

# ACTIVATE

THE COLLECTIVE TO BRING ADOLESCENT  
SEXUAL & REPRODUCTIVE HEALTH RESEARCH  
TO YOUTH-SUPPORTING PROFESSIONALS

## **Sex-Based Harassment in the Workplace: A Training for Professionals Who Support Opportunity Youth**

Module 2

Child Trends | Chapin Hall

# Module 2

## Understanding Sex-Based Harassment

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# Objectives

- Know the definition and types of sex-based harassment in the workplace
- Identify contexts that influence opportunity youths' experiences with sex-based harassment in the workplace
- Recognize how some opportunity youth have increased vulnerability to and challenges reporting sex-based harassment

# Legal Definition of Sexual Harassment Discrimination

“**Unwelcome** sexual advances, requests for sexual favors, and other verbal or physical **conduct of a sexual nature** constitutes sexual harassment when submission to or rejection of this conduct **explicitly or implicitly** affects an individual's employment, **unreasonably interferes** with an individual's work performance or creates an **intimidating, hostile or offensive** work environment.”<sup>1</sup>

# Sex-based Harassment in the Workplace: Key Concepts

- Sex-based harassment at work is illegal if it is unwelcome (unwanted) and so frequent or serious that it creates a hostile work environment.<sup>4</sup>
- Harassment based on sexual orientation, pregnancy, or gender identity is prohibited.<sup>1</sup>
- Sex-based harassment is a form of workplace violence.<sup>2</sup>
  - Workplace violence also includes interpersonal aggression, bullying, and other forms of discrimination and oppression within the workplace.



# Examples of Sex-based Harassment in the Workplace

- Sexual jokes
- Sexual photos
- Touching
- Requests for sexual favors
- Sexual and non-sexual conduct based on sex or gender
  - Calling another person at work *babe, baby, darling, or honey* (or similar terms)
  - Comments suggesting that men or women don't belong in certain jobs
  - Comments questioning men's or women's skills or abilities

# Types of Sex-Based Harassment in the Workplace

1. This for That (Quid pro Quo)
2. Hostile Work Environment
3. Harassment by Non-employees

# This for That (Quid pro Quo)

**Definition:** The “Person in power demands a sexual favor in return for an employment action or benefit,” such as keeping a job, getting a promotion, or receiving special treatment. Submission is a condition of employment or can be used to make employment decisions and can be explicit or implicit.<sup>3</sup>

# This for That (Quid pro Quo)

## Examples

- A manager makes sexual advances and indirectly implies that a young person must submit in exchange for permission for a day off.
- A manager implies that a young person must tolerate gender and/or sexually related nick-names or language to maintain employment.

# Hostile Work Environment

**Definition:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature and of a non-sexual nature, but based on one's sex (including sexual orientation, gender identity, or pregnancy), may constitute hostile-environment sexual harassment when the conduct has the purpose or effect of unreasonably interfering with an employee's work performance or of creating an intimidating, hostile, or offensive working environment.<sup>4</sup>

# Hostile Work Environment

## Examples

- Sexual content posted on walls and computer screens
- Leering, suggestive looks
- Unwelcome physical proximity
- Unwelcome phone calls, emails, and text messaging

# Harassment by Non-employees

**Definition:** Sexual harassment by non-employees who harass employees within the workplace.

- Employers are responsible for sexual harassment if they know or should have known about it.<sup>5</sup>
- Sex-based harassment in the workplace by non-employees may be committed by someone known to a young person.<sup>6</sup>
  - About 24% of workplace violence is related to personal relationships.<sup>6</sup>

# Harassment by Non-employees

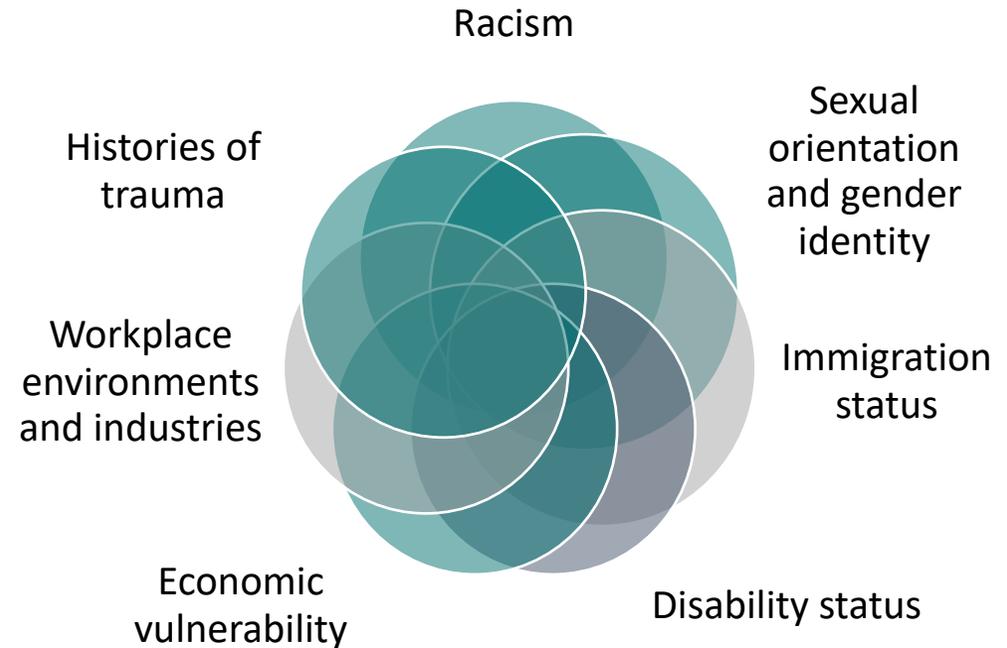
## Examples

- A non-employee gains access to a workplace and commits a crime that targets an employee or customer who is a current or former intimate partner.
- An intimate partner of an employee makes threats against an employee at the employee's workplace.<sup>6</sup>

# Impact of Identity-Based and Situational Power Inequities

These inequities have unique impacts on youth's experiences with sex-based harassment:

- More **vulnerable** to sex-based harassment
- Type of sex-based harassment experienced may be **unique**
- **Challenges** reporting and addressing sex-based harassment



# Racialized Harassment and Racism Influence Experiences of Sex-Based Harassment

- Youth of color are particularly **vulnerable to sex-based harassment**:
  - Native and Indigenous, Black, and Latino young people have higher rates of disconnection from school and work than White youth, which plays into power differentials once they enter or re-enter employment.<sup>7</sup>



# Racialized Harassment and Racism Influence Experiences of Sex-Based Harassment

- Women of color have experienced increased rates of sex-based harassment, despite an overall decline, and face **unique types of sex-based harassment**.<sup>8</sup>
- Women of color may experience dual racial and gender discrimination and racialized sex-based harassment in the workplace, leading to significant wage gaps and feelings of isolation.<sup>9-11</sup>



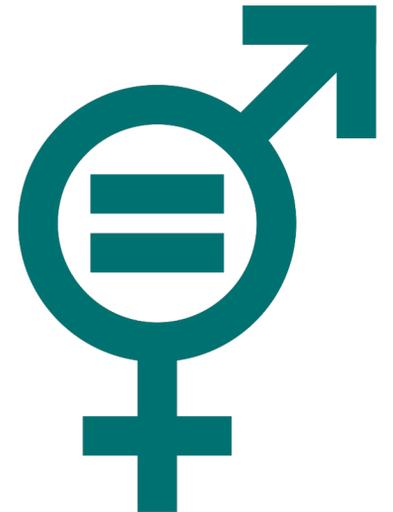
# Racialized Harassment and Racism Influence Experiences of Sex-Based Harassment

- Racism leads to challenges reporting and addressing sex-based harassment:
  - Those in charge may not believe or may minimize women of color's reports of sex-based harassment.<sup>12,13</sup>
  - Women of color may experience increased feelings of isolation and occupational and psychological harms.<sup>9</sup>



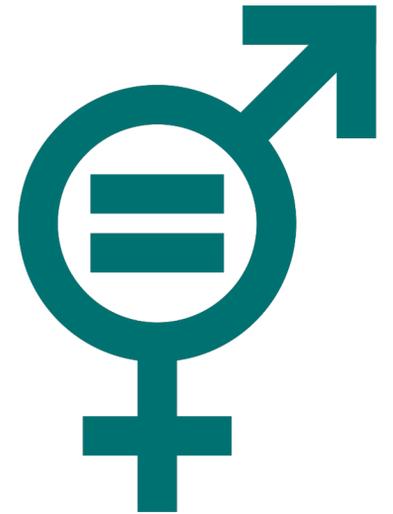
# Limited Protections Leave LGBTQ+ Youth Vulnerable to Sex-Based Harassment

- Approximately 14% of opportunity youth are LGBTQ+.<sup>14</sup>
- LGBTQ+ workers are more **vulnerable** to harassment
  - They are more likely to have experienced sex-based harassment than their heterosexual and cisgender peers.<sup>15,16</sup>



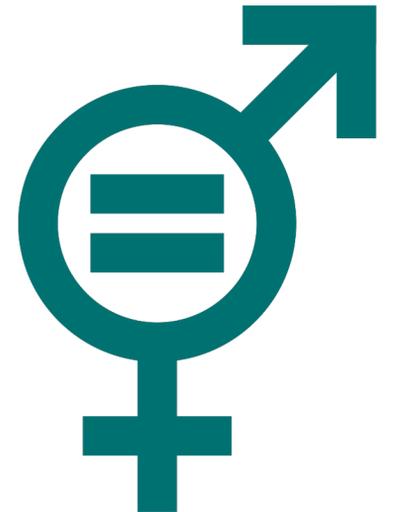
# Limited Protections Leave LGBTQ+ Youth Vulnerable to Sex-Based Harassment

- LGBTQ+ youth and adults face **complex forms of sex-based harassment**:
  - Pressure to conform to binary gender standards<sup>17,18</sup>
  - Intentional use of incorrect pronouns and names<sup>17,18</sup>
  - Heterosexism (policies or structures that privilege heterosexual people over LGBTQ+ people), stigmatization, and microaggressions<sup>15,17,19</sup>



# Limited Protections Leave LGBTQ+ Youth Vulnerable to Sex-Based Harassment

- LGBTQ+ people face unique challenges reporting sex-based harassment.
  - Experiences of sex-based harassment are often minimized or not recognized by the law.
  - LGBTQ+ youth may be blamed for their experiences.<sup>18,20,21</sup>
  - This hinders access to support, reduces their sense of dignity, may lead them to remain closeted, and leaves them feeling unsafe, unsupported, and isolated.<sup>17,18</sup>



# Immigration Status May Increase Vulnerability and Prevent Addressing Sex-Based Harassment

- Opportunity youth who are undocumented and/or in mixed-status families may face **challenges reporting and addressing sex-based harassment**.
  - Lack of information on laws and protections surrounding sex-based harassment<sup>22</sup>
  - Increased fear of retaliation for reporting sex-based harassment, especially if there's a risk of deportation<sup>22-24</sup>
  - Increased experiences of isolation due to sex-based harassment<sup>25</sup>



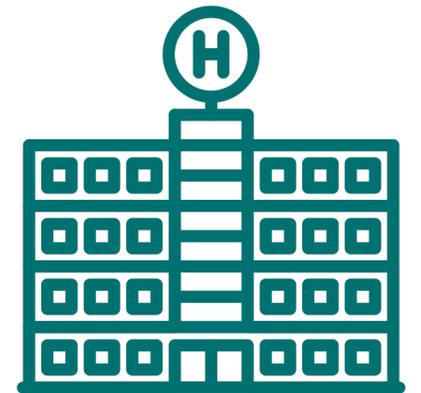
# Economic Vulnerability May Influence Experiences with and Prevent Addressing Sex-Based Harassment

- May be reluctant to report harassment or “rock the boat” due to:
  - Concerns about losing a job or ability to obtain another job<sup>23,27</sup>
  - Program or public benefits that require employment as a condition of participation
- Limited professional knowledge and skills due to a lack of prior work experience may make young people more vulnerable to sex-based harassment.<sup>27</sup>



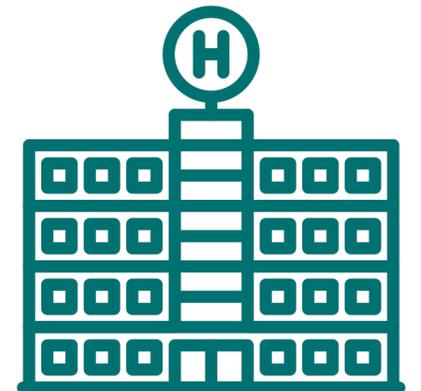
# Opportunity Youth Often Work in Environments and Industries that Increase Their Vulnerability to Sex-Based Harassment

- Often work in environments and industries where sex-based harassment is common, thus increasing their **vulnerability** to sex-based harassment.<sup>23</sup>
  - Male-dominated workplaces
  - Have significant hierarchies (e.g., hotels)
  - Work is isolated, alone, or overnight (e.g., security and hotels)<sup>23</sup>



# Opportunity Youth Often Work in Environments and Industries that Increase Vulnerability to Sex-Based Harassment

- Retail sales: Retail sales workers account for ~9% of employed persons, but ~17% of workplace violence.<sup>28</sup>
- Restaurants: Women who work in restaurants are sexually harassed at higher rates than men and the harassment is more egregious.<sup>29</sup>
  - In restaurant work and other tip-based service industries, young workers may feel like they have to withstand harassment in order to earn higher tips.
- Hotels: 58% of hotel workers experienced sex-based harassment by a guest.<sup>30</sup>



# Histories of Trauma Influence How Opportunity Youth May Respond to Sex-Based Harassment

- A low sense of self-esteem and self-worth resulting from trauma may lead to unique challenges for youth in reporting and addressing sex-based harassment.
- Trauma may cause youth to normalize workplace sex-based harassment, disregard their safety, and fail to report sex-based harassment.<sup>31</sup>

# Histories of Trauma Influence How Opportunity Youth May Respond to Sex-Based Harassment

- Opportunity youth who have experienced trauma may be triggered or retraumatized by hierarchical structures within a workplace that reinforce power dynamics experienced in the past.
  - Youth may suffer mental health consequences as a result.<sup>33</sup>
- Youth who have experienced commercial sexual exploitation might be more attuned to the possibility of sex-based harassment.
  - Consequentially, may quit their job suddenly if they feel they are at risk of experiencing sex-based harassment.<sup>32</sup>

# Ableism Increases Young People's Vulnerability to Sex-Based Harassment

- Ableism is a system of oppression that assigns value to people's bodies and minds based on socially constructed norms<sup>35</sup> and leads to discrimination.
  - Ableism may be interpersonal or structural (e.g., the absence of policies, processes, or tools that reduce barriers to engagement).
- A higher proportion of opportunity youth (17.4%) have a disability than youth who are not disconnected from school and work (5.4%).<sup>34</sup>
- Disabled workers are more **vulnerable** to sex-based harassment.
  - A study from the UK found that 68% of disabled women had experienced sex-based harassment at work.<sup>36</sup>
  - Gender identity and class compound the impact of disability on people's **vulnerability** to harassment.<sup>37</sup>

# Ableism Increases Young People's Vulnerability to Sex-Based Harassment

- There are several ways in which ableism can increase risks related to sex-based harassment and victimization.<sup>38,39</sup>
  - Misconceptions about a person's disability
  - Social isolation
  - Lack of accessible sex education
  - Challenges in communicating consent
- Reporting mechanisms may not have accessibility in mind, making them difficult or impossible for disabled people to use, and reports may not be taken seriously.<sup>39</sup>

# Key Takeaways

- Workplace sex-based harassment includes unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct.
- There are three main types of workplace sex-based harassment: this-for-that, hostile work environment, and harassment by non-employees.
- Structural inequities such as those based on race, gender identity, sexual orientation, immigration status, economic vulnerability, histories of trauma, and disability may influence youths' experiences with harassment.



# Looking Ahead

- Understanding how sex-based harassment can impact opportunity youth helps professionals provide them with better support.
  - Youth-supporting professionals can understand and anticipate opportunity youth's responses to harassment, the concerns that youth may have related to handling harassment, and the different ways in which harassment may manifest.
- **Module 3** offers more information about laws and policies that protect young people, and on the roles of employers and youth-supporting professionals in preventing and addressing sex-based harassment.

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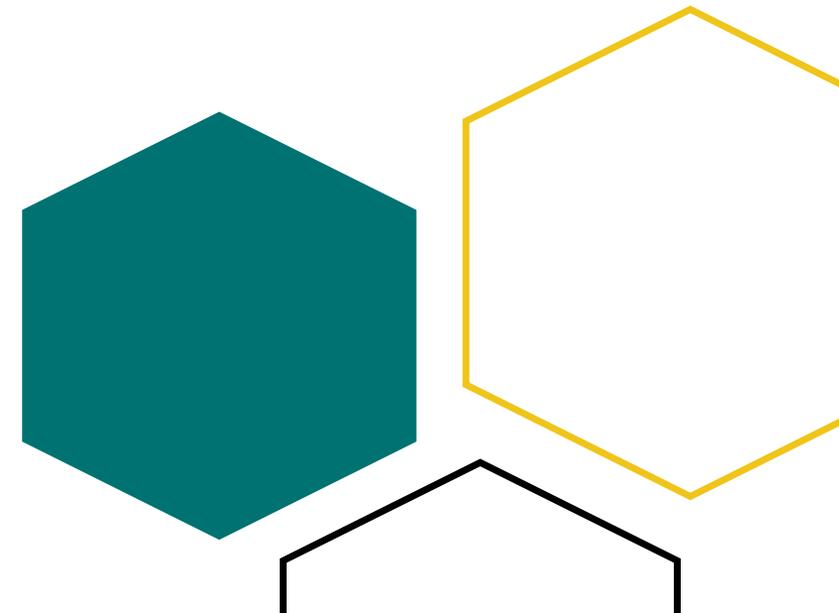
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