

SEXUAL HARASSMENT: CAUSES, CONSEQUENCES AND CURES

August 2001

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The problem of sexual harassment is increasingly "coming out of the closet". Companies are starting to realise that the problem is real, some managers are admitting that it could affect their staff, and more victims are starting to gather the courage to complain. And in terms of recent labour legislation, victims do have legal recourse. Yet most people do not fully understand the problem, its causes, its consequences, or its extent. Even more difficult is the question: How does one deal with such behaviour? Before considering the causes and consequences of, and possible cures for, this deep-rooted problem, we shall have to define it. We shall also describe six different types of harassers, and consider who are usually the victims.

Every man and woman who becomes aware of the implications of this issue, can help both companies and individuals to address this insidious and destructive problem.

What is harassment?

If one simply looks at a dictionary definition of *harassment*: "vex by repeated attacks; trouble, worry", it is clear that such behaviour towards a colleague is undesirable and could undermine morale and productivity. If one adds the sexual dimension, with its personal, psychological, moral and marital implications, the problem becomes much more complex.

A major issue is people's diverging views on what constitutes harassment. Definitions vary from verbal harassment by sexist, crude or suggestive remarks, through casual touching or open advances, to the extremes of coercion or blackmail if a manager has the power to threaten a subordinate's job if she (or he) doesn't "play along", to attempted or actual rape. It is difficult to pinpoint the problem: sometimes the more "innocent" forms of harassment – a stare making the woman feel uncomfortable, the too personal comment, or "friendly" touching – may mean the man is testing her reaction and will move further if not clearly repelled.

Cases have been reported of men being harassed by women or by other men, or women by other women. However, 98% of the cases reported in a survey conducted in South Africa in the early 1990's among members of the IPM and the Institute of Directors, related to men harassing women at work or in work-associated situations. Therefore, although all kinds of sexual harassment – and even non-sexual harassment – should be stopped, the focus in this discussion will be the most prevalent kind, of men harassing women.

A workable definition would be: *Sexual harassment in the workplace is unwelcome or unwanted attention of a sexual nature from someone at work, that causes discomfort, humiliation, offence or distress, and/or interferes with the job. This includes all such actions and practices of a sexual nature by a person or a group of people directed at one or more workers.*

Sexual harassment can consist of unwelcome sexual advances, requests for sexual favours in return for employment benefits, pressure for sexual favours to clinch sales deals, the display of sexually offensive posters, cartoons or drawings, or any other form of verbal or physical behaviour that the recipient regards as unwelcome or embarrassing.

Any of the examples above may represent harassment. In all cases it is the consequences, and not the intentions, that count. The severity of the harassment is to a large extent determined by the impact it has on the victim. So "It was just a joke" or "I had too much to drink" is no excuse. Harassment usually relates to intimidation, exploitation and power; not to real, mutual personal attraction and respect. Thus a relationship between two consenting adults would usually not be harassment. Yet if the one party has far more power than the other, and abuses this in the work situation to coerce the other, it could still be a case of harassment.

If unwelcome attentions are repeated although they have been declined, or if the person is victimised because of having turned down such advances, the situation becomes worse.

Causes

The causes of sexual harassment vary from person to person and from situation to situation. This discussion can only cover some of the main factors. Many of the causes are interrelated, and are linked to the culture and values in society and in companies, and to the roles, relative power and status of the men and women concerned.

Socialisation

The way in which men and women were brought up to see themselves and others strongly influences their behaviour. Various viewpoints could create a climate that allows sexual harassment:

- In a culture where it is, or was until recently, "OK" to discriminate against people because they are different (in terms of gender, race, culture, religion, lifestyle, political conviction or whatever), the abuse of power or humiliation that is typical of sexual harassment will not be unusual. Harassment is often closely linked to prejudice in general, and to sexist attitudes.
- Men who were brought up with macho beliefs like "real men pinch bottoms", "girls were made to hug and kiss", "the more, the merrier", easily carry these social values into the workplace, and treat their female colleagues accordingly. Such men often even think that women take their harassment as a compliment.
- Many women have been brought up to believe women's highest calling is to please men, that popularity with men equals success, or that "real women look sexy". This can give the impression – usually unintended – that they invite sexual advances at work. Some women whose sexuality as their only power base, play along. Although research has proven them to be a small minority, their behaviour can also encourage harassment of other women.
- If women see themselves as dependent on, or of lesser value than men, or are unassertive, they find it difficult to handle harassers or to complain. Often women who are breadwinners are vulnerable and fear victimisation or even job loss, if they reject advances or complain.

Power games

Social and political changes in recent years have changed power relationships. Some men feel threatened by the career advancement of women and people of colour, or are uncomfortable with women's new-found independence and assertiveness at home and/or at work. Other men who have recently gained positions of power (possibly after decades of discrimination) may also try to prove themselves by harassing women subordinates. Some men even regard it as a "fringe benefit" to which their position, their power and their sex entitle them. In tough times of uncertainty, fear, limited promotion opportunities, retrenchments, personal stress and pressure

on performance, there is a real danger that sexual harassment and trading of sexual favours will form part of the power games played.

Moral values, divorce and cultural differences

- In times of moral laxity, when extramarital affairs and "one-night stands" are broadly accepted, when some people equate monogamy with monotony, it is relatively easy for people to indulge in office flirtations, whether one-sided or mutual. The person who tries, and doesn't accept rejection or sees the unwilling colleague as a challenge, easily becomes a harasser, or may victimise the reluctant colleague.
- The prevalence of marital stress and divorce in our society means that some men and women come to work in a state of emotional distress that could make them vulnerable to sexual harassment.
- Some confusion results from cultural differences about what is, or isn't, acceptable in our rapidly-changing society. For example, when action was taken against sexual harassment at the University of Cape Town, black male students claimed it was their cultural and traditional right to act in that way. They were strongly challenged by the then vice-chancellor, a black woman. Black women complaining about harassment by black men have been accused of disloyalty to their own group, while whites may fear accusations of racism or prejudice if they reject or complain about such behaviour from black colleagues.

Credibility and victim-blaming

The credibility of the victim is often called into question, as it is usually her word against that of the harasser/s. (Although dealing with rape rather than harassment, the film *The Accused* was a striking example of victim-blaming and male solidarity trying to defeat justice, similar to what often happens in the case of harassment.) Several factors aggravate this problem:

- The large majority of decent men who treat women with respect and would never dream of taking such liberties, usually find it difficult to believe that respected colleagues would abuse their position in this way.
- Management may take the word of a senior person rather than that of a subordinate as they are likely to have known the senior longer, and a manager usually has more credibility in a dispute than a subordinate. Particularly if the managers concerned are all men, they may not understand the seriousness of the problem, or may "stick together" out of gender loyalty.
- If the person deciding whether to take action or not, has himself been guilty of harassment, he is likely to go along with a cover-up, or at least give his "buddy" the benefit of the doubt.
- The harassed may be a high-level or highly-skilled person who is difficult to replace, while the victim is likely to be on a lower level, and thus more expendable.
- The common tendency of victim-blaming often causes the plaintiff to end up virtually as the accused. As in the case of sexual assault and rape, the dress, lifestyle and private life of the victim seem to become more important than the behaviour being investigated. Naturally it is advisable that women dress and behave appropriately at work. Yet any woman – whatever her appearance and lifestyle – has the right to decide whether, when, where, and from whom she wishes to accept any sexual approach or comment. And if she declines, she should not be victimised in any way. We should heed the saying:

"However I dress, wherever I go
My yes is Yes, and my no is No".

- The victim may be very embarrassed by the events, or afraid of ridicule or revenge, and is likely to wait until matters become unbearable before she complains. She may then be blamed of having played along or condoned the behaviour initially.
- Many women are also inclined to excessive guilt and self-blaming, and may even believe that they unwittingly did or said something to invite the unwanted behaviour. And if they are ashamed or afraid and don't discuss the problem, they often don't realise that it is a fairly common occurrence, and not their fault.

Aggressiveness or bravado

Men in groups often behave differently from how they would as individuals. This can explain some of the "gang harassment" that occurs when a woman enters a plant or walks past a group of workers at lunch; after a few drinks at an office party; or when a group of colleagues attend a conference. Alone, those men would probably be "harmless", or less bold.

Lack of company policy

- Many South African companies don't have clear policies and complaint and disciplinary procedures to deal with harassment – or if they have them, they do not implement them.
- In research for an MBL thesis (done by a concerned man), 76% of the women respondents said they had been harassed at work, while few of their companies had relevant policies. Women often resign rather than complain, since they do not know where to go, or if they do complain, it is either treated as a joke, or no action is taken by management.
- If management condones such behaviour or if victims end up being blamed, the perpetrator is encouraged to continue the pattern of harassment, affecting more and more women.

Types of harassers

Marital status, level in the organisation and age do not exclude people from being harassers. It appears that in many cases alcohol reduces inhibitions, and people who normally would not become harassers. In many cases sexual harassment could also be linked to self-esteem problems on the side of the perpetrator, causing a need to "prove himself". While behaviour and motives vary between individuals, we can probably divide harassers into six broad classes:

Mr Macho, or One-up-the-boys

This is usually linked to the bravado mentioned above, when groups of men embarrass women with comments, unwanted compliments or even physical evaluation, lewd jokes or gestures, and display of sexually distasteful posters. All these could create a hostile environment, and even if it goes no further than verbal and visual harassment, most women experience this as humiliating and disturbing.

The Great Gallant

This mostly verbal harassment occurs when the "gallant" pays excessive compliments and makes personal comments that are out of place or embarrass the recipient. While most men and women appreciate recognition and genuine compliments, comments focused on the appearance and the sex of a worker – rather than her competence or her contribution – are usually unwelcome. Such compliments are sometimes also accompanied by a possessive pride or by leering looks. Although the giver of compliments may see himself as the gallant gentleman, the recipient usually experiences him as patronising or annoying, or both.

The Opportunist

This kind of harasser is usually fairly promiscuous in his attention to female staff, suppliers or clients. Whenever the opportunity presents itself – in the elevator, when working late, on a business trip, at the office party, when alone in an office or a car with a female colleague – the "office grope's" eyes and hands start wandering. Every birthday, farewell or special occasion is also an opportunity to insist on (usually begrudged) kisses. Some of this behaviour may take place in public, but if not repelled, he is likely to try to go further in private. If confronted, he will insist that the women like and enjoy his attentions; or even that the single and divorced women "need it".

The Power -player

In this case harassment is a power game, where the man insists on sexual favours in exchange for benefits he can dispense because of his position: getting or keeping a job, promotion, orders, bank overdrafts, getting a driver's licence, and so on. The Hollywood "casting couch" is probably the best-known example. Evidently some local trade union leaders have also forced women "to pay in kind" for admission to their unions. This can be described as "quid pro quo" harassment, and is closely allied to blackmail. Besides the effect on the victims, this form of harassment is an abuse of power and trust. It can lead to bad business decisions, and can cost the company dearly in terms of effectiveness, the cost of special favours, and company image.

The Serial Harasser

The most difficult type of harasser to identify, and the most difficult to deal with, is the one I describe as the serial harasser. This person is compulsive and often has serious psychological problems. He carefully builds up an image so that people would find it hard to believe ill of him, plans his approaches carefully, and strikes in private where it is his word against that of a subordinate. He can do a lot of damage before he is found out. Although serial harassers are in the minority, managers and personnel professionals should be aware of this possibility. This person's aberrant behaviour is often a call for help, rather than deliberate harassment, as is usually the case in the above four types. In this case counselling is probably more important than mere disciplinary action.

The Situational Harasser

The trigger to this person's behaviour is usually psychological, but more situational than compulsive. Incidents are often linked to specific life situations or emotional or medical problems, such as divorce, wife's illness, impotence, hormonal imbalance, prostate disease, or psychiatric or systemic disturbances that suppress the higher brain functions, such as Alzheimer's and alcoholism. If the situation changes or the disease is brought under control, the harassment usually stops – but by then both victim and harasser have been harmed.

Typical victims

Women of all ages are harassed – physically attractive or plain, sexy or soberly dressed. A woman's high rank or status in the organisation, her age or her race, is no insurance or shield: a man may regard her as a special challenge. If she succumbs, he will feel more powerful, or say "after all, she is still just a woman".

Women who are particularly vulnerable include:

- Women heads-of-household, who need their jobs badly.

- Divorcées or widows are often psychologically vulnerable because of loneliness and personal loss –and they can't "plead virginity".
- Women who are timid or insecure about their abilities, and lack self-confidence and career-related education; who have limited potential for advancement and are easy to replace.
- Women who are eager to be accepted and liked, and may find it difficult to be assertive and say "No". Their friendliness and helpfulness is often misread as an invitation.
- Saleswomen may be pressured by clients to meet sexual demands in exchange for their business. To make matters worse, their employers may urge them to comply.

Consequences

Case histories, experience and research internationally and in South Africa have proven that sexual harassment can involve heavy costs, both to companies and to individuals concerned.

Costs to companies

- Harassment costs companies money by reducing productivity, morale and motivation. If a worker is constantly concerned that the harasser may strike again, she is unlikely to be able to work effectively. At the same time, colleagues who are not involved may be demotivated if they are aware of unacceptable goings-on, or fear possible favouritism.
- Companies may lose valuable staff. Many women resign rather than go through the unpleasantness of a confrontation. In a division of a company employing many women, where the problem was rife, few women stayed longer than three months. This almost bankrupted the division due to high recruitment and training costs, and poor productivity.
- The costs of bad decisions related to harassment are difficult to quantify. These include the costs of appointing people because of their looks or compliance with "quid pro quo" demands, rather than skills and competence, the direct costs of perks and unearned increases for favourites, and hotel and travelling costs if women are taken along on business trips or to conferences for personal rather than business reasons. Other examples could relate to giving loans or overdrafts unwisely, or placing orders in the hope of gaining the victim's compliance.
- High absenteeism among women could also be a result (or a possible symptom) of harassment, as the stress caused by such an unresolved problem, or the fear of being harassed again can either cause illness, or encourage women to stay "safely" at home.
- The knowledge that harassment is permitted can undermine ethical standards and discipline in the organisation in general, as staff lose respect for, and trust in, their seniors who indulge in, or turn a blind eye to, such behaviour.
- If word gets around that a company allows sexual harassment to go unchecked, the company's image among its staff, customers and the general public may also suffer.

Legal costs

- Companies can incur legal costs if the problem is ignored. The Industrial Court in *J v M* (1989, the first reported case of sexual harassment in South Africa) ruled that "an employer undoubtedly has a duty to ensure that its employees are not subjected to this form of violation in the workplace". Action may be brought against an employer who knows or ought to know about harassment and fails to take appropriate preventive action. Where there are inadequate channels of complaint, an employer may be held liable even if there was no knowledge of the harassment.

- Whereas sexual harassment was in the past usually dealt with by the Industrial Court as an unfair labour practice, harassment of an employee or prospective employee by an employer or by another employee of the same employer is now expressly prohibited. Because of being declared unlawful, such behaviour may lead to both criminal action and civil claims.
- If a company has no clear policy on sexual harassment, it may also have problems if it needs to take disciplinary steps against a harasser. Lack of clear definition of unacceptable behaviour would make it easier for a harasser to take the company to court to appeal against disciplinary steps or dismissal. In a case a few years ago a senior manager in a large South African company was dismissed when many years of serious harassment of more than a dozen women came to light. His behaviour had cost the company heavily in terms of productivity losses, the cost of favours, and company image. However, when he appealed to the Industrial Court, the company settled out of court because they feared losing the case, as they had had no specific policy or clear definition of sexual harassment at the time.

Personal costs

- The victims usually suffer the highest personal costs, although the perpetrators and even observers can also be harmed if harassment is allowed to go uncontrolled.
- Few people who have not experienced it personally understand the distress and even terror sexual harassment can cause. Most women experience it as an insult, that undermines their self-confidence and thus also their personal effectiveness. It may also undermine their trust in men and in people in authority. In the case of women who were sexually abused as children or as adults, another negative experience can cause serious psychological damage.
- Women who resign because of sexual harassment problems, often have difficulty getting good references from their previous employers, or giving reasons for having left their previous job; and may thus have difficulty in finding another position. Obviously, this could disrupt such a woman's entire life.
- Women who resist harassment or complain, may be victimised, for example, overlooked for promotion. Thus this can hold back their career development and personal growth.
- The harasser themselves could fall into bad habits if their behaviour is allowed to continue. This can negatively influence their effectiveness at work, their interpersonal relationships, their marriage, and their personal development. Particularly in the case of the last two of the types of harassers mentioned above, the serial and the situational harassers, ignoring their behaviour could cause a deep-seated problem to go untreated.
- Men or women who observe harassment going unchecked may lose trust in their superiors, may feel threatened by the situation if they believe that others are favoured because they play along, or may be tempted to indulge in the same type of behaviour if that appears to be "the rules of the game" in their company.

Cures

Clearly the hidden costs of harassment are enormous. It is in every employer's interest to be proactive and prevent the problem, rather than having to redress it after damages have been suffered. Aware individuals can play a major role: by bringing the seriousness of harassment to the attention of management and of employees, by helping to formulate and implement appropriate policies, and by helping victims to deal with the consequences of harassment.

Many practical steps can be taken, as part of an integrated programme, to counter harassment:

A clear policy from management

- Management must develop, with consultants and in-company specialists, and with relevant staff organisations and unions, a clear definition of, and policy on sexual harassment.
- Concerned people and the press should also help to publicise the need for such policies.

Awareness of the problem, and of own, and others' rights

- Managers and all male and female employees must become aware of the problems inherent in harassment, and must know how to handle it.
- If a clear policy exists, and is well promoted, both the person being harassed, and the person considering harassing someone, will know what the individual's rights are – what is acceptable, and what not; also where the person being harassed can complain. This should reduce considerably the likelihood of harassment.

Complaints and disciplinary procedure

- There must be clear guidelines on reporting and disciplinary procedures in cases of harassment, and these must be communicated to all staff members.
- Appropriate staff members can be selected, appointed and trained as complaints officers with authority to institute disciplinary measures when necessary.
- In large companies, counsellors can be appointed and trained to provide support and to give advice to staff who are sexually harassed, or to counsel harassers if required. These may be the same people as the complaints officers, and could possibly also sensitise and train managers and supervisors in the implementation of the policy.

Other supporting measures

- Assertiveness training and development of a healthy self-esteem will help women to deal with harassers; and will also reduce the need in some men to try to prove themselves by harassing colleagues.
- An effective employment equity programme, that ensures well-planned career paths for all – based on merit, while also ensuring that people disadvantaged in the past get a fair deal – will reduce the vulnerability of individuals to harassment by people who abuse their power and authority.
- A positive corporate culture, in which the rights and dignity of all staff members are respected, and a positive example is set by management, will do much to create a healthy environment in which sexual harassment cannot flourish.

Although no policy can be expected to eliminate the problem, we are convinced that awareness of the problem and of ways to deal with it will help to reduce its extent dramatically. Women, together with personnel and employee assistance professionals, must take initiative and get their companies to act against harassment if a programme is not yet in place. Equally importantly, the appropriate professionals must assist victims of past and present harassment to overcome the negative effects of that experience.

Other related articles by Truida Prekel:

Sexual harassment: A deep-rooted Problem – IPM Journal, March 1989

Coping with the Sexual harasser – Career Success, May 1992

Harassment: Prevention is better than redress – People Dynamics, Oct 1992.

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