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# Sexual Harassment

## Practical Knowledge and Instructions

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Fairfax County Park Authority  
September 2012

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# Workshop Objectives

- Provide a clear understanding of what sexual harassment is and how it impacts people.
  - Prevent sexual harassment in the workplace by exploring each employee's responsibility to maintain a harassment-free environment.
  - Foster a work culture where employees respect and value each other as individuals.
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**FAIRFAX COUNTY PARK AUTHORITY  
DIVERSITY PLAN FY 2006  
COUNTY POLICY STATEMENT**

The Fairfax County Park Authority prohibits discrimination against an employee on the basis of race, color, creed, religion, age, disability, national origin, sex, political affiliation, marital status or union affiliation. Furthermore, the Park Authority prohibits acts of retaliation against an employee who participated in prior protected activity or for utilization of the grievance process or participation in the grievance of another county employee.

As in accordance with Fairfax County Standards of Conduct all Park Authority employees shall treat all individuals with respect, courtesy and tact regardless of age, race, color, religion, sex, national origin, marital status, disability or sexual orientation.

The Park Authority prohibits discrimination because of disabilities regarding the terms, conditions and privileges of employment and will provide reasonable accommodation for persons with disabilities as required under the American with Disabilities Act (ADA). The fulfillment of this policy is promoted through a positive and continuous Diversity Program. This policy applies to all employment practices within the Park Authority, including (but not limited to) recruiting, hiring, transfers, training and promotions and will be adhered to by all personnel.

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**FAIRFAX COUNTY PARK AUTHORITY  
DIVERSITY PLAN FY 2006  
POLICY STATEMENT**

As the Fairfax County Park Authority, we strive for a workforce that is representative of the public we service, and we are committed to establishing and maintaining an inclusive environment that is welcoming to all, both in our work place and in the facilities and programs we offer.

We promote respect, understanding, appreciation and acceptance of differences in race, gender, ethnicity, age, religion, disability, sexual orientation, marital and financial status, education attainment, work style, and life style. We believe that these differences and other individual characteristics broaden our perspectives and enrich our creativity.

We do not countenance intolerant behavior.

We believe all employees deserve the opportunity to grow, contribute, and advance commensurate with their ability to perform and their commitment to achieving excellence.

All levels of the Park Authority share the dedication to the accomplishment of diversity goals, for both employees and customers.

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# Sexual Harassment It Is Against the Law

**Title VII of the Civil Rights Act of 1964  
(as amended)**

**Section 703**



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# Important Facts About Sexual Harassment

- It generally occurs when there is a disparity of power.
  - It does not have to be intentional; *impact* is the important measure under the law.
  - Offensiveness is in the “eye of the beholder.”
  - Men can be sexually harassed, and perpetrators and victims can include individuals of all ages.
  - Harassment does not have to be directed at a particular individual.
  - Consenting behavior does not prevent founded allegations of sexual harassment.
  - Studies show harassers typically:
    - look like you and me, and can include:
      - Coworkers
      - Supervisors
      - Volunteers
      - Customers
    - enjoy suggestive and/or flirtatious banter.
    - believe they can “get away with it.”
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# Unwelcome Sexual Conduct Constitutes Sexual Harassment

## Quid Pro Quo

- ❑ Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
    - Example: The infamous Hollywood “casting couch.”
  - ❑ Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals.
    - Includes: promotion, retention, training, schedules, “best” assignments, etc.
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# Unwelcome Sexual Conduct Constitutes Sexual Harassment

## Hostile Work Environment

- An environment is “hostile” when unwelcome, prohibited behavior (including: verbal, nonverbal or physical, criminal) is severe and pervasive enough to interfere with an employee’s work and productivity, or creates an intimidating, hostile, or offensive environment to a “reasonable person.”
    - *Individuals holding positions of authority are responsible for ensuring that a hostile environment does not exist.*
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# Examples of Verbal Statements that can be Sexual Harassment (Hostile Work Environment)

- Referring to someone as “Hunk”, “Doll”, etc.
  - Making sexual comments or innuendoes.
  - Telling sexual jokes or stories.
  - Asking about social life, sexual fantasies, preferences or history.
  - Making sexually degrading or stereotyping comments.
  - Making disparaging comments associated with an individual’s identification with a protected class.
  - Repeatedly asking someone for a date who has already declined.
  - Telling lies or rumors of a person’s sex life.
  - Conveying “what goes on in the field stays in the field.” (Can also be non-verbal.)
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## Examples of Non-Verbal Behavior that can be Sexual Harassment (Hostile Work Environment)

- Looking a person up and down or “ogling.”
  - Blocking a person’s path, restraining them or demonstrating “stalking” behavior.
  - Giving personal, sexually suggestive gifts.
  - Displaying sexually suggestive visuals or hand gestures.
  - Making sexual gestures – blowing kisses, making gestures with body movements, etc.
  - Inappropriate or unwelcome touching, hugging, caressing, etc.
  - Exposing oneself.
  - Touching or rubbing oneself around another person.
  - Displaying pornographic images or suggestive material (print materials/publications, computer, etc).
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# Why Victims Do Not Speak Out...

- Fear of:
    - ❑ Loss of job/ job opportunities.
    - ❑ Rejection by co-workers.
    - ❑ Being labeled:
      - “Trouble-Maker”
      - “Overly-Sensitive”
    - ❑ Not being considered a “Team Player.”
    - ❑ Not being believed.
    - ❑ Being wrong.
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# Effects of Sexual Harassment on the Victim

- Fear, Anger, Frustration and Irritability.
  - Guilt, Self-Blame, Insecurity, Low Self-Esteem.
  - Feelings of Isolation and Powerlessness.
  - Poor Job Performance Due to Stress.
  - Change in Job or Professional Goals.
  - Adverse Impact on Personal Relationships.
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# Effects of Sexual Harassment on the Harasser

- Embarrassment.
  - Loss of Income (Termination or Demotion).
  - Low Productivity Due to Diversion of Focus.
  - Adverse Impact on Personal Relationships.
  - Loss of Promotional Opportunities.
  - Negative Impact on Professional Relationships.
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# Effects of Sexual Harassment on the Employer

- Decreased Productivity in the Workplace.
  - Low Employee Morale.
  - Increased Absenteeism.
  - Employee Turnover.
  - Damaged Business Reputation.
  - Financial Burden.
  - Adverse Publicity about the Organization.
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**PREVENTION OF SEXUAL HARASSMENT  
IS EVERYONE'S RESPONSIBILITY!**

*Doing nothing is a choice!*

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# Prevention Is the Key

- Publish and display an explicit policy.
    - *This policy must conform with Federal laws governing sexual harassment and provide protection against retaliation.*
  - Regularly and clearly communicate that policy.
  - To establish a productive and satisfying workplace culture:
    - Modeling appropriate behavior is critical
    - Employees at all levels should express strong disapproval of inappropriate behavior
  - Hold accountable individuals who violate the established policy.
  - Provide a process for individuals to address harassment, including:
    - a safe way for individuals to disclose offenses
    - an assurance of confidentiality, to the fullest extent possible
    - that prohibits retaliation
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# What Should You Do If You See or Experience Sexual Harassment in the Workplace?

- *Ideally*, all employees should address these behaviors directly -- the first time it occurs. Simply state the behavior/words are unwelcome and/or inappropriate.
  - Talk with your immediate supervisor, or another person of authority in your workplace.
  - Contact a Park Authority Human Capital Development and Services (HCDS) staff member or the Fairfax County Office of Equity Programs. (**Note:** It is *not* necessary to make this contact through your “chain of command.”)
  - File a harassment complaint through the Equal Employment Opportunity Commission (EEOC).
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# What Should You Do If Someone Tells You They Are Being Sexually Harassed?

- Provide a “safe” and confidential environment for the discussion.
  - Listen actively:
    - without judgment or evaluation; it is alright to demonstrate empathy
    - if you are in a position of leadership in the organization, you must also take notes on the statements
  - Taking action:
    - Provide the individual with follow up assistance as appropriate, such as a referral for further support or the name of a contact within the agency.
    - If you are in a leadership position within the agency you are compelled to take prompt action. Inform the individual of:
      - The agency’s commitment to not tolerating inappropriate behavior in the workplace.
      - Next steps in the process of addressing the statement, including who will conduct the investigation
      - The importance of confidentiality – on the part of all parties.
      - Employee Assistance Program contact information, if appropriate.
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# Managers' and Supervisors' Responsibilities

- Set the tone:
    - Model appropriate behaviors; be above reproach
    - Set clear expectations and regularly communicate information on this issue
    - Know established policies and procedures
    - Recognize your responsibility to create and preserve a workplace environment that is respectful of all individuals.
  - Recognize warning signs and clues that harassment may be occurring
  - Do not tolerate inappropriate behavior:
    - Take *immediate* action on observed behavior; it's *your* job!
    - Document, counsel, and take disciplinary action, as appropriate
  - Be prepared to make appropriate referrals:
    - Your manager
    - Park Authority Human Capital Development and Services staff
    - Fairfax County Government Office of Equity Programs and Employee Assistance Program
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# RESOURCES

Park Authority Human Capital Development and Services  
Phone: (703) 324-8792

Fairfax County Government Office of Equity Programs  
Phone: (703) 324-2207

Fairfax County Government Employee Assistance Program  
Phone: (800) 346-0100

