences resulting from harassment:</p> <ul style="list-style-type: none"> • Bringing along a friend when harasser will be present. • Discussing situation with sympathetic others. • Medical and/or emotional counselling.
Initiator-focus	<p>Quadrant 3</p> <p>Confrontation/negotiation Not frequently used, but very effective for ending harassment:</p> <ul style="list-style-type: none"> • Asking or telling harasser to stop. • Threatening the harasser. • Disciplining the harasser (if in a position to do so). 	<p>Quadrant 4</p> <p>Advocacy seeking Not frequently used but very effective for ending harassment:</p> <ul style="list-style-type: none"> • Reporting the behaviour to a supervisor, other internal official body or outside agency. • Asking another person (e.g. friend) to intervene. • Seeking legal remedies through the court system.

Source: Knapp, Faley, Ekeberg and Durbois (1997)

An American study by Sigal et al. (2003) supported this typology. By investigating students' reactions to sexual harassment scenarios, it was found that active coping strategies were seen to be the most effective method of dealing with sexual harassment. Furthermore, the characters in the scenarios were not viewed negatively in either a workplace or academic setting when they used such responses. An

understanding of these issues may help encourage people who experience sexual harassment to seek advice and file complaints.

In contrast, Mann and Guadagno's research (1999) found that when an individual reported sexually harassing behaviour in an academic setting, they were then perceived as 'less feminine and likeable' and 'less trustworthy', than someone who did not report it. This illustrates the difficulties women may face when they attempt to make a complaint if the organisational climate is unsupportive of them. Similarly Stockdale (1998: 531) found that women who used confrontational strategies were more likely than women who used passive coping strategies to have:

experienced worsening perceptions of their jobs and the people they worked with, took more leave of absence, and were more likely to experience a job change, such as quitting or transferring from their job, than were others.

In many cases women do not have a particular coping strategy. However, a study by Sczesny and Stahlberg (2000) examining sexual harassment over the telephone in call centres found that the majority of women simply hung-up on the harasser and, in some cases, actually confronted the harassers and issued threats. They also used positive self-instruction (e.g. I told myself that I would get through this), and discussed the experience with others.

A full understanding of the relative success of different coping mechanisms will help organisations to ensure that people who have experienced sexual harassment are supported and encouraged to use effective strategies. However, it is crucial that organisational strategies are in place to prevent or, at least, reduce the need for individual action. As Sigal et al. (2003) conclude, organisations should strive to create a climate which is hostile to any form of sexual harassment but sympathetic and supportive to those who face it.

4.4 Summary

Studies have found that individuals have different perceptions of sexual harassment. For example, women are more likely than men to label certain behaviours as sexual harassment, similarly non-manual staff compared with manual staff. Behaviour is more likely to be seen as harassment when there is a large power difference between the perpetrator and person they are harassing.

Women are sometimes reluctant to label their own experiences as sexual harassment. This is because they define such acts in terms of seriousness, and do not think their own experiences are serious enough. This is potentially problematic for research which seeks to clarify the prevalence of the problem.

Sexual harassment can have a negative effect both in the short and long term on those who experience it. They may experience illness, humiliation, anger, loss of self confidence and psychological damage. It may also lead to workplace problems such as decreased performance and job satisfaction, absenteeism and, in some cases, resignation.

Observing sexual harassment can also have a detrimental impact on other employees and lead to negative feelings towards work plus psychosomatic problems. If employees believe that sexual harassment is not being tackled in the organisation this may lead to decreased job satisfaction and poorer physical health. The investigation of complaints frequently causes serious divisions between staff.

Organisations may suffer the damaging consequences of sexual harassment through low morale, lost productivity, damage to reputation and to business performance. There are also the costs of investigating complaints and of any compensation awarded to those who take a complaint to tribunal. In addition, it can have an impact on employee turnover, particularly that of female employees.

Evidence suggests that the most effective methods of dealing with sexual harassment are confronting and negotiating with the harasser (for example, asking them to stop, threatening or disciplining them), or by advocacy seeking (that is reporting the behaviour, asking another person to intervene, or seeking legal remedy). The least effective methods of dealing with sexual harassment, although the most commonly used, are thought to be avoidance or denial.

5 PREVENTION AND INTERVENTION

This chapter:

- examines preventative, response-led and follow-up interventions which can be implemented by organisations;
- provides examples of 'best practice' policies and procedures on prevention and intervention of sexual harassment in the workplace.

5.1 Levels of intervention

There are three levels of intervention that an organisation can employ to prevent and deal with sexual harassment.

- Prevention (also known as the primary intervention stage) refers to activities which can be implemented to prevent sexual harassment from occurring. These may include having effective policies and procedures, training programmes and awareness raising campaigns, monitoring, running organisational health checks and identifying potential risk factors.
- Responses to sexual harassment (the secondary intervention stage) are the ways in which organisations deal with sexual harassment once it has occurred, such as ensuring that an effective complaints procedure is in place.
- Follow-up (or the tertiary intervention stage) refers to procedures which deal with the aftermath of sexual harassment, for example, ensuring that effective rehabilitation to the workplace, is provided.

5.2 Prevention

Preventive measures aim to address the root cause of the problem, thus preventing it from developing (Quick, 1999), however:

Empirical research documenting the efficacy of sexual harassment policies preventing or reducing sexual harassment is scarce.
(Bell et al., 2002: 161).

Checking the culture

An organisation and its employees exhibit certain characteristics which have the potential to merge together to create an unhealthy organisation, whereby sexual harassment becomes embedded in the culture. Bell et al. (2002: 162) advocate the importance of a strong culture which is intolerant of this form of behaviour, and state that there are a variety of preventive actions which can be taken. They suggest an analogy with cardiovascular disease: this has multiple precursors which develop gradually over time through a variety of stages. An organisation may similarly exhibit risk factors or precursors, for example, unequal gender ratios and high power

differentials between male and female employees. Without the adoption of preventive measures, such risk factors could lead to low-level harassment, such as inappropriate jokes or touching. If no preventive measures have been implemented, the harassment may escalate to sexual coercion, rape or assault, which Bell et al. (2002: 16) define as the “*advanced stages of sexual harassment*”.

Some organisations conduct their own health checks on their internal culture, for example, by analysing information from exit interviews, conducting a staff satisfaction or a health and safety survey, monitoring sexual harassment policies, complaints and outcomes. Rates of monitoring differ noticeably between organisations, as an EOR study (2002) illustrates:

- The majority (77 per cent) of organisations had some form of monitoring procedure in place.
- There was substantial variation between public and private organisations, with almost all (92 per cent) public sector organisations having a monitoring procedure, compared with just over half (54 per cent) of the private sector organisations.
- 72 per cent of organisations monitored the number of complaints made (52 per cent of private sector compared with 85 per cent of public sector).
- The outcomes of complaints were recorded by 75 per cent of public sector employers and 43 per cent of private sector employers.

Developing and implementing sexual harassment policies

Thomas (2004) advocates the importance of designing and developing a strong sexual harassment policy to:

- Provide all employees with a clear statement of the types of conduct and behaviour which may constitute harassment.
- Make it clear that harassment is not tolerated within the organisation.

Thomas’ (2004) study of UK universities found that the initial impact of introducing a harassment policy appeared to have been fairly limited. There were two distinct routes to developing a policy, a ‘consultative’ approach and a ‘top down’ approach. Many of the universities which had taken a consultative approach to policy formulation discussed the various definitions of sexual harassment in the introduction to their policies and Thomas advocates this approach, on the grounds that it immediately raises the issue of ‘grey areas’ which may lead people to feel more comfortable in seeking advice and assistance.

Conversely, universities which had taken a 'top down' approach seemed to reflect a different vision of the policy and its subsequent aims. Rather than the policy emphasising a proactive and preventive programme of education, the approach tended to look at more reactive strategies, dealing with harassment when it actually occurred. A further by-product of the difference in approach was that universities which had adopted a more consultative approach and ensured that there was an informal network of advisers available for employees, had higher reporting rates. Indeed, they were nearly twice as likely as those without a network to have five or more cases of sexual harassment reported over a period of one year.

The study demonstrates that the development, as well as the implementation of the policy, will determine how effective it is. It also raises the issue of incidence rates. At first sight an organisation which has a higher level of reported complaints of sexual harassment may be considered an unhealthy organisation with ineffective policies. However, given the extent of under-reporting generally, what it may show is that such an organisation is effective in dealing with harassment and in empowering and enabling individuals to report complaints of sexual harassment, rather than the problem remaining hidden within the organisation.

Thus Thomas (2004) and Bell et al. (2002) advocate taking a consultative approach when designing and implementing sexual harassment policies and procedures (see Figure 5.2). Wilson and Thompson (2001) concur with this, emphasising the importance of involving multiple stakeholders, for example, employee groups and trade unions. They assert that trying to change the situation is not simply about relying on anti-discrimination law; it requires "*assault upon established practices and privileges already in place in organisations*" (Wilson and Thompson, 2001: 76).

A similar perspective is taken by Deadrick et al. (1996) who advocate a bottom-up approach which focuses on 'unfreezing' the established beliefs, behaviour and norms within an organisation. A bottom-up approach is one where staff and staff representatives are fully involved with management in developing and owning relevant policies and programmes. It is important to develop a culture of respect within an organisation, and for that mutual respect and intolerance of harassment to be viewed by employees as a choice made by them to improve their working environment (Deadrick et al., 1996: 68). The change process can be based on a three step model:

- problem recognition;
- employee learning and development;
- evaluation of change effectiveness.

Purpose of sexual harassment policies

A formal sexual harassment policy can set behavioural guidelines which should deter potential harassers, and encourage those who experience sexual harassment to report it (Gruber and Smith, 1995). A strong zero tolerance perspective towards sexual harassment is an important factor and it is essential that this is communicated to, and understood by, all employees. Some employees may not welcome a zero tolerance approach, for example, Rutherford et al. (2006: 44) found that respondents in the Armed Services feared that *"too draconian an approach would lead to political correctness and people treading too carefully"*. Respondents were also concerned that a strict zero tolerance approach might lead to increased numbers of formal complaints although, as seen earlier in this report, this is not necessarily negative as it may indicate that individuals are both more aware of sexual harassment and more confident to take action against it.

A good policy will fully cover the rights and dignity of the individual and set out clear guidelines for what is and is not acceptable behaviour, and the relevant procedures. With a strong policy in place, someone who faces harassment will feel more empowered to challenge behaviour that they feel is offensive knowing they have the support of their organisation. Fielden, in a study of Citizen Advice Bureaux, (1996) argued that there needs to be a practice of openness and communication to empower staff (or in this case volunteers) to challenge sexual harassment in the knowledge that that they will receive organisational support if they file a complaint against a harasser.

Training

Byers and Rue (1991: 206) state, *"training must be directed toward the accomplishment of some organisational goal"*, in other words, organisations must develop a clear policy statement relating to sexual harassment as a first step, before training takes place. Training is an effective method to employ at the primary intervention stage and it should meet two main objectives: to raise staff awareness and clarify any misconceptions regarding what constitutes sexual harassment; and to inform managers of their roles and responsibilities when attempting to provide a harassment-free working environment for all employees (Laabs, 1995; York et al., 1997). It should also help to equip individuals and managers with the necessary skills to deal with sexual harassment if it occurs.

A number of different techniques have been utilised in training. The use of role theory was examined by Licata and Popovich (1987) as a framework for understanding sexual harassment problems and using role negotiation techniques as a way of resolving work conflicts. Role theory asserts that human behaviour is guided and shaped by expectations which are held by the individual and by others. These

expectations will correspond to varying roles, such as mother, friend, and supervisor. Individuals generally have numerous roles which they perform throughout their lives. The roles consist of a set of rules or norms which function as a plan to guide the individual's behaviour (see Biddle, 1986). Licata and Popovich (1987) describe role negotiation as a technique which requires each group member to examine and state their own roles as well as the role expectations of other individuals in the group. They go on to assert that when role negotiation techniques are used as part of a sexual harassment training programme, they:

can open the channels of communication and provide participants with an opportunity to state their expectations of their supervisors and co-workers.

Whilst their work was conducted nearly two decades ago, its relevance can be seen particularly clearly in their training model of sexual harassment prevention (see Figure 5.1). The model includes many elements which are currently used in sexual harassment training programmes, and emphasises the importance of negotiation and evaluation, areas that are often overlooked in the design of training programmes and models.

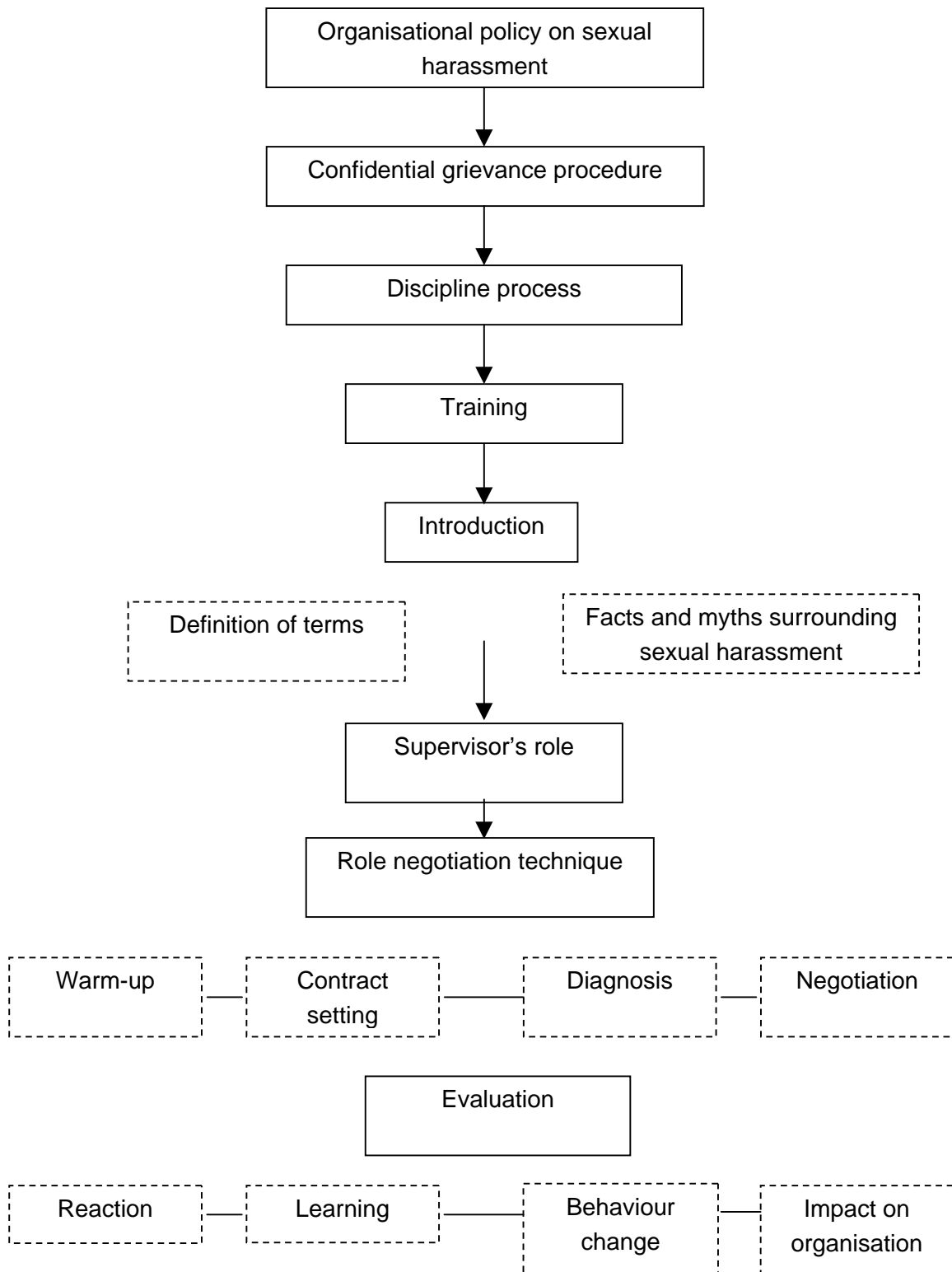
Case studies can also be reviewed and discussed within groups. Takeyama and Kleiner (1998) suggest that such case studies may then be used to conduct role-playing where participants are able to practice their interpersonal skills in a variety of challenging situations. Another method of learning is called 'modelling' experiences, where individuals learn through observation rather than from direct experience. This is particularly pertinent where, as with sexual harassment, the aim is that employees should learn to avoid it, rather than be subject to disciplinary action following an incident.

The effectiveness of training

Although there appears to be a wealth of descriptive literature discussing sexual harassment training interventions, much of which originates from higher education institutions in the United States (Howard, 1991; Simon and Forrest, 1983), there is limited research evaluating their outcomes. Fitzgerald and Shullman (1993) assert that this lack of information may have arisen for several reasons:

- The practical requirement to address sexual harassment has been seen as the critical issue, therefore needs analysis and development of assessment criteria has taken a back seat.
- It is not always clear what the outcomes of a training programme should be, nor how they can be measured.

Figure 5.1 Training models for preventing sexual harassment



Source: Licata and Popovich (1987: 36)

- There does not appear to be a consensus regarding what the intervention programme should be targeting, for example a change in behaviour, increase in knowledge, and/or modifying attitudes and values.
- Because sexual harassment can be explained using organisational and gender models it is an issue which should be addressed by the organisation and the culture of that organisation, rather than simply increasing and improving an individual's skills.

Some of the few studies to examine effectiveness are mentioned below. Newman et al. (2003) found that, on average, men and older workers were more likely to perceive training as effective, compared with women and younger workers. There also appeared to be a tendency for individuals with higher levels of education at relatively higher grades and for those who were divorced, to perceive the training as less effective.

Older studies suggest that educational workshops are an effective method of training. Barak et al. (1994) found that they had both primary and secondary effect; for example, the knowledge of its existence, the sharing of experiences by participants at work following the completion of the workshop and the participant's behaviour as a model, which other women workers could use, all had a positive effect on sexual harassment in the organisations. A small study by Beauvais (1986) found that training can be used to increase awareness and sensitivity and that it appears to be particularly effective for changing men's attitudes.

Rutherford et al. (2006) examined measures to prevent and deal with sexual harassment in the armed services and found that 45 per cent of respondents felt that their service tried to prevent sexual harassment, to a large extent, despite the fact that sexualised behaviours were seen to be widespread. Effective training for line managers was strongly supported as they were seen as the key both in preventing and dealing with sexual harassment. Advice and help outside the chain of command were also considered to be important.

A study by Antecol and Cobb-Clark (2003) explored the relationship between training and employees' views about what constituted sexual harassment in the US government. It found that:

- More than 3 in 4 employees reported that they had attended some form of sexual harassment training at some time during the previous twelve months.
- The majority of respondents stated that the training had increased their sensitivity regarding the issues, or that they were more aware of the feelings of other individuals in the workplace.

- 55 per cent of women and 63 per cent of men stated that the training had helped to reduce the amount of sexual harassment experienced in the organisation to a great or moderate extent.
- Women were significantly more likely than men to consider that unwanted sexual behaviours could be constituted as sexual harassment.
- Furthermore, women and men were more likely to consider that unwanted sexual behaviour was sexual harassment if it was initiated by a supervisor rather than a co-worker.

Although evidence suggests that training can be effective, its quality and the underlying culture of the organisation are both crucial. If the training provided does not aim to address sexual harassment in an appropriate way, then it may do more harm than good. The study of harassment in a British Fire Brigade (Archer, 1999) discussed in Chapter 3 above highlights this. If everyone receives the same socialisation and training programmes in an essentially autocratic organisation without sufficient effort to reform the culture, then it is possible for negative behaviours to be perpetuated and accepted as the norm.

5.3 Responding to sexual harassment

Complaints procedure

The decision whether or not to report sexual harassment can be a complex and difficult one for an individual. Not all organisations have a clear sexual harassment policy or procedure for handling complaints, and even those that do may not have been made widely known to employees. Confusion over whether or not experienced behaviours actually are sexual harassment can also be an obstacle to reporting, likewise, if they are considered to be 'serious' enough. Furthermore, if the organisation's complaints procedures are not clearly set out and complaints dealt with sensitively and swiftly, this may lead to further problems; anyone making a complaint may also fear an unfavourable outcome because they reported it.

An EOR survey of 112 organisations in 2002, the majority of whom had a policy which covered all forms of harassment, examined how sexual harassment policies worked in practice. The survey found that:

- In the event of being sexually harassed, 70 per cent expected an employee to approach their line manager in the first instance.
- Supervisors and managers in almost two-thirds (63 per cent) of organisations were trained with regard to sexual harassment and the operation and implementation of company policy.
- 37 per cent of respondents provided sexual harassment training for *all* staff.

- The majority of organisations had both an informal and formal route for dealing with harassment.
- 90 per cent of organisations reported that their procedure detailed that confidentiality would be maintained wherever possible; however, this was not always explicitly stated in the organisation's policy. By not stating that assurance explicitly, an individual may be deterred from filing a complaint.
- Although virtually all organisations (92 per cent) stated that employees who brought a sexual harassment complaint would be protected against victimisation; this was not always stated in the organisation's policy.

The effectiveness of complaints procedures

In order for a complaints procedure to be effective it must be clear and well-communicated, staff must have confidence that their complaints will be taken seriously and treated confidentially. Staff must also feel reassured that they will not be victimised as a result of taking a complaint and that some action to address the problem within a reasonably short time will result from the complaint.

Examining the complaints procedure in the Ministry of Defence, Rutherford et al. (2006) found that:

- Only 5 per cent of survey respondents who had suffered a 'particularly upsetting' experience actually made a formal written complaint. These respondents were three times more likely to make a formal complaint if the behaviour involved sexual assault than for other forms of sexual harassment.
- 8 per cent of the respondents who had a 'particularly upsetting' experience did not know how to make a complaint.
- Reasons for not filing a complaint were similar to why respondents were not willing to tell anyone about their experience, i.e. wanting to handle the situation themselves (67 per cent); fear of being labelled a troublemaker (39 per cent); feeling that nothing would be done about it (39 per cent); fear of the complaint having a negative impact on their career (35 per cent); or feeling they would not be believed (19 per cent).
- Nearly half of the respondents who had made a formal complaint were dissatisfied with the length of time it took to resolve the issue.
- 46 per cent were dissatisfied with the way they were kept informed about the procedure and 42 per cent were dissatisfied with the way the outcome was explained.
- Over half of the respondents who had made a formal complaint stated that there had been negative consequences as a result of filing a complaint, with 64 per cent considering leaving the Services (Rutherford et al., 2006).

Indeed, over 90 per cent of applicants in the EOC survey (2000) were either *"not very satisfied"* or *"not at all satisfied"* with the way in which their complaint was handled in the workplace. Some felt that they were made out to be the one at fault: *"My harasser was treated with sympathy while I was ostracized and yelled at"*, or were told not to take the harassment seriously. And as noted earlier, many of the complaints that were made to the EOC about Royal Mail included an allegation that management had failed to investigate sexual harassment complaints promptly, fairly or at all.

Those whose complaint has not been satisfactorily dealt with in the workplace may seek to bring a claim of sex discrimination in the Employment Tribunal. A study by Earnshaw and Davidson (1994) of those who had brought legal proceedings on the grounds of sexual harassment via the Industrial Tribunal (now the Employment Tribunal) under the Sex Discrimination Act examined their experiences before, during and subsequent to the tribunal hearing. The study found that:

- Only one third of those who had taken a complaint stated that there was an individual in the organisation to whom they felt able to report the sexual harassment, and one in ten did not confide in anyone.
- There was a disturbing lack of knowledge as to where to turn for advice and assistance following sexual harassment.

5.4 Follow-up

Following an investigation into a complaint of sexual harassment in the workplace, further action may also be necessary although there is a lack of research which examines follow-up procedures or which shows that effective implementation is vital to the success of an anti-harassment policy (Bagihole and Woodward, 1995). There are two main issues to consider at this stage: rehabilitation of those involved in the investigation and how to prevent a backlash. The complainant is the main focus and rehabilitative procedures should be implemented in order to ensure that their working life is returned to normal as quickly as possible, if necessary, offering psychological support or counselling as needed (Di Martino et al., 2003). Others will also need to be reintegrated, including the alleged harasser and any witnesses, colleagues and peers who may have had to deal with uncertainty and disruption. Procedures must be in place to prevent victimisation or a backlash against the complainant and any others involved, and it is advisable for the organisation's preventative measures to be revisited to determine whether they need amending.

5.5 Examples of guidance and good practice

The EOC (2005, 2006) has recently published two guides for employers on sexual harassment, 'Dealing with sexual harassment',⁸ and 'Sexual harassment: managers' questions answered'.⁹ The first documents a number of ways in which sexual harassment may be prevented, by:

- Developing a clear policy for preventing and tackling sexual harassment.
- Making sure everyone is aware of and understands the policy.
- Treating sexual harassment as a health and safety issue.
- Leading by example, make managers and supervisors responsible.
- Monitoring policy implementation.
- Adopting a complaints and investigations procedure for dealing informally and formally with sexual harassment.
- Adopting a disciplinary and appeals procedure that conforms to ACAS guidelines.
- Being aware of how the law applies to sexual harassment and employer liability.

The second document also provides detailed guidance on how to prevent harassment from occurring in the first instance and how to minimise the problems if it does occur. The guide covers a range of issues including:

- Basic responsibility of the organisation in preventing harassment.
- Dealing with sexual harassment complaints.
- Steps to follow for an informal and formal procedure.
- Common problems arising during the procedures.

It also acknowledges that even the most experienced managers are likely to face difficulties when dealing with complaints, partly because of their infrequency.

In 2005, the NHS in Scotland produced a document entitled 'Dignity at Work: Eliminating Bullying and Harassment in the Workplace' after a range of evidence showed that bullying and harassment in the NHS was a problem. It offers guidelines and best practice principles, and provides checklists which organisations can use when designing, implementing and evaluating their bullying and harassment policies and procedures. These cover a number of important issues, for example:

⁸ Available from www.eoc.org.uk/Default.aspx?page=15398

⁹ Available from www.eoc.org.uk/pdf/sexual_harassment_managers_questions.pdf

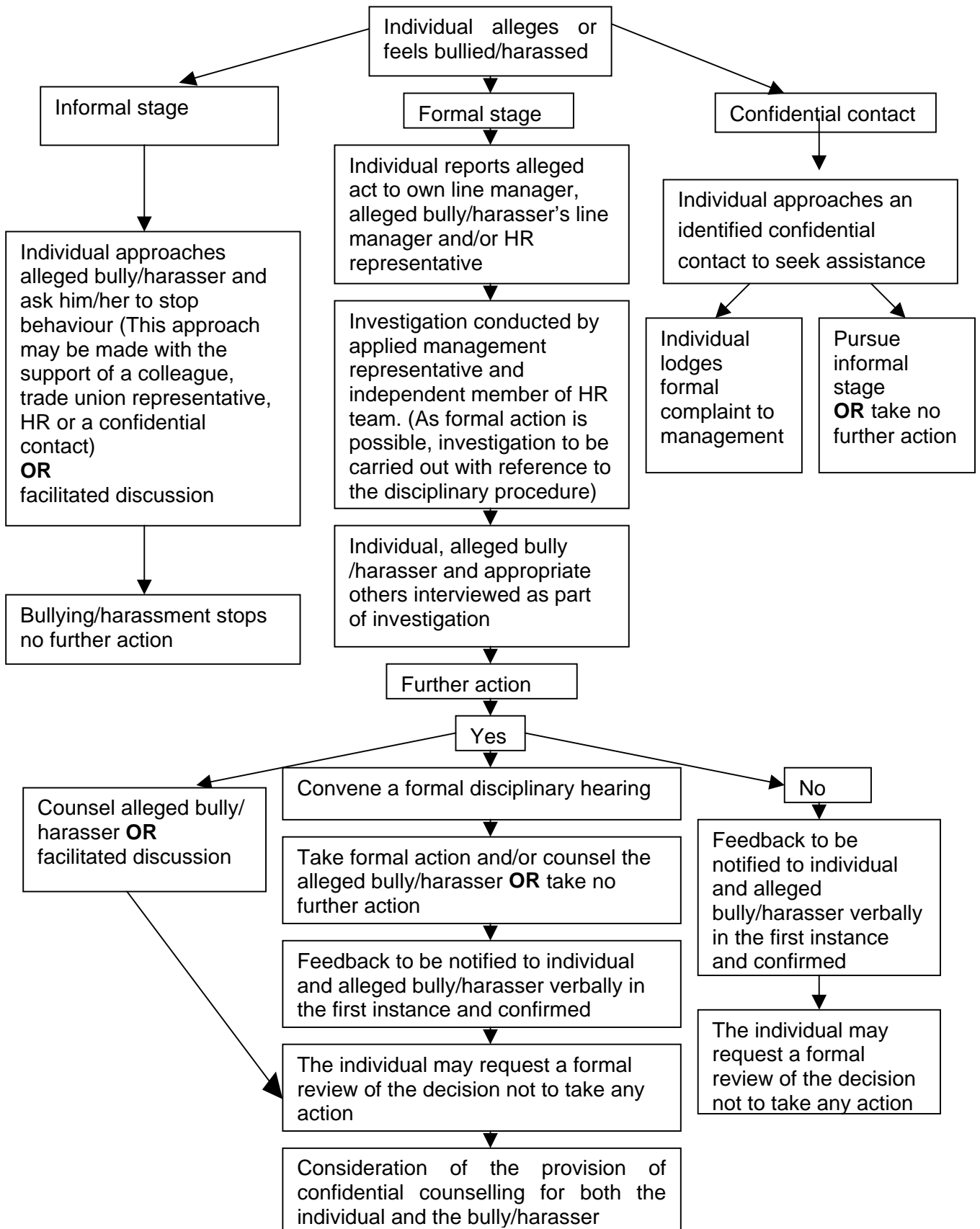
- Organisational development - encouraging an open and trusting culture, proactive in gauging the extent of the problems through staff surveys.
- Policy and procedures - organisations need to develop clearly defined policies which should be established in partnership with all staff.
- Communication - visible commitment and support from senior staff are essential.
- Training - all employees need to be trained to deal competently with bullying and harassment.
- Support - contact points need to be established for staff who have experienced bullying or harassment, and facilitated discussions between those involved need to be implemented where appropriate.

Figure 5.2 illustrates the procedure which the guidelines advocate. This flow chart is an excellent tool for organisations as it clearly defines the informal, formal and confidential routes which need to be taken. This should help to deter potential perpetrators of bullying or sexual harassment as they will be fully aware of the consequences of their actions, should a complaint be filed. It should also help those who experience sexual harassment to feel more confident in filing a complaint against their harasser, as a clearly defined procedure will be in place.

In May 2002, London Underground was awarded the prestigious 'Opportunity Now Public Sector' award for its wide-ranging 'Ending Harassment Programme'. Harassment used to be a widespread problem for London Underground. The organisational culture was perceived to tolerate such acts; there was a perception that those facing harassment had problems complaining and that managers were ineffective in terms of the skills needed to help them to deal with any complaints. This had a negative impact on the organisation, with increased levels of absenteeism. Workplace harassment was seen to be a major barrier for the company in its move towards becoming a customer-focused rather than an asset-focused organisation. In response to this wide-ranging problem, the company conducted a series of think tanks with mixed groups of staff, including union representatives. These sessions included brainstorming, which was aimed at tackling each area identified through the consultation exercise. The programme was agreed in 1999 and its primary objectives were to:

- Establish, in partnership with trade unions, an effective procedure for dealing with harassment.
- Provide those who experience harassment with independent support.
- Ensure increased levels of expertise for all those dealing with harassment cases.
- Establish an effective monitoring system and success indicators.
- Change the organisational culture to one where harassment is not tolerated.

Figure 5.2 Bullying and harassment procedure



Source: Dignity at work: eliminating bullying and harassment in the workplace (NHS, 2005: 39)

A new workplace harassment policy was issued to all members of staff. Independent support for those who experienced harassment was provided through the establishment of a network of trained harassment advisors, who offered confidential support. Expertise was increased through the establishment of a network of managers who were accredited for dealing with harassment and who could deal with formal complaints. Training was also provided for human resource teams. Success indicators consisted of an increase in the number of:

- employees seeking initial help from harassment advisors
- harassment cases reported
- perpetrators of harassment being disciplined.

Success indicators can be a useful way of determining whether a sexual harassment policy or procedure has worked and is deemed effective by employers and employees.

Employees were also provided with a booklet, 'Are you being harassed at work?' with their payslips which provided a variety of information, including what constitutes sexual harassment. To mark one year of the new policy, the video 'Ending harassment' was also distributed to all employees. This video comprised a number of scenarios examining real life experiences of race, sex and disability harassment within London Underground (Foster, 2003).

A Cabinet Office publication (2002), 'Living without fear: an integrated approach to tackling violence against women', detailed a number of good practice programmes. For example, in 1994 Norwich City Council adopted a corporate policy on opposing violence against women. This policy applied to all departments which were asked to take whatever action they could to promote it. These actions included procedures for dealing with sexual harassment of staff and members of the public. Department of Social Security headquarters established a network of harassment advisors, supervised by a trained psychotherapist with extensive experience of working in this area. The psychotherapist was independent of the Department, ensuring complete confidentiality. The role included facilitation of training courses and provision of ongoing support for 25 advisors. The advisors covered all forms of harassment and had the assistance of in-house focus groups on disability, carers and ethnic minorities. The service was widely advertised and seen as particularly important for women in terms of improving their progression to senior management levels.

As part of this literature review, members of the EOC Equality Exchange were invited to provide details of any programmes or initiatives which had been implemented within their respective organisations and to provide any information relating to the effectiveness of such programmes. The majority of organisations which made contact provided the research team with their sexual harassment policies and procedures. Those received appeared to be extremely informative and detailed, providing a range of information for employees. No information was received from formal evaluations which had been conducted to evaluate or monitor sexual harassment policies, procedures or training programmes. However, it is evident that there are some organisations employing a range of initiatives to combat the problems of sexual harassment, for example, through the use of specialist counsellors.

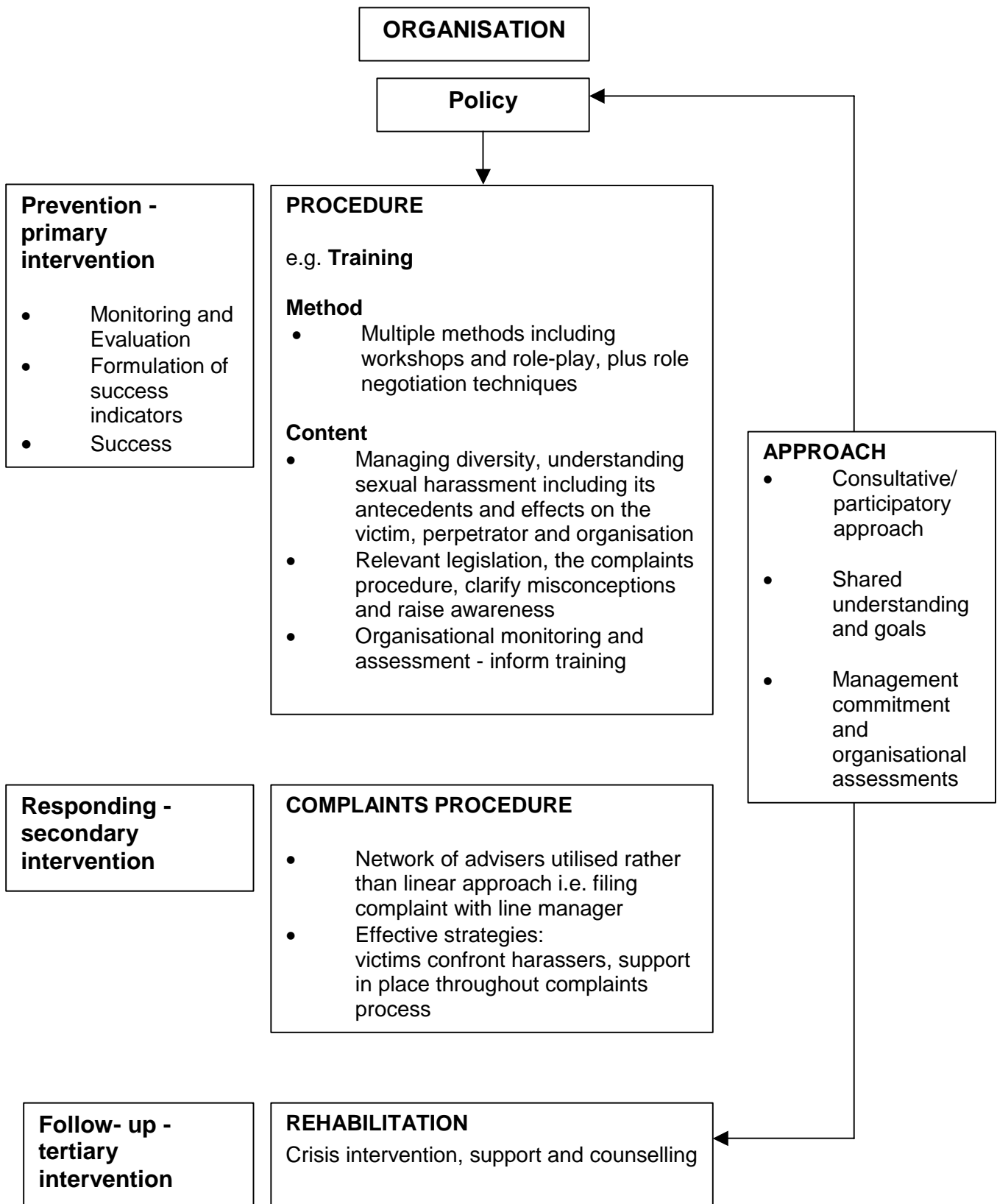
The majority of organisations had split harassment into various forms, for example sexual, racial and disability. Policies and procedures tended to include the following sections:

- definitions of harassment and bullying
- the processes and stages of filing a complaint
- responsibilities of managers and HR
- responsibility of employees
- relevant legislation
- relevant forms to be completed when filing a complaint
- access to information
- informal and formal action procedures
- monitoring and review.

Having reviewed the available literature on interventions, it is possible to produce a best practice model. Figure 5.3 highlights the various stages of prevention and intervention that an organisation should consider, while the evidence suggests that at each of these stages, thorough monitoring and evaluation is conducted to determine whether the procedures are effective. A consultative and participatory approach also appear to be the most effective.

The DTI and AMICUS, in conjunction with Portsmouth University Business School, are currently conducting a large anti-bullying project, the 'Dignity at Work initiative'. This is focusing on interventions that work in practice and will help to produce clear guidelines for best practice.

Figure 5.3 Sexual harassment intervention model



5.6 Summary

There are three basic types of intervention that can be implemented by organisations to prevent or deal with sexual harassment: preventative, responding to sexual harassment, and follow-up.

Preventative actions include a range of initiatives.

- Policy formation is crucial. There are two distinct approaches to this: a 'top-down' and a 'consultative' approach. The consultative approach is advocated by researchers, who emphasise the importance of involving multiple stakeholders, including employee groups and trade unions.
- Similarly, a bottom-up approach is the most successful, where staff and staff representatives are fully involved with management in developing and owning relevant policies and programmes. This should aim to develop a culture of respect and focus on the beliefs, behaviour and norms within an organisation. Linked to this is the importance of a strong zero tolerance policy towards sexual harassment, although this may prove unpopular in some situations.
- Training can be used to raise awareness and understanding of sexual harassment and to help equip individuals with the necessary skills to deal with it. Few studies have looked at the effectiveness of training but those that exist suggest that it is particularly effective for changing men's attitudes.

Responses to sexual harassment include ways in which complaints are made and dealt with within an organisation. It can be very difficult to make a complaint, especially if the organisation does not have clear policies and procedures in place. For a complaints procedure to be effective it must be clear and well-communicated, staff must have confidence that their complaints will be taken seriously and treated confidentially, feel reassured that they will not be victimised and that the whole process will be handled reasonably quickly.

Follow-up interventions in the aftermath of a complaint of sexual harassment include rehabilitation of the person who has suffered sexual harassment, the perpetrator and others involved. It is vital that procedures are in place to prevent victimisation or a backlash against the person who complained of harassment.

A number of organisations have published good practice guides covering sexual harassment. These include: changing the organisational culture to one where harassment is not tolerated; establishing effective policies and procedures; training for all employees; commitment and support from senior staff; providing those who experience harassment with independent support and effective monitoring systems.

6 LEGAL RESPONSES TO SEXUAL HARASSMENT IN THE UK

This chapter:

- looks at the development of sexual harassment as sex discrimination;
- considers the health and safety aspects of sexual harassment;
- examines the Protection from Harassment Act.

6.1 Sexual harassment as sex discrimination

In 1986 Jean Porcelli's landmark case¹⁰ established sexual harassment at work as a form of sex discrimination under the Sex Discrimination Act 1975 (SDA), which outlaws detrimental treatment in employment based on a person's gender. The original SDA, however, contained no definition of sexual harassment or what would constitute such harassment. This was developed through subsequent case law in the light of the principles of the Equal Treatment Directive.¹¹

In 1991, the European Commission, concerned at the high levels of sexual harassment in EC Member States, recommended EC countries to take action to promote awareness that conduct of a sexual nature, or other conduct based on sex affecting the dignity of women and men at work, including conduct of superiors and colleagues, was unacceptable (*Recommendation 92/131/EEC*). In the public sector, it recommended Member States to implement the Commission's code of practice on the protection of the dignity of women and men at work. In the private sector, it recommended Member States to encourage employers and employee representatives to develop measures to implement the Commission's code of practice.

The EC Code of Practice annexed to the Recommendation: *Protecting the dignity of women and men at work 1991*, provided practical guidance to employers, trade unions and employees, on the protection of dignity at work in the public and private sector. The aim of the Code is to ensure that sexual harassment does not occur and, if it does, to ensure that adequate procedures are readily available to deal with the problems and prevent its recurrence. Whilst the Code is not legally binding, it continues to offer advice on both the prevention of sexual harassment and resolving complaints of sexual harassment consistently with current human resource management best practices.

¹⁰ *Strathclyde Regional Council v Porcelli* 1986 SC 137.

¹¹ Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions.

When the Equal Treatment Directive¹² was amended in 2002, it provided legal definitions of harassment on the grounds of sex and sexual harassment for the first time. The new definitions were incorporated into the SDA as from 1 October 2005 and include both:

- unwanted conduct of a sexual nature – such as a person making unwelcome sexually explicit comments or giving unwelcome verbal sexual abuse, and
- unwelcome conduct on the grounds of a person's sex, even though it is not of a sexual nature, such as purposely putting crucial equipment on a high shelf which can only be reached by tall people (mainly men).¹³

The TUC commented that these changes would make employers more responsible and enable women workers to have an improved chance of fighting harassment in the workplace (TUC, 2005).

Employers' liability for sex discrimination

An employer is liable for sexual harassment committed by an employee in the course of their employment, unless the employer has taken reasonable steps in advance of the incident(s) in question to prevent harassment of this nature being perpetrated by the employee. This defence to sexual harassment claims under section 41(3) Sex Discrimination Act 1975 provides a significant incentive to employers to implement the preventive procedures outlined in the previous chapter.

6.2 Health and safety law

Sexual harassment is also a health and safety issue, given its potential impact on the health of those who suffer it. The Health and Safety at Work Act 1974 imposes a duty on the employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all employees.

The Health and Safety Executive (HSE) has identified harassment, including sexual harassment, as a potential hazard or risk in organisations. Employers with five or more people working for them are required to have their own health and safety policy to cover risks. In addition, *the Management of Health and Safety at Work Regulations 1999, Regulation 3*, requires every employer to make a suitable and sufficient assessment of the health and safety risks to which their employees are exposed whilst they are at work.

¹² Council Directive 2002/73/EC.

¹³ Section 4A of the Sex Discrimination Act 1975, as inserted by reg 5 of the Employment Equality (Sex Discrimination) Regulations 2005 (SI 2005/2467).

The HSE has also defined harassment as one of the causes of stress in the workplace. The HSE's *Management Standards for Tackling Work Related Stress* state that managers are responsible for ensuring that bullying and harassment is not tolerated within their jurisdiction.

6.3 Workplace violence and harassment

In the UK, there is no specific legislation on workplace violence, but several general acts have relevance in this area. The most significant is the Protection from Harassment Act 1997. This Act makes it a criminal offence to pursue a course of conduct that amounts to harassment of a person. This act states that it is an offence for an individual to pursue a course of conduct, which occurs on at least two occasions, that is known or should be known to amount to harassment.

An employee who is harassed at work can bring a civil claim for compensation against the harasser. The employer may also be responsible for any wrongful acts of an employee during their employment, known as 'vicarious liability' (see *Majrowski V Guys and St Thomas Hospital [2006] UKHL34*).

Guidelines for occupations at special risk, special types of violence and special audiences have also proliferated in recent years (see Table 6.1).

6.4 Taking a claim at the Employment Tribunal

There are a number of obstacles for those who seek to claim compensation for loss of earnings and injury to feelings or health through the employment tribunal. One of the principal obstacles is the lack of public funding for employment tribunal claims,¹⁴ which means that many people who take a claim are faced with the prospect of representing themselves at the employment tribunal, including cross-examining the alleged harasser. EOC research shows that the majority of those who take a claim have already left their job, which indicates that those remaining in their job do not wish to pursue a tribunal claim for fear of damaging their employment relationship or losing their job as a result. Furthermore, ACAS figures suggest that, of individuals who actually start tribunal proceedings, less than 10 per cent reach formal hearing proceedings (EOR, 2002).

A study by Earnshaw and Davidson (1994) of those who had brought legal proceedings via an Industrial Tribunal under the Sex Discrimination Act examined their experiences before, during and subsequent to the tribunal hearing. The study adopted a triangulated approach using interviews and questionnaires and found that:

¹⁴ Except in highly exceptional cases.

- Individuals taking a complaint found the proceedings distressing, with over half the claimants finding it extremely stressful to confront their sexual harasser at such close proximity.
- They were also anxious about their dealings with the press. Press harassment and the inaccurate reporting of the incident by the press caused a number of claimants extreme personal distress.

Earnshaw and Davidson (1994) argued that tribunals were limited in their effectiveness, as the majority of those filing a complaint had lost their job by the time of the hearing. Over half the respondents in the EOC survey (2000) stated that they had left the employment where the harassment occurred, or were sacked or forced to resign. Other respondents reported that they were on long term sick leave or that although sexual harassment had stopped, bullying continued.

Recommendations by Earnshaw and Davidson (1994) which could improve the process for those seeking to take legal action include:

- Advice agencies to inform potential tribunal applicants of the opportunity to attend a tribunal hearing in advance of their own case being adjudicated.
- Advice agencies to consider alerting those who face harassment to the possibility of reporting harassment incidents to the police.
- Tribunals to receive special training about harassment and its effects on individuals who experience it.
- In so far as it is possible, those making a claim should be able to give evidence without coming into close proximity to the alleged harasser.
- Much greater publicity to be given about the serious long-term effects of harassment, not only on physical and psychological health, but also on the careers of many of those who have brought tribunal proceedings.
- Harassment should be regarded as a health and safety issue.

Research to examine sexual harassment litigation in Britain 1995-2005 is currently being conducted by a team based at Kings College London.¹⁵ The aim of this project is to provide an integrated legal and organisational analysis of sexual harassment-related employment tribunal decisions from 1994 to 2004 plus those that have been heard by the Employment Appeal Tribunal. It will explore the key characteristics and outcomes of sexual harassment claims heard by tribunals, highlight the key legal issues, identify the implications for human resource policy and explore views towards

¹⁵ Drs Rosenthal and Lockwood at the Management Centre, King's College London. The research is funded by the Leverhulme Trust.

the nature and content of sexual harassment as a legal, organisational and human resource management phenomenon. This should add considerably to the body of knowledge available on this issue.

6.5 Summary

The original Sex Discrimination Act did not contain a definition of sexual harassment or what would constitute harassment. This was amended in 2005 to include unwanted conduct of a sexual nature and unwelcome conduct on the grounds of a person's sex.

Employers who have taken reasonable steps to prevent sexual harassment occurring within their organisation have a defence against liability for any subsequently occurring sexual harassment.

Sexual harassment is a health and safety issue given its potential impact on the health of individuals who have experienced it, and has been recognised by the Health and Safety Executive as a potential health risk or hazard in organisations.

One of the principal difficulties for people taking a sexual harassment claim is the lack of public funding for employment tribunal claims. This means that many of those taking a claim have to represent themselves, including cross-examining the alleged harasser.

Table 6.1 Special guidelines for violence and harassment, UK

Department of Employment	Sexual harassment in the workplace: A guide for employers, London, 1992
Department of Health	Tackling racial harassment in NHS, Good Practice Guidance – key principles, London, 2000
Department of Transport	Protecting bus crews – A practical guide, London, 1995
Equal Opportunities Commission	Sexual harassment at work: Consider the cost, London, 1994
HSAC (Health Services Advisory Committee)	Violence to staff in the health services, London, 1987
HSC (Health and Safety Commission)	Violence to staff in the education sector, London, 1990
HSE	Violence at work: A guide for employers, London, 1997
HSE	Violence to staff, London, 1991
HSE	Preventing violence to retail staff, London, 1995
HSE	Prevention of violence to staff in banks and building societies, London, 1993
Industrial Society	Harassment bullying and violence at work: A practical guide to combating employee abuse, London, 1999
Labour Research Department	Stress, bullying and violence. A trade union action guide, London, 1997
MSF (Manufacturing Science, Finance Union)	Working alone: Guidance for MSF members and safety representatives, London, 1994
MSF	Bullying at work. Confronting the problem, London, 1994
MSF	Prevention of violence at work, London, 1993
Suzy Lamplugh Trust	Personal safety for social workers London 1993
Suzy Lamplugh Trust	Personal safety for health-care workers, London, 1994
Suzy Lamplugh Trust	Personal safety for schools, London, 1996
Suzy Lamplugh Trust	Personal safety in other people's home, London, 1998
TUC (Trade Union Congress)	Guidelines. Sexual harassment at work, London, 1992
TUC	Racial harassment at work: A guide and workplace programme for trade unionists, London, 1993
UNISON	Bullying at work. Guidance for UNISON branches stewards and safety representative, London, 1996
UNISON	Bullying at work. Guidelines for safety representatives and members on bullying at work and how to prevent it, London, 1996
UNISON	Working alone in safety. Controlling the risks of solitary work, London, 1993
UNISON	Violence at work. A guide to risk prevention for UNISON branches stewards and safety representative, London, 1997

Source: Di Martino et al. (2003).

7 FUTURE RESEARCH

This chapter:

- highlights gaps in the research;
- identifies areas for future empirical studies.

This study has highlighted a number of areas which warrant further investigation. The majority of empirical studies have been conducted in the United States and whilst some of these findings may be transferred to the UK workplace, investigations of British workplaces are essential for understanding sexual harassment in this country. Some suggestions for further research are detailed below.

Incidence surveys

The absence of recent incidence surveys of sexual harassment has been noted, and this makes it difficult to determine the scale of the problem in Britain. Although the recent DTI survey (Grainger and Fitzner, 2006) included a question on sexual harassment, it is debatable whether this uncovered the real extent of the problem, and other surveys have been carried out in one organisation or industry and show a wide variation in incidence. Without knowing the true extent of the problem, it is not possible to determine whether measures aimed to combat sexual harassment, be they policies and procedures or training programmes, are, in fact effective.

Public and private sector

The majority of studies which have been conducted tend to concentrate on the public sector. Further research in private sector organisations is crucial for the development of knowledge.

Leadership styles

It was shown earlier how the leadership style within an organisation may have an impact on the scale of bullying and harassment. Two types of leadership style have been associated with harassment and bullying – an authoritarian and a laissez faire style (O'Moore, 2000; Vartia, 1996; Einarsen et al., 1994; Di Martino et al., 2003). As many organisations tend to adopt one of these styles, examination of how and why certain leadership styles lead to an increase in bullying and sexual harassment would be useful. A cross-disciplinary approach could be taken to ascertain whether there are differences between industries and the public and private sectors. Indeed, a cross-disciplinary approach to many aspects of sexual harassment would be beneficial, in order to increase knowledge and improve understanding.

Ethnicity

Currently, there is an absence of empirical research focusing on sexual harassment of ethnic minority women and men in UK organisations and little is known about their experiences. Racialised sexual harassment is clearly an area which needs to be addressed. In today's diverse society, an understanding of these issues is imperative to ensure that all vulnerable groups in the workplace are protected.

As previously discussed, women and men experience oppression and discrimination in different ways, therefore it is essential to understand how black and ethnic minority women and men perceive and experience sexual harassment. Triangulated studies examining individuals' experiences of sexual harassment are perhaps more useful than simply examining the extent of the problem. Developing insights into the experiences of vulnerable groups will help to ensure that effective policies and training are implemented and delivered. Examining ethnicity and sexual harassment will help to establish a picture of racialised sexual harassment within UK organisations. Research which examines the experiences of BME men and women will help to provide recommendations for initiatives and training to tackle racialised sexual harassment and shape policies both at a national and organisational level.

Same sex sexual harassment

To date, sexual harassment of men by other men and women by other women has received little attention and warrants further investigation.

Disability

A review of the literature has highlighted that sexual harassment of employees with a disability and/or long term illness is also an under researched area, despite the fact this is clearly a problem which needs to be addressed. The DTI survey (2005) found that employees with a disability, or long-term illness were five times more likely to have experienced sexual harassment than employees without a disability. Research to examine the experiences and the prevalence of sexual harassment of the disabled and employees with long term illnesses is urgently required.

Attitudes

It is important to understand organisational cultures and blame cultures that may be operating as these will have an impact on formal complaints procedures. Studies examining organisational culture, perceptions of and attitudes towards sexual harassment would be an excellent starting point in understanding sexual harassment in a wider organisational context. More generally, an ICM opinion poll, commissioned by Amnesty International (2005), indicated that a third of people in the UK believe that a woman is partially or totally responsible for being raped if she has behaved in a flirtatious manner. These findings suggest that a blame culture is still prevalent and

that further research exploring attitudes towards those who experience sexual harassment and perpetrators of this behaviour, is needed.

Electronic media

Empirical research examining sexual harassment in the UK workplace via electronic media is required to understand truly an individual's experience of this form of sexual harassment and how best to prevent and deal with it. Without understanding the scale of this problem or the effect on those involved, it is difficult for organisations to ensure that policies are effectively tackling this form of harassment.

Evaluation and monitoring of sexual harassment programmes

There is a dearth of evaluation studies examining the effectiveness of sexual harassment training programmes and initiatives. Such evaluations are essential to ascertain whether organisational policies are effective. Similarly, there appears to be limited monitoring of sexual harassment across industries and disciplines with the result that the extent and scale of harassment in UK organisations is largely unknown. Evaluating and monitoring sexual harassment programmes will enable organisations to ensure that their programmes are effective and could include:

- Incidence surveys of sexual harassment within the organisation.
- Employee satisfaction surveys.
- Qualitative research on organisational culture and acceptable/unacceptable behaviour.
- The use of proxy indicators such as sickness rates, staff turnover etc.
- The monitoring of formal and informal complaints.
- Ongoing organisational meetings to discuss policy and procedures.
- Feedback on training programmes.
- Information gathered through the use of exit interviews.

The Dignity at Work initiative, mentioned in Chapter 5, aims to encourage employee representatives and employers to build cultures where respect for individuals is regarded as an essential part of the conduct of all those who work in an organisation. The project will help to increase awareness and knowledge of 'dignity at work' issues, and encourage the development and promotion of partnership working on dignity at work.¹⁶ Members are drawn from British Telecom, Remploy, ACAS, DTI, HSE, Royal Mail, AMICUS, BAE Systems, Legal & General and others. Research is being conducted to identify best practice with data collected by means of an extensive questionnaire and interviews with organisations, including the development of a measurement tool.

¹⁶ See: <http://www.dignityatwork.org>).

Gap between policy and practice

The gap between policy and practice is an issue which needs to be addressed in all of the research areas discussed above. Further research is required to determine the effectiveness of policy at an organisational level, as well as national and European directives.

Methodological issues

Differences regarding the definition of sexual harassment, and the various methodologies used by researchers, will ultimately have a significant impact on the levels of sexual harassment reported. It was noted earlier that the way in which surveys ask respondents about sexual harassment can have a profound impact upon the findings (see Grainger and Fitzner, 2006; Rutherford et al., 2006 for differing approaches). Similarly, whether qualitative or quantitative methods are employed can affect the findings. A World Health Organisation (WHO) (Heise et al., 1999) multi country study, which examined women's health and domestic violence, found that the percentage of women who were reporting sexual abuse before the age of fifteen in a face-to-face interview almost doubled when women were able to report their experiences anonymously. Whilst qualitative methodologies, such as interviews, are perceived to be more effective in terms of gaining an in-depth understanding of the experiences of individuals who have faced sexual harassment, such data collection techniques may in fact produce unreliable results because of respondents' reluctance to disclose such information face-to-face (Watts and Zimmerman, 2002). Attention to methodology and an understanding of the possible biases introduced is crucial when researching this subject.

8 CONCLUSION

This report has identified and reviewed the available literature on sexual harassment to provide an overview of the current state of knowledge. A number of key points have emerged which show that although some aspects of harassment are well documented, others are quite under-researched. A clear example of this is that the true scale of sexual harassment in Britain is unknown. There are no definitive incidence surveys. Estimates regarding its incidence and how widespread a problem it is differ widely, and without clear baseline data it is not possible to determine whether sexual harassment in British workplaces is increasing or decreasing. It is clear however, that sexual harassment can represent an abuse of power and can take many forms, from sexually explicit remarks and banter, to harassment over the telephone, to sexual assault.

Organisational culture plays a pivotal role when the various risk factors and causes of sexual harassment are examined. Sexual harassment can be seen as a form of 'organisational violation' whereby the culture of an organisation makes it possible for individual employees to be treated abusively or with disrespect. It is more prevalent in certain work situations and when uncivil behaviour is apparent, can lead to an incivility spiral whereby such behaviour becomes routine and is regarded as the norm. Individual and situational factors can also combine to increase the likelihood of repeated sexual harassment incidents.

People have different perceptions of what constitutes sexual harassment but behaviour is more likely to be seen as harassment if there is a power difference between the person being harassed and the harasser. Women are sometimes reluctant to label their own experiences as sexual harassment because they do not think they are serious enough; this obviously has implications for research which seeks to clarify the prevalence of the problem. But sexual harassment does have a negative impact both in the short and long term. Effects can include: illness, humiliation, anger, loss of self confidence, decreased job performance and satisfaction, and psychological distress; while the employing organisation can experience: diminished business performance, damage to its reputation, lower morale and higher staff turnover.

Much is still unknown about sexual harassment in the workplace and a number of areas for future research were identified. These included: attitudes towards harassment and the harassed; sexual harassment and ethnicity, disability and same sex harassment; evaluation and monitoring of programmes; the effect of leadership styles; and the gap between policy and practice. We need to understand the true scope and nature of sexual harassment and the effect it has both on the individual

and on the workplace to enable the implementation of the most effective preventative policies and interventions.

Ways of dealing with and reacting to sexual harassment differ widely and there is no single agreed method. Those thought to be most effective include confronting and negotiating with the harasser e.g. asking/telling them to stop, and advocacy seeking e.g. reporting the behaviour to a supervisor or outside agency. However, such actions can be very difficult to take, particularly when the person doing the harassing is a manager, as is often the case. One way of combating many of the problems is to provide employees with an informal, as well as a formal, route to follow when making a complaint about harassment. The difficulties of coping with harassment both on an individual and at an organisational level reinforce the need for effective preventative measures.

There are three types of intervention that organisations are recommended to implement to reduce and eliminate sexual harassment in the workplace: prevention of harassment through training plus effective policies and procedures; responding to harassment through an effective complaints procedure; and following up by addressing rehabilitation of the person who has been harassed and their harasser. Research suggests that these will be most effective where an organisation adopts a consultative and participatory approach at all stages, combined with effective monitoring and evaluation. The sexual harassment intervention model illustrated in Chapter 5 (Figure 5.3) advocates a proactive i.e. preventative rather than a reactive i.e. response driven strategy to sexual harassment policies and procedures.

As Jenny Watson, EOC Chair states (EOC 2006:2):

the benefits of tackling harassment can be substantial. Sickness absence, stress and conflict in the workplace are reduced. Staff retention, efficiency, morale and profitability are increased.

REFERENCES

Adams, A. (1992) *Bullying at work. How to confront and overcome it*. Virago Press: London.

Adams, J. H. (1997) 'Sexual harassment and black women: a historical perspective'. In W. O'Donohue (ed.) *Sexual harassment: theory, research and treatment*. Allyn and Bacon: Boston.

Amnesty International UK (2005) Sexual assault research summary report. <http://www.amnesty.org.uk>.

Anderson, C. A., Anderson K. B. and Deuser, W. E. (1996) 'Examining an affective aggression framework: weapon and temperature effects on aggressive thoughts, affects and attitudes'. *Personality and Social Psychology Bulletin*. 22: 366-76.

Andersson, L. M. and Pearson, C. M. (1999). 'Tit for tat? The spiraling effect of incivility in the workplace'. *The Academy of Management Review*. 24 (3): 452-471.

Antecol, H. and Cobb-Clark, D. (2003) 'Does sexual harassment training change attitudes? A view from the federal level'. *Social Science Quarterly*. 84 (4): 826-842.

Archer, D. (1999) 'Exploring "bullying" culture in the para-military organisation'. *International Journal of Manpower*. 20: 94-105.

Armour (1999) 'Offensive e-mail in office in increase'. *USA Today*. 4 May: 01B.

Arvey, R. and Cavanaugh, M. (1995) 'Using surveys to assess the prevalence of sexual harassment: some methodological problems'. *Journal of Social Issues*. 51 (1): 39-52.

Bagihole, B. and Woodward, H. (1995) 'An occupational hazard warning: academic life can seriously damage out health. An investigation of sexual harassment of women academics in a UK university'. *British Journal of Sociology of Education*. 16 (1): 37-51.

Bajema, C. (1999) 'United Kingdom'. In European Commission Directorate General for Employment, Industrial Relations and Social Affairs, *Sexual harassment at the workplace in the European Union*. Luxembourg: Office for Official Publications of the European Communities.

- Baldry A. C. (2003) 'Bullying in schools and exposure to domestic violence'. *Child Abuse and Neglect*. 27 (7): 713-732.
- Ballard, T. J., Romito, P., Lauria, L., Vigiliano, V., Caldora, M., Mazzanti, C. and Verdecchia, A. (2006) 'Self perceived health and mental health among women flight attendants'. *Occupational and Environmental Medicine*. 63: 33-38.
- Barak, A. (1994) 'A cognitive-behavioural educational workshop to combat sexual harassment in the workplace'. *Journal of Counselling and Development*. 72 (6): 595-603.
- Barling, J., Dekker, I., Loughlin, C. A., Kelloway, E. K., Fullagar, C. and Johnson, D. (1996) 'Prediction and replication of the organizational and personal consequences of workplace sexual harassment'. *Journal of Managerial Psychology*. 11 (5): 4-25.
- Barongan, C. and Hall, G. C. N. (1995) 'The influence of misogynous rap music on sexual aggression against women'. *Psychology of Women Quarterly*. 19: 195–207.
- Beauvais, K. (1986) 'Workshops to combat sexual harassment: A case study of changing attitudes'. *Signs: Journal of Women in Culture and Society*. 12 (1): 130–145.
- Begany, J. J. and Milburn, M. A. (2002) 'Psychological predictors of sexual harassment: authoritarianism, hostile sexism and rape myths'. *Psychology of Men and Masculinity*. 3 :119-126.
- Bell, M. P., Quick, J. C. and Cycyota, C. S. (2002) 'Assessment and prevention of sexual harassment of employees: an applied guide to creating health organizations'. *International Journal of Selection and Assessment*. 10 (1/2) 160-167.
- Biddle, B. J. (1986) 'Recent developments in role theory'. *Annual Review of Sociology*. August (12): 67-92.
- Bimrose, J. (2004) 'Sexual harassment in the workplace: an ethical dilemma for career guidance practice?' *British Journal of Guidance and Counselling*. 32 (1): 109-121.
- Björkqvist, K., Österman, K. and Hjelt-Bäck, M. (1994) 'Aggression among university employees'. *Aggressive Behaviour*. 20: 173-84.

Blumenthal, J. A. (1998) 'The reasonable women standard. A meta-analytic review of gender differences in perceptions of sexual harassment'. *Law and Human Behaviour*. 22 (1): 33-57.

Brant, C. and Too, Y. (eds.) (1994) *Rethinking sexual harassment*. Pluto Press: London.

Brewis, J. (2001) 'Foucault, politics and organizations: (re)-constructing sexual harassment'. *Gender, Work and Organisation*. 8 (1): 37-60.

Brown, S. L., Birch, D. A. and Kancherla, V. (2005) 'Bullying perspectives: experiences, attitudes, and recommendations of 9- to 13-year-olds attending health education centers in the United States'. *The Journal of School Health*. 75 (10): 384-392.

Buchanan, N. T. (2005) 'The nexus of race and gender domination: racialized sexual harassment of African American women'. In J. E. Gruber and P. Morgan (eds.) *In the company of men: male dominance and sexual harassment*. Northeastern University Press: Boston.

Buchanan, N. T. and Ormerod, A. J. (2002) 'Racialized sexual harassment in the lives of African American women'. *Women and Therapy*. 25: 107-124. Co-published simultaneously in C. M. West (ed.) *Violence in the lives of black women: battered black and blue*. Haworth Press: New York.

Buck, W., Chatterton, M. and Pease, K. (1995) *Obscene, threatening and other troublesome telephone calls to women in England and Wales: 1982-1992*. Research and Planning Unit Paper 92. London: Home Office.

Bursik, K. (1992) 'Perceptions of sexual harassment in an academic context'. *Sex Roles*. 27: 401-412.

Byers, L. L. and Rue, L. W. (1991) 'Human resource management'. Cited in K. M. York, L. A. Barclay and A. B. Zajack (1997) 'Preventing sexual harassment: the effect of multiple training methods'. *Employee Responsibilities and Rights Journal*. 10 (4): 277-289.

Cabinet Office (2002) *Living without fear: An integrated approach to tackling violence against women*.

<http://www.asylumsupport.info/publications/cabinetoffice/withoutfear.pdf>.

Chappel, D. and Di Martino, V. (2000) (2nd edition) *Violence at work*. ILO: Geneva.

Chartered Institute of Personnel and Development (CIPD) (2005) *Harassment at work: diversity and equality*. CIPD: UK.

Chenoweth, L. (1993) Invisible acts: violence against women with disabilities. *Australian Disability Review* 2 (93): 22-28.

Clair, R. P. (1993) 'The bureaucratization, commodification, and privatization of sexual harassment through institutional discourse: a study of the big ten universities'. *Management Communication Quarterly*. 7: 123-157.

Cockburn, C. (1991) *In the way of women: men's resistance to sex equality in organisations*. Macmillan: London.

Collins, P. H. (1998) *Fighting words: black women and the search for justice*. University of Minnesota Press: Minneapolis.

Collins, P. (1990) *Black feminist thought: knowledge, consciousness, and the politics of empowerment*. Unwin Hyman: Boston.

Collinson, D. L. and Collinson, M. (1989) 'Sexuality in the workplace: the domination of men's sexuality'. In J. Hearn, D. L. Sheppard, P. Tancred-Sheriff and G. Burrell (eds.) *The sexuality of organization*. Sage: London.

Collinson, D. L. (1988) "'Engineering humor." Masculinity, joking and conflict in shop floor relationships'. *Organization Studies*. 9: 181-199.

Cowie, H., Naylor, P., Rivers, I., Smith, P. K. and Pereira, B. (2002) 'Measuring workplace bullying'. *Aggression and Violent Behavior*. 7 (1): 33-51.

Crandall, C. S. and Stangor, C. (2005) 'Conformity and prejudices'. In J. F. Dovidio, P. Glick and L. A. Rudman (eds.) *On the nature of prejudice: fifty years after Allport*. Blackwell Publishing: Malden, MA.

Dan, A. J., Pinsof, D. A. and Riggs, L. L. (1995) 'Sexual harassment as an occupational hazard in nursing'. *Basic and Applied Social Psychology*. 17 (4): 563-580.

Dansky, B. S. and Kilpatrick, D. G. (1997). 'Effects of sexual harassment'. In W. O'Donahue (ed.) *Sexual harassment: theory, research, and treatment*. Allyn and Bacon: Boston.

Dasgupta, N. (2004) 'Implicit ingroup favouritism, out group favouritism and their behavioural manifestations'. *Social Justice Research*. 17 (2): 143-169.

Davidson, M. J. (1997) *The black and ethnic minority woman manager: cracking the concrete ceiling*. Paul Chapman Publishing: London.

Deadrick, D. L., Bruce McAfee, R. and Champagne, P. J. (1996) 'Preventing workplace harassment: an organizational change perspective'. *Journal of Organizational Change Management*. 9 (2): 66-75.

DeFour, D. D. (1990) 'The interface of racism and sexism on college campuses'. In M. A. Paludi (ed.) *Ivory power: sexual harassment in campuses*. State University of New York Press: Albany.

Dellinger, K. and Williams, C. L. (2002) 'The locker room and the dorm room: workplace norms and the boundaries of sexual harassment in magazine editing'. *Social Problems*. 49 (2): 242-257.

DeSouza, E. and Solberg, J. (2004) 'Women's and men's reactions to man-to-man sexual harassment: does the sexual orientation of the victim matter?' *Sex Roles*. 50, (9/10): 623-639.

Dekker, I. and Barling, J. (1998) 'Personal and organisational predictors of workplace sexual harassment of women by men'. *Journal of Occupational Health Psychology*. 3: 7-18.

Di Martino, V. (2003) *Relationship between stress and violence in the health sector*. ILO, Geneva.

Di Martino, V., Hoel, H. and Cooper, C. L. (2003) *Preventing violence and harassment in the workplace*. European Foundation for the Improvement of Living and Working Conditions. Office for official publications of the European Communities: Luxembourg.

Done, R. S. (2005) 'Just men out of control? Criminology and the likelihood to sexually harass'. In J. E. Gruber and P. Morgan (eds.) *In the company of men: male dominance and sexual harassment*. Northeastern University Press: Boston.

- Dougherty, D. S. and Smythe, M. J. (2004) 'Sensemaking, organizational culture, and sexual harassment'. *Journal of Applied Communication Research*. 32 (4): 293-317.
- Dubois, C. L. Z., Knapp, D. E., Faley, R. H. and Kustis, G. A. (1998) 'An empirical examination of same and other gender sexual harassment in the workplace'. *Sex Roles*. 9: 731-749.
- Earnshaw, J. and Davidson, M. J. (1994) 'Remedying sexual harassment via industrial tribunal claims: An investigation of the legal and psychosocial process'. *Personnel Review*. 23 (8): 3-16.
- Einarsen, S., Hoel, H., Zapf, D. and Cooper, C. L. (eds.) (2003). *Bullying and emotional abuse in the workplace. International perspectives in research and practice*. Taylor and Francis: London/New York.
- Einarsen, S. and Mikkelsen, E. G. (2003) 'Individual effect of exposure to bullying at work'. In Einarsen et al. (eds.) *Bullying and emotional abuse in the workplace. International perspectives in research and practice*. Taylor and Francis: London/New York.
- Einarsen, S. and Raknes, B. I. (1997) 'Harassment in the workplace and the victimization of men'. *Violence and Victims*. 12: 247-263.
- Einarsen, S., Raknes, B. I. and Matthiesen, S. B. (1994) 'Bullying and harassment at work and their relationships to work environment quality. An exploratory study'. *European Work and Organisational Psychologist*. 4: 381-401.
- Employment Tribunals Service (ETS) (2006) *Annual report 2005-06*.
<http://www.employmenttribunals.gov.uk/publications/publications.htm>
- Equal Employment Opportunities Commission (EEOC) (2003) *Sexual harassment charges EEOC & FEPAs combined: FY 1992- FY 2002*. EEOC: Washington, DC.
- Equal Opportunities Commission (2000) *Advice service surveys*.
<http://www.eoc.org.uk/Default.aspx?page=15567&lang=en>
- Equal Opportunities Commission (EOC) (2002) *Policy statement: analysis of sexual harassment tribunal cases*. <http://www.eoc.org.uk/Default.aspx?page=14998>
- Equal Opportunities Commission (EOC) (2005) *Dealing with sexual harassment*.
<http://www.eoc.org.uk/Default.aspx?page=15398>

Equal Opportunities Commission (EOC) (2006) *Sexual harassment: managers' questions answered*. Equal Opportunities Commission: Manchester.

Equal Opportunities Review (EOR) (2002) 'Sexual harassment – an EOR survey'. *Equal Opportunities Review*. 102.

Equal Opportunities Review (EOR) (2006) 'Compensation awards 2005'. *Equal Opportunities Review*. August 155: 5-26.

Essed, P. (1992) 'Alternative knowledge sources in explanations for racist events'. In M. L. McLaughlin, M. L. Cody, and S. J. Read (eds.) *Explaining one's self to others: reason-giving in a social context*. Lawrence Erlbaum: Hillside, NJ.

European Commission (EC) (1999) *Sexual harassment at the workplace in the European Union*. Office for Official Publications of the European Communities: Luxembourg.

Fielden, S. L. (1996) 'Sexual harassment in a voluntary organisation'. *Women in Management Review*. 11 (6): 18-24.

Fineran, S. and Bennett, L. (1999) 'Gender and power issues of peer sexual harassment among teenagers'. *Journal of Interpersonal Violence*. 14: 626-641.

Fiske, S. T. and Glick, P. (1995) 'Ambivalence and stereotypes cause sexual harassment: a theory with implications for organisational change'. *Journal of Social Issues*. 51: 97-115.

Fitzgerald, L. F. (1993) 'Sexual harassment: violence against women in the workplace'. *American Psychologist*. 48:1070- 1076.

Fitzgerald, L. F., Drasgow, F., Hulin, C. L., Gelfand, M. J. and Magley, V. J. (1997) 'Antecedents and consequences of sexual harassment: test of an integrated model'. *Journal of Applied Psychology*. 82: 578-589.

Fitzgerald, L. F., Gelfand, M. J. and Drasgow, F. (1995) 'Measuring sexual harassment: theoretical and psychometric advances'. *Basic and Applied Social Psychology*. 17: 425-445.

Fitzgerald, L. F. and Hesson-McInnis, M. (1989) 'The dimensions of sexual harassment: a structural analysis'. *Journal of Vocational Behavior*. 35, 309-326.

- Fitzgerald, L. F. and Ormerod, A. J. (1991). 'Perceptions of sexual harassment: the influence of gender and academic context'. *Psychology of Women Quarterly*. 15: 281-294.
- Fitzgerald, L. F. and Shullman, S. L. (1993) 'Sexual harassment: a research analysis and agenda for the 1990s'. *Journal of Vocational Behaviour*. 42: 5-27.
- Fitzgerald, L. F., Shullman, S., Bailey, N., Richards, M., Swecker, J. and Gold, Y. (1988) 'The incidence and dimensions of sexual harassment in academia and the workplace'. *Journal of Vocational Behaviour*. 32: 152-175.
- Foster, C. (2003) 'London Underground: ending harassment'. *Equal Opportunities Review*. 118: 11-16.
- Fox, C. L. and Boulton, M. J. (2005) 'The social skills problems of victims of bullying: self, peer and teacher perceptions'. *British Journal of Educational Psychology*. 75(2): 313-328.
- Frazier, P. A. and Cohen, B. B. (1992) 'Research on the sexual victimization of women: implications for counsellor training'. *The Counselling Psychologist*. 20: 141-158.
- Gilbert, D., Guerrier, Y. and Guy, J. (1998) 'Sexual harassment issues in the hospitality industry'. *International Journal of Contemporary Hospitality Management*. 10(20): 48-53.
- Glomb, T. M., Richman, W. L., Hulin, C. L., Drasgow, F., Schneider, K. T. and Fitzgerald, L. F. (1997). 'Ambient sexual harassment: an integrated model of antecedents and consequences'. *Organizational Behavior and Human Decision Processes*. 71: 309-328.
- Goldberg, C. and Zhang, L. (2004) 'Simple and joint effects of gender and self-esteem on responses to same-sex sexual harassment'. *Sex Roles*. 50 (11/12): 823-833.
- Grainger, H. and Fitzner, G. (2006) *Fair treatment at work survey 2005*. Employment Relations Research Series No.63. Department of Trade and Industry: London.
- Gregory, J. (2002) *Picking up the pieces: how organisations manage the aftermath of harassment complaints*. Standon Ware: Wainwright Trust.

Gruber, J. E. (1989) 'How women handle sexual harassment: a literature review'. *Sociology and Social Research*. 74: 3-9.

Gruber, J. E. (1992) 'A typology of personal and environmental sexual harassment: research and policy implications for the 1990s'. *Sex Roles*. 26: 447-464.

Gruber, J. (1998) 'The impact of male work environments and organizational policies on women's experiences of sexual harassment'. *Gender and Society*. 12 (3): 301-320.

Gruber, J. E. and Bjorn, L. (1986) 'Women's responses to sexual harassment: an analysis of sociocultural, organizational, and personal resources models'. *Social Science Quarterly*. 67: 814-826.

Gruber, J. E. and Morgan, P. (2005) *In the company of men: male dominance and sexual harassment*. Northeastern University Press: Boston.

Gruber, J. E. and Smith, M. E. (1995) 'Women's responses to sexual harassment: a multivariate analysis'. *Basic and Applied Social Psychology*. 17: 543-562.

Gutek, B. A. (1985) *Sex and the workplace: impact of sexual behaviour and harassment on women, men and organizations*. Jossey-Bass: San Francisco, CA.

Gutek, B. A. (1995) 'How subjective is sexual harassment? An examination of rater effects'. *Basic and Applied Social Psychology*. 17: 447-467.

Handy, J. (2006) 'Sexual harassment in small-town New Zealand: a qualitative study of three contrasting organizations'. *Gender Work and Organization*. 13(1): 1-24.

Haavio-Mannila, E., Kaupinen-Toropainen, K. and Kandolin, I. (1988) 'The effect of sex composition of the workplace in friendship, romance and sex at work'. In B. A. Gutek, A. H. Stromberg and L. Larwood (eds.) *Women and work (Vol. 3)*. Sage: Beverley Hills, CA.

Health and Safety Authority (HSA) (2001) *Report of the Task Force on the prevention of workplace bullying. Dignity at work - the challenge of workplace bullying*. Stationery Office: Dublin.

Hearn, J. and Parkin, W. (1995) *Sex at work: the power and paradox of organization sexuality*. Revised edition. Prentice Hall/St Martin's Press: Hemel Hempstead.

- Hearn, J. and Parkin, W. (2001) *Gender sexuality and violence in organisations*. Sage: London.
- Hearn J. and Parkin, W. (2005) 'Recognition processes in sexual harassment, bullying and violence at work: the move to organizational violations'. In J. E. Gruber and P. Morgan (eds.) *In the company of men: male dominance and sexual harassment*. Northeastern University Press: Boston.
- Heise, L., Ellsberg, M. and Gottemoellar, M. (1999) *Ending violence against women*. Population Reports, Series L, No 11. Johns Hopkins University School of Public Health, Center for Communications Programs: Baltimore.
- Higginbotham, E. and Weber, L. (1999) 'Perceptions of workplace discrimination among black and white professional-managerial women'. In I. Brown (ed.) *Latinas and African American women at work: race, gender and economic inequality*. Russell Sage Foundation: New York.
- Hodges Aeberhard, J. (2001) 'Sexual harassment in employment: recent judicial & arbitral trends'. In M. F. Loutfi (ed.) *Women, gender and work*. International Labour Organisation: Geneva.
- Hoel, H. and Cooper, C. (2000) *Destructive conflict and bullying at work*. Manchester School of Management, University of Manchester Institute of Science and Technology.
- Hoel, H., Einarsen, S. and Cooper, C. L. (2003) 'Organisational effects of bullying'. In S. Einarsen, H. Hoel, D. Zapf and C. L. Cooper (eds.) *Bullying and emotional abuse in the workplace. International perspectives in research and practice*. Taylor and Francis: London/New York.
- Hooks, B. (1984) 'Feminist theory: from margin to center'. Cited in J. N. Shelton and T. M. Chavous (1999) 'Black and white college women's perceptions of sexual harassment'. *Sex Roles*. 40, 7-8: 593-595.
- Hooks, B. (1989) *Talking back: thinking feminist thinking black*. South End Press: Boston, Mass.
- Howard, S. (1991) 'Organizational resources for addressing sexual harassment'. *Journal of Counselling and Development*. 69: 507-511.

Howe, K. (2000) *Violence against women with disabilities - an overview of the literature*. Women With Disabilities Australia (WWDA).

<http://www.wwda.org.au/contents.htm>

Hubert, A. B. and Van Veldhoven, M. (2001) 'Risk sectors for undesirable behaviour and mobbing'. *European Journal of Work and Organizational Psychology*. 10: 415-424.

Human Rights and Equal Opportunity Commission (HREOC) 2003) *Sexual harassment: a bad business review of sexual harassment in employment complaints 2002*. HREOC: Sydney, Australia.

Hunter, S. C., Boyle, J. M. E. and Warden, D. (2004) 'Help seeking amongst child and adolescent victims of peer-aggression and bullying: The influence of school-stage, gender, victimisation, appraisal, and emotion'. *British Journal of Educational Psychology*. 74(3): 375-390.

Hurtado, A. (2003) *Voicing Chicana feminisms: young women speak out on sexuality and identity*. New York University Press: New York.

Icengole, M. L., Eagle, B. W., Ahmad, S. and Hanks, L. A. (2002) 'Assessing perceptions of sexual harassment behaviours in a manufacturing environment'. *Journal of Business and Psychology*. 16(4): 601-616.

IRS (2006) 'Compensation awards 2005'. *Equal Opportunities Review*. 155: 5-26.

Ishmael, A. and Alemro, B. (1999) *Harassment, bullying and violence at work*. The Industrial Society: London.

Jackson, L. A., Ervin, K. S., Gardner, P. D. and Schmitt, N. (2001) 'Gender and the internet: women communicating and men searching'. *Sex Roles*. 44 (5/6): 363-379.

Jansma, L. L. (2000) 'Sexual harassment research: integration, reformulation, and implications for mitigation efforts'. In M. E. Roloff (ed.) *Communication yearbook 23*. Sage: Thousand Oaks, CA. Cited in D. S. Dougherty and M. J. Smythe (2004) 'Sensemaking, organizational culture, and sexual harassment'. *Journal of Applied Communication Research*. 32 (4): 293-317.

Jenkins, S., Noon, M. and Lucio, M. M. (1998) *The dynamics of disadvantage: segregation and exclusion of women in Royal Mail*. Discussion Paper No.3. Equality and Diversity Research Unit: Cardiff University.

- Jensen, I. W. and Gutek, B. A. (1982) 'Attributions and assignment of responsibility in sexual harassment'. *Journal of Social Issues*. 38: 121-136.
- Kelly, L., Burton, S. and Regan, L. (1996) 'Beyond victim and survivor: sexual violence, identity and feminist theory and practice'. In L. Adkins and V. Merchant (eds.) *Sexualising the social*. Macmillan: Basingstoke.
- Kenig, S. and Ryan, J. (1986) 'Sex differences in levels of tolerance and attribution of blame for sexual harassment on a university campus'. *Sex Roles*. 15: 535-549.
- Khoo, P. N. and Senn, C. Y. (2004) 'Not wanted in the inbox! Evaluations of unsolicited and harassing emails'. *Psychology of Women Quarterly*. 28: 204-214.
- Kilpatrick, D. G. (1992) *Treatment and counselling needs of women veterans who were raped, otherwise sexually assaulted, or sexually harassed during military service*. Testimony before the Senate Committee on Veteran's Affairs.
- Knapp, D. E., Faley, R. H., Ekeberg, S. E. and Dubois, C. L. Z. (1997) 'Determinants of target responses to sexual harassment. A conceptual framework'. *Academy of Management Review*. 22: 687-729.
- Kohlman, M. H. (2004) 'Person or position? The demographics of sexual harassment in the workplace'. *Equal Opportunities International*. 23 (3-5): 143-162.
- Konrad, A. M. and Gutek, B. A. (1986) 'Impact of work experience on attitudes toward sexual harassment'. *Administrative Science Quarterly*. 31: 422-438.
- Laabs, J. J. (1995) 'Sexual harassment: HR puts its questions on the line'. *Personnel Journal*. 74(2): 36-45.
- Lafontaine, E. and Tredeau, L. (1986) 'The frequency, sources and correlates of sexual harassment among women in traditional male occupations'. *Sex Roles*. 15: 433-442.
- Lamertz, K. (2002). 'The social construction of fairness: social influence and sense making in organizations'. *Journal of Organizational Behavior*. 23: 19-37.
- Landrine, H. and Klonoff, E. A. (1997) *Discrimination against women: prevalences, consequences and remedies*. Sage: Thousand Oaks, CA.

Lawoko, S., Soares, J. and Nolan, P. (2004) 'Violence towards psychiatric staff: a comparison of gender, job and environmental characteristics in England and Sweden'. *Work and Stress*. 18 (1): 39-55.

LeClaire, J. (2005) *Study: men and women use internet differently*. TechNewsWorld, 29 December. <http://www.technewsworld.com/story/48048.html>

Lee, D. (2001) 'He didn't sexually harass me, as in harassed for sex... he was just horrible: women's definitions of unwanted sexual conduct at work'. *Women's Studies International Forum*. 24 (1): 25-38.

Lee, D. (2002) 'Gendered workplace bullying in the restructured UK Civil Service'. *Personnel Review*. 31 (2): 205-227.

Licata, B. J. and Popovich, P. M. (1987) 'Preventing sexual harassment: a proactive approach'. *Training and Development Journal*. May: 34-38.

Limpaphayom, W., Williams, R. J. and Fadil, P. A. (2006) 'Perceived differences in sexual harassment between business school students in the US and Thailand'. *Cross Cultural Management: An International Journal*. 13 (1): 33-42.

Livingston, J. (1982) 'Responses to sexual harassment on the job: legal, organizational and individual actions'. *Journal of Social Issues*. 38: 5-22.

Lukes, S. (1986) *Power: a radical view*. New York Press: New York.

MacIntosh, J. (2005) 'Experiences of workplace bullying in a rural area'. *Issues in Mental Health Nursing*. 26 (9): 893-910.

MacKinnon, C. (1979) *The sexual harassment of working women*. Yale University Press: New Haven, CT.

Magley, V. J., Waldo, C. R., Drasgow, F. and Fitzgerald, L. F. (1999) 'The impact of sexual harassment on military personnel: is it the same for men and women?' *Military Psychology*. 11: 283-302.

Mann, A. I. and Guadagno, R. E. (1999) 'Perceptions of sexual harassment victims as a function of labeling and reporting'. *Sex Roles*. 41: 921-940.

- Mansfield, P. K., Koch, P. B., Henderson, J., Vicary, J. R., Cohn, M. and Young, E. W. (1991) 'The job climate for women in traditionally male blue-collar occupations'. *Sex Roles*. 25: 63-79.
- Mantel, M. (1994) *Ticking bombs: defusing violence in the workplace*. Irwin: New York.
- Martin, S. E. (1994) "'Outside within" the station house: the impact of race and gender on black women police'. *Social Problems*. 41: 383-400.
- McMahon, L. (2000) 'Bullying and harassment in the workplace'. *International Journal of Contemporary Hospitality Management*. 12 (6): 384-387.
- McMillan, I. A. (1993) 'Disturbing picture'. *Nursing Times*. 89: 30-34.
- Mecca, S. J. and Rubin, L. J. (1999) 'Definitional research on African American students and sexual harassment'. *Psychology of Women Quarterly*. 23: 813-817.
- Meschkat, B., Stackelbeck, M. and Langenhoff, G. (2002) *Mobbing-report*. Repräsentativstudie für die Bundesrepublik Deutschland, Wirtschaftsverlag NW: Dortmund/Berlin.
- Messerschmidt, J. W. (1993) *Masculinities and crime: critique and reconceptualization of theory*. Rowman and Littlefield: USA.
- Miner-Rubino, K. and Cortina, L. M. (2004) 'Working in a context of hostility toward women: implications for employees' well-being'. *Journal of Occupational Health Psycholog*. 9 (2): 107-122.
- Mitchell, D., Hirschman, R., Angelone, D. J. and Lilly, R. S. (2004) 'A laboratory analogue for the study of peer sexual harassment'. *Psychology of Women Quarterly*. 28 (3): 194-203.
- Morris, J. (1993) 'Feminism and disability'. *Feminist Review*. 43 Spring: 57-70.
- Mott, H. and Condor, S. (1997) 'Sexual harassment and the working lives of secretaries'. In A. Thomas and C. Kitzinger (eds.) *Sexual harassment: contemporary feminist perspectives*. Open University Press: Buckingham.

Murrell, A. J. (1996). 'Sexual harassment and women of color: issues, challenges, and future directions'. In M. S. Stockdale (ed.) *Sexual harassment in the workplace: perspectives, frontiers, and response strategies*. Sage: Thousand Oaks, CA.

Newman, M. A., Jackson, R. A. and Baker, D. D. (2003) 'Sexual harassment in the federal workplace'. *Public Administration Review*. July/August, 63 (4): 472–483.

NHS Scotland (2005) *Dignity at work: eliminating bullying and harassment in the workplace*. Partnership Information Network: UK.

O'Connell, C. E. and Korabik, K. (2000) 'Sexual harassment: the relationship of personal vulnerability, work context, perpetrator status, and type of harassment to outcomes'. *Journal of Vocational Behavior*. 56: 299-329.

O'Moore, M. (2000) *Bullying at work in Ireland: a national study*. Anti Bullying Centre: Dublin.

Pearson, C. M., Andersson, L. M. and Wegner, J. W. (2001) 'When workers flout convention: a study of workplace incivility'. *Human Relations*. 54 (11): 1387–1419.

Perry, S. (1983) 'Sexual harassment in the campuses: deciding where to draw the line'. *Chronicle of Higher Education*. March 26: 21-22.

Privitera, M., Weisman, R., Cerulli, C., Xin T. and Groman, A. (2005) 'Violence toward mental health staff and safety in the work environment'. *Occupational Medicine*. 55 (6): 480-486.

Pryor, J. B., Giedd, J. L. and Williams, K. B. (1995) 'A social psychological model for predicting sexual harassment'. *Journal of Social Issues*. 51: 69-84.

Pryor, J. B., LaVite, C. and Stoller, L. (1993) 'A social psychological analysis of sexual harassment: the person/situation interaction'. *Journal of Vocational Behaviour* (Special Issue). 42: 68-83.

Quick, C. (1999) 'Organizational health psychology: historical roots and future directions'. *Health Psychology*. 18: 82-88.

Quine, L. (1999) 'Workplace bullying in the NHS community trust: staff questionnaire survey'. *British Medical Journal*. 318: 228-232.

Randall, P. (1997) *Adult bullying: perpetrators and victims*. Routledge: London.

- Rayner, C. and Hoel, H. (1997) 'A summary review of literature relating to workplace bullying'. *Journal of Community and Applied Social Psychology*. 7: 181-191.
- Rayner, C., Hoel, H. and Cooper, C. L. (2002) *Workplace bullying: what we know, who is to blame, and what can we do?* Taylor and Francis: London.
- Rosenthal, H. E. S. and Crisp, R. J. (2006) 'Reducing stereotype threat by blurring intergroup boundaries'. *Personality and Social Psychology*. 32 (4) 501-511.
- Riger, S. (1991) 'Gender dilemmas in sexual harassment policies and procedures'. *American Psychologist*. 46: 497-505.
- Rutherford, S., Schneider, R. and Walmsley, A. (2006) *Agreement on preventing and dealing effectively with sexual harassment: quantitative & qualitative research into sexual harassment in the armed forces*. Ministry of Defence/Equal Opportunities Commission. <http://www.mod.uk/defenceinternet/home>
- Rutter, P. (1996) *Sex, power and boundaries*. Bantam: New York.
- Sassenberg, K. and Weiber, F. (2005) 'Don't ignore the other half: the impact of ingroup identification on implicit measures of prejudice'. *European Journal of Social Psychology*. 35: 621-632.
- Schneider, K. T., Swan, S. and Fitzgerald, L. F. (1997) 'Job-related and psychological effects of sexual harassment in the workplace: empirical evidence from two organizations'. *Journal of Applied Psychology*. 82: 401-415.
- Sczesny, S. (1997) 'Sexuelle Belaestigung am Telefon'. *Eine sozialpsychologie*.
- Sczesny, S. and Stahlberg, D. (1999). Sexuelle Belaestigung am Telefon: Definition, Praevalenz, Formen und Verarbeitung. *Zeitschrift fur Sozialpsychologie*. 30: 151-164.
- Sczesny, S. and Stahlberg, D. (2000) 'Sexual harassment over the telephone: occupational risk at call centres'. *Work and Stress*. 14 (2): 121-136.
- Sedley, A. and Benn, M. (1982) *Sexual harassment at work*. NCLL Rights for Women Unit: London.
- Segura, D. A. (1992). 'Chicanas in white-collar jobs: "You have to prove yourself more"'. *Sociological Perspectives*. 35: 163-182.

Sheehan, M. (1999) 'Workplace bullying: responding with some emotional intelligence'. *International Journal of Manpower*. 20 (1/2): 57-69.

Shelton, J. N. and Chavous, T. M. (1999) 'Black and white college women's perceptions of sexual harassment'. *Sex Roles*. 40 (7-8): 593-595.

Sigal, J., Braden-Maguire, J., Patt, I., Goodrich, C. and Perrino, C. S. (2003) 'Effects of type of coping responses, setting, and social context on reactions to sexual harassment'. *Sex Roles*. February: 157- 167.

Simon, L. A. and Forrest, L. (1983) 'Implementing a sexual harassment program at a large university'. *Journal of the National Association of Women Deans and Counselors*. 46: 23-29.

Smith, P. A. and Birney, L. L. (2005) 'The organizational trust of elementary schools and dimensions of student bullying'. *The International Journal of Educational Management*. 19 (6): 469-485.

Smith, W. (1999) 'Stressed out'. *Courier Mail*, 1 May. Cited in R. Kiesecker and T. Marchant (1999) 'Workplace bullying in Australia: a review of current conceptualisations and existing research'. *Australian Journal of Management and Organisational Behaviour*. 2: 5.

Smolensky, E., and Kleiner, B. H. (2003) 'How to prevent sexual harassment in the workplace'. *Equal Opportunities International*. 22(2): 59- 66.

Soewita, S. and Kleiner, B. H. (2000) 'How to monitor electronic mail to discover sexual harassment'. *Equal Opportunities International*. 19(6/7): 45-47.

Stanko, E. A. (1988) 'Keeping women in and out of line: sexual harassment and occupational segregation'. In S. Walby (ed.) *Gender segregation at work*. Open University Press: Milton Keynes.

Stedham, Y. and Mitchell, M. C. (1998). 'Sexual harassment in casinos: effects on employee attitudes and behaviors'. *Journal of Gambling Studies*. 14: 381-400.

Stockdale, M. S. (1998) 'The direct and moderating influences of sexual-harassment pervasiveness, coping strategies, and gender on work-related outcomes'. *Psychology of Women Quarterly*. 22: 521-535.

- Stockdale, M. S. (2005) 'The sexual harassment of men: articulating the approach-rejection theory of sexual harassment'. In J. E. Gruber and P. Morgan (eds.) *In the company of men: male dominance and sexual harassment*. Northeastern University Press: Boston.
- Stockdale, M. S. and Hope, K. G. (1997) 'Confirmatory factor analysis of US merit systems protection board's survey of sexual harassment: the fit of a three-factor model'. *Journal of Vocational Behavior*. 51: 38-357.
- Stonewall (1993) *Less equal than others: a survey of lesbians and gay men at work*. Stonewall: London.
- Takeyama, D. and Kleiner, H. (1998) 'How to investigate and prove discrimination based on race/color'. *Equal Opportunities International*. 17 (2): 10-17.
- Thomas, A. N. (2004) 'Politics, policies and practice: assessing the impact of sexual harassment policies in UK universities.' *British Journal of Sociology of Education*. 25 (2): 143-160.
- Till, F. (1980) *Sexual harassment: a report on the sexual harassment of students*. National Advisory Council on Women's Educational Programs: Washington, DC.
- Trades Union Congress (TUC) (1999) *No excuse - no harassment at work*. TUC Women's Conference survey report. TUC: London.
- Trades Union Congress (TUC) (2000) *Straight up! Why the law should protect lesbian and gay workers*. TUC: London.
- Trades Union Congress (TUC) (2005) 'Sexual harassment laws strengthened'. Press release 1 October: <http://www.tuc.org.uk/equality/tuc-10636-f0.cfm>.
- Trades Union Congress (TUC) (2007) 'Union report highlights high levels of harassment for lesbian, gay and bisexual workers'. Press release 23 May: <http://www.tuc.org.uk/equality/tuc-13342-f0.cfm>
- Tyler, T. R. (1998) 'The psychology of authority relations'. In R. M. Kramer and M. A. Neale (eds.) *Power and influence in organizations*. Thousand Oaks, CA: Sage. Cited in Miner-Rubino K. and Cortina L. (2004) 'Working in a context of hostility toward women: implications for employees' well-being'. *Journal of Occupational Health Psychology*. 9 (2): 107-122.

Tyler, T. R. (2002) 'Is the Internet changing social life? It seems the more things change, the more they stay the same'. *Journal of Social Issues*. 58: 195-205.

UNISON (2000) *Police staff bullying*. Report No. 1777. UNISON: London.

UNISON, (1997) *UNISON members' experience of bullying at work*. UNISON: London.

Van Tol, J. E. (1991) 'Eros gone awry: liability under Title VII for workplace sexual favouritism'. *International Relations Law Journal*, 3 (1): 153-82. Cited in Brewis, J. (2001) 'Foucault, politics and organizations: (re)-constructing sexual harassment'. *Gender, Work and Organization*. 8 (1): 37-60.

Vartia, M. (1996) 'The sources of bullying: psychological work environment and organisational climate'. *European Journal of Work and Organisational Psychology*. 5 (2): 203-14.

Veale, C. and Gold, J. (1998) 'Smashing into the glass ceiling for women managers'. *Journal of Management*. 17: 17-26.

Ware Bolagh, D., Kite, M. E., Pickel, K. L., Canel, D. and Schroeder, J. (2003) 'The effects of delayed report and motive for reporting on perceptions of sexual harassment'. *Sex Roles: A Journal of Research*: April.

Watts, C. and Zimmerman, C. (2002) 'Violence against women: global scope and magnitude'. *The Lancet*. 359 (93):1232-37.

Waxman, B. F. (1991) 'Hatred: the unacknowledged dimension in violence against disabled people'. *Sexuality and Disability*. 9 (3): 185-199.

Weick, K. E. (1995) *Sensemaking in organizations*. Sage: Thousand Oaks, CA.

Welsh, S. (1999) 'Gender and sexual harassment'. *Annual Review Sociology*. 25: 169-90.

Wilson, F. and Thompson, P. (2001) 'Sexual harassment as an exercise of power'. *Gender Work and Organization*. 8,(1): 61-83.

Woodzicka, J.A. and LaFrance, M. (2001) 'Real versus imagined gender harassment'. *Journal of Social Issues*. 57: 15-30.

World Health Organisation (WHO) (2002) *World report on violence and health*. World Health Organisation: Geneva.

Wyatt, G. E. and Rierderle, M. (1995) 'The prevalence and context of sexual harassment among African American and White American women'. *Journal of Interpersonal Violence*. 10 (3): 309-321.

York, K. M., Barclay, L. A. and Zajack, A. B. (1997) 'Preventing sexual harassment: the effect of multiple training methods'. *Employee Responsibilities and Rights Journal*. 10 (4): 277-289.

Zapf, D., Einarsen, S., Hoel, H. and Vartia, M. (2003) 'Empirical findings on bullying'. In S. Einarsen, H. Hoel, D. Zapf and C. L. Cooper (eds.) *Bullying and emotional abuse in the workplace. International perspectives in research and practice*. Taylor and Francis: London/New York.