

Recognizing Sexual Harassment: What HR Should Know



Overt sexual harassment is easy to recognize – when a boss requests sexual favours from an employee in exchange for a raise or promotion, for example. Similarly, unwanted sexual advances that disrupt the work environment and or offend an employee should clearly alert HR that a problem exists.

But what about the more subtle situations, including word choices and body language?

“When any unwelcome or unsolicited sexual conduct is imposed on a person who regards it as offensive or undesirable, it is sexual harassment,” says Anne Bhanu Chopra, equity ombudsperson for the Law Society of British Columbia.

Although sexual harassment is typically directed at women, she points out that men can also be victims.

Common Types of Sexual Harassment

To better define sexual harassment for the purpose of recognizing it, Chopra shares a brief description of the five common types of sexual harassment.

1. Threatening – A person is threatened or offered rewards – promotions, raises, etc. – in return for sexual favours. A direct or implied threat often accompanies such a proposition, making it clear that the victim’s career will be jeopardized if he or she doesn’t comply with the request.

2. Physical harassment – This occurs when a person is unwillingly touched. Some examples of physical harassment include, but are not limited to: touching a person’s clothing, hair or body; hugging, kissing, patting or stroking; massaging a person’s neck or shoulders; or standing close to or brushing up against a person.

3. Verbal harassment – This comes from anyone within the firm and or other workplace or a person who does business with the firm or company. Some examples are: referring to an adult as a babe, honey, girl or stud; whistling at someone; turning work discussion to sexual topics; asking personal questions of a sexual nature; making sexual comments about a person’s clothing, anatomy or looks; or asking someone repeatedly for dates and refusing to take no for an answer.

4. Non-verbal harassment (body language) – Examples of non-verbal harassment include: suggestive looks; prolonged staring; giving unwanted personal gifts; winking and

making sexual gestures with the hands or body movements.

5. Environmental harassment – Sexually suggestive pictures or objects displayed in the workplace may offend people. These items depict women or men as sex objects. It is important to note that, if your office is a place where others have to enter to do work, you must ensure that you are not causing a hostile or offensive environment.

Remember, in today's electronic workplace, No. 5 includes sexually suggestive online images and sexually offensive language – at websites and shared via email.

What Isn't Sexual Harassment?

Still, human nature is such that harmless comments and everyday behaviour may be misconstrued, which makes it difficult to clearly define sexual harassment.

Chopra gives these examples: Is it okay to hold a door open for a woman? Will I get in trouble if I compliment someone on their clothing or new hairstyle? Is telling an off-colour joke considered sexual harassment?

She acknowledges there aren't always clear-cut answers to questions like these, but recommends that a person ask these questions:

Would I want my daughter, wife, sister, son, brother or husband subjected to this behaviour?

Is the behaviour likely to intimidate or belittle the recipient?

Is it possible that the behaviour would be misinterpreted?

"When in doubt," Chopra says, "don't do it."

HR's Role

Understanding sexual harassment is essential so that HR can take a proactive role in keeping the workplace free of such behaviour.

Additionally, Chopra recommends that HR:

- Educate employees about sexual harassment through informal or formal discussions and/or training; or by distributing a copy of the company's policy for dealing with sexual harassment to all employees.
- Promote a safe and respectful work environment by encouraging employees to tell harassers to stop and by publishing policies on respectful workplace behaviour.
- Take all allegations of sexual harassment seriously.

"If any member of the firm comes to you with a complaint, take action right away," she says.