

Today's Agenda:

- Definition of sexual harassment
- What kinds of behaviors and communications might be interpreted as sexual harassment
- How to address sexual harassment if it arises

Sexual Harassment Can Be:

- **Visual:**
 - E-mail, posters, calendars, magazines
- **Verbal:**
 - Requests for dates, explicit talk or jokes, sexual comments to co-workers
- **Physical:**
 - Unwanted touching, fondling

Today's Agenda:

- How a work-environment can become "sexually hostile"
- Potential consequences of participating in such behavior

Reasonable Person's Standard

- Most people would have the same perspective on an issue.

Sexual Harassment:

Sexual harassment is any **unwanted** verbal or physical advances, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone in the **workplace** which are **offensive** or **objectionable** to the **recipient**, cause the recipient **discomfort** or **humiliation** or **interfere** with the recipient's **job performance**.

Beware of:

- Quid pro quo
- Hostile work environment
- Retaliation

Costs of Sexual Harassment:

- Loss of respect
- Dissatisfaction and unrest
- Absenteeism
- Health insurance costs
- Employee discipline, up to and including demotions and terminations
- Human Rights, EEOC, and Lawsuits

NYS Human Rights Law

- Prohibits discrimination in employment based on race, creed, color, national origin, sex, disability, genetic predisposition or carrier status, marital status, religious observance requirements or arrest record.

Title VII of the 1964 Civil Rights Act

- Prohibits employment discrimination based upon race, color, religion, sex, or national origin

NYS Civil Service Law

- Pursuant to Section 106, it is a misdemeanor to obstruct the civil service rights of any person.

1963 Equal Pay Act

- Protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination

NYS Executive Order

- Executive Order Number 19 established a statewide policy statement banning sexual harassment in the workplace.

Supervisory Liability

- When a complaint is made to you
- When you see or hear any behavior that MAY be offensive
- When you see or hear any behavior you KNOW is offensive

Supervisory Liability

- When you yourself engage in sexually harassing behavior
- When you delay in taking action
- When you fail to take action