

## Addressing Sexual Harassment in the Workplace: A Shared Responsibility

The #metoo movement has spurred a deeply charged national dialogue on sexual harassment in the workplace and exposed the unfortunate reality that 50 years after the passage of Title VII and 27 years after Anita Hill came forward, the issue remains a problem.

To understand more about why sexual harassment behavior persists, Working Mother Research Institute (WMRI) developed the #metoo survey in partnership with the American Bar Association Law Journal to delve deeper into the issue. To date, we have received close to 3,000 responses, including more than 100 responses from National Association for Female Executives (NAFE) members.

The full results of the survey will be released and published in the coming months, but a preliminary analysis of the data points to high incidents of harassment, limited reporting, a culture of tolerance, lost productivity, negative implications for women's advancement, and the critical need for gender partnership.

### Culture of Complicity and Tolerance

In many organizations, workplace culture continues to reflect a male-dominated power structure with deeply embedded gender and race inequities. Lack of penalties for offenders, and fear of retaliation or other negative consequences, prevent victims of sexual harassment from speaking out and witnesses from stepping in. According to the EEOC, almost half of the more than 90,000 charges of workplace discrimination filed in 2016 included a retaliation claim.

**In the preliminary analysis of the WMRI survey data, more than two thirds of respondents that experienced sexual harassment didn't report it.** Sexual harassment offenders are often shielded by a culture of silence and inaction which can normalize bad behavior. A culture of complicity in many organizations has unintentionally fostered an environment where the vast majority of sexual harassment behaviors are ignored or overlooked. **In the WMRI survey, most respondents describe sexual harassment as an issue of power and organizational culture.**

Organizations need to take a realistic look at their culture and understand why inappropriate conduct goes unchecked, and why more victims and witnesses don't come forward. Employees need to be equipped with the language, tools and supports to stop inappropriate behavior. Witness intervention is of particular importance when a harasser holds a position of prominence, which may make the victim even more reluctant to come forward. One problem with traditional sexual harassment training is that it teaches employees what not to do but focuses little attention on what they can do.

## Leadership and Accountability

The current spotlight on sexual harassment has illuminated the need for greater leadership and accountability. There is a societal – and workforce - lack of clarity and agreement around what constitutes unacceptable behavior and what penalties should be. Many leaders tackle the issue with the best intentions, investing significant time and resources into policy development and anti-harassment training programs. These are important interventions - clearly written policies accompanied by mandatory training can clarify the gray areas and ensure each employee has the same understanding of what is meant by unacceptable behavior. But well written policies and rigorous training programs will have little impact if an organization doesn't have a system that helps victims and holds offenders accountable.

Leaders who are tolerant of sexual misconduct, and who don't model appropriate behavior or enforce anti-harassment policies, foster a culture that is conducive to harassment. When weak penalties are imposed for bad behavior, employees understand that harassment is tolerated, regardless of the time, training, and other resources expended. Similarly, if high-ranking, high-performing employees are given a pass or not dealt with proportionately, leaders are sending the message that rules don't apply to all employees equally, which can have a negative impact on culture and morale. Failure to take action can have significant financial ramifications, not to mention costs associated with employee turnover, damaged reputation, and lost productivity. **Nearly nine out of ten respondents in the WMRI survey agreed that sexual harassment negatively impacts productivity.**

There is no escaping the power of social media and what employees and customers say about an organization. Today's employment situations are transparent, whether employers intend them to be or not, and reputation and brand take a big hit when sexual harassment is exposed, particularly if it involves the complicity of company leaders.

To achieve a workplace without harassment, leaders must put a premium on diversity and establish an inclusive environment in which all employees are respected. Ensuring thorough and fair investigations is vital in maintaining the integrity of leadership accountability and a respectful work environment. When leaders take swift, effective and proportionate action, they communicate to the workforce - and the public at large - that the company takes the issue seriously. When everyone in the workplace feels safe to report harassing behavior, more employees and witnesses will speak up, employers will become adept at handling incidents effectively, and unacceptable behaviors will not be tolerated.

## Men as Allies

Tackling sexual harassment is a collective responsibility. Women and men need to work together to achieve real change and accountability, and addressing sexual harassment has to be viewed as an ethics issue, not a gender battle. Not all victims are women and not all harassers are men. Not all who are accused are guilty. The issue is complex. Male allies who witness or are aware of harassment, particularly if it's perpetrated by an individual in a position of power in the organization, may also risk backlash if they stand up against the behavior. Women can be complicit as bystanders, particularly under the influence and pressure of a male-dominated workplace. When women in power remain silent and fail to take action, they surrender their authority and become complicit in creating a culture of tolerance.

Heightened attention on sexual harassment has galvanized women and has the potential to empower victims and derail unacceptable behavior. But increased scrutiny on the issue has the added potential of putting women's advancement at risk by negatively impacting men's willingness to engage as allies or to mentor and sponsor high-potential women. A concerning number of men state they are increasingly hesitant - and even unwilling - to put themselves in a one-on-one situation with female colleagues.

**In the WMRI survey, almost half of respondents agreed that heightened focus on sexual harassment will have a negative impact on men's willingness to mentor and sponsor high-potential women.** Men continue to outnumber women in positions of leadership and authority - when they exclude or avoid women in the workplace, it's women who pay the price. Women alone cannot change organizational culture; harassment will continue and real change won't occur unless men are willing to share in the risk.

## In Summary: Steps Employers Can Take

Productive conversation on preventing sexual harassment is possible. What's needed is an honest examination of sexual harassment in the workplace, the reasons organizations tolerate the behavior, and why certain environments foster harassment while others do not. Power imbalance, workforce inequities, misinformation between men and women about what constitutes consent, and traditions of looking the other way all must be addressed.

Steps organizations can take include:

- Conduct climate surveys to assess the extent to which harassment exists and is reported, and how claims are handled
- Establish policies and communicate them frequently in a variety of forms and methods to ensure all employees understand what is and is not acceptable behavior
- Create and communicate a zero-tolerance policy
- Take swift, proportionate action when harassment occurs - ensure investigations are objective and thorough
- Reinforce policies with mandatory training for all employees - include focus on changing behavior and witness intervention
- Establish multi-faceted reporting procedures that are safe, provide a range of reporting methods, and offer multiple points-of-contact
- Enlist leadership in communicating zero tolerance and policies - incentivize and reward manager participation in anti-harassment efforts
- Leverage diversity and inclusion and employee resource groups to foster a culture of mutual respect and victim empowerment
- Guard against retaliation - take corrective action if it occurs

The #metoo movement has the potential to help turn the corner in terms of raising awareness and creating work environments in which sexual harassment and other discriminatory behaviors don't occur in the first place. To achieve that change, organizations need to engage all employees in open dialogue, establish a culture of inclusion and mutual respect, and work collectively toward sustainable solutions that move the needle in the right direction.

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