Objectives

• Understand the sexual harassment guidelines.
• Know how to recognize sexual harassment.
• Know what to do if you see sexual harassment occurring.
• Know what to do if you are sexually harassed.
• Title VII of the Civil Rights Act of 1964 of the EEO Guidelines prohibits discrimination based on
  • Race
  • Gender
  • Religion
  • National Origin
  • Disability
  • Age
Office of Civil Rights

• Title IX of the Education Amendments of 1972:
  “... to deny or limit, on the basis of sex, the student’s ability to participate in or benefit from services or opportunities in the schools’ education program or activity.”
UNO Sexual Harassment Policy

• Policy can be reviewed on-line at http://www.unomaha.edu/humanresources/discriminationProcedure.php
• UNO policy contains complaint processing guidelines.
Title VI of the Civil Rights Act of 1964

• Discrimination based on race, color, or national origin is prohibited.

• No discrimination permitted under any program or activity receiving Federal financial assistance.

(Thus, ALL UNO programs for faculty, staff, or students must be free of discriminatory actions.)
Definition of Sexual Harassment

• Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

• Submission to such conduct is made a term or condition of employment or academic advancement.

• Submission to or rejection of such conduct is used as a basis for decisions affecting such individual.

• Such conduct has the purpose or effect of interfering with employment or academic performance or advancement.
Why is Sexual Harassment Important?

• Illegal
• Expensive
• Demoralizing
• Unfavorable publicity for all parties involved
• Lower productivity
• Psychological and emotional impact
• Job and career loss
Importance cont.

- We all have the right to fair treatment at work and at school.
- It undermines the trust and respect necessary for a safe environment.
- It affects both men and women.
- Understanding sexual harassment helps prevent it.
Number of Sexual Harassment Complaints Filed

- In 2009, the EEOC received 12,696 sexual harassment complaints.
- 16% of these were filed by males—a slight increase from 2008.
Sexual Harassment on Campus

• Sexual harassment can be a form of power.
• Faculty members have authority over students.
• Faculty/student relationship can be seen as a form of power.
• Authority can lead to sexual harassment in the classroom, in assignments or grades.
Males and Females Have Different Perspectives

- Females are more likely to view sexual behavior as intimidation, hostile, offensive, demeaning or inappropriate.
- Males are more likely to view the same behavior as being flattering, friendly, or funny.
Sexual Harassment Laws

• Courts have defined two different types of sexual harassment:
  – Quid Pro Quo
  – Hostile Work Environment
Quid Pro Quo

• Latin for “this for that” or “you do this and I will give you that” or “Let’s make a deal.”

• An exchange between faculty and students
  – Assignments/Grades
  – References
  – Evaluations
  – Pay
Quid Pro Quo cont.

• Tangible employment/academic action
  – Victim is target of tangible action because refuses a sexual request.
  – Tangible action focuses on harm done to victim rather than specific conduct of harasser.
    • Unfavorable class projects, lower grades
    • Lower pay than others similarly situated
    • Not hired as a student worker
    • Promises of a raise, higher grades, better work assignments in return for sexual favors
Hostile Environment

- Intimidating, offensive or disruptive work or academic environment
- Work /academic environment permeated with discriminatory intimidations, ridicule, insults
  - Non-verbal
  - Verbal
  - Physical
  - Visual
Hostile Environment cont.

- Touching
- Sexual verbal comments/gestures
- Jokes
- Emails/faxed messages/sexting
- Pictures
- Demeaning terms (babe, honey, sweetness)
- Leering
Hostile Environment

- Less severe—more frequent behavior must occur
- More severe—can include attempted rape, touching in inappropriate part of body
- Frequency of discriminatory conduct is considered in order to rise to the level of sexual harassment—severe and/or pervasive
Unwelcomed or Unwanted

- Laws do not prohibit sexual behavior between adults. They prohibit these behaviors when they are unwanted or unwelcomed.
- Unwelcomed behavior is not solicited and not wanted by the individual.
Intent vs. Impact

• **Intent** is not a criterion in determining whether the behavior constitutes sexual harassment.

• The **impact** of the behavior will be judged based upon the “Reasonable Person” standard.
Reasonable Person Standard

- Behavior must be severe, pervasive, and frequent, and must be offensive conduct to a reasonable person in similar circumstances.
- One-time behavior seldom rises to the level of sexual harassment unless severe.
Who Can Be Harassed

• Male vs. female
• Between members of the same sex
• Third party—vendors, speakers, community members, visitors
Types of Sexual Harassment

- Sexual favoritism
- Consensual relationship that turns sour
- Direct targets
- Bystanders and witnesses
- Sexual epithets, slurs, stereotypes, offensive jokes, circulating sexual emails, graphic material that incorporates sexual behaviors
Other Types of Harassment

• Harassment can be based on race, sex, color, religion, national origin, marital status, disability, age, genetic information and (UNO only) sexual orientation

• Same principles apply such as unwelcomed, severity or pervasiveness, hostile environment
Retaliation

• No retaliation against an individual for filing sexual harassment complaint
• No retaliation against individuals who participate in the investigation of complaint
Costs of Sexual Harassment to Students

• Decrease in academic studies
• Withdrawal from University
• Absenteeism in class
• Anxiety, depression, acting out
What Are Your Responsibilities If You Are Harassed?

- May tell the individual that the behavior is unwelcomed.
- Report harassment to someone in authority: Chairperson, Dean, Vice Chancellor’s Office, Human Resources, Office of Equal Opportunity.
- Document any conversations or offending behavior including names of any witnesses present.
Key Points to Remember

• Sexual harassment is prohibited by law and workplace policy.
• It involves more than physical conduct; it can also be verbal or visual.
• Sexual harassment harms us all.
• You have the power to prevent it.
Test and Certification

• This concludes the training session of this program.
• Please click on the link below to go to the Quiz and to receive your Certification of Completion.

CLICK HERE