

“This Week in Pressing Issues: Sexual Harassment in the Workplace”

Podcast Transcript

by Vanessa Stokes

Welcome back to my podcast show called “Pressing Issues,” where I discuss contemporary problems within society that need to be addressed NOW.

No, actually, you can’t grab women wherever you want, whenever you want, for any reason. And no, they won’t just let you do it; ask the 19 women who have come forward to accuse you of sexual harassment in recent years, both in public and in the workplace.¹

If you couldn’t already tell, that was the voice of the 45th President of the United States, Donald Trump, discussing how his stardom gives him a pass to sexually harass women wherever he wants. This disgusting, blatant objectification of women from such a powerful, authoritative figure in contemporary society propelled me to discuss an issue that affects American women in almost every working industry: sexual harassment in the workplace.

Just as a disclaimer, I fully understand that there are men who fall victim to sexual harassment, with their perpetrators being male OR female. I understand the legitimacy of those cases, and just because the victim is a man doesn’t mean we, as a society, should dismiss these allegations of sexual harassment. For the purposes of this podcast, I will only be focusing on female victims and male perpetrators, because throughout my research, I found the prevalence of female victims of sexual harassment in the workplace (specific to the U.S.) to exceed that of male victims.² That is not to say that male victims are not important, or that their cases of sexual harassment are not legitimate. They are. To any male victims of sexual harassment that may be listening: I notice your existence, I’m always here as a support, and your worth as an individual is not hindered because of your experience. We’re in this together.

Now, let’s get on with the topic.

Sexual harassment in the workplace occurs when an employer or fellow employee makes unsolicited sexual advances, remarks, or demands towards someone else, spreads sexual rumours about someone else, or shares sexual information about someone to others within the workplace that makes for a hostile work environment.³ Given this, a study conducted by Joni Hersch in 2011 found that in all major working industries (like mining, construction, educational and health services, professional and business services, leisure and hospitality services, etc.), women experience sexual harassment at a significantly higher rate than their male counterparts.² For example, Hersch found that in the mining industry, per every 100 000 workers, almost 72 women will experience sexual harassment, meanwhile they make up less than ten percent of the mining industry as a whole.⁴ Similarly, in the construction industry, almost 20 women will experience

¹ Kurtzleben 2016

² Hersch 2011

³ Ontario Human Rights Commission 2018

⁴ Hersch 2011:632.

sexual harassment (compared to a prevalence rate of 0.47 men). They, too, make up less than ten percent of the construction industry.³ And the list goes on and on!

I'm sure I don't have to bombard you with studies to convey why this is a problem, and the fact that there are adverse mental health effects and increased risks associated with being sexually harassed.

But I will anyway just to drive home the main point.

A study conducted by Krahé and Berger in 2017 shows that women who experience sexual harassment suffer from elevated depressive symptoms and also associate negative feelings towards their sexual self-esteem.⁵ Another study I found supports this finding, and proves that women who experience sexual harassment by coworkers or bosses experience higher average levels of depressive symptoms than women who are not.⁶ They also found that women who experience sexual harassment from bosses or colleagues experience higher levels of depressive symptoms than women who experience sexual harassment from customers or clients.⁵ This shows that being in a hostile work environment makes for greater mental health risks. Having these depressive symptoms and low sexual self-esteem is related to increased vulnerability to sexual harassment.⁷ Not if, but when these sexually objectifying behaviours normalize (which is a scary, yet real possibility) it has the potential to increase the danger women face in sexually objectifying situations,⁸ and decrease our perceived value as human beings, perpetuating the socially constructed notion that women are inferior to men.

In a workplace context, you might think that women in powerful positions are less likely to experience sexual harassment. You're wrong. I read up on a study conducted by McLaughlin, Uggen, and Blackstone in 2012 that found women holding powerful positions within the workplace do experience sexual harassment.⁹ Some women feel as though it is within the nature of their job to withstand harassment from their male counterparts, and that unless the goal is to leave the job, harassment has to be swept under the rug and dealt with by forgetting about it. In another interview, a woman claims that the harassment she faces at work is to remind her that she is a woman, and that she has a place in a man's workforce.⁹ This emphasizes the fact that harassment is seldom handled adequately when it comes to women in power, because they risk their jobs if they retort against their male counterparts.

Anyone can be a victim of sexual harassment in the workplace, and in all honestly, you're listening to the voice of one. I say this to show that this is not just a United States issue. It's a global issue. I've spoken to a few women to gain their experiences of sexual harassment in hopes of sharing their stories with you all, but I thought I would be able to better convey the heavy emotion associated with such an experience using my own. It's one of the reasons I'm so passionate about this issue.

⁵ Krahé and Berger 2017

⁶ Friborg et al. 2017

⁷ Krahé and Berger 2017; Gervais and Eagan 2017

⁸ Gervais and Eagan 2017

⁹ McLaughlin, Uggen, and Blackstone 2012

I won't go into detail, but I was sexually harassed by a male co-worker at a job I worked at in high school. It was an isolated incident, and I was never in any danger. This person was trying to make a joke, obviously in poor taste. When I reported it to my boss, he told me to let him know if it happened again. Why do I have to wait to have this happen again? Why are you ultimately prioritizing my male co-worker, as well as your time, before my right to not be sexually harassed within the workplace? What if the sexual harassment was dangerous in nature? I felt degraded and really let down. For me, I still carry the weight of that experience, because if it were to happen again, and the sexual harassment was more dangerous, would anyone listen to me? If my boss didn't give me the time of day in my situation, what about other women who are looking to take legal action in more serious situations?

So you're probably thinking "Okay, sexual harassers in the workplace will be persecuted, because the law offers a way for victims to get the justice they deserve. How does the law fit into this?" In the United States, sexual harassment in the workplace is condemned by a U.S. law, specifically Title VII of the Civil Rights Act of 1964.¹⁰ So now what we need to talk about is what really happens if a woman is sexually harassed within the workplace and she's looking to take action. From a legal standpoint, what may she experience? Well, women are at an almost automatic disadvantage before they even file a lawsuit against an employer for sexual harassment. Let me explain... If a woman experiences sexual harassment from an employer, she has to FIRST file a complaint with an agency that enforces federal civil rights laws called the US Equal Employment Opportunity Commission, or, EEOC.¹¹ This in and of itself is a hurdle for women to jump over, because if the EEOC can't gather enough evidence of the sexual harassment in question, or doesn't deem the incident as severe enough to make for a hostile work environment, then she doesn't have the support of the EEOC if she chooses to go forth with filing a lawsuit against her employer.¹¹

Let's say even if a woman is not supported by the EEOC and chooses to file a lawsuit, the nature of the law makes it difficult for her. I'll give you an example, but keep in mind that this is only *one* example of the law imposing difficulty for female victims. There's something called a Continuing Violations Doctrine, which is a U.S. law that can allow people to file a lawsuit against someone if their violation is continuous in nature.¹² In other words, if a woman is denied a promotion at work because three years prior she didn't accept her boss's sexual advances, she would be able to file a lawsuit against him. The problem is that it is generally applied inconsistently, because it's hard to determine what cases of sexual harassment are continuing in nature, and which are not.¹² This in turn creates confusion for victims who do not know when the right time to file a lawsuit is. With this being said, however, if this doctrine were to be consistent in its execution, then it would play a major role in the way sexual harassment law is practiced in the United States. But it's not.

So here, the complexities of this doctrine prove that even the timing of filing a lawsuit is tricky given how irregular the doctrine's application is. And like mentioned previously, this is only one

¹⁰ U.S. Equal Employment Opportunity Commission 2018

¹¹ Campbell 2017

¹² Tsai 2000

example of the law that places women at a disadvantage, there are many more examples, but for the sake of time I won't get into all of them. This shows that although there may be efforts to bring continuing sexual harassers to justice, these efforts are confusing, messy, and do not actually aid the victim in bringing her the justice she deserves.

This is where the law fails us as women; we're put at an automatic disadvantage as victims of sexual harassment, regardless of our authority within the workplace. Given this, however, I've noticed some of the starkest social movements of my time surrounding the issues of sexual harassment in the workplace, and women not being heard, or offered justice for what they've experienced. Let's take a look at some recent movements that have created huge waves in contemporary society.

The #MeToo movement, initiated by activist Tarana Burke in 2006, is a hashtag campaign that offers social solidarity to women globally who have experienced sexual harassment in some capacity.¹³ Women on social media platforms use the hashtag #MeToo to indicate that they, too, have experienced sexual harassment, and to make it apparent that an insurmountable number of women have experienced sexual harassment, too. Similar to this movement, the #TIMESUP movement, started by over 300 women in Hollywood, is an initiative that protects women who experience sexual harassment in the workplace.¹⁴ This initiative, unlike #MeToo, is not just a hashtag campaign, rather, it aims to directly influence lawmakers to strengthen laws against workplace sexual harassment, as well as to make them fair for women who are suffering, in addition to offering women legal fees through donations put forth by, mostly, women in Hollywood.¹⁴

Both #MeToo and #TIMESUP are movements that have a clear, realized issue, are organized, and are able to frame the issue of sexual harassment and law in terms of public concern. I found a study conducted by Rolbiecki, Anderson, Teti, and Albright in 2016 that analyzed the effects of women safely exposing their instances of sexual harassment through a method called "photovoice" (this is a method of communication used by sexual harassment survivors to convey their experiences using narration, videos, photos, etc., in a safe space).¹⁵ The authors of this study found that women felt comfortable and at ease about meeting other women with similar stories, and that having a support system helped them cope with their trauma.¹⁵ In addition, the authors found that when women revisited their traumatic experiences, they felt eased by being in a safe space with women who shared similar experiences.¹⁵ We can translate this back to sexual harassment within the workplace; this emphasizes the importance of social solidarity, and having a support system to help women cope with the adverse mental health effects and increased victimization risks that emerge from experiencing sexual harassment.

I feel strongly about what I will say next: The reason these social movements have become popularized lately is not only because they offer women some semblance of solace that they're not alone, but because women have seen first hand that even though a man can be accused of sexual harassment, it won't hurt his career, or his status and power in society. The most powerful

¹³ Snyder 2017

¹⁴ Littleton 2018

¹⁵ Rolbiecki, Anderson, Teti, and Albright 2016

man in the United States, and arguably the world, publicly puts forth the notion that women are lesser than (even if he doesn't outright admit it—his actions speak for themselves). How can we, as a society, expect Trump to support strengthening sexual harassment laws when he, himself, has been accused 19 times of sexual harassment?! Being a woman, I felt truly disheartened when he was elected President; I thought surely the clip I previewed would have been the end of his campaign, but it wasn't. Personally, it made me very scared. I can't imagine what his victims must have felt. I read up on a study conducted by Gervais and Eagan in 2017 that focuses on the link between objectification and sexual harassment in the workplace. Similar to what I mentioned earlier, the authors of this study conclude that the constant objectification of women can lead to more dangerous sexual violence against women by normalizing these behaviours, therefore instilling the normalcy of objectifying women, and ultimately devaluing us, not just in the workplace, but in society.¹⁶ I think Trump's presidency in and of itself not only perpetuates gender inequality, but it normalizes his immoral and unlawful behaviour towards women, which is not okay.

So what do we do now?

I think the best way to combat this is to contribute to the conversation. Be an activist! Believe in the power of feminism! Publically support women who have to say “me, too.” Support the #TIMESUP movement. Donate to campaigns, such as #TIMESUP, to aid women in their efforts to obtain justice for themselves. Don't sit idly by the sidelines and wait for something to change; without the public's efforts, nothing will, and that has been made apparent. Place public pressure on lawmakers to make a change. Push for health services for women in the workplace who experience sexual harassment. Support women around you, and not just women in the workplace, but everywhere. I feel like this goes without saying, but treat women with respect and dignity, and speak out if you see something in your workplace that resembles sexual harassment. There's power in numbers.

Like I said before, we're all in this together.

***Music Credits:

“Intense Suspense Background Music”¹⁷

“Cold” by Jorge Méndez¹⁸

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¹⁶ Gervais and Eagan 2017

¹⁷ Kuwal 2017

¹⁸ TheMusicFlowChannel 2013

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