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Cooperation Partnership in Youth Project

**Say NO to gender based discrimination, sexual harassment and
sexual assault! #NOT ME**

Online course for the young employees

“Sexual harassment at work place”

2022



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INTRODUCTION

An important obstacle to reduce the phenomenon of sexual harassment at work place is the fact that victims, especially those among young employees do not report it to organizational authorities. The motives that maintain this include the feeling of guilt and the belief of victim that he/ she is guilty for the occurrence of sexual harassment, the shame, the fear of retribution, of humility, of intimidation, but also the perceptions of futility. In addition, the low incidence of repercussions and punishments for abusers discourages the victims to report these cases. Thus, this online course is intended to change the attitudes, the beliefs and the behaviors of young employees, as well as to find effective ways to no longer accept to be sexually harassed and to have appropriate reactions, which lead to the prevention of the phenomenon.

The online course dedicated to young employees aged between 18-30 years from private or state organizations have a duration of 5 hours and is structured in modules and units.

MODULE 1: UNDERSTANDING OF SEXUAL HARASSMENT AT WORKPLACE

1.1. Be aware of sexual harassment at workplace

The term “workplace” refers not only to the specific location where work is being performed, such as an office or factory, but also to locations where work-related business may be conducted.

These could include, but are not limited to (Bon, Binh, Thanh, Quang, Ngan, Minh, Huyen, Hoang, Van, Nhuanm, 2015):

- Work related social activities, such a reception organized by the enterprise for staff or clients, etc.;
- Conferences and training sessions;



- Official business travel;
- Business meals;
- Work related telephone conversations; and
- Work related communications through electronic media.



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Sexual harassment:

“any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another. Such harassment may be, but is not necessarily, of a form that interferes with work, is made a condition of employment, or creates an intimidating, hostile, or offensive work environment” (The World Bank, 2013).

Signs You Are Being Sexually Harassed

Generally, your instincts will tell you if you are being sexually harassed. The perpetrator will have crossed the line from professional conduct to personal misconduct. Listen to the voice inside your head and if it is telling you that you are experiencing sexual harassment, contact an employment discrimination lawyer immediately.

They ask you out or hit on you even after you’ve said no

This is a no-brainer. Contact an employment lawyer right away.

- *Someone is making comments about your body or what you wear*

Sexually explicit or sexist comments about your body or appearance are sexual harassment. If someone makes fun of you for the way you dress or your body type, that is also sexual harassment. This type of behavior is degrading and can make you feel unsafe in your workplace.

- *You are being touched in a way that makes you uncomfortable*

If someone is touching you in a way that makes you feel uncomfortable, speak up. Unwanted physical contact is a form of sexual harassment and should not be tolerated. It is also important to remember that you are not obligated to touch, hug, or kiss anyone if you don’t want to. If someone tries to touch you in a way that makes you feel uncomfortable, say no. Then report the behavior to your supervisor or human resources department. Do this in writing so that there is a record of your complaint.

- *People are sharing sexual jokes or stories around you*

Sexually explicit jokes or stories in the workplace are a sign of sexual harassment. This type of behavior can make you feel uncomfortable and unsafe in your environment. Speak up by telling the person making the jokes that you don’t feel comfortable with them. This will let them know that their behavior is inappropriate and needs to stop.



Source: pexels.com

- *You are receiving unwanted gifts or emails with sexual content*

If you're getting unwanted explicit gifts or messages from a coworker, that's harassment. If you receive unwanted sexual gifts or images from a coworker, report them to your HR department.

Don't try to handle the situation on your own. Handling it on your own could make things even more uncomfortable.

- *You are being stalked or harassed online or through text messages*

If you are being stalked or harassed online by someone you know from work that is sexual harassment. This type of behavior can be frightening and make it difficult to go to work.

If sexual harassment happens online, it can be hard to know whether you should report it. How do you know if this behavior crosses the line?

Signs that your coworker might be stalking you online include:

- Tracking your online activity and commenting a lot
- Frequent messages, even if you don't reply
- Hacking attempts on your accounts or devices to get information about you
- Showing up to places you're at or know about without being invited
- Posting about you online without your consent
- Threatening you or making you feel unsafe in any way.

Recognize the signs of digital stalking before it gets dangerous. If you feel that your well-being is at risk, take action immediately. If you think your coworker's behavior is



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escalating, talk to a supervisor. Or reach out for help from a local organization like the National Sexual Assault Hotline.

- *People ask for sexual favors in return for job opportunities or promotions*

Being asked to perform sexual favors to get a job opportunity is unacceptable. This type of behavior is more than inappropriate. It is illegal. Document any offers or requests for sexual favors and report them to your supervisor. Then contact an experienced employment lawyer for help.

Source: <https://www.lambertonlaw.com/7-signs-you-are-being-sexually-harassed-at-work/>

Task 1:

Read the text above and think about the signs of being sexually harassed, and answer the following questions:

- Have you ever been in one or more of these situations? What did you do? If not, how would you react if it would be the case?

Task 2:

Read the case study “Sexual Harassment In The Workplace: Europe” from Journal of Business Case Studies 2(3), July 2011, by John Lehman, and answer the following questions:

Rebecca McDonald returned to her office in Leverkusen Germany still angry from her meeting with Bertina Knies in Human Resources. Rebecca had presented an open-and-shut sexual harassment complaint, clearly supported both by company policies and the Law, and Frau Knies had not only refused to do anything about it, but had not very politely insinuated that the whole thing was Rebecca's fault. The next step would probably be to appeal to Human Resources back in Detroit, since the Germans clearly had no understanding of the way things should work in a modern society.

Rebecca had grown up in Flint, Michigan, where her father was a supervisor for General Motors. As a first generation college student, Rebecca had received a scholarship from the University of Michigan, where she majored in mechanical engineering and then went to work for one of the major auto companies as a design engineer.

While women design engineers were a distinct minority in the auto business, there were enough that Rebecca did not feel out of place. While she was a student, she had taken classes which covered the history and legal issues involving women's advancement in what had historically been male professions, and she had been happy to find that the company was sensitive to women's needs, and that sexual harassment was not a problem.

After five years in Detroit, she was given the opportunity to work on a joint venture with Opa GmbH, a German subsidiary of her company. The new position would be a promotion, working with a team of German and American engineers designing a new



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sports car. The opportunity was especially attractive, since she was considering a career shift into management, taking advantage of the company policy to pay for an MBA for engineers whom it felt had the potential to be effective technical managers. The program was highly competitive, and the two years of international experience would significantly improve her chances, especially given the increasing number of multinational mergers in the auto industry, and the need to work with international partners. Besides, she had never been outside of the United States except for visits to company plants in Ontario.

Living in Germany had turned out to be a stressful experience. While everyone at work spoke English, it was difficult to get through the small problems of day to day life, since store clerks, plumbers, and most of the other people with whom she dealt spoke little if any English, and she spoke no German. Neighbors and other people with whom she dealt seemed often to be impolite, and life seemed to be governed by rules of which she was not aware. For example, one of her neighbors scolded her (in very poor English) the first week for the way she put out her trash – one was required to separate out glass, paper, and cans, and dispose of them separately. Outside of CNN, there was little English available on television, only one English newspaper was available, and bookstores had a very limited selection in English. Fortunately most road signs were in the form of symbols, so at least driving was possible.

Another stressful aspect of living in Germany was the lack of respect for modesty. People sunbathed nude in parks; television and print advertisements featured nudity as well. Worst, because it impacted her work environment, was that unlike the United States, co-workers flaunted pictures of nude women at work – it was like a return to the bad old days of the 1950's where women couldn't enter male workplaces without being regarded as sexual objects.

The problem was not that her co-workers put up nude pictures, but rather that they brought objectionable material to work and read it in front of her. The most popular newspaper, Bild, had a picture of a nude woman on the front page every day (and probably worse inside). Other newspapers were no better; one of her colleagues even commented that he preferred to read Express because the nude pictures were of local girls. The final straw came when she went into her supervisor's office for a meeting and saw a copy of the magazine Der Spiegel on his desk, the cover of which reproduced a French painting of a topless woman waving a flag. At that point, she made an appointment with Human Resources to complain formally about having to work in an offensive work environment.

At her meeting with Bertina Knies in Human Resources, Rebecca cited the American company policy on sexual harassment (Please see below "Excerpts from company policy on sexual harassment"). She pointed out that it clearly prohibited "posters, cartoons, pictures, or drawings" which had the "effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment." Being exposed to pictures such as those in Bild or Der Spiegel in her opinion clearly met the definition of sexual harassment.

To Rebecca's dismay, Bertina was not at all supportive. She pointed out that in Germany unwelcome sexual advances or requests for favors were clearly unacceptable, but that



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Rebecca should not expect Germans to cater to her Puritan hang-ups. Bild, which Bertina personally deplored for its right-wing Christian politics, was after all, the most popular newspaper in Germany, and as Rebecca had observed, its competitors also featured nudity. The painting on the cover of Der Spiegel was one of the best known symbols of liberty in the world; no one who knew anything about art could consider it obscene. And basically, the Germans did not consider nudity offensive, and so long as no one asked Rebecca to do anything which she found unacceptable, she should not try to impose her values on others. For example, Turkish employees sometimes objected to working with women who did not wear head coverings or who wore short sleeves; imposing their religious strictures on those who did not share them would be a violation of freedom of thought and religion. Rebecca's request was no different than requiring women to wear headscarves so as not to offend Islamic immigrants. As an immigrant to Germany, Rebecca could dress however she liked, but should not expect Germans to adapt her old-fashioned values.

Clearly there was no point pursuing the issue with Human Resources in Leverkusen. Equally clearly, American courts long ago decided that depiction of nudity in the workplace (or anyplace else outside the home) was unacceptable. An appeal to Human Resources in Detroit would be the next step.

However, before doing that, Rebecca had to consider both the chances of success, and the possible impact on her future.

Excerpts from company policy on sexual harassment: *Sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. All employees have the right to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive, including sexual harassment. Anyone engaging in harassing conduct will be subject to discipline, ranging from a warning to termination.*

Sexual harassment is defined as any unwanted physical, verbal or visual sexual advances, requests for sexual favors, and other sexually oriented conduct which is offensive or objectionable to the recipient, including, but not limited to: epithets, derogatory or suggestive comments, slurs or gestures and offensive posters, cartoons, pictures, or drawings.

When is conduct unwelcome or harassing? Unwelcome sexual advances (either verbal or physical), requests for favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- submission to such conduct is either an explicit or implicit term or condition of employment (e.g., promotion, training, timekeeping or overtime assignments)*
- submission to or rejection of the conduct is used as a basis for making employment decisions (hiring, promotion, termination)*
- the conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.*

QUESTIONS:



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- In a US work environment, do you think that reading a newspaper or magazine with nude pictures on the cover would be sexual harassment? Why?

- However, would it be sexual harassment in your country when working for the same company? Why?

- Frau Knies argues that Rebecca's request to prohibit Germans from reading newspapers which offend her is no different than prohibiting German women from dressing in ways which offend Islamic immigrants working in the plant. Do you think that this is a valid argument? Why?

- In your opinion, what should Rebecca do?

- In your opinion, what should Rebecca's company have done to prevent this problem?

- How would you react if you would be in Rebecca's situation?

1.2. Recognize sexual harassment at workplace and understand the motivations behind these behaviors

Employees often feel pressured to look the other way when sexual harassment occurs. If they voice their concerns, they may be told that the offensive behavior was nothing to get upset about. However, sexual harassment should never be ignored or condoned. If you

feel that you're being sexually harassed in the workplace, you can turn to a sexual harassment lawyer for help. Your labor law attorney may recommend that you keep detailed records of all instances of offensive behavior to support your claim.



Source: [pexels.com](https://www.pexels.com)

1. You've Been Asked for a Sexual Favor at Work

Sometimes, sexual harassment is overt. You may have been asked for a sexual favor by a supervisor in exchange for a raise or a promotion. Or, you may have been told that unless you agreed to the sexual favor, you would be fired or demoted. Employment law recognizes this type of discrimination as quid pro quo sexual harassment. Although it may seem that it would be difficult to prove what someone else has told you, you'll find that a sexual harassment attorney can bring powerful investigative tools to the case.

2. You've Seen Offensive Images or Heard Offensive Remarks

Other types of sexual harassment are less obvious than quid pro quo sexual harassment, such as being subjected to offensive images or language. For example, a co-worker or supervisor may have sent an email containing inappropriate images or language. A co-worker might hang an offensive calendar in a workspace. These are all signs that you've been sexually harassed at work – even if the images were not sent directly to you. Additionally, bear in mind that some types of language may constitute sexual harassment even if it is not sexual in nature. For example, a supervisor might call the female employees by non-sexual, yet offensive names, while refraining from doing so to the male employees. This is also a form of sexual harassment.



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3. A Hostile Working Environment Makes You Uncomfortable

If you feel uncomfortable going to work, you may be the victim of sexual harassment. Employment law recognizes that not all acts of sexual harassment may be directed at a particular victim. Instead, your sexual harassment attorney may file a claim on your behalf based on the maintenance of a hostile work environment.

Source:

<https://www.employmentadvocacy.com/blog/2019/08/sexual-harassment-in-the-workplace/>

Perpetrator's motivation behind workplace harassment:

Often, harassers believe that they have some type of power over you. They feel they can make or break you, fire and demote you, and give you unwanted work assignments and poor shifts.

Some of the motivation behind workplace harassment includes:

- **Power:** Workplace harassment is often easier and “justified” by a harasser when that person perceives he or she has power over the victim. Most workplace harassers have seniority over their victims, serving as managers or supervisors. As a result, they may convince themselves that they can do what they want without suffering any consequences. This is a power play.
- **Desire:** Harassment may be considered a “sporting” game for certain perpetrators. They gain pleasure in demeaning and pushing around work colleagues and subordinates. Targeting vulnerable people often is the goal of these bullies, who once again use “power” to attempt to get away with such illegal acts.
- **Prejudice:** Whether cultural-, racial- or gender-related, prejudice may be a permanently instilled trait among workplace harassers. Perpetrators may convince themselves that their prejudicial actions are reasonable and see nothing wrong in what they do. It may be normal behavior to them, however, we know otherwise.
- **Anger and rage:** Perhaps the harasser is angry because he or she must work with someone of a different race, gender, religion or culture. Petty jealousy also may spark outrage and anger among a harasser. And it may even be for no reason at all, or simply just for spite.

Although you may understand some of the motivation behind your workplace harasser, you remain a victim. Stand up for yourself, take action, document every incident and report the harassment to a trusted person in your workplace.

Source:

<https://www.sterlingattorneys.com/blog/2021/09/a-perpetrators-motivation-behind-workplace-harassment/>



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Task 3:

Answer the question:

- If you have five coworkers, four male and one female, telling "blonde jokes", could this be regarded as sexual harassment? What are the conditions to be regarded as sexual harassment?

- Are there possibilities to not be regarded as sexual harassment? Why?

- In your opinion, if we consider this sexual harassment, what would be the motivations of your male colleagues?

Feedback: According to Enright (2020), if none of the employees finds "blonde jokes" offensive, hostile, or abusive, the conduct is not harassment. It might not be a bad idea, however, to caution the employees about the conduct's possibly being construed as harassment.

1.3. Myths about sexual harassment.

- Read the text below or watch the video "What are the myths":

<https://www.youtube.com/watch?v=xlAdS7uWhLA>

What are myths? Myths are part of the folklore genre. A myth is a traditional story especially one that has to do with the early history of a people or culture. Myths or narrative stories that usually explain some natural or social phenomenon such as foundational tales or origin myths like where Thunder comes from or why snow falls from the sky and myths typically involves supernatural beings or events the main characters and myths are usually God's demigods or supernatural humans. This is why myths are closely linked to religion and they confirm societies religious values and norms. In fact, many societies group their myths legends and history together considering myths and



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legends to be true. Accounts of their past myths are found all over the world and across all cultures do you have a favorite myth.

- Read the text below or watch the video “Common Myths about Sexual Harassment in the Workplace”:

<https://www.youtube.com/watch?v=iKEOabr1nPc>

Common Myths About Sexual Harassment in the Workplace

Sexual harassment is not always physical, not always obvious and not always right in front of your own eyes. People often get confused between sexual harassment and sexual assault, with sexual assault a much more severe and unlawful act. However, when it comes to sexual harassment, there are many common incidents that occur in the workplace that are passed off as lame, careless or stupid behaviour, when in fact they are incidents of sexual harassment and should be identified as such by employees and brought to the attention of the person responsible, or to a manager or an HR representative.

Taking a closer look at workplace sexual harassment, we have compiled an easy to understand yet comprehensive list of all the common notions regarding sexual harassment in the workplace, including identification, prevention and how to make complaint about an incident of sexual harassment. As an employer, it is important for your employees to identify and report workplace sexual harassment. Only then can their supervisor, or an HR representative can aid in a resolution and to prevent further incidents occurring. In this blog, we help you understand the difference between myths and facts when it comes to workplace sexual harassment.

Myth #1 – Sexual Harassment is only physical in nature

It can be direct, indirect, verbal and non-verbal. A colleague writing explicit content about another on the office whiteboard is considered as sexual harassment. It doesn't necessarily need to be physical. Other common subtle sexual behaviour are: whistling, unwelcome complimenting, inappropriate brushing against you, gesturing, commenting on things of sexual nature.

Myth #2 – It's ok as long as humiliation was not intended

Sexual gesturing and comments directly or indirectly towards another in the name of a bit of fun, or just being friendly just a joke is still sexual harassment. So when the offender apologizes and says that they did not mean it to cause humiliation, that does not mean that the behaviour was ok!

Myth #3 – But it was only a one-off incident, I'm sure it will never happen again

Unlike workplace bullying which is repeated unreasonable behaviour towards another person or group which creates a risk to health and safety, sexual harassment can be a one-off incident where conduct is unwelcome, of a sexual nature and the kind of behaviour that a reasonable person would think would offend, humiliate or intimidate the



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person who was harassed. So just as the law defines sexual harassment, any victim should not think that it just happened once, that is ok, and it probably won't happen again. You should always seek to report such incidents, either bringing it to the attention of the person if you feel comfortable or reporting that behaviour to your manager, an HR representative or a senior person within the business, to whomever you feel most comfortable with.

Myth #4 – If unwelcome conduct of a sexual nature is carried out by a work colleague outside of the workplace it is not workplace sexual harassment

If an employee is off-site for work-related activities, for example, at an office party in a bar, if they misbehave in a way that is sexual in nature and that causes another to be offended, humiliated or intimidated, then it is considered as workplace sexual harassment.

Myth #5 – Lewd commenting, tagging or any behaviour on social media is not workplace sexual harassment if it happens outside of the hours of work

Regardless of the time of day, if an employee is tagged in inappropriate pictures by another employee without consent, or is bad-mouthed using sexually explicit slurs, through social media, messaging or emailing the victim and it is sufficiently related to the workplace, this behaviour is considered to be workplace sexual harassment.

Workplace compliance courses on the appropriate use of Internet and Social Media deliver further understanding of what to do and not to do when it comes to the internet, email and social media.

Myth #6 – Sexual harassment only happens to women

Men and women can be victims and perpetrators as well. Read more [here](#). Sexual harassment happens to all genders and could be from a man to a woman, man to man, woman to woman or woman to man

Myth #7 – Unreasonable state of mind is excused

Misbehaving when drunk, or under pressure, or when angry can't be used as an excuse for incidents of sexual harassment and do not stack up in a court of law!

Sexual Harassment in workplaces has been increasing, and not only the employees but also businesses, on the whole, are at a huge risk.

An organisation that has a reliable workplace compliance system in place are able to demonstrate that they have taken all reasonable steps to train and also disseminate policies, and that such training and policies have been read and understood, at induction and on an ongoing basis thereafter. Such organisations also train their supervisor and managers in how to identify, report and resolve matters pertaining to bullying, harassment and discrimination.



Table 2: *Sexual harassment: what is a myth and reality?*

Myth	Reality
<p>Sexual harassment is no big deal</p> <ul style="list-style-type: none"> - It is an invention of feminists - Women exaggerate the impacts - It's not like she was raped 	<p>It is a violation of human rights.</p> <p>It is a violation of various federal, provincial/territorial and/or municipal legislations.</p>
<p>It is a "deviant" or rare event</p> <ul style="list-style-type: none"> - Men who harass must be perverse, ugly, sexually frustrated – not regular guys - It only happens to women in male-dominated fields 	<p>Sexual harassment is a widespread problem.</p> <p>Anyone can be sexually harassed; however, subordinated groups (e.g. women, LGBTQ people, people with disabilities) are targeted more often.</p> <p>Street harassment can be sexist, racist, transphobic, homophobic, ableist, sizeist and/or classist.</p>
<p>It is "normal" behaviour between sexes</p> <ul style="list-style-type: none"> - It's innocent flirtation/sexual attraction - Women are being hyper-sensitive. 	<p>It is not part of courtship; nor about unrequited love or romantic attraction.</p> <p>It is often used to express power over another person.</p> <p>It is discrimination.</p>
<p>He didn't mean to do it</p> <ul style="list-style-type: none"> - He was having fun/drinking and got carried away - He's a good guy/my friend/co-worker 	<p>Sexual harassment is intentional behaviour.</p> <p>Often, it re-asserts gender, race, age or class hierarchies within environments (school, work, street) in harmful ways.</p>



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<p>Stopping/reporting sexual harassment is easy</p> <ul style="list-style-type: none">- Women file reports lightly- Women easily gain the upper hand by reporting- She can verbally protest- She can avoid harm if she wants to	<p>There are many barriers to reporting that silence women or lead them to minimize, ignore or “put up” with harassment.</p> <p>Sometimes reporting creates additional problems for victims: e.g. s/he may be ostracized by co-workers, not believed, or pay for being a “whistle-blower”.</p>
<p>“Reactions” to sexual harassment are the real problem</p> <ul style="list-style-type: none">- Results in political correctness- Ruins “normal relationships”- Stops people from having fun	<p>Sexual harassment causes negative consequences (e.g. poor health, loss of earning potential).</p> <p>Its repercussions should never be blamed on the person being harassed.</p>
<p>She asked for it</p> <ul style="list-style-type: none">- She chose to work in a male environment- She wears sexy clothes	<p>Everyone has the right to learn, work and be in settings free from discrimination.</p>

Task 4:

Please read the affirmations below and note if you consider them myths or not and based on what reasons:

1. Banter is not sexual harassment.

Your answer: _____

2. If the victim does not complain it is not sexual harassment.

Your answer: _____

3. Sexual harassment always involves a physical act.

Your answer: _____

4. Sexual harassment can be committed only by a man against a woman.



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Your answer: _____

5. A junior employee cannot sexually harass a superior.

Your answer: _____

6. A comment out of work hours cannot be harassment.

Your answer: _____

Please read the feedback on your answers:

ALL the affirmations are Myths:

Myth 1 – Banter is not sexual harassment.

Wrong. Making remarks to a colleague (e.g. about their clothes or body) could be classed as harassment. Basically, any comment that can make someone feel uncomfortable and can be related to their sex, exceeds the boundaries of what is acceptable and is sexual harassment. This can include compliments if this crosses a line and are sexual in nature.

Generally, 'banter' has no place in the workplace as, even if it is not of a sexual nature, it may still amount to harassment.

Myth 2 – If the victim does not complain it is not sexual harassment

Wrong. The victim does not need to make a formal complaint for it to be classed as harassment. It could be that another employee has heard or witnessed unacceptable behaviour and makes a complaint.

Myth 3 – Sexual harassment always involves a physical act

Wrong. Under the Equality Act, the definition of Sexual Harassment is very broad. For example, it could include leering at colleagues in a manner that is deemed overtly sexual or the display of pornographic material.

Myth 4 – Sexual harassment can be committed only by a man against a woman

Wrong. Although when people think of sexual harassment they generally think of a man's unwanted actions towards a woman, there is nothing to stop a man claiming harassment against a woman, or an individual of the same sex and vice versa.

Myth 5 – A junior employee cannot sexually harass a superior.

Wrong. Status or position in an organisation makes no difference. Understandably, most cases and reports involve harassment by a senior person (as they abuse their position of power), and junior employees often feel they cannot speak up about it.



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Myth 6 – A comment out of work hours cannot be harassment.

Wrong. Sexual harassment can be committed at a social engagement involving colleagues and there is no mitigation because there was alcohol present.

Myth 7 – As an employee, you cannot be personally liable or personally sued.

Wrong. An employee can be held personally liable, and they can be named as a party in any employment tribunal proceedings (in addition to the employer). There have been cases where employees have been found liable and required to pay compensation to colleagues because of harassment.

Myth 8. I wasn't talking to you so I can't have harassed you.

Wrong. The definition of harassment talks about the atmosphere created at the workplace, so if someone is being crude with, or towards colleague 1, colleague 2 is more than able to be the victim of harassment even if the acts or conversations were not directed towards them.

Myth 9 - I can't say anything!

Not true. Even though harassment is defined from the subjective view of the victim, the acts or words do need to be objectively capable of causing offence (ie intimidation, humiliation etc). However the bar is reasonably low so even if you would not be offended by my comment, that is not to say that someone else might not; unless the comment cannot reasonably be said to be offensive.

Source: <https://yourhr.guide/categories/equal-opportunities/4-sexual-harassment-myths>

What do you discover? What myths have you believed so far? What maintained these beliefs?
And if you answered correctly that all the statements are myths, what helped you to do this?

To assess your knowledge, please take the Quiz TRUE or FALSE:

1. If your intentions are good, your behavior cannot be considered sexual harassment.
A. True
B. False



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2. Sexual harassment can occur outside the work site and still be considered work related. Incidents that occur at retirement parties and office socials or in training are some of the situations where work related harassment occurs.

A. True

B. False

3. A man who is sexually harassed does not have the same legal rights as a woman who is sexually harassed.

A. True

B. False

4. If an employee willingly extended a friend request to his/ her supervisor or co-worker on social media and this becomes uncomfortable for the other person (supervisor or co-worker), the supervisor/ co-worker shouldn't report it to HR.

A. True

B. False

Resources for a deeper understanding:

- Human Resources Professionals Association (HRPA). (2020). Doing Our Duty Preventing Sexual Harassment In The Workplace.
<https://hrpa.s3.amazonaws.com/uploads/2020/10/Doing-Our-Duty.pdf>
- Equality and Human Rights Commission. (2020). Preventing sexual harassment at work: a guide for employers.
<https://www.equalityhumanrights.com/en/publication-download/preventing-sexual-harassment-work-guide-employers>
- Learning Network. (2015). Sexual and Gender-Based Harassment. Newsletter Issue 13, June 2015. Centre for Research & Education on Violence Against Women & Children.
https://www.vawlearningnetwork.ca/our-work/issuebased_newsletters/issue-13/index.html
- Diversity Council Australia. (2019). Myth Busting Sexual Harassment at Work, Sydney, Diversity Council Australia, 2019.
<https://www.dca.org.au/research/project/myth-busting-sexual-harassment-work>
- Gender, Equality and Diversity and ILOAIDS Branch, Conditions of Work and Equality Department International Labour Office (ILO). (2019). Sexual harassment in the world of work.
https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/briefingnote/wcms_738115.pdf
- Bon, Ha Dinh; Nguyen Van Binh, Le Xuan Thanh, Le Dinh Quang, Ho Thi Kim Ngan, Nguyen Thi Tuyet Minh, Mai Thi Dieu Huyen, Ngo Hoang, Nguyen Thi Van, Nguyen



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Thi Nhuan. (2015). Code of Conduct on Sexual Harassment in the Workplace. Hà Nội.

https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-hanoi/document/s/publication/wcms_421220.pdf

- The World Bank. (2013). Women, Business and the Law 2014: Removing Restrictions to Enhance Gender Equality. London: Bloomsbury Publishing, 2013.
- Centre for Research & Education on Violence Against Women & Children. (2015). Sexual-Harassment---What-is-a-Myth-and-What-is-Reality. Learning Network. vawlearningnetwork.ca,
<https://www.vawlearningnetwork.ca/our-work/infographics/shwhatisamyth/Sexual-Harassment---What-is-a-Myth-and-What-is-Reality.pdf>
- Enright, M. (2020). Identifying and preventing harassment in your workplace. <https://www.wolterskluwer.com/en/expert-insights/identifying-and-preventing-harassment-in-your-workplace>
- Lehman, John. (2006). Sexual Harassment In The Workplace: Europe. Journal of Business Case Studies – Third Quarter 2006 Volume 2, Number 3.
<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwidqMPVisr-AhVNJOwKHUizBawQFnoECAYQAQ&url=https%3A%2F%2Fclutejournal.com%2Findex.php%2FJBCS%2Farticle%2Fdownload%2F4898%2F4991%2F19608&usg=AOvVaw2mkvRKtZYgb7PbcZ5TOZKf>
- Baker Training Institute (2023). Sexual Harassment Training Free Quiz.
<https://sexualharassmenttraining.biz/content/#/>
- Your HRguide. (2023). Sexual Harassment Myths.
<https://yourhr.guide/categories/equal-opportunities/4-sexual-harassment-myths>
- Study.com. (2023). Which of the following is not a myth about sexual harassment?
<https://homework.study.com/explanation/which-of-the-following-is-not-a-myth-about-sexual-harassment-a-if-women-would-only-say-no-harassment-would-stop-b-harassment-will-stop-if-the-victim-simply-ignores-it-c-harassment-that-is-ignored-either-continues-or-worsens-d-if-women-dressed-less.html>

MODULE 2: SEXUAL AND NON-SEXUAL HARASSMENT AT WORK PLACE

2.1. Examples of non-sexual and sexual harassment at workplace

Most frequently reported type of workplace harassment is sexual harassment. However, there are other types of harassment at workplace, based on employee's characteristics, as their color, gender, age, disability, race, religion, pregnancy status, etc. These forms of harassment can become illegal, when they create a hostile work environment that makes it difficult for the victim to do his or her job.

Examples of non-sexual harassment at workplace:

Non-sexual harassment includes any behavior, action, or comment that is intimidating, insulting, discriminatory, or threatening and makes the workplace environment to become hostile.



Source: [pexels.com](https://www.pexels.com)

Some examples of non-sexual harassment at workplace are the following:

- Using racist slang, phrases, or nicknames.
- Negatively commenting about an individual's ethnic traits or skin color.
- Telling offensive jokes or remarks about religious, ethnic, or racial characteristics.
- Offensively talking about negative racial, ethnic, or religious stereotypes.
- Making offensive gestures to a particular ethnic or religious group.



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- Displaying racist drawings, or posters that might be offensive to a particular group.
- Wearing clothing that could be offensive to a particular group.
- Mocking someone's religious beliefs or trying to convert them to a certain religious ideology.
- Making inappropriate comments to an older or younger worker because of his/ her age.
- Sharing inappropriate images, videos, emails, letters, or notes to mock someone.
- Making offensive remarks or comments to a person's mental or physical disability.
- Verbal abuse, insults and name-calling.
- Slandering or harming another individual's reputation by gossips and rumours.
- Notes, messages or calls that are abusive, threaten, insult, attempt to coerce, humiliate or intimidate.
- Shouting and aggressive behaviour.
- Putting pressure on a person to participate in political or religious discussions of groups.
- Hostility demonstrated through sustained unfriendly contact or exclusion.
- Repeatedly isolating, ignoring or excluding someone.

These are only some examples, but non-sexual harassment forms are not limited to them.

Examples of sexual harassment at workplace:

Sexual harassment represents the specific type of harassment and refers to unwanted sexual behaviour that happens in a professional environment and causes an individual to feel uncomfortable, scared or humiliated. Unwelcome sexual comments, unwanted touching, unwelcome advances, and other similar types of inappropriate behavior based on the gender, sex, or sexual orientation of a victim represent sexual harassment. Workplace sexual harassment does not have to be directed at a specific person, general comments and actions that make an environment feel unsafe or toxic also count.





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Source: [pexels.com](https://www.pexels.com)

Here are some concrete examples of sexual harassment at workplace:

Examples of verbal sexual harassment:

- Inappropriate jokes or comments of a sexual nature.
- Telling jokes or sharing stories about sexual experiences – even if this is not directed at someone, but done in their presence which cause their discomfort.
- Making insulting comments or remarks about someone's gender identity or sexual orientation or asking about someone's sexual orientation.
- Making sexual comments about an employee's body, clothing, or appearance.
- Unwanted sexual advances or propositions
- Repeatedly asking for dates despite being refused or asking for sexual favors.
- Asking intrusive sexual questions.
- Spreading rumours of a sexual nature.

Examples of visual sexual harassment:

- Sending unwanted suggestive or lewd emails, letters or other communications or sharing images of a sexual nature around the workplace.
- Displaying posters, images, videos or screensavers of a sexual nature.
- Sharing explicit content such as pornography.
- Sending explicit or inappropriate messages.

Examples of physical sexual harassment:

- Non-consensual physical contact, as inappropriate and suggestive touching, kissing, rubbing or caressing of a person's body and/or clothing.
- Sexually suggestive staring or looking someone's body.
- Following them around or paying excessive attention.
- Making sexually offensive gestures, remarks or facial expressions.
- Leering, catcalling, or whistling at someone.

Task 1: Read the information above and answer to the following questions:

- Have you ever been victim or witnessed, or someone told you about a situation of workplace sexual or non-sexual harassment? Or maybe you have been the author of harassment without being aware of it? How did you feel about it? Please shortly describe the situation.



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- Please make short story in a few lines to describe a situation of non-sexual harassment at workplace. Use your imagination and examples from your or other people's experience.

- Please make short story in a few lines to describe a situation of sexual harassment at workplace. Use your imagination and examples from your or other people's experience.

2.2. Differences between friendly talking and sexual harassment at workplace

Compliments/ Friendly talking:	Sexual harassment:
<i>Motivation</i>	
<ul style="list-style-type: none">- they are usually used to build trust and establish a work relation;- primary motivation is to make someone feel good, valued and appreciated.	<ul style="list-style-type: none">- remarks used to offend, humiliate or intimidate someone or to gain sexual favours;- primary motivation is power, intimidation and violation of a someone's boundaries.
<i>Object</i>	



- compliments at workplace are more appropriate to be based on someone's abilities, work performance, qualities, intelligence, and less often on their appearance.	- comments are based usually on someone's appearance, parts of the body, clothes, having also a sexual nature; - sometimes unsolicited physical contact or invading personal space accompanies these comments or remarks.
<i>Feelings of the person</i>	
- the person receiving compliments feels valued and appreciated.	- the persons receiving the comments feels uncomfortable, humiliated, intimidated, offended, conducting to a hostile work environment.

Other important factors to differentiate friendly talking from sexual harassment are:

- the nature of relation and the position of power (the person who is making the remark is a friend at work, a senior co-worker, a supervisor, a manager etc.);
- the context;
- the tone of the voice and other non-verbal signs.

However, you can answer to the following questions to decide yourself if your situation is sexual harassment or not:

- Did you feel uncomfortable, humiliated, offended, scared or threatened in any way?
- Have the remarks a sexual nature?
- Do the compliments have any negative effect on your work performance? Do they make you want to avoid your co-worker/ supervisor/ manager, dread coming to work, or worry about your next encounter?
- Have you made it clear that you are uncomfortable with the remarks and yet they continue?
- Are the remarks or compliments inappropriate to the context?

Task 2:

Read the information above, watch the videos and then answer to the following questions:

Video 1:

https://www.youtube.com/watch?v=QjIUDSEhWPI&ab_channel=CatharsisProductions



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Video 2:

https://www.youtube.com/watch?v=fWqcSdHjYgk&ab_channel=TIME%27SUPNow

- Have you ever felt weird when you received a compliment? Why? Was it a friendly compliment or sexual harassment?

- If you wanted to give a compliment to a co-worker now, what would you say to her/him?

Task 3:

Read and think about the following scenarios and indicate whether it is a situation of friendly compliment or sexual harassment. Why?

Then, for each scenario, if it is a case of sexual harassment, briefly describe what a friendly talking situation would be like. If it's a friendly compliment, how would it cross the line into sexual harassment?

- **Scenario 1:** *A male employee to a fellow male employee as he enters an open plan office full of co-workers: "Patting the buttocks and saying Nice ass big guy, it pays to keep fit hey!"*

- Is it friendly talking or sexual harassment? Why?

- Briefly describe how the opposite would be like:



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- **Scenario 2:** *A female employee to another female employee, who is known to be a close co-worker and friend: "I love your outfit, makes you look pretty, where did you get it from?"*

- Is it friendly talking or sexual harassment? Why?

- Briefly describe how the opposite would be like:

- **Scenario 3:** *A female manager to a new male employee about an upcoming performance appraisal: "How about we go for a drink after work at the bar down the road to discuss your performance over the past couple of months. You've done well and I think we should celebrate if you know what I mean?"*

- Is it friendly talking or sexual harassment? Why?

- Briefly describe how the opposite would be like:

Scenarios adapted after:

<https://www.sentrient.com.au/blog/the-difference-between-a-compliment-and-sexual-harassment>

2.3. Cultural aspects related to sexual harassment

After conducting, different surveys, the World Health Organization has concluded that, in many societies, both men and women believe that marriage obliges women to be sexually available at all times without limits. Such societies have cultural norms such as male honour, masculinity, and men's sexual entitlement, which foster societal acceptance of sexual harassment and sexual assault.



Source: pixabay.com

Studies (Mishra&Davison, 2020) emphasizes that national culture has an important role in sexual harassment on the following directions:

1. People from collectivistic cultures are more tolerant of sexual harassment:

For example, Asian men and women had significantly more conservative sexual attitudes, including being more tolerant of rape myths and sexually harassing behaviour, compared with those from non-Asian cultures. In Turkey, a collectivist culture, sexism-related behaviours were not generally viewed as sexual. In Japan and China, the rates of reporting sexual harassment are significantly lower than in more individualistic cultures.

2. Hofstede's (1980) dimensions of cultural values, including power distance, collectivism, and masculinity are important:

The comparison on perceptions of sexual harassment for individuals from high power distance countries (e.g., Brazil) to low power distance countries (e.g., the U.S.) showed that in low power distance countries (North America, Australia, and Germany), students perceived hostile work environment scenarios more in terms of power abuse and gender discrimination, while in high power distance countries (Brazil) see the same scenarios as harmless sexual behaviour, not sexual harassment.

When judging scenarios in which a woman was consistent or inconsistent in her refusals of sexual advances by men, Brazilians considered them as consensual sex, while Americans see them as rape.



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It is important to recognise and identify the stereotypes, beliefs, behaviours, habits, and attitudes that contribute to maintain sexual harassment in our societies, so that to be able to apply measures and policies to reduce it and end it.

Task 4:

Read the information above and answer to the following questions:

- Name at least 3 cultural factors (beliefs, stereotypes, behaviours, customs, habits etc.) that support sexual harassment at workplace in your country? What would be the solutions or measures to prevent this from happening?

1.

2.

3.

- If you were to do an awareness campaign in your country to draw attention to these cultural factors that maintain sexual harassment at workplace, what would be the main message? What would be the strategy of this campaign, what would you do?

To assess your knowledge, please take the Quiz TRUE or FALSE:

1. Workplace sexual harassment is considered only when is directed at a specific person.

a. True

b. False

2. Making sexually offensive gestures, remarks or facial expressions is an example of visual sexual harassment.

a. True



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- b. False
- 3. Primary motivation of a person who is talking friendly is to make someone feel good, valued and appreciated.
 - a. True
 - b. False
- 4. Cultural norms such as male honour, masculinity, and men's sexual entitlement don't foster societal acceptance of sexual harassment and sexual assault.
 - a. True
 - b. False

Resources for a deeper understanding:

- Boland, M. L. (2005). *Sexual harassment in the workplace*. Naperville: Illinois.
- Mishra, V., & Davison, H. (2020). Sexual harassment training: A need to consider cultural differences. *Industrial and Organizational Psychology*, 13(2), 163-167.
- Smith, M. D. (2020). *Contemporary World Issues: Sexual Harassment*, Santa Barbara: California.
- UN WOMEN. (2019). *What will take? Promoting cultural change to end sexual harassment*.
- chrome-extension://efaidnbmnnnibpcajpcgiclfindmkaj/https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2019/Discussion-paper-What-will-it-take-Promoting-cultural-change-to-end-sexual-harassment-en.pdf
- <https://swartz-legal.com/examples-of-sexual-and-non-sexual-harassment/>
- <https://www.talk-law.com/sexual-vs-non-sexual-harassment-at-work/>
- <https://www.sentrient.com.au/blog/the-difference-between-a-compliment-and-sexual-harassment>
- <https://walkerlawsd.com/10-examples-of-sexual-harassment-that-you-didnt-realize-we-re-sexual-harassment/>
- <https://klinglelaw.com/faq/compliment-sexual-harassment/>



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MODULE 3: SEXUAL HARASSMENT PREVENTION

The most effective weapon against sexual harassment is prevention. Harassment does not disappear on its own. In this module you will learn how to put boundaries at work, how to prevent and respond online harassment and how to respond to sexual harassment at workplace.

3.1. How to put boundaries at work and to prevent sexual harassment



Source: iStock

Boundaries are guidelines, rules or limits that a person creates to identify for themselves what are permissible ways for other people to behave around them and how they will respond when someone steps outside those limits.

The easiest way to think about a boundary is a property line. Personal boundaries can be harder to define because the lines are invisible, can change, and are unique to each individual.

Personal boundaries define where you end and others begin and are determined by the amount of physical and emotional space you allow between yourself and others.



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Personal boundaries help you decide what types of communication, behaviour, and interaction are acceptable.

Physical Boundaries

Physical boundaries provide a barrier between you and an aggressor, like a Band-Aid protects a wound from bacteria.

Physical boundaries include your body, sense of personal space, sexual orientation, and privacy. These boundaries are expressed through clothing, shelter, noise tolerance, verbal instruction, and body language.

An example of physical boundary violation: a close talker. Your immediate and automatic reaction is to step back in order to reset your personal space. By doing this, you send a non-verbal message that when this person stands so close you feel an invasion of your personal space. If the person continues to move closer, you might verbally protect your boundary by telling him/her to stop crowding you.

Emotional and Intellectual Boundaries

These boundaries protect your sense of self-esteem and ability to separate your feelings from others'. When you have weak emotional boundaries, it's like getting caught in the midst of a hurricane with no protection. You expose yourself to being greatly affected by others' words, thoughts, and actions and end up feeling bruised, wounded, and battered.

These include beliefs, behaviours, choices, sense of responsibility, and your ability to be intimate with others.

Task 1:

Assess the current state of your boundaries

Rate your boundaries and behavior on a scale of 1 to 5, where 1 – always, 5 – never. Add your points and see if the score is higher at healthy boundaries or at unhealthy boundaries.

HEALTHY BOUNDARIES allow you to:	Points
Have high self-esteem and self-respect.	
Share personal information gradually, in a mutually sharing and trusting relationship.	
Protect physical and emotional space from intrusion.	
Have an equal partnership where responsibility and power are shared.	
Be assertive. Confidently and truthfully say “yes” or “no” and be okay when others say “no” to you.	



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Separate your needs, thoughts, feelings, and desires from others. Recognize that your boundaries and needs are different from others.	
Empower yourself to make healthy choices and take responsibility for yourself.	

UNHEALTHY BOUNDARIES	Points
Sharing too much too soon or, at the other end of the spectrum, closing yourself off and not expressing your need and wants.	
Feeling responsible for others' happiness	
Inability to say "no" for fear of rejection or abandonment	
Weak sense of your own identity. You base how you feel about yourself on how others treat you.	
Disempowerment. You allow others to make decisions for you; consequently, you feel powerless and do not take responsibility for your own life.	

Tips for Setting Healthy Boundaries

- When you identify the need to set a boundary, do it clearly, calmly, firmly, respectfully, and in as few words as possible. Do not justify, get angry, or apologize for the boundary you are setting.
- You are not responsible for the other person's reaction to the boundary you are setting. You are only responsible for communicating your boundary in a respectful manner. If it upsets them, know it is their problem. Some people, especially those accustomed to controlling, abusing, or manipulating you, might test you. Plan on it, expect it, but remain firm. Remember, your behaviour must match the boundaries you are setting. You cannot successfully establish a clear boundary if you send mixed messages by apologizing.
- At first, you will probably feel selfish, guilty, or embarrassed when you set a boundary. Do it anyway and remind yourself you have a right to self-care. Setting boundaries takes practice and determination. Don't let anxiety, fear or guilt prevent you from taking care of yourself.
- When you feel anger or resentment or find yourself whining or complaining, you probably need to set a boundary. Listen to yourself, determine what you need to do or say, then communicate assertively.



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- Learning to set healthy boundaries takes time. It is a process. Set them in your own time frame, not when someone else tells you.
- Develop a support system of people who respect your right to set boundaries. Eliminate toxic persons from your life—those who want to manipulate, abuse, and control you.

(Modified from the book, *Boundaries: Where You End and I Begin* by Anne Katherine)

3.2. Prevent and respond to online harassment

As we become more and more dependent on technology and the internet, incidents of cyberbullying, online harassment and abuse are continuing to increase.

Prevention of online harassment:

- There are ways to help prevent online abuse. These methods will not necessarily stop it from happening completely, but they should make it more difficult for the perpetrators.
- You can change your privacy settings on your social media accounts in order to limit what other people can see.
- You can also ensure everybody you have on your social media accounts are friends, family or people that you trust.
- Limit your email, social network, newsgroup and blog accounts.
- Avoid doing things like sending compromising photos of yourself or allowing access to photos or account passwords or other personal information to anyone, friend or not.
- Be alert to anyone taking your photo in private situations.
- Learn how to use social media sites, such as Facebook, responsibly, and always remember to “do unto others as you would have them do unto you.”

What to do if you are being harassed online:

- Keep calm and immediately find a safe person and report the online threat or harassment.
- Close the victim's email or Facebook accounts and open new ones, allowing access only to a small, select group of safe friends.

3.3. Responding to sexual harassment at workplace

The European Union law Directive on the implementation of the principle of equal opportunities for women and men and equal treatment of women and men in the field of



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employment and professional activity prohibits sexual harassment at work and considers such behavior as discrimination, since harassment and sexual harassment are contrary to the principle of equal treatment of women and men. Such forms of discrimination occur not only at work, but also in the pursuit of employment, professional education or promotion. Therefore, European Union countries should prohibit such forms of discrimination and apply effective, proportionate and dissuasive sanctions to them.



Source: iStock

Task 2:

Watch this video and answer to the following questions:

<https://www.youtube.com/watch?v=u-bsCBaoDPM>

- Do you agree with intern behavior from the beginning of story?

- What could she have done differently?



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-
-
-
- Does the intern's boss was right?
-
-
-

- What she should have done after receiving the complaint?
-
-
-

Feedback: When you experience harassment or sexual harassment, it is often difficult to take the first step and seek help. Therefore, promoting a work culture in the organization where harassment and sexual harassment is unacceptable would help reduce these negative feelings and encourage employees who have experienced harassment to seek ways to resolve the situation as soon as possible.

See what employees can do when they are experiencing harassment or sexual harassment at workplace:

https://issuu.com/silvablazulioniene/docs/responding_to_sexual_harassment_at_workplace

For the translations, please translate the powerpoint in Canva in your language:

Lithuanian: https://www.canva.com/design/DAFhrRGaDLo/mKc96n333yiMF6Cd-fkDnw/edit?utm_content=DAFhrRGaDLo&utm_campaign=designshare&utm_medium=link2&utm_source=sharebutton

German: https://www.canva.com/design/DAFhrXJW5bc/i3wldMRuVBkM5QXf2N1jSQ/edit?utm_content=DAFhrXJW5bc&utm_campaign=designshare&utm_medium=link2&utm_source=sharebutton

Romanian: https://www.canva.com/design/DAFhrejlDuDo/Pr1RqoMgRFB80n9028Vygg/edit?utm_content=DAFhrejlDuDo&utm_campaign=designshare&utm_medium=link2&utm_source=sharebutton

Czech: https://www.canva.com/design/DAFhrfgT7bk/OBwfnrDOyQtdHvk2tM_S9w/edit?utm_content=DAFhrfgT7bk&utm_campaign=designshare&utm_medium=link2&utm_source=sharebutton

Italian: https://www.canva.com/design/DAFhreIPi_l/XEb5rm2rIP2Um_vFkhMwng/edit?utm_content=DAFhreIPi_l&utm_campaign=designshare&utm_medium=link2&utm_source=sharebutton

To assess your knowledge, please take the Quiz TRUE or FALSE:

1. Sexual harassment can only be physical.

a. True

b. False

Only women can be sexually harassed.



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a. True

b. False

Sexual harassment is a crime.

a. True

b. False

A supervisor or other responsible person should take action if an employee complains that a co-worker is sending him/her sexual pictures on the phone.

a. True

b. False

Resources for a deeper understanding:

- <https://eur-lex.europa.eu/EN/legal-content/glossary/equal-opportunities.html>
- <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:c10940>
- <https://lygybe.lt/data/public/uploads/2015/11/metodines-rekomendacijos-del-seksuali-nio-priekabiavimo-ir-priekabiavimo-del-lyties-bei-nurodymo-diskriminuoti-prevencijos.pdf>
- European Commission, "Diversity within small and medium-sized enterprises: best practices and approaches for moving ahead", Luxembourg: Publications Office of the European Union, 2015
- European Social Partners ETUC, BusinessEurope, CEEP and UEAPME, "A Toolkit for Gender Equality in Practice: 100 initiatives by social partners and in the workplace across Europe", Employers Resource Center



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MODULE 4: SEXUAL HARASSMENT AT WORK PLACE AND BEHAVIOR

4.1. Who can be the perpetrator of sexual harassment at work: appropriate ways in dealing with in different cases.

How to recognise a perpetrator? Who's Most Likely to Be the Perpetrator of Harassment or Discrimination?

Anyone, regardless of race, color, age, religion, sex, or ancestry, could be a perpetrator of harassment or discrimination. That is why it is important to educate all employees.

Employers must pay special attention to the actions of their supervisors because of the power that supervisors have over their subordinates. When a supervisory employee is found to be harassing or discriminating against subordinates, the employer (company) can face stronger penalties. Supervisors do not necessarily harass or discriminate more than other employees, but when they do, their actions are more severe, and victims can feel more pressure to not report the problems for fear of retaliation.

In general, sexual harassment is not, primarily, an expression of sexual desire on the part of the harasser toward the victim. A harasser might be:

1. Trying to fit in with a peer group, e.g., "locker room talk," "being one of the guys"
2. Consciously or subconsciously asserting power, dominance, or control over the victim, putting victims in "their place"
3. Attempting to coerce victims into acting a certain way, e.g., "don't talk back," "don't ask questions," accepting a less desirable schedule

Source:

https://www.labce.com/spg963090_whos_most_likely_to_be_the_perpetrator_of_harassme.aspx

Workplace sexual harassment can occur in a number of ways. Some are obvious and easy to identify. Others are subtle and more difficult to recognise. A harasser can be anyone an employee has contact with because of their work. That person might be a:

- Colleague/supervisor/manager/board member or trustee/member of the trade union
- Client/customer/service user
- Patient
- A contractor or someone making deliveries.



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In addition, it is not unusual for large employers to have on its staff a number of members from the same family, or partners who work together. For this reason, sexual harassment in relation to domestic abuse and violence should also be considered. Sexual harassment is often found to be linked with power, either through the abuse of power by the perpetrator who feels more powerful than the target, or when the perpetrator feels powerless and uses the sexual harassment as a means of disempowering the target. Sexual harassment need not be specifically targeted at the worker. It can be experienced when there is an offensive environment created at work, such as when there are pornographic images on display, or when sexual comments are overheard about others. For example a man may feel harassed by having to listen to colleagues making sexist 'jokes'.

Source: "Sexual harassment is a workplace issue Guidance and model policy" UNISON, February 2020/25965/4167/UNP 15840.

Task 1:

Watch the video by Natalie Kniese for a deeper understanding on how to react to a perpetrator, and answer to the following questions:

<https://www.youtube.com/watch?v=k-ljkbQyeJE>

- Who can be the perpetrator of sexual harassment in the workplace?

- Why is confrontation always in our best interest?

- Which is the best way to communicate with a perpetrator? Why?

4.2. When witnessing to sexual harassment



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As a bystander or witness to harassment, you can play an essential role in supporting the person targeted by harassment. There are a multitude of ways in which we can respond to the situation. As bystanders, we have the power to make a difference.

If you are witnessing a situation which you think may be sexual harassment, consider to carry out immediate intervention to support someone who is being harassed.

Here are some ideas! **The Five D's, developed by the Hollaback! movement** and the bystander program Green Dot, provide bystanders with a range of options to respond to witnessing harassment regardless of where it takes place.

- 1. Direct:** If you feel that directly addressing harassment is safe and may be effective, you can confront the harasser and call out the behavior in the moment. Let them know you find their behavior inappropriate, intimidating or hostile, and ask them to stop. This approach may escalate the situation, so consider whether you and the person being harassed are safe and whether you believe the person being harassed wants someone to speak up.
- 2. Distract:** You can stop an incident by simply interrupting it. Rather than focusing on the aggressor or action, this subtler intervention allows you to engage the person being targeted through a distraction – ask a question, start an unrelated conversation, physically interrupt the incident, or find a reason to call the person out of that space.
- 3. Delegate:** Find an appropriate third party to intervene, such as a supervisor, human resources officer, security officer or another colleague.
- 4. Delay:** If you aren't able or choose not to intervene in the moment, you can still support the person who has been harassed by following up with them afterwards. You can offer acknowledgement and empathy, and can ask whether they need additional support, resources or documentation of the incident. You can also confront the harasser later and let them know that you found their behavior inappropriate.
- 5. Document:** Depending on the circumstances and whether other interventions are more urgent, it may be most helpful to document what you are witnessing. If you are able to record an incident or jot down details, be sure to follow up with the targeted individual and ask them what they would like done with the documentation; do not share it without their consent.

Source: 2019, National Partnership for Women & Families, Know Your Rights: Witnessing Sexual Harassment at Work

Bonus: Do something - Take action, any action.

The worst thing that we can do as a bystander is to simply stand by. Choose the intervention that works best for the situation, the people involved, and yourself, and then take action! (Nikki Larchar)



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Source: <https://www.youtube.com/watch?v=14J45xdRESA>

Top 5 reasons witnesses didn't report to HR:

1. Fear of consequences: 34%
2. Didn't want to interfere: 29%
3. Didn't know could report: 22%
4. Didn't want to be a "snitch": 18%
5. Didn't know how to report: 16%

- 93% of harassment cases were witnessed by someone.
- $\frac{3}{4}$ of the people interviewed said they would report the witnessed harassment.
- Fear of consequences is the first reason for people not to report the witnessed harassment.
- It is easier to report to someone outside the workplace.

Sadly it is true: too often people are afraid to speak up and report witnessed harassment. However, as we saw, there are multiple ways we can deal with the situation.

Task 2:

Watch the video to have an insight on the problem and answer the questions below:

<https://www.youtube.com/watch?v=14J45xdRESA>

- What is reporting paralysis?

- Why are managers more likely to commit harassment?

Let's remember to: "Be the active witness that you wish others would be for you."
(Julia Shaw)



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4.3. Appropriate thinking and behaviors to deal with sexual harassment at work

Sexual harassment in the workplace is a serious matter which should not be underestimated. There are a number of behaviors that we can adopt to deal with the issue in the appropriate way, giving it the right importance. Here is a list of elements that will help in raising awareness and prevent harassment behaviors.

- **Train and be trained:** it is pivotal to educate ALL employees on what sexual harassment is, on which behaviors are acceptable and unacceptable within the workplace and to equip them with the tools and knowledge needed to recognize and correct behavior that may be perceived as inappropriate. If we know what we are dealing with we can easily eradicate the problem!
- **Don't treat sexual harassment as a taboo:** sometimes people are afraid to talk about sex and sex-related issues: don't be! Remember that the culture of shame is dangerous and destructive for the lives of the most vulnerable. The more we talk, the more we know, the easier it is to recognise wrong behaviors and report them.
- **Read articles on the topics and listen to victims:** there are countless ways in which we can keep us informed: let's not limit ourselves to only one. Read articles, listen to podcasts, watch interviews and, most importantly, believe victims.
- **Build a positive environment where everyone feel safe and respected:** the environment in which we work is fundamental to the prevention of sexual harassment. You, as an employee, should feel safe to talk and be listened to. You should feel respected, supported and trusted.
- **Report:** NEVER be afraid to speak up. Reporting is a fundamental step in the eradication of sexual harassment. Even if you are not sure whether you are witnessing/experiencing sexual harassment it is important to share your concerns. You may be mistaken. But maybe you are not. Your intervention can be the first step towards eradication.

Let's have a look at the following tables which contain some of the most common stereotypes and inappropriate thinking in dealing with sexual harassment at work:

MYTHS	FACTS
It is not sexual harassment if there is no touching	Sexual harassment does not require touching. Words alone can be harassment



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It is not sexual harassment if a man harasses a man, or if a woman harasses a woman	Men can harass men, women can harass women and women can harass men
You have to be harassed by your supervisor in order for it to be illegal	Sexual harassment by a coworker is also illegal
You have to be harassed by another employee in order for it to be illegal	Harassment by customers, clients, and third parties can be illegal too
Comments that are not based on desire are not sexual harassment	Comments based on gender stereotypes (gender identity or expression, sexual orientation, or assumptions about what men or women can or should do) can be harassment too
Comments or actions that are not directed at you are not sexual harassment	Comments or actions that are directed at others can also create a hostile working environment

Source: <https://www.trla.org/how-to-recognize-respond-to-and-report-sexual-harassment>

There are often a lot of myths around the topic of sexual harassment. As we said, it is always very important to inform ourselves, because if we are informed we are more powerful and ready to overcome the issue.

It is vital to recognise if these behaviors are in place in our workplace and report them immediately.

EXCUSE	RESPONSE
"You didn't say no at first, so it's not sexual harassment"	Even if you didn't say no at first, it can still be sexual harassment
"Their story changed, so they're not telling the truth"	Trauma and time can affect memory; this doesn't mean someone isn't telling the truth
"If you report the harasser, you'll ruin his/her life"	Someone who sexually harasses others has ruined his/her own life. Reporting the harassment will help stop the harassment in the future



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“This is just how men are. You should expect this if you work in this job. I put up with it, so she should too.”

The law says that sexual harassment is illegal in all workplaces. Old-fashioned ideas about “how men are” do not change that

Source: <https://www.trla.org/how-to-recognize-respond-to-and-report-sexual-harassment>

Why is it important to recognise these inappropriate behaviors? Because we should never underestimate the issue. Even when in doubt, it is always best to speak up and evaluate the situation together with the responsible person.

Pay particular attention to these kinds of excuses that should never be valid. Let's remember once again that sexual harassment cannot be excused in any case, no matter the reason, no matter the situation, no matter the people involved. If the harasser or any witness tries to justify those behaviors, keep in mind this table to know how to reply.

Lastly, let's remind that any witness who recognise sexual harassment is occurring in the workplace but choose to ignore it by not reporting it is a complicit in silencing the survivor.

Task3:

Think about the following aspects and write down the answers to the questions:

- Do you feel safe in your workplace? Why?

- Did you receive training on this issue?

- Do you feel that the myths included in the table are impacting yours or other's ability to speak up?

- Why is it important to speak up?



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To assess your knowledge, please take the Quiz TRUE or FALSE:

1. The best “voice” to confront a harasser is the aggressive one.
 - a. True
 - b. False
2. If I witness sexual harassment I can play an important role to stop the behavior.
 - a. True
 - b. False
3. Generally people do not report the witnessed harassment because they do not know how to do it.
 - a. True
 - b. False
4. We can talk about sexual harassment only when there is physical touching.
 - a. True
 - b. False

Resources for a deeper understanding:

- <https://www.awam.org.my/home/about-us/>
- <https://www.ncsl.org/research/labor-and-employment/sexual-harassment-in-the-workplace.aspx#:~:text=Employers%20must%20promote%20a%20workplace%20free%20of%20sexual%20harassment.&text=such%20advances%2C%20requests%2C%20or%20conduct,or%20sexually%20offensive%20work%20environment>
- <https://sci-hub.wf/10.1146/annurev-orgpsych-012420-055606>
- <https://www.allvoices.co/blog/the-state-of-workplace-harassment-202>
- <https://www.acas.org.uk/sexual-harassment/witnessing-sexual-harassment>
- <https://righttobe.org/>
- <https://alteristic.org/story/>

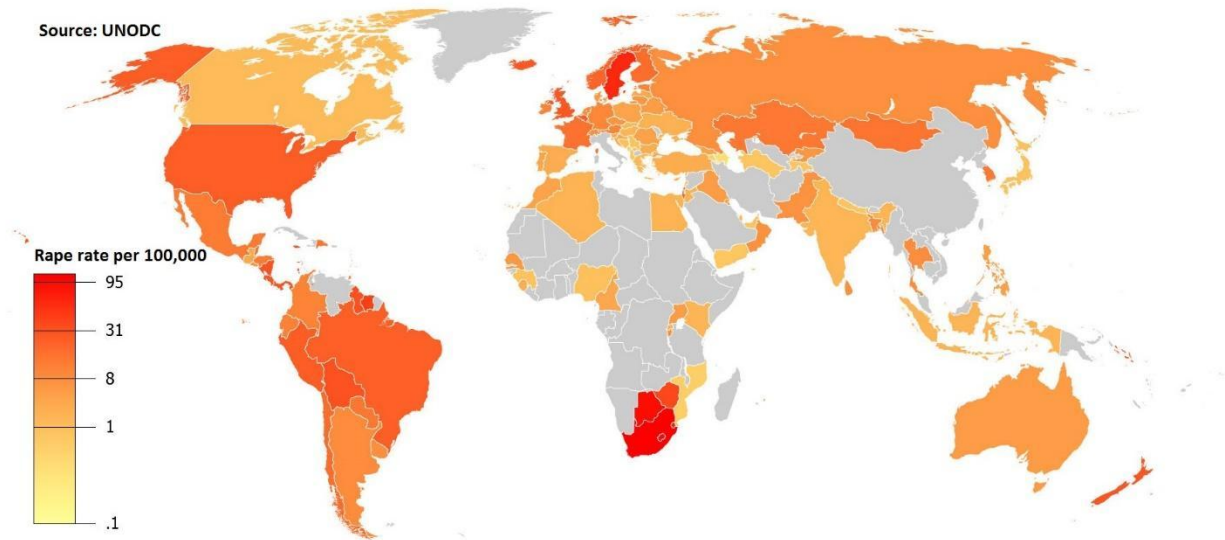
MODULE 5: HELP IN CASE OF SEXUAL HARASSMENT

5.1. Realize something is happening

5.1.1. To ME

To be able to find help, you need to realize you need it. You should be able to detect something is happening to you and you deserve some help. However, the situation is difficult, when not being aware of boundaries, operating within the society where sexual harassment is connected with myths and where exists so called “rape culture”: culture normalizing even the sexual attacks such as rape.

Rape rates (police reported) per 100.000 population, 2010–2012:



Source: Wikipedia https://en.wikipedia.org/wiki/Rape_culture

According to Wikipedia: “Rape culture is a setting, studied by several sociological theories, in which rape is pervasive and normalized due to societal attitudes about gender and sexuality. Behaviors commonly associated with rape culture include victim blaming, slut-shaming, sexual objectification, trivializing rape, denial of widespread rape, refusing to acknowledge the harm caused by sexual violence, or some combination of these. It has been used to describe and explain behavior within social groups, including prison rape and in conflict areas where war rape is used as psychological warfare. Entire societies have been alleged to be rape cultures. It is associated with rape fantasy and rape pornography.”



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Task 1:

Read the definition above and watch short video and then answer the questions:

<https://www.youtube.com/watch?v=rAnuuU0yJTw>

- What is perceived as rape culture?

- What are the connections towards the gender based violence and discrimination according your understanding?

Task 2:

Think about the following aspect and write down your answer.

- What do the rape culture with acceptance of the mis-behavior such as a sexual harassment?



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Feedback:

Rape culture effect	Sexual harassment challenge
Underestimation of the prevalence of rapes and sexual assaults	Even more difficult to highlight the prevalence of the harassment
	Normalization of the harassment as a dating or attempts to have a relationship
	Harmless and funny behavior
Secondary victimization	Necessity to solve the situation lies on the victim/survivor, who is responsible to say no
	Normalization of self-defense which is even lead in the aggressive manner (aggressivity is somehow required to protect own boundaries): it is OK to slap the aggressors face, when it comes to ending the one's harassment
Erasing the signs of Gender Based Violence (GBV)	To spread awareness about signs of GBV - everyone should be able to detect crossing personal boundaries and has responsible to act sensitively

Task 3:



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- Think of the effects on the individuals. What is the impact on the reporting than?

In those circumstances, it is even harder to report the acts (and to search for help in cases) which are not reaching the rape but are “only” about sexual harassment. To be able to understand something is happening and to react it is also about the possibility to identify with a role of survival or victim.

5.1.2. To My Colleague

Very important and sometimes crucial is the role of bystanders, who see the situation and can help by standing by the victim. We all should be sensitive to the signs of gender-based violence. We also should train what to do in these situations. It is hard to react precisely and with a calm mind, when we are under the pressure of the situation.

Being a by-stander, the situation could be easier. We can only come with the offers: offers of understanding, offer of interference into the situation, offer with help practically (set a complaint officially). But it may also lead to overlooking the situation and relying on “others” - meaning not to be passive or ignorant to what is happening.

Task 4:

Think about the possible by-standers. Who they are? What their relations towards the victim/survivor could be? Write the answers.



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Task 5:

Watch video “That’s Harassment” and answer to the following questions:

<https://www.youtube.com/watch?v=MV7a-oetsB0>

- Is there a sexual harassment in this case?

- Where do you see crossing the boundaries?

- Where do you see a space to say NO?

5.2. Immediate response

Task 6:

Watch the video below, think on the right moment for the immediate response
answer the questions and write down your answers:

<https://www.youtube.com/watch?v=HLB-RjYzFpk>



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- Did you find the right moment?

- When it was? And why?

From the individual level (as a by-stander or as a victim/survival), there could be two approaches to help:

- **Direct intervention** into the situation when it is happening: expressing that the situation/behavior is not welcomed and is perceived as offensive/sexual harassment.
- **Delayed intervention** – sometimes it happens that you cannot react to the situation at the given time (which can occur). Later, however, you think about everything again and look for the right reaction or intervention.

As a bystander, it's nice to come with your doubts about the victim/survival situation to them afterwards. Offer understanding and you can express, that from your point of view it was a very unpleasant situation, involving sexual harassment. Let the victim refuse your interpretation – as well as be ready to elaborate more on the topic (searching for concrete action, intervention, help).

As a victim/survival, it is possible to have everything rethought. You can take the advantage to talk to a trusted person about the situation. Counselling as well as non-formal talk can specify what kind of help you are searching.



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Generally there could be distinguished also two approaches to help from the institutional level:

- **Preventative approach:** creating conditions and circumstances to prevent the situation itself. Main focus is on the educational level – not to be focused on the victim (what not to do), but on the perpetrator – what to avoid to do.
As for the preventive measures there are policies and codes of conducts which are applied within the employers. Usually those are embedded in the Ethical Code, where the employer states the values of interaction and correct behavior of their employees.
- **Reactive approach:** to interfere into the situation and facilitation of the process of help. Including counseling, psychological support for survival/victim, work with the aggressor or adequate reaction towards his/her acts (dismissal, admonition etc.).

5.3. Legal framework

In EU countries the right to be protected from the sexual harassment rises from Antidiscrimination Laws. Usually the prevention of the negative effects such as harassment it is also embedded within the Labor Law in the respective countries. Therefore, for the victims/survivors of those acts there exists the legal provision, which should help them solve their case.



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Source: Creative commons <https://pxhere.com/cs/photo/839873>

Task 7:

Look-up on the legal framework in your country and answer the question:

- How is embedded the sexual harassment prevention in it?

In the Czech Republic have a look on:

<https://www.zakonyprolidi.cz/cs/2009-198>

In the Lithuania look on:

- the Law of equal opportunities for women and men:

<https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.69453/vWqQKfjhhC>

- or on Labour code:



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<https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/10c6bfd07bd511e6a0f68fd135e6f40c/asr>

In Germany look on:

- Section 2 (1 lit. 1 - 4) of the General Equal Treatment Act from 2006 (Allgemeines Gleichbehandlungsgesetz)
- Sexual harassment in the workplace in Germany:

<https://cms.law/en/int/expert-guides/cms-expert-guide-on-sexual-harassment-in-the-workplace/germany>

The German Criminal Code (Strafgesetzbuch / StGB) regulates offences against sexual self-determination in chapter 13:

https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p1604

For Italy the law to regulate sexual harassment at work:

- Disposizioni per il contrasto delle molestie sessuali, con particolare riferimento all'ambiente di lavoro:

https://www.senato.it/japp/bgt/showdoc/18/DOSSIER/0/1210554/index.html?part=dossier_dossier1

- Law to regulate equal opportunity on the workplace:

<https://www.ilo.org/dyn/travail/docs/1849/CODICE%20PARI%20OPPORTUNITA%20AGGIORNATO.pdf>

For Romania look on:

- the Law of equal opportunities for women and men:

https://www.cdep.ro/pls/legis/legis_pck.http_act_text?id=61862

- Labour code, chapter 2:

https://www.codulmuncii.ro/titlul_1/capitolul_2/art_5_1.html



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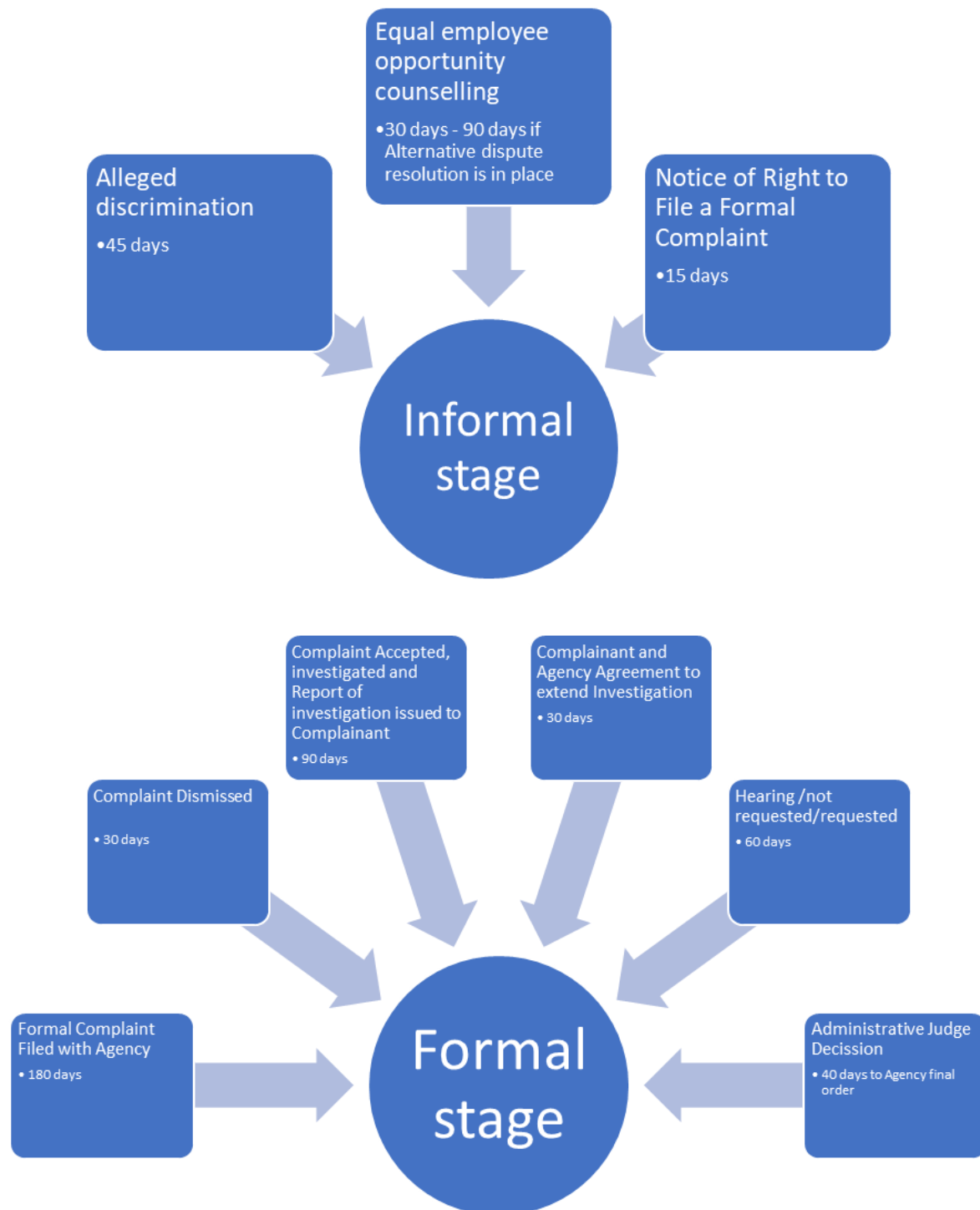
However, those provisions are sometimes toothless, because their implementation in everyday life lacks the methodology or systematic approach. Responsibility usually lies on the top management, in cooperation with the Human Resource Department. Sometimes there exist specific bodies at the employer such as Ethical Committees, Gender Focal Points or Gender and Diversity Units. Those could provide the appropriate help and set also the methodic of the complaints solution.

Very useful is to have a Code of Ethics with the definition of GBV (gender-based violence) and the process of dealing with it. We also recommend having some anonymous way to report inappropriate behavior in the workplace - for example the platform Face up (<https://www.faceup.com/en>).



Source: Creative commons <https://pxhere.com/cs/photo/486083>

It is important to have all these provisions described in an easy and understandable way and at hand so that any employee may understand them and adhere to them whenever such a situation occurs.



Adapted after: <http://informedfed.com/articles/eo-process-chart/>



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Task 8:

See the graphical overview of the procedures to be taken which may be very helpful as well and answer to the following questions:

- Did you get how the process should be facilitated?

- How it could be improved? (Write down a sentence).

5.4. AFTERCARE AND NEXT STEPS

Sometimes it is very difficult to face such a harsh situation. No matter whether if you are in the position of the victim/survivor or by-stander, or somebody who was informed about the situation (secondary by-stander). Your emotions are legitimate.

Task 9:

Think on the difference between individual level aftercare and systematic level aftercare and write down your answer: *What should they*



following suggestions when facing the topic on individual

on and you can trust.

with them, find a support.



for you – what do you want today, tomorrow, the day after?

for you - individually, in your own situation (what helps one
help other people).



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- Set your own way to reach the ideal solution (you, with help of friends or a trusted person, with organizational help and with employers support).
- Document the sexual harassment incidents with as many details as possible, if you decide to go for the solutions. Ask your aggressors to stop and be firm when you set these limits even though it may not be easy for you at the beginning.
- Also, report the sexual harassment incidents to your supervisor, manager or superior or to someone that offers you support if you decide to go for this solution. If you work in a company, you can also contact the human resources department.
- Ask about ongoing steps that may be taken from their position. Request to be part of the decision making and that no actions will be taken with you being informed about them first.
- Think about your future steps: do you want them to protect your name and lead the case anonymously? Are you ready to stand up and set the case un-anonymously? Find your own way.
- Ask about the progress and future steps taken from the reporting system. Get aware about the parts where you could feel uncomfortable. Make a steps to increase your comfort. Think on you first!
- You could find out also professional help or support.

INTERNAL HELP - SUPPORT FROM HR DEPARTMENT

Many public organisations in Germany have their Personnel Councils. This Council decides if staff members are required, if the working conditions are relevant to the professional background of the employee, and other important issues to regulate the relationships between the employer and employee.

In Germany, many employers have Ethical Committees which might consider if the employer or colleagues behaved in relation to another colleague in an appropriate way.

Similar situation is in the Czech Republic. There exists the Ethical Committees mainly when it comes to the education and research area employers. The Ethical Committee could be a resolution body too. There are Trade Unions in many organizations/employers



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in the Czech Republic, and they can play a supportive role in the complaints. The HR and TOP management are definitely responsible to solve the situation and to take the measures to prevent/stop/solve the situation.

EXTERNAL HELP

In many countries, there are also organizations that can assist you and provide you with information and legal advice in cases of gender discrimination and thus also in case of sexual harassment solutions. Also, if you work in a company, in most countries there are institutions that deal with labor inspection and protection and they also investigate cases of discrimination (ombudsman/ombudsperson on a national level, or within the organization).

- in Romania, there is Consiliul Național pentru Combaterea Discriminării - National Council for Combating Discrimination). There is a green helpline +40 800 500 333, provided by Agenția Națională pentru Egalitatea de Șanse între Femei și Bărbați - National Agency for Equal Opportunities between Women and Men).
- In Italy: if you are experiencing forms of violence, you can consider calling "Numero Rosa" - 06 3751 8282 for psychological and legal support. They are available 24/7 and will advise you on the best ways to proceed. Another free number against violence and stalking is 1522. Here is the website <https://www.1522.eu/>. If you have been subject to harassment in the workplace you can decide (together with a to the police authorities) to file a complaint with the so called "Ispettorato Nazionale del Lavoro", a body whose aim is to regulate the supervision in the field of health and safety protection in the workplace. If you have been harassed you can fill in a form (<https://www.ispettorato.gov.it/it-it/notizie/Documents/INL-31-Modulo-richiesta-di-intervento-ispettivo.pdf>) to ask for intervention.
- In the Lithuania look on the laws which guide you through.
- In the Czech Republic, these organizations are, for example, Rosa, Bílý kruh bezpečí, Konsent or Linka Bezpečí (if you are a student, they help up to the age of 26). Gender Studies o.p.s. operates a counselling center where you can ask for help (see <https://rovneprilezitosti.cz>).

It is advisable if the employer lists the national external help lines also in their internal materials so that everybody knows about their availability as it may be difficult to contact the HR department of the company directly and sometimes it is helpful to consult the situation with some person or authority with no connections whatsoever to your employer.

To assess your knowledge, please take the Quiz TRUE or FALSE:



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1. From the position of survivor/victim it is needed only direct intervention, not delayed intervention.
 - a. True
 - b. False
2. Ethical Code and Code of conducts should preferably cover the topic of Gender Base Violence.
 - a. True
 - b. False
3. The after care on the individual level is the sole responsibility of the individuals.
 - a. True
 - b. False
4. To seek the internal help from the HR is mandatory.
 - a. True
 - b. False

Resources for a deeper understanding:

- European Commission, "Diversity within small and medium-sized enterprises: best practices and approaches for moving ahead", Luxembourg: Publications Office of the European Union, 2015
- <https://www.faceup.com/en>
- <https://www.zakonyprolidi.cz/cs/2009-198>