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Preventing Harassment in the Workplace

Why is preventing harassment important?

- A hostile work environment:
 - serves no good purpose
 - Interferes with LSUHSC-NO's work

Who is responsible for eliminating harassment?

- It is everyone's responsibility for the prevention/elimination of harassment in the workplace.
- Learn what to do:
 - Don't become the next news story or the next COURT case.

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What is the most common
type of harassment in
today's workplace?



Sexual Harassment

Chancellor's Memoranda-49

Sexual Harassment is Defined as:

- Any “*unwelcome sexual advances or conduct*”
- Any sexual behavior that is inappropriate in the workplace
- Any sexual behavior or conduct that interferes with work

LSUHSC-NO Policy

Any accusation(s) of sexual harassment which are found to be valid may subject the individual(s) involved to either severe disciplinary action or termination of employment



LSUHSC-NO is Responsible for:

- o Providing a professional work environment that maintains, equality, dignity, and respect for all members of its community
- o Prohibiting discriminatory practices, including sexual harassment
- o Not tolerating any type of discrimination

Types of Sexual Harassment

- Quid Pro Quo
- Hostile Environment
- Same-Sex
- Non-Employee
- Third-Party

Quid Pro Quo Harassment

- Blatant harassment
- Example: A supervisor demands sexual favors in return for better treatment of a subordinate or threatens the subordinate with firing, demotion or transfer unless sexual favors are given.

Hostile Environment Harassment

- Is less obvious, but often the foundation for charges of sexual harassment.
- Example: If behavior of a sexual nature creates an offending, intimidating or hostile work environment for another employee, it is sexual harassment.

Hostile Environment Harassment (cont.)

- In hostile environment cases, the courts will take into account:
 - the frequency of the discriminating conduct,
 - the severity of the conduct,
 - whether it is physically threatening or humiliating, and
 - whether it unreasonably interferes with an employee's work performance.
- Hostile environment harassment is also often the foundation for charges of harassment based on discrimination as well.

Hostile Environment Harassment (cont.)

- Courts are likely to find an illegal hostile work environment where there is:
 - Degrading Comments
 - Embarrassing Questions
 - Vulgar Language
 - Pornography
 - Sexual Jokes
 - Sexual Propositions
 - Sexual Touching

Same-Sex Harassment

- Is male harassment on another male or female harassment on another female.
- In 1998, The U.S. Supreme Court stated that same-sex harassment is illegal and will not be tolerated.

Non-Employee Harassment

- Is sexual harassment which occurs On the Job committed by a non-employee
 - E.g. Harassment by Vendors, Patients or Visitors is NOT excusable behavior.
- Harassment On the Job by a non-employee CAN lead to sexual harassment charges, just as sexual harassment by an employee would.

Third Party Harassment

- Behavior not found offensive by some employees can facilitate an offensive environment for other employees
- Example: A group of employees talking about each other's sex lives in the presence of another person who feels very uncomfortable about such discussion.

Facts to Remember ...

- o The harasser's conduct must be unwelcome
- o Sexual harassment applies to the hiring process, as well as work environment
- o There are no penalties against a victim of unlawful sexual harassment who files a complaint
- o It is best for a victim to directly inform the harasser that his/her conduct is unwelcome and must stop

Facts (cont.)

- o A victim should report incidents to their appropriate supervisor, and/or Director of Human Resource Management or Labor Relations Manager
- o Sexual harassment is a form of sexual discrimination that violates Title VII of the Civil Rights Act of 1964

Facts (cont.)

- o The victim does not have to be of the opposite sex
- o The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or a non-employee
- o The victim can be anyone *affected* by the offensive conduct

Sexual Harassment Laws & Regulations

- o Title VII of Civil Rights Act of 1964
- o For a complete text covering sexual harassment and related discrimination guidelines refer to U.S. EEOC at:

<http://www.eeoc.gov/facts/fs-sex.html>

Or

- o U.S. Department of Labor at:

www.dol.gov

Other Types of Harassment

- Other types of Harassment are equally unacceptable with equally severe consequences:
 - Race
 - Religion
 - Age
 - Disability
 - Pregnancy
 - Political Affiliation
 - National Origin
 - Physical Appearance
 - Sexual Orientation

A Respectful Workplace

The workplace should be a respectful place.

As employees, we spend a significant amount of time in OUR workplace.

Many of our jobs are already stressful without the added stress of harassment.

Why Respectful Behavior?

- No one wants to work in an environment where he or she feels harassed or uncomfortable.
- Respectful behavior facilitates more productive employees
- Disrespectful, harassing behavior can cost the perpetrator their job.

Why Respectful Behavior? (cont.)

- Studies found that in 50% of sexual harassment cases co-workers or peers were the harassers.
- Only 26% involved the immediate supervisors

Why Respectful Behavior? (cont.)

- The 1991 amendment to Title VII of the Civil Rights Act of 1964 allows victims to recover punitive damages.
- Harassment lawsuits usually have personal, legal and financial consequences for the harasser.

The Building Blocks of a Respectful Workplace

- Appreciating Diversity
- Accepting Differences
- Equality

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How do we stop
disrespectful behavior?

STOP: S is for Source

The Source of the disrespectful behavior has the responsibility to stop behaving in such a manner.

What about US? Are we part of the problem?
Have we added to the disrespectful behavior?

STOP: T is for Target

The Target must help confront the harassment/harasser!

If we are offended by other's actions or words, we need to let them know and ask them to stop.

STOP: T is for Target (cont.)

- Consider this:
 - The source of the disrespectful behavior may not even know that his or her behavior is offensive to you.
 - How can this person correct his or her behavior if he or she is unaware of its impact?

STOP: O is for Observer

- Those who **Observe** disrespectful or harassing behavior have a responsibility to stop it when it occurs; and one who notices such is NEVER an innocent bystander!
- It is simply the right thing to do.

STOP: P is for Person in Authority

- Every **Person in authority** has a duty to keep the workplace free from offensive and harassing behavior.
- Each **Person in authority** is crucial to creating a respectful workplace.

STOP Harassment Before IT STARTS

- S is for SOURCE
 - T is for TARGET
 - O is for OBSERVER
 - P is for PERSON IN AUTHORITY
-
- Care about WHAT you say... HOW you say it.. BEFORE you say it.

Questions?

- Any questions regarding LSUHSC-NO's policy on workplace harassment or a specific fact situation should be addressed to the appropriate supervisor, Director of Human Resource Management, or Labor Relations Manager.