

Preventing Sexual Harassment

Department of Agricultural and Biosystems Engineering
North Dakota State University



Message from President Dean L. Bresciani

As North Dakota State University continues to grow, it is important to be mindful of how we go about being the university of our aspirations. NDSU is committed to creating an inclusive community where each individual can work and learn in an atmosphere of civility and mutual respect--free of all forms of harassment, exploitation or intimidation, including sexual harassment. Building such a community requires all of us to work together to achieve a common understanding of what constitutes appropriate behavior and an awareness of what constitutes sexual harassment.



As one step to creating the community we envision, the vice presidents and I are providing educational program. We encourage you to participate. This program is one way for members of the NDSU community - faculty, staff, administrators, and students - to gain a better understanding of what constitutes sexual harassment and the kinds of actions that might be taken to prevent or handle problem situations.

Message from Department Chair Sreekala Bajwa

The preventing sexual harassment presentation is an initiative by our department to pro-actively generate awareness among our students. We want to make our department a welcoming environment to all students.

Many businesses and organizations (including NDSU) require their employees to take sexual harassment training with the same purpose. Therefore, by asking our students to participate, it will raise your awareness and be a benefit to you.



What is Sexual Harassment?

For many people, “sexual harassment” is an emotionally charged topic, loaded with confusion and uncertainty. This is unfortunate, because sexual harassment can be readily understood. But what is and what is not sexual harassment?

Harassment of any kind is bothersome, demeaning, irritating, and annoying behavior. Sexual harassment is specifically harassment of a sexual nature.

Disrespectful or offensive sexual behavior by faculty, staff or students is inappropriate and, in some cases, may be an abuse of authority. The involved parties can be men or women; supervisors, subordinates or peers.

We all suffer when abusive and demeaning behavior is tolerated in our workplaces and classrooms. To eliminate sexual harassment, we need to understand it.

The primary goal of this presentation is to enable you to identify sexual harassment behaviors. With this knowledge, you can help keep NDSU free of sexual harassment.



Sexual Harassment is a Behavior

Sexual harassment is a behavior, and adults are responsible for their own behavior and its consequences.

We each have the responsibility to treat others with respect. If you stay aware of your responsibility and assert your rights to a respectful education and work environment, you will have taken an important step toward eliminating sexual harassment at NDSU.



You need more than knowledge to change behavior. You need to recognize the likely consequences of your behavior and base your actions accordingly.

The balance of risks and rewards is heavily stacked against offenders. Many people have lost their jobs, faced disciplinary action and ruined their careers by engaging in sexual harassment.

In this presentation, you will learn about making choices to avoid the high risks of sexual harassment. You will learn to recognize and avoid behaviors that are not acceptable. You will also learn what to do if you encounter unwelcome conduct of a sexual nature.

How Common is Sexual Harassment?

Sexual harassment is common throughout workplaces and campuses, in all occupations and professions, educational backgrounds, age, racial and ethnic groups, and income levels.

While the majority of reported cases of sexual harassment involve a male harassing a female, such cases can also involve a female harassing a male or either men or women harassing members of their own sex.

In 2010, the EEOC received 11,717 complaints at the Federal level about sexual harassment, 16.4% of which were filed by males. Sexual harassment is illegal, it is harmful to the victim and it can lead to harsh consequences for the offenders.

The workplace and educational settings differ from the broad community, because at work and school some people have authority over others, and this authority relationship can lead to coercion. People at work and school are not as free to come and go as they are elsewhere, since they have to work/study where they are assigned, they are entitled to an environment free of sexual harassment.



The Law

Sexual harassment law in the United States has developed over the past four decades. Sexual harassment is a form of employment discrimination prohibited under Title VII of the Civil Rights Act of 1964, as amended. It falls under the category of discrimination based on sex.

The first of the two different forms of sexual harassment the law describes is quid pro quo. Quid pro quo is Latin for “this for that” or “something for something” and refers to an exchange. In the academic setting, quid pro quo occurs where one is asked to provide sexual favors in exchange for something else, such as grades, favorable treatment in work assignments, recommendations, professional evaluations and other academic decisions.

Quid pro quo is usually more severe and occurs less frequently than hostile work environment sexual harassment. A person does not have to prove that they suffered an economic or academic loss (e.g. been given a poor grade or denied participation in a program) to prove quid pro quo sexual harassment. It's enough to show a threat of loss was made or reasonably implied.

The second of the two different forms of sexual harassment the law describes is hostile work environment. A hostile work environment is one in which unwelcome conduct of a sexual nature creates an intimidating, offensive or disruptive work or academic environment for some members of the campus community. Examples of this conduct may include sexually explicit talk or emails, sexually provocative images, comments on physical attributes or inappropriate touching.

The following may be an example of hostile environment sexual harassment in an educational setting.

Rhonda is the only female in an engineering class. Several of the male students think it is amusing to make her the target of sexual jokes, to draw or post pictures of women in demeaning positions labeled with her name and to make sexual comments that engineering is a field for men and not women. Rhonda's grades are suffering and she frequently misses class rather than face the treatment.

Because Rhonda's tormentors are peers and she has not been asked for sexual favors in exchange for better treatment, the behavior creates a hostile environment.

Risky Verbal Behavior

The following behaviors may contribute to creating a hostile environment if they are unwelcome:

- * derogatory comments of a sexual nature or based on gender
- * comments about clothing, personal behavior, or a person's body
- * sexual or gender-based jokes or teasing
- * requests for sexual favors or repeated requests for dates
- * terms of endearment, such as "honey", "dear", or "sweetheart"
- * sexual innuendoes or stories
- * grunts, whistles, catcalls, hoots, etc.
- * graphic descriptions or display of pornography
- * obscene phone calls, emails, texts, tweets, blogs or social networking of a sexual graphic, threatening or vulgar nature when related to or accessible by associates
- * lies or rumors about a person's personal or sex life
- * puns such as turning discussions to sexual topics
- * references to an adult as "girl" or "boy", "doll" or "hunk"



Risky Non-Verbal Behavior

The following may contribute to creating a hostile environment:

- *staring
- * looking up and down (elevator eyes)
- * making derogatory gestures of a sexual nature
- * giving sexual suggestive looks
- * making facial expressions of a sexual nature such as winking

Risky Visual Behavior

The following may contribute to creating a hostile environment:

- *posters, cartoons, drawings, calendars, pinups, and pictures of a sexual nature
- * electronic bulletin boards/computer graphics of a sexual nature
- * inappropriate, sexually expressive or revealing clothing
- * knick-knacks and other objects of a sexual nature

Risky Physical Behavior

The following may contribute to creating a hostile environment:

- * leaning over, invading a person's space
- * inappropriately touching a person or person's clothing
- * "accidentally" brushing sexual parts of the body
- * indecent exposure, mooning or flashing
- * blocking someone's path with the purpose of making a sexual advance
- * uninvited neck massaging
- * deliberately touching sexually, or brushing up against, or pinching
- * pressing or rubbing up against a person
- * stalking
- * grabbing
- * kissing, hugging, patting, stroking
- * actual or attempted sexual assault



Unwelcomeness: What Does It Mean?

Sexual harassment takes a wide variety of forms, some mild and others severe. The behavior may range from a harmful joke to physical assault. Whether a particular behavior is defined as sexual harassment depends largely on whether the behavior is **UNWELCOME** to the target.

Unwelcome behavior is just that; it is behavior that is not welcome, not solicited and not wanted by the offended person. While you may perceive your behavior to be friendly and harmless, others may find the behavior offensive, so it is important to think before you act in a way that could be reasonably perceived as sexually offensive. It is important to respect the people around you, think before acting, imagine how other people might be feeling, be sensitive to diverse perspectives, exercise common courtesy and think twice before making a joke...any joke. Sexually harassing behavior shows great disrespect. Nobody is likely to harass someone he or she respects, either accidentally or deliberately.



Most of us love a good laugh. Humor can relieve tension and energize, but teasing and sarcasm are high-risk ways of communicating. Does this mean that all fun is out of order on campus? Absolutely not, but if the fun is at the expense of another person or persons, then it is risky. "It was just a joke" is not an excuse.



Sex or Power?

Most workplace or classroom sexual harassment is based on power and not romance, although failed romances can lead to sexual harassment.

At work or school, some people have authority over others. In these formal power relationships, subordinate employees or students do not always feel free to speak up to persons of higher authority who have control over their working conditions or academic opportunities.

While consensual relationships are generally not prohibited on campus, they can create three serious problems.

1. romantic behavior may raise concerns about undue favoritism, may be distracting to others, and may imperil the integrity of the campus environment.
2. those involved in a romantic relationship sometimes engage in behaviors that create a hostile work or academic environment.
3. when the romance goes sour the risk of liability for sexual harassment is greatly enhanced.

Types of Harassment

Sexual harassment does not occur just between a male boss and a female subordinate. Sexual harassment may occur:

- * between peers,
- * by a subordinate toward a supervisor,
- * by women against men,
- * between members of the same sex
- * by a third party, such as a vendor



What if you Experience Sexual Harassment?

Sexual harassment is unacceptable in any workplace or educational environment. NDSU has policies and support structure to enable everyone on campus to work and learn in an environment free of harassment. Here are some additional guidelines should you encounter harassment:

1. Consider firmly, clearly and directly telling the harasser to stop
2. If the behavior continues, document the conversation or offensive behavior
3. Follow the NDSU's complaint procedures. Remember that you have a responsibility to take advantage of whatever resources and procedures provided to protect yourself and your environment from unlawful harassment.

Sexual Harassment and Anti-Harassment Policies

<http://www.ndsu.edu/fileadmin/policy/162.pdf>

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Conclusion

We hope that this presentation has provided some valuable education on how to prevent sexual harassment. If you witness or are involved in any form of unwelcome sexual harassment please report the incident to any faculty or staff member or contact the Office of Equity, Diversity and Global Outreach located in Old Main 205 (231-7708). NDSU and the Department of Agricultural and Biosystems Engineering wants your college education to be a happy and successful experience.

Thank you.