

Sexual Harassment

Audience: All-Employees

Please allow 20 minutes to meaningfully participate in this training.

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Please use a full-size PC for optimal performance



This course does not use audio

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Question: How much of your waking life is spent here at work?

If you are full-time, you spend almost as much time here with your “work family” as you do at home.



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And our work family makes a huge difference in our day.

On days when the work is difficult or even unpleasant, it helps to know our work family will help us and support us.

And we all want an environment that allows us to succeed and contribute while developing great working relationships with our colleagues.



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This course is about conduct, but it does not aim to insult you by telling you to “be nice,” “don’t yell,” and “keep your hands to yourself.” You know that already.

You’re a good person who would never want to be the cloud in someone’s day.

This course will explore the grey areas of conduct, and make sure good people like you have the tools to navigate these.



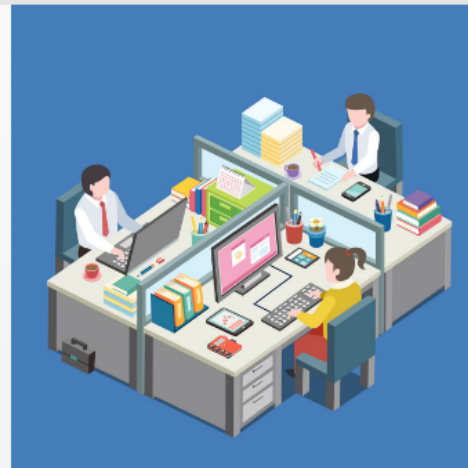
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Consider this situation.

Pat and Chris are colleagues who share an office. They both have the same job, and they get along well.

They talk about their families on breaks and even take lunch in the office together.



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Every morning, Pat is in the office first and Chris starts about 30 minutes later.

When Chris comes in, Pat is always at the desk working.

On the way in, Chris, says, "Good morning!" and touches Pat on the shoulder while walking by.



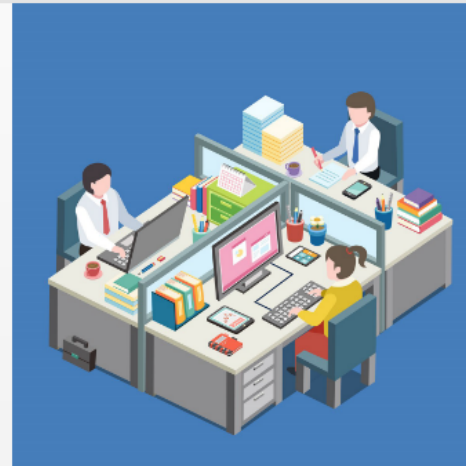
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Pat really likes working with Chris and sharing an office, but Pat does not like being touched.

The first few times it happened, it was not as bothersome.

When it became part of the daily routine, Pat started becoming anxious about it and even dreading Chris' arrival.



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It has gotten to the point where Pat will find an excuse to not be in the office when Chris first comes in.

On days when Chris gives Pat the usual hello and touch on the shoulder, Pat finds herself feeling resentful and even angry.

Even on days when Pat avoids the encounter, Pat feels anxious about the next day.



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Pat feels trapped.

Chris is a self-identified “hugger.” Chris came from a big family that uses touch to show warmth and affection.

Pat knows it is all very innocent, but the anxiety is worsening.



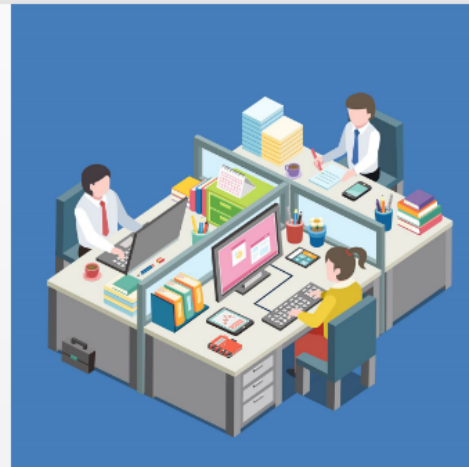
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Their manager, Terry, is not aware of this.

Terry has regular rounding meetings with both Pat and Chris, and neither has raised an issue about working together.

Pat has sometimes come close to saying something to Terry but always pulls up at the last minute.



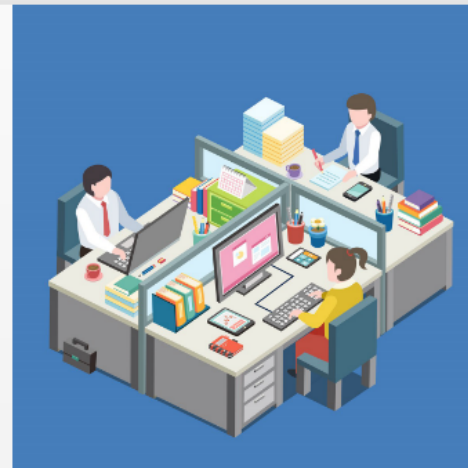
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But now Terry has noticed that Pat seems distracted.

Terry also notices that Pat seems just a little “cool” towards Chris – not negative, just not as friendly as before.

Chris has commented to Terry that Pat seems a little down, saying, “I hope everything is okay at home. Pat needs a hug.”



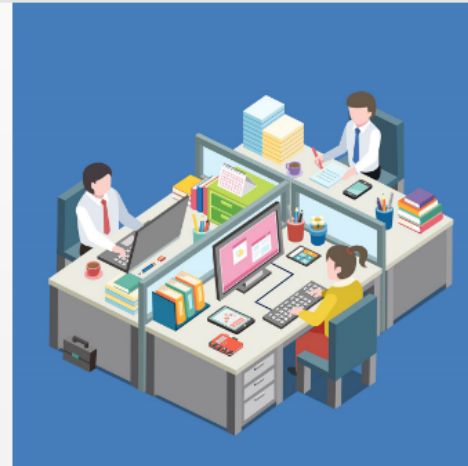
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In their next rounding meeting, Terry tells Pat that Chris has expressed concern.

Pat then opens up to Terry, saying, “Chris is my friend, but at the same time I have become so dreadful of coming to work.”

“I knew there was a real problem when I noticed how relaxed and happy I was on Chris’s days off.”



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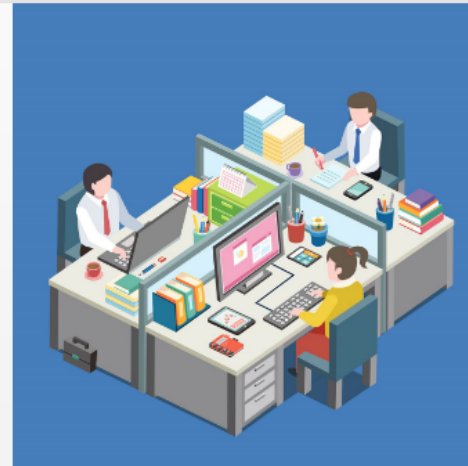
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There is a lot going on here.

Chris does not know there is a problem. Pat doesn't know what to say, and Terry needs to decide what to do.

Before we talk about next steps, let's look at the definition of harassment.

As you are reading these definitions, ask yourself how they apply to Pat, Chris, and Terry.



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Harassment is verbal or physical conduct that degrades or shows hostility or aversion toward an individual or his/her relatives, friends, or associates, because of:

- race, color, or religion
- gender, sexual orientation, or marital status
- ancestry, national origin, or citizenship
- age, height, weight, or disability
- or any other characteristic protected by law

and that:

- Has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise adversely affects an individual's employment opportunities.

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Harassing conduct includes, but is not limited to:

- labels, slurs, or negative stereotyping;
- threatening, intimidating or hostile acts;
- denigrating jokes;
- and written or graphic material that denigrates or shows hostility or aversion towards an individual or group, that is placed anywhere on the employer's premises or circulated in the workplace.

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Sexual harassment includes:

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

Sexual harassment includes conduct directed by a person at another person of the same or opposite gender and may include a range of subtle and not so subtle behaviors.

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As defined by the Equal Employment Opportunity Commission, sexual harassment exists when:

- Submission to this type of misconduct is made either as an explicit or implicit term or condition of employment; or
- Submission to or rejection of this type of misconduct is used as the basis for employment decisions affecting the person who did the submitting or rejecting or affecting others; or
- The misconduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive environment.



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Examples include but are limited to:

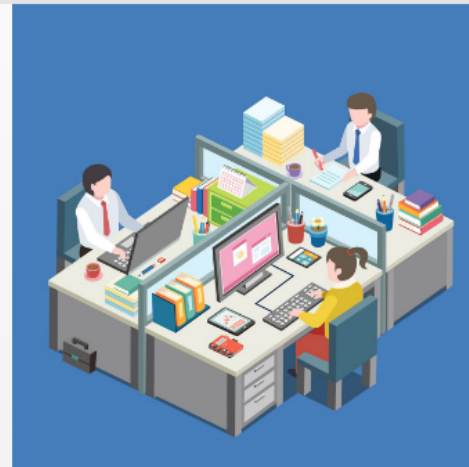
- Sexually suggestive or off-color comments or jokes;
- Sexual flirtation, innuendo, advances, propositions, or other sexual activities;
- Unprofessional touching, such as massages, embracing, or inappropriately putting an arm around another employee;
- Repeated and unwelcome invitations for social interactions outside of the workplace;
- Sexual or racial slurs, derogatory remarks, or offensive gestures;
- Displaying or distributing sexually explicit or otherwise off-color materials, including books, magazines, articles, pictures, greeting cards, photographs, drawings, cartoons, and e-mail messages; and
- Including or excluding any individual from workplace activities, assignments, or responsibilities based on their refusal to participate in or tolerate sexual or other forms of harassment or based on other factors not related to job performance or legitimate business reasons.

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So now back to Pat, Chris, and their manager, Terry. Does Chris' behavior constitute harassment?

Every case is different, but there are some portions of the definitions that may apply.



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Chris is not intentionally treating Pat in a certain way due to any of Pat's traits, such as gender, ethnicity, or any others listed in the definition.

But however unintentional Chris's actions are, they are significantly interfering with Pat's work performance.

And, although the touch on the shoulder is not being interpreted as sexual by Pat, it is nonetheless "unwanted physical contact."



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Pat has done the right thing by notifying Terry of the issue, and Terry is obligated to act to resolve it.

Each issue is handled on a case-by-case basis.

Terry will contact the Human Resources Business Partner to report the issue and consult them on the resolution.

Before continuing, what do you think would be the ideal outcome in this scenario?



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After talking to the Human Resources Business Partner, Terry would meet with Chris to talk about the effect the daily shoulder touches are having on Pat.

Chris would probably be surprised and feel bad that the seemingly innocent and, in Chris' mind, friendly act was actually interfering with Pat's work.



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Like most people, Chris would likely apologize to Pat and stop the behavior immediately.

Pat would likely feel relieved and accept the apology.

This could allow Pat and Chris to become friendlier again, or at least eliminate the action that was making Pat uncomfortable.

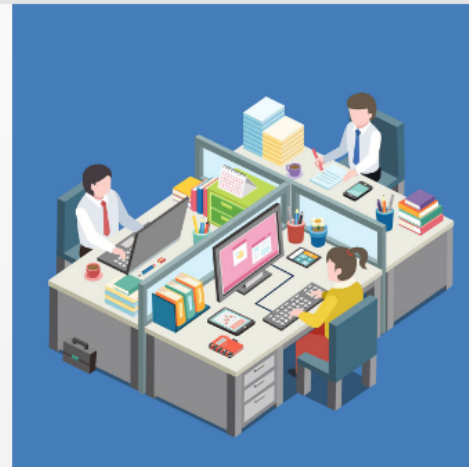


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What would happen if, after a few weeks, Chris grew resentful of Pat, for “tarnishing my reputation” and “getting me in trouble” with the manager for “just being friendly?”

If Chris stops talking to Pat, makes a show of avoiding Pat, or keeps information or resources from Pat that make it difficult for Pat to work, this would be considered retaliation, which is a form of harassment.



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Just as with the initial issue, Pat should tell Terry or Human Resources what is happening.

Terry and Human Resources would need to resolve it.

They may decide to offer Chris opportunities for employee assistance counseling or coaching, or they may determine that Chris' employment must be terminated due to an unwillingness to cease the harassing behaviors.



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What if it was Terry, the manager, who was touching Pat on the shoulder every day?

The unwanted behavior is the same, but the effect is amplified because Terry is Pat's manager.

Pat might fear that confronting Terry would result in getting treated poorly later, perhaps with very heavy or very light work assignments, less desirable work shifts, or even fewer opportunities for promotion and advancement.



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If Pat does not feel comfortable talking to Terry directly, Pat should talk to the Director Terry reports to or to Human Resources.

Just as with the original scenario, the situation will be investigated promptly and thoroughly, and Human Resources will consider the type of behavior and Terry's reaction to determine the best course of action.



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The scenarios can be infinitely complex, but the guidelines are simple:

If you experience or witness behaviors you suspect to be harassment, report it to your manager or Human Resources immediately.

Human Resources will investigate the incident promptly and thoroughly, providing confidentiality for the reporter whenever feasible.



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The administration and Human Resources will determine the appropriate solution based on the details of the case and the responses of the people involved.

Retaliation against the person who made the claim will result in further disciplinary action.



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And just like everything else we do, our values show throughout these scenarios.



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When we consider the chance that someone may be made uncomfortable by the joke our uncle told us and so we refrain from telling it at work, we demonstrate Foresight.



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When a manager becomes aware of a situation that may be making someone feel harassed or intimidated, it is their Accountability to act.



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In resolving issues, when we assume that each person has good intentions and treat them with dignity, we demonstrate Collaboration.



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When we apologize for our actions that made someone feel uncomfortable or intimidated, even though we did not mean to, we show Compassion.



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And by doing all of these things, we help people get back to making their contributions in an environment that not only gives them fulfillment, but Joy.



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Thank you for taking the time to explore these concepts and their relationship to our values.

You can access these policies online anytime.

- *Code of Conduct* [#4944184](#)
- *Harassment, Sexual Harassment and Other Inappropriate Behavior* [#49440095](#)
- *Corrective Action* [#5059281](#)

*Questions on the content of this training?
Please contact Human Resources*



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