

Sexual harassment in the workplace

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ABSTRACT

The case will reveal that sexual harassment is prevalent in the workplace today whether it be small or large corporations. It also reinforces why the Equal Employment Opportunity Commission (EEOC) sees thousands of cases per year—over 12,700 in 2019 with paid benefits now reaching \$68.2 million in 2019 (EEOC, 2019). In this study, Serena unfortunately was one who fell victim to being harassed while she was working for her manager. The actions that were carried out by the manager of the company clearly justifies a case of sexual harassment. It also allows for understanding both types of harassment (quid pro quo and a hostile working environment) and the importance of company harassment policies and how complaint procedures should be communicated and understood by all employees. It also allows for understanding trust in an organization. In other words, how a company takes disciplinary actions against those that commit sexual harassment and how companies are protecting the victims of a sexual harassment incident.

Keywords: Sexual Harassment, Quid Pro Quo, Hostile Working Environment, Organizational Behavior, Business Ethics, Organizational Trust

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OBJECTIVES

This is an actual account of one of the author's daughter's personal experience. (This person has since passed, and names have been changed to allow for anonymity). It is a real-world example of how the lines were crossed by a supervisor thus providing a quid pro quo harassment and hostile working environment case.

Relevant Courses and Levels

This case would be highly relevant for both graduate and undergraduate human resource management, ethics, and organizational behavior courses. Within HR Management courses, focus could be applied on sexual harassment policies, understanding the EEOCs definition of sexual harassment and the two broad types of harassment—quid pro quo and hostile work environment, the details of what constitutes prohibited conduct, and the importance of communication of policy and grievance procedures to employees. It also showcases disciplinary actions taken by an organization which builds trust with employees.

This could also be used in undergraduate business ethics courses with a focus on internal stakeholder issues and employment discriminations. Discussions could go further into Codes of Ethics, due process issues, privacy, safety and health issues. Another good discussion would resonate with looking at the transparency within an organization. Should complainants be privy to the corrective actions taken against the harasser?

The content would even carry into organizational behavior (OB) courses discussing feelings at work. Specifically, negative outcomes victims may suffer—low job satisfaction, fear and job performance, withdrawal, mental and physical health issues, stress, and potentially posttraumatic stress disorders. It also could relate to organizational climates, pinpointing managing and fostering social environments.

A Case of Quid Pro Quo and Hostile Work Environment

Serena finally landed a job with a company in her degree seeking field of engineering. It was a large manufacturing company in her hometown. She worked in the plant with many other employees and was excited to be able to work on a secondary degree online, to boost her chances of growth within the company. Doug was her overhead supervisor and seemed to be a very kind and compassionate manager, helping Serena considerably upon being hired. After a few weeks, the day started just like any other normal shift, until Serena saw a message on her personal work locker: "My Queen, Serena." Admittedly, at first, she thought it was just some practical joker. However, what was not funny was that she could not understand why someone would write this on her locker and the fact that it took her an hour to clean it off. Being very aware of the company's harassment policy though, before cleaning it off, Serena took a picture with her phone and documented the date and time. She even had a co-worker witness what was on her locker. Surprisingly, she later learned it was Doug who had put this on her locker.

As if this action was not disturbing in and of itself, Serena started noticing that anytime she spoke to her male co-workers, Doug would become enraged raising his voice, throwing things, or he would just storm off from the rest of the group. Again, completely bewildered, Serena assumed he was having a bad day or perhaps suffering from stressors in his "supervisory" position. Regardless of the reason, Serena started to feel a bit "weird" while in the presence of

Doug and her co-workers. The other workers in response started to feel as if they should not interact with Serena and tended to shy away from any conversations—even work-related conversations, with Serena. This social undermining left Serena feeling angry and socially excluded adding to stress levels and feelings of not wanting to come work.

It was not until Doug left a detailed letter (two full pages) on her car one night underneath the windshield wipers. The letter expressed his feelings for her and specifically stated that she should not tell anyone. In the letter, he explicitly articulated how much he wanted to have a sexual relationship with her. Serena knew that Doug was a married man with children. This letter and the whole scenario shocked and upset Serena considerably.

Serena continued to arrive at work on time and performed her job to the best of her abilities, however now she felt very uncomfortable in the presence of Doug. She tried to avoid any contact with him and was especially careful not to be caught in a situation where her and Doug would be alone or the only two people in any given area. She began to lose focus in her job and her online class due to the duress of her work situation. Incidents continued and some of Serena's co-workers even noticed Doug's behavior with Serena. Doug even went as far as adding Serena to *his* overtime shift roster and would call her into work on her days off just to see or be near her. Losing the opportunity for extra shifts (and therefore foregoing more money), Serena would decline the overtime because of her fear of being around Doug and wondering what he was going to do next.

The final incident was when Serena left work one morning after working a night shift, and realized she was being followed by Doug. He followed her to the parking lot and got into his car and proceeded to tail her car. Serena was extremely frightened and did not want Doug to learn where she lived. She eluded Doug by driving quickly down several side and back streets, literally fearing what he would do if he did get to her house. After getting home and discussing all the events with a family member, she was advised to go immediately to her Human Resources Department and report him.

Monday morning arrived and Serena was anxious and nervous but knowing her company's anti-harassment policies and complaint procedures, she went to her Human Resources Department. She did not want to take any actions with Doug herself, because she feared he would not stop with the unwanted advances but more importantly, he potentially would go even further. The Human Resource Manager met privately with Serena and listened intently as she told the details of the harassment that she endured. Serena had all her documents as proof that she had kept copies in a file and on her computer. She presented the HR manager the letter, the pictures of the writing on the locker, and told her about Doug following her home. The HR manager reassured Serena that company protocols would go into effect. The HR manager and other personnel in the company would look at all her documentation and the security cameras that were in the plant. These would offer additional evidence and corroboration of the reported incidences.

Serena learned that Doug was called into the office after the evidence had been reviewed by appropriate personnel. There was clear evidence of quid pro quo sexual harassment and a hostile work environment. Doug was fired immediately, reinforcing the culture of the organization, where employees regardless of their position, were held accountable to company policies. Serena was relieved that her company had an effective process and took the appropriate actions to hopefully keep this from happening again to someone else.

Serena also noticed after the incident, communication from the Human Resources Department amended. There were emails reminding employees of the company's sexual harassment policies

and procedures. Newly posted literature was placed around the workplace to replace old outdated and torn posters—in the breakroom, bathrooms, and all common work areas, stipulating sexual harassment will not be tolerated. Within a month there was a sexual harassment training program initiated, where each employee needed to complete an online training certification. If they did not complete within a certain timeframe, they would be off work until the certification was complete.

While Serena suffered mental, emotional, and physical stressors from the incident she was relieved to know that she worked for a company that took sexual harassment seriously. Having that organizational trust was key to Serena returning to work and performing both in her individual and organizational functions.

TEACHING NOTES

Abbreviated Abstract

The case reveals that sexual harassment is prevalent in the workplace today whether it be small or large corporations. It also reinforces why the Equal Employment Opportunity Commission (EEOC) sees thousands of cases per year—over 12,700 in 2019 with paid benefits now reaching \$68.2 million in 2019 (EEOC, 2019). Also, while both men and women can be victims of sexual harassment, 80% of charges are filed by women (Phillips, 2020). In this study, Serena unfortunately was one who falls victim to being harassed while she was working for her supervisor. The actions that are carried out by the supervisor of the company clearly justifies a case of sexual harassment. It also allows for understanding both types of harassment (quid pro quo and a hostile working environment) and the importance of company harassment policies and how complaint procedures should be communicated and understood by all employees. It also allows for understanding trust in an organization. Ethical organizations have high trust in their employees and employees trust the organization is going to be fair and held accountable to their policies and standards. In other words, this case, shows how the company takes disciplinary action against those that commit sexual harassment and how it plans to protect victims from future sexual harassment incidents.

Case Usage

This case is an excellent real-world scenario that could be discussed in an undergraduate Human Resource Management course, Ethics course, or even an Organizational Behavior course. Areas of discussion would include:

- Sexual harassment as the EEOC defines it and more specifically the two broad types: quid pro quo and hostile work environment.
- Why it is important for employees to know their company policies and complaint procedures. Also, discussions on do not wait until incidences reach a pinnacle. Be proactive and report to the proper authorities immediately. It may save you from incidences escalating to the point Serena's did.
- How this affects internal stakeholders—not just the victim but co-workers as well.
- The physical and emotional effects to an employee's work attitude.
- The overall social environment of the organization.

Learning Objectives

The areas listed above reflect real-world issues with which companies deal with. Depending on the academic area, robust discussions can be held based on the topics listed below. Sexual harassment and hostile work environments are hot topics and companies are spending large amounts of money on sexual harassment training. Many are creating strategies that help reduce and prevent harassment in the workplace to ensure the safety and overall health of their employees and how it affects organizational participation. Discussing the case above will help to identify and reinforce the following concepts. These will be grouped appropriately per human resources, ethics, and organizational behavior courses below.

HR Topics:

- 1) EEOCs Definition of Sexual Harassment
- 2) Identification of elements of a hostile work environment
- 3) Safety and employee well-being in the workplace
- 4) Strengthening harassment complaint processes
- 5) Taking corrective actions

Ethics:

- 1) Internal stakeholders: safety and health in the workplace
- 2) Employee rights in the workplace and workplace issues
- 3) Whistle-blowing hotlines, ethics and laws protecting whistle-blowers
- 4) Gender and sexual harassment in the workplace
- 5) Managing business crises and normative ethics
- 6) Organizational trust

Organizational Behavior:

- 1) Employee happiness and organizational performance
- 2) Fear and job performance
- 3) Importance of accountability
- 4) Security at the workplace
- 5) Letting employees go—effective management of departures
- 6) Sharing information and rumor control

The case offers an excellent example of sexual harassment in the workplace and how it touches many facets within the business world. The case reports dismal accounts of an employee's experience with a quid pro quo and hostile work environment sexual harassment situation. The various emotions and stressors the employee experienced offer insights into the debilitating physical and emotional effects victims of sexual harassment exhibit. In further reviewing the case and identifying examples of success factors (areas of the business vital to success) and key enablers (building blocks of the values of the organization), opens discussions in examining organizational values, decision making practices and policies, and communication of those policies. It also allows for conversations regarding how companies should look at reporting policies and strategies to mitigate further instances.

Discussion Questions

After reading the case study, please be prepared to answer and/or discuss the following:
(Note: These are grouped per academic topic: HR, Ethics, Organizational Behavior)

Upon learning about sexual harassment in the workplace in Human Resources, students should read the case and discuss the following:

- 1) What is the EEOCs definition of sexual harassment? What is quid pro-quo? What is a hostile work environment?
- 2) Identify specific examples of what constitutes a hostile work environment.
- 3) Identify the role of the Human Resource Department in this organization. What are some examples from the case that support your assessment?

Within an Ethics course, after learning about employee stakeholders and workplace issues, students should read the case and discuss the following:

- 1) What is the internal stakeholder ethical issues in this case?
- 2) Define organizational trust. Discuss the importance within this case.
- 3) What should Serena do? Should she report to her supervisor what is happening? What are some of her basic employee rights?

After covering the multiple topics listed above in Organizational Behavior, students should read the case and prepare to discuss the following:

- 1) What were some of the stressors Serena experienced that affected her work behaviors?
- 2) How do formal policies and procedures add to higher accountability in organizations?
- 3) How did the Human Resources Department decision on firing Doug contribute to the organizational climate of the company?
- 4) The organizational social environment is important to workers because it relates to our biological heritage as humans to seek relationships with other people (Pearce, 2009, p. 138). Having conversations with co-workers helps to relieve everyday job stress and frustration, builds rapport with workers, and ultimately helps with happiness on and off the job (Pearce, 2009). Therefore, those who are intimidating and intolerable can start to affect the attitudes and feelings of others creating a negative group mood. Negative group mood then starts to affect organizational behaviors and ultimately leads to lower work performance. Explain how Doug's actions affected not only Serena but the organizational social environment of her co-workers?

Teaching Activity: Role Play

Allow students to role-play the applicable scenarios presented in the case (obviously not the tailing in the car). Have one female student be Serena and one male student be Doug. (Preferably students that will really get into the role—to make the exercise impactful). You may even assign 2-3 males to be Serena's co-workers. The instructor should prepare the elicited note that will be given to Serena (as the case explains). However, be sure Serena does not see the note before the exercise. This will ensure true emotions as to what Serena experienced. The rest of the class will act as co-workers. Have Serena and Doug walk through all the situations she was faced with in this case, highlighting Doug's behaviors.

Discussion after the role-play:

- 1) Were you able to distinguish and differentiate quid pro quo and hostile work environment?
- 2) How did students feel when Doug was acting out around Serena's co-workers? Were they intimidated/frightened just by being witnessing participants?
- 3) What were some of their emotions in hearing and seeing the examples?
- 4) Discuss how they thought Serena felt. (Guide conversations towards work attitudes, performance, and productivity).

5) If you were Serena, what could you have done differently?

Teaching Activity Two: Written Essay

Objective:

To develop and learn the many topics covered in human resources, ethics, and organizational behavior. To broaden this, students should be able to identify how these topics affect each other in the business world. None are truly standalones. Often these courses will include elements of each topic, broadly, within their content.

Preparation:

The instructor may use this case as a class final project or a “capstone” type of assignment. Close to the end of the semester, break the class into small groups. Give them the case, have them read it, and allow students class time (potentially up to a week) to work together to research, devise, and develop a culminating presentation (or written paper) of how they understand human resources, ethics, and organizational behaviors all tie together in this case.

Activity:

Students will use the actual accounts from the case and tie either individual concepts learned within human resources, ethics, and/or organizational behavior courses (or concepts of all three), into explaining the sexual harassment case. They should include all the implications stemming from this case. They should also use outside research to support their conclusions. Examples for areas of content may include:

- 1) Communicating company sexual harassment policies and reporting mechanisms. Would you agree these were effective in this case? Are there areas lacking and what could be done to enhance these policies and processes?
- 2) What could a human resource department do in an organization to mitigate future occurrences? Add research and identify what other companies are successfully doing within their organizations with sexual harassment policies and complaint processes.
- 3) Talk about internal stakeholders. More specifically an employee rights stance. What are some of the areas where Serena had her rights infringed upon within this case? What about her co-workers?
- 4) Define and discuss social environments in organizations. How did the events within this case affect the organizational social environment? How should the company handle the aftermath of such an event?

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