

DoD Civilian Workers and Fort Sill Contractors

Sexual Harassment in the Workplace

If you believe you are a victim of sexual harassment, it is important that you take action. Ignoring sexual harassment seldom makes it stop; in most cases, sexual harassment continues or becomes worse when it is tolerated. While removing yourself from the uncomfortable situation may seem to be a solution, it is probably not in your best interest or the interests of other potential sufferers around you.

What you can do:

- Do NOT blame yourself.
- Tell the harasser that the behavior is unwelcome and must stop. Any way of telling them to stop is acceptable, including directly talking with him or her, calling, e-mailing or sending a memo.
- Tell someone, do not keep it to yourself. There are things that other people can do to help you.
- Document the incident. Write down dates, places, names of witnesses and what happened. Keep e-mails, text messages, instant messages, voice mails, and all history of the incidents.
- Report harassment to your supervisor, director, EEO staff, SHARP, VA, or union representative.
- If your supervisor is the harasser, notify his/her supervisor.



Note: Individuals must contact an EEO official within **45 calendar days** and state their intent to initiate an EEO complaint.

What is Sexual Harassment?

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person's sex. For example, it is illegal to harass a woman by making offensive comments about women in general.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be either a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, a customer or other non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without the result or threat of financial or employment loss.
- The harasser's conduct must be unwelcome.

The EEOC's guidelines define two types of sexual harassment: "Quid Pro Quo" and "Hostile Environment."

Quid Pro Quo

Quid Pro Quo means this for that. In sexual harassment cases, it means promotions, benefits, and other gifts in exchange for sexual favors. Alternatively, it can apply in a reversed situation, such as a denial of promotions, benefits, or deserved recognition because sexual favors were not received.

Example:

Amy is a new member at the office, but believes she is one of the hardest workers there. She believes she works more than Amanda, who doesn't seem to do much work at all, even though she is more senior. There was a promotion advertised within the organization last week and Amy thought she was guaranteed the promotion. However, Amanda was promoted instead. While possible it was based on Amanda's seniority, the rumors were circulating that it was based on Amanda's wearing low cut blouses, short skirts and that she did some "extra" things for the manager.

Note: An investigation would be necessary to prove the promotion was based on "quid pro quo" rather than seniority.

Hostile Environment

Hostile Environment occurs when unwelcome conduct of a sexual nature creates an intimidating, hostile, offensive or abusive employment, service, or educational environment or is so severe, persistent or pervasive that it affects a person's ability to work effectively. Conditions could include:

- Offensive language
- Sexually offensive signs, cartoons, calendars
- Displaying sexually explicit pictures on computer screen
- Repeated requests for dates
- Requests for sexual favors
- Using terms like "babe," "hottie," "doll," or "gay"
- Unwanted email, texts, or letters that are sexual in nature
- Unwelcome touching, hugging, or massages
- Bashing due to sexual orientation – either verbal confrontation and/or physical violence

Example:

A female staff member, Meenah, is asked by her supervisor, Richard, to facilitate the department's weekly Friday meeting while he is out of town at a conference. As a newer member of the department, Meenah visits her colleagues asking for their input in an agenda and topics for the meeting. Chris, longtime staff member, tells her that he doesn't usually attend these meetings because they don't have anything to do with him. Chris also made it known that he believes men and *only* men should be in charge of meetings. Then, on Friday, he shows up at the meeting and announces that he doesn't understand why the supervisor would appoint Meenah, a female and a newcomer, to run the meetings – "Why do we have a girl running the meeting? Is this some affirmative action thing?"

Retaliation

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on sex or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under Title VII.