

Overcoming Sexism in the Workplace

By BNET Editorial

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Sexual harassment is a very sensitive subject and bound by legal and regulatory guidelines that must be adhered to. The advice provided within this article is not intended to be a definitive guide to dealing with sexism. Managers should use their discretion when dealing with such situations and use the information to complement existing organizational policy.

What You Need to Know

What constitutes sexism?

Sexism or sexual harassment is defined as discrimination or abusive behavior toward an individual that is based on gender and that violates the victim's dignity, or behavior that creates an intimidating and hostile environment for the victim. Sexism is defined not by the perpetrator's intention but by the impact of that person's behavior upon the victim.

What if the complainant doesn't want to pursue formal action?

Your organization has a responsibility to act on a complaint, and it may be that you will be legally obliged to go ahead with an investigation with or without the victim's approval. However, without the complainant's input it may prove difficult to progress with formal action. You should fully explain the procedure, the legal implications, what will happen, and how it will be dealt with to the victim so that the victim is fully aware of the seriousness of the situation. If the complainant still expresses reluctance to pursue formal action, it is essentially up to you to decide what the best course of action will be.

What if the complainant has a "reputation" for making these kinds of suggestions?

You cannot afford to make assumptions or to dismiss complaints based on any subjective opinions of people or on someone's past behavior. You must treat all allegations with the same sensitivity and professionalism until the situation has been fully investigated and resolved.

What if I have also experienced sexual harassment from the suspect?

If you have experienced any form of harassment from a member of your team, you should not be involved in the investigation, as you are a victim yourself. You will have too much of an emotional involvement to remain objective and should therefore pass the responsibility for handling the situation to another member of the management team. If you have experienced a serious offense, it may need to be dealt with as a separate case, and you should inform your manager immediately and seek support from your organization. The individual accused of harassment may need to be removed from your team.

What to Do

Take Preventative Steps

The first step in dealing with sexism in the workplace is to take preventative measures in an attempt to ensure that serious incidents do not occur. Maintaining a focus on ways in which your organization can prevent sexism will not only have a preventative effect but will also ensure that you are fully prepared to deal with an incident should it occur. Be proactive and make it your responsibility as a manager to generate an antiharassment culture.

In order to ensure that you are fully aware of what is and is not acceptable and how you can deal with sexism in the workplace you should familiarize yourself with your company's harassment policy and grievance management procedure. In addition, you must communicate the company policy to your employees and ensure that it is always visible and accessible. Monitor the impact of this communication on your employees and be certain that they have a good understanding of the policy. Training in antiharassment policy and the techniques for handling it can give you with the confidence to deal with sexism if it should become necessary to do so.

Determine Whether or Not Formal Action is Required

Initially you must be certain that an allegation necessitates formal action and that the allegation is substantiated. Care must be taken when making such a decision. and if you have even the slightest suspicion that the allegation is true, you should be sure to take formal action. If, at some point during the course of the formal action that the allegation is shown to be false, you can then attempt to rectify the situation. Ask yourself a series of questions:

- How serious is the allegation?
- What are the complainant's wishes and expectations about the outcome?

- Has it happened before?

Take Formal Action

Once you are certain that formal action is required, there are a number of steps that should be followed in dealing with cases of sexism in the workplace. As discussed, your organization should have a formal harassment policy, and this should be adhered to, but generally the process of undertaking formal action will be as follows:

- Have the complainant fill out a formal grievance form. This should include details of the nature of the complaint (including dates, times and places), who the complaint is being made against, names of witnesses, and any actions that have already been taken.
- Put in writing a formal receipt of notification that you have received the complaint.
- Notify the person who has been accused of harassment of the complaint and provide this individual with a copy of the written complaint (the victim should be notified that this will occur before proceeding).
- Depending on the severity of the case, you may decide to discuss the case with both parties, either individually or in a mutually agreed upon joint meeting.
- In severe cases an investigation team should be convened and a formal investigation conducted. How this investigation will proceed will depend upon the severity of the situation and the organization's approach. Equally, who will comprise the investigation team will depend upon the specific situation and who you and your organization feel is best placed to make up the team (this may be an external party).
- If appropriate, disciplinary action may be taken following the organization's disciplinary policy.
- If the case is not substantiated, you should enforce the company's guidelines on appropriate behavior, provide training and ongoing support and advice, and continue to monitor the situation.

Inform Your Staff and Reassure Them

It is clearly important that you respect the confidentiality and sensitivity of the situation and the feelings of those involved, but it is also important for you to consider the impact an allegation of sexism may have on the rest of your staff. Informing your team of the situation is imperative in order to ensure that all members of your staff are aware of the severity of the situation and will be aware of how to behave during the investigation. In the event of a court case, you must make sure that your team members are fully aware of the effect it will have on the organization and on them as individual employees of the organization. They should be formally briefed about discussing the situation with anyone outside the company, and in certain cases, with the media.

Ensure That Senior Management Are Aware of the Situation

Senior management should be informed of the situation in order to provide strategic guidance and deal with any legal issues. In addition, you may wish to call upon senior management to provide you and your peers with support during a formal investigation. Dealing with such an issue may be traumatic and emotional for even the most experienced managers, and it is important that you get the support you need.

Ensure Cross-Managerial Communication

In large organizations, it is possible that a member of your staff may be the victim or perpetrator of sexism or discriminative behavior that involves a member of another team. You may even witness harassment in another team. Communication between managers is crucial to ensuring that incidents of sexism do not go unnoticed. If one of your team members notifies you of something he or she believes is occurring in another team, it is your responsibility to do something about it and to discuss the issue with the other manager. In such cases, you should not assume that your colleagues are aware that the incident has occurred.

What to Avoid

You Fail to Understand the Level of Responsibility You and the Organization Have in These Situations

It is crucial that your organization be fully aware of the legal implications of allegations of sexism in the workplace and that this information is available to all staff. The legal guidelines should be made visible and accessible to all staff, particularly at management level. Web Sites listed at the end of this article that can provide you with the full details of an organization's legal responsibility when dealing with accusations of sexual harassment in the workplace.

You Fail to Deal with the Situation with the Required Level of Confidence

Because incidents of sexism are very sensitive in their nature, and because they are likely to be infrequent, you may feel unqualified to deal with the situation and lack the confidence required. Dealing with such situations confidently is very important, not only in order to instill confidence in the victim but also in the rest of your team and in the organization as a whole. Finding out how to deal with these situations may constitute part of your initial training but may not have been put into

practice. Remaining aware of how to handle such incidents will serve you well and provide you with the confidence to deal with situations in the future. Make sure that you fully understand and follow the processes set forth in your company policy and legal guidelines so that you feel certain that you are in line with correct procedure. You may not be qualified to carry out an investigation, but you must remain confident and supportive throughout regardless of your formal involvement in the investigation.

Where to Learn More

Books:

Gregory, Raymond F., *Women and Workplace Discrimination: Overcoming Barriers to Gender Equality*. Rutgers University Press, 2003.

Powell, Gary N., and Laura M. Graves, *Women and Men in Management*, 3rd ed. Sage Publications, Inc. 2002.

Web Sites:

U.S. Equal Employment Opportunity Commission: www.eeoc.gov

HR-Guide.com: www.hr-guide.com

Sexual Harassment Support: www.sexualharassmentsupport.org/index.html