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Module 2 – Sexual Harassment Prevention

This module will review the following topics:

- Approaching an awkward topic
- Defining sexual harassment
- Types of sexual harassment
- Unlawful harassment
- Identifying & preventing sexual harassment
- Respecting boundaries
- Our policy and procedures
- Your responsibilities



Approaching an Awkward Topic

At WCC, we don't want an environment that is so sensitive we can't discuss sexual harassment.

Talking about sexual harassment in the workplace can be an uncomfortable conversation, however, doing so diminishes its awkwardness.

It is our goal to go beyond being compliant by providing training; we are training for the right reasons.

As an organization, we want to create a proactive environment that **prevents** sexual harassment by providing information and skills that empower you to take responsibility for safety and respect.



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Defining Sexual Harassment

Sexual harassment is the act of unsolicited verbal, written, electronic or physical conduct of a sexual nature that affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

Types of Sexual Harassment

- **Quid pro quo** (Latin for "this for that" or "something for something")
  - Tangible employment action against the victim
  - Involves monetary loss or change in job

  Example: Mary Smith receives smaller pay increase based on performance than other employees with similar performance because she refused to go out with her supervisor.
- **Hostile work environment**
  - Speech or conduct that is severe and or pervasive enough to create and abusive or hostile work environment

  Example: Michael is leering at and intentionally brushing up against a coworker.

Illegal vs. Unacceptable Harassment

Unacceptable behavior will be addressed, but this behavior is not always illegal.

We don’t want to suggest behavior is unlawful when it might not be.

The EEOC helps define unlawful harassment.



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Unlawful Harassment Defined by the EEOC

Harassment is illegal when it is so frequent or severe that it creates a hostile work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

- It is unlawful to harass a person because of that person's sex
- Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.
- Harassment does not have to be of a sexual nature.
- It 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.
- Both victim and harasser can be either a woman or a man, and the victim and harasser can be the same sex.
- The law does not prevent simple teasing, offhand comments, or isolated incidents that are not very serious.
- The harasser can be a supervisor, co-worker, or someone who is not an employee like a customer or client.

Identifying Sexual Harassment



Definition of “conduct”

Conduct is NOT sexual harassment if it is welcome. For this reason, it is important to communicate, either verbally or in writing, to the individual that the conduct makes you uncomfortable and you want it to stop.

If you are not comfortable communicating this, contact your leader or HR for guidance.

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Identifying Sexual Harassment

Conduct of a sexual nature:

- **Verbal and Written:** Comments about clothing, personal behaviors, a person's body, sexual or sexual-based jokes, requesting sexual favors or repeatedly asking a person out, sexual innuendoes, telling rumors or gossip about a person's sexual life, sexual threats, messages of a sexual nature. Referring to an adult as a girl, boy, hunk, doll, babe, honey or similar. Whistling. Making cat calls. Telling sexual jokes or stories. Asking about sexual history, preferences or similar. Unwanted sexual attention.
- **Physical:** Assault, impeding or blocking movement, inappropriate touching of a person or a person's clothing, kissing, hugging, patting, stroking or similar unwanted touching or physical affection.

Identifying Sexual Harassment

Conduct of a sexual nature continued:

- **Nonverbal:** Looking up and down a person's body, derogatory gestures, facial expressions of a sexual nature, following a person.
- **Visual:** Posters, drawings, pictures, screensavers, emails, texts, social media posts of a sexual nature.
- **Sexual coercion:** Involves non-physical sexual advances using tactics like pressure, deception, manipulation or threats. The perpetrator can take advantage of power imbalances dependent on sexual cooperation, like conditions of employment of education. In turn, the victim is made to feel they "owe it" to the offender and are obligated to give into the advance.

Identifying Sexual Harassment

Conduct of a non-sexual nature

Gender harassment is a widespread form of sexual harassment

- Non-sexual conduct may also be sexual harassment if you are harassed because you are female rather than male, male rather than female, or because you are gender fluid, gender non-conforming, non-binary or similar.

Sexual orientation and gender identity harassment

- May include stating or implying in a negative manner that an employee is gay, lesbian, bi-sexual, transgender or gender non-conforming.
- Making jokes, negative comments or opinions, derogatory slang or inquiring into the sexual practices of gay, lesbian, bi-sexual, transgender, or gender non-conforming individual.

Identifying Sexual Harassment

Who can commit sexual harassment?

- Employees at all levels
- Physicians or fellows
- Customers, vendors or visitors
- Volunteers
- Patients or family members
- Members of the same or different sex



Who can be the victim of sexual harassment?

- Individual(s) targeted by statement or actions
- Bystanders or witnesses not directly targeted

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Respecting Boundaries

Establish & Express Boundaries

Healthy boundaries are limits we all set for ourselves; they can be physical or emotional.

- Communicate/express what your boundaries may be; it is ok to be firm when needed
- Let others know when they are pushing your boundaries
- Workplace romance mishaps can lead to a sexual harassment claim, even with consensual relationships.
- Romantic partners at work can pose a conflict of interest. Our policy states one person cannot supervise or have influence over their partner's work or employment conditions.
- Leaders are held to the highest standards of behavior due to "power differential" or the ability to influence a subordinate's employment, pay, promotions, evaluations and other or work conditions
- When there is hierarchy in your title, you cannot, by definition, have a consensual relationship. Though both partners may agree in the intellectual mind, if one is superior to the other the relationship is not truly consensual.

Preventing Sexual Harassment

Why it is important to prevent sexual harassment in our workplace:

- Sexual harassment harms us all
- The most important part of our corporate values is to ensure our employees are treated with dignity and respect
- Engaging in, condoning or not reporting sexual harassment is in direct conflict with our policies and values
- We want to remain in compliance with Title VII of the Civil Rights Act which prohibits sex discrimination (including gender identity, gender expression, change of sex or transgender status)
- We want to remain in compliance with applicable state civil rights laws and fair employment laws

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Our Sexual Harassment Policies and Procedures

All forms of sexual harassment are strictly prohibited at West Cancer Center. Employees are assured they may raise concerns without fear or retaliation.

You should let the other person know their conduct is not welcome if you have experienced or witnessed inappropriate behavior. If you believe it to be unlawful harassment and it continues after you have objected, you are expected to report the situation to HR.

If you are uncomfortable addressing the matter directly with the other person, you should immediately report the situation to HR. In all instances of unlawful harassment, HR will initiate a prompt investigation and take appropriate action to end the conduct.

It is your responsibility to utilize these procedures or otherwise act reasonably to avoid harm.

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Our Sexual Harassment Policies and Procedures



What HR will do with a complaint:

- Listen and take notes about what you share
- Remain objective, investigate and gather facts before recommending a course of action
- Keep the information as confidential as possible and only discuss it directly with those involved in the investigation
- Follow-up and inform you of action taken

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How To Report Sexual Harassment



- Contact your leader
- Contact Human Resources
- Report through our **Compliance Hotline 1-888-394-2306**

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Your Responsibilities in Preventing Sexual Harassment

Understand that harassment is illegal under federal and state laws.

Your responsibilities regarding prevention are to know and comply with our policies and procedure, report incidents that you experience directly or witness, cooperate with investigations and support victims.

Review the EEO and Harassment

and Discrimination policies in the Employee Handbook.

Contact your leader or HR with questions.

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Still have questions or concerns?

Contact Human Resources with questions or concerns of any kind.



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This concludes Module 2 – Sexual Harassment Prevention

Thank you!

