



SEXUAL HARASSMENT TRAINING FOR ALTERNATIVE STAFF

Training Objectives

This training will cover the following modules:

- Define the terms related to sexual harassment
- Define workplace sexual harassment
- Identify different forms of sexual harassment
- Understand Department of Revenue's (DOR's) sexual harassment reporting procedures



Learning Outcomes

At the end of this training, you should be able to:

- Define the terms related to sexual harassment
- Define workplace sexual harassment
- Identify different forms of sexual harassment
- Understand Department of Revenue's (DOR's) DOR's sexual harassment reporting procedures



Definitions

Sexual Harassment in the workplace

The Statewide Sexual Harassment Prevention Policy defines sexual harassment as physical, verbal, or non-verbal/visual conduct that is either directed toward an individual or reasonably offensive to an individual because of his or her sex.

Sexual harassment is a destructive behavior that creates a hostile or offensive work environment. It damages the respect and dignity of the person being harassed.

The State of Georgia is committed to providing a safe and respectful environment that is free from sexual harassment.

For this reason, it is every State employee, as well as alternative staff's responsibility to:

- Demonstrate appropriate behavior
- Follow policies
- Comply with the laws



Definitions

Physical Sexual Harassment

Inappropriate touching of a person or a person's clothing; kissing, hugging, patting, and stroking.

Verbal Sexual Harassment

Commenting about clothing, personal behavior, or a person's body; sexual or sex-based jokes; requesting sexual favors or repeatedly asking a person out; sexual innuendoes; spreading rumors about a person's personal or sexual life; threatening somebody.

Visual Sexual Harassment

Graffiti, posters, drawings, pictures, screensavers, or e-mails of a sexual nature.



Definitions

Harasser

The person, who subjects another person to any kind of unwelcome behavior based on their protected category. There are seven categories protected by Federal law:

- race
- gender
- religion
- national origin
- color
- age
- disability



Definitions

Victim

A person who has been subjected to sexual harassment in the workplace.

Witness

Anyone who sees or hears sexual harassment or the victim's reaction to harassment.

Discrimination

Treating someone differently because he or she belongs to a protected category. Under Title VII Federal law, discrimination is prohibited based on race, gender, religion, national origin, color, disability, and age.



Definitions

Retaliation

Attempts to intimidate or punish somebody who can or does speak out about discrimination. For example, the supervisor cuts a worker's hours, transfers the worker to a remote work location, fires the worker or fires an ally or bystander because they've helped the victim of harassment. Retaliation is illegal.

Hostile Work Environment

When sexual harassment is so severe or continuous that it interferes with your ability to perform your job duties. For example, the victim may not want to go to work, may not be able to concentrate on responsibilities and/or may begin exhibiting symptoms of stress, anxiety, or depression.




What is workplace sexual harassment?

- Sexual harassment is a form of sex discrimination prohibited by Title VII of the Civil Rights Act of 1964.
- Sexual harassment occurs when a person is subjected to a destructive behavior that creates a hostile or offensive work environment.
- It damages the respect and dignity of the person being harassed.



What the law says

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- Unwelcome sexual conduct becomes a violation of Title VII when the conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.
 - Sexual harassment can occur when a supervisor or someone high up in the organization makes employment decisions based on whether a subordinate submits or rejects sexual conduct.
 - For example, a supervisor might abuse his or her authority over field placement decisions.

Is all behavior of a sexual nature sexual harassment?

- Sexual comments, innuendos and banter may often play a role in the day-to-day social exchange between people in the workplace.
- It can be difficult to distinguish between behavior that is consensual, behavior that is not invited but welcome, behavior that is offensive but tolerated, and behavior that is outright objectionable.
- Therefore, it is important to understand that sexual comments, innuendos and conduct in the workplace are unlawful whether it is welcomed or not.



Forms of sexual harassment

Sexual harassment may take on many forms:

- It can include grabbing or groping; whistles or leering; jokes or pranks of a sexual nature; requests for sexual favors or persistent requests for dates; and other verbal, visual, or physical conduct of a sexual nature.
- The behavior does not necessarily need to be directed at an individual for it to result in sexual harassment.
- For example, an alternative staff may have a claim for sexual harassment if he or she works in an environment where sexual banter and joking is prevalent, but he or she objects to and does not participate in the behavior.
- Sexual posters, calendars or graffiti in the workplace can also result in sexual harassment.





Physical and verbal sexual harassment

- A single incident of harassment is sufficient to constitute a Title VII violation. This is particularly true when the harassment is physical.
- The U.S. Equal Employment Opportunity Commission (EEOC) presumes that unwelcome, intentional touching of a person's intimate body areas is sufficiently offensive to create a hostile work environment.
- An unwelcome physical advance and/or verbal comments can seriously impact the victim's working environment.



What if there are no witnesses?

Title VII protects you from employment discrimination based on race, color, religion, sex, national origin, age, disability, genetic information or reprisal.

Here are some ways in which some sexual harassment claims can be verified if there are no witnesses :

- Persons with whom she/he discussed the incident – such as co-workers, friends, parents, a doctor or a counselor – can help to prove the allegations.
- Provide proof of communication by the harasser with you such as, through emails, text messages and voicemail messages.
- Provide copies of letters of complaint sent to your highest-ranking official highlighting the sexual harassment.
- You should keep a journal and document everything in it, so you have everything together and easily accessible.

What are DOR's obligations?

Georgia Department of Revenue take steps to prevent sexual harassment from occurring such as:

- Providing training.
- Expressing strong disapproval.
- Developing appropriate sanctions.
- Informing State employees and alternative staff of their rights to raise and how to raise the issue of harassment under Title VII.
- Developing methods to raise awareness.

An effective preventive program should include an explicit policy against sexual harassment that is clearly and regularly communicated to alternative staff and effectively implemented.



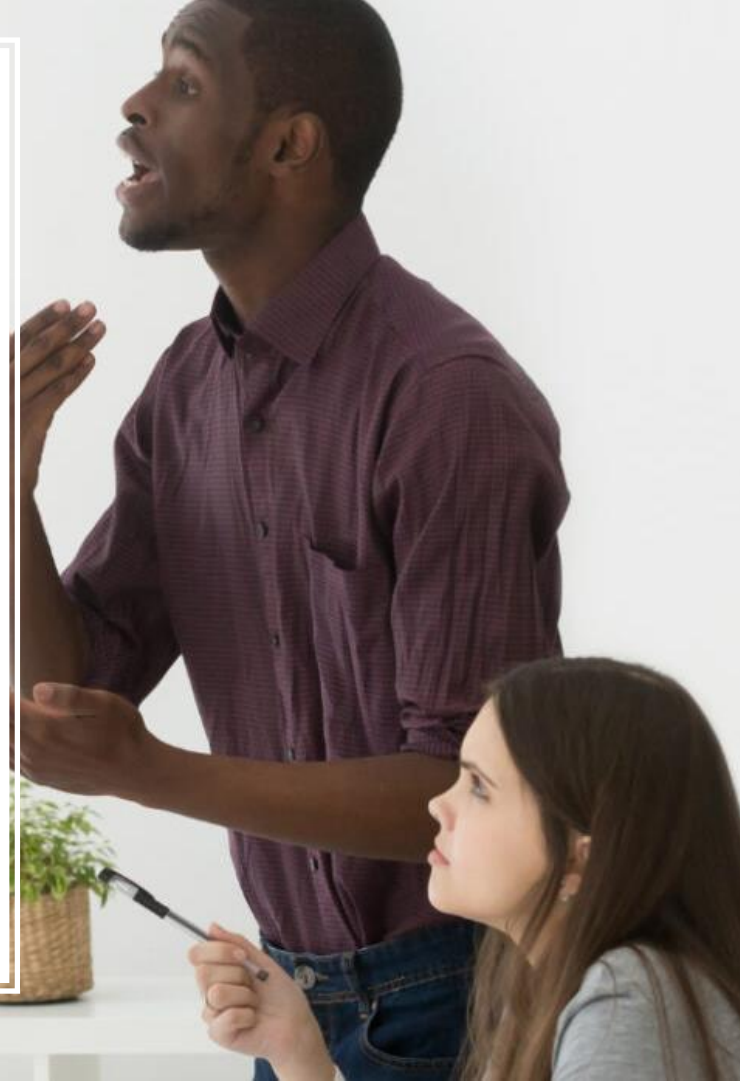
Speak up

- Employers should also have a procedure for resolving sexual harassment complaints.
- The procedure should be designed to “encourage victims of harassment to come forward” and should not require a victim to complain first to the offending supervisor.
- It should ensure confidentiality as much as possible and provide effective remedies, including protection of victims and witnesses against retaliation.



Retaliation

- Employees and alternative staff have a right to complain about treatment they believe is illegal.
- An employer cannot punish, threaten or harass an alternative staff for reporting sexual harassment or for helping someone else make a report.
- Even if the reported conduct is not actually harassment, the law protects alternative staff who participate in a complaint with a reasonable and good faith belief that the harasser engaged in offensive behavior.



What can the target of Sexual Harassment do?

It is always important to document sexual harassment.

Include all the relevant information that needs to be included in documenting incidents of sexual harassment.

A written account helps the victim to report incidents accurately to authorities within the organization.

Write down who, when, where, and how the sexual harassment occurred.

You should also write down how the harassment made you feel at the time, how it affected your work environment, whether there were witnesses, and if so, their names and whether you reported the harassment to someone else.

Refrain from accepting gifts or cards. Include in the report to the appropriate authorities if you were offered any gifts or cards.

DOR's procedures to submit a complaint

- As an alternative staff you are strongly encouraged to submit a complaint if you believe you have been subjected to sexual harassment or retaliation.
- You are required to promptly report if you are a witness or otherwise have reason to believe that another alternative staff is being, or has been, subjected to sexual harassment or retaliation.
- You may submit a complaint or report regarding sexual harassment or retaliation to:
 - Your highest-ranking official
 - Your DOR Office of HR if harasser is the highest-ranking official



Office of State Inspector General (OIG)



- The State of Georgia Office of the Inspector General (OIG) is charged with fostering and promoting accountability and integrity in state government.
- OIG diligently investigates fraud, waste, abuse, and corruption in the executive branch. OIG work to promote effective controls, improve agency policies and procedures, and identify opportunities for efficiency. OIG also provide statewide oversight of sexual harassment investigations.
- The Office of State Inspector General (OIG) can be contacted to the extent that any of the individuals outlined on the previous slide are the alleged harasser or retaliator, you may submit a complaint or report of sexual harassment or retaliation directly to the Office of State Inspector General (OIG).
- It is especially important for those in a supervisory capacity who receive a sexual harassment or retaliation complaint or report, to immediately inform human resources.

How to report?

- While written complaints and reports of sexual harassment or retaliation are preferred, you may submit a complaint or report verbally.
- For your convenience, your employer may provide a form to use as guidance.
- If you verbally report sexual harassment or retaliation the contacted person will document the facts of the incident in writing. This helps the individuals involved who may not recall the events as clearly after the passage of time.
- A trained investigator will promptly investigate all reports of sexual harassment and/or retaliation. This investigator may come from within your organization or may be assigned by the Office of the State Inspector General (OIG).

REPORTING



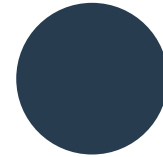


Importance of timely reporting

Reporting sexual harassment and retaliation in a timely manner is important and helps your employer take appropriate and immediate action when a sexual harassment or retaliation incident occurs.

Anonymous reporting

- Keep in mind that if you submit a report anonymously your employer will make every effort to investigate but may be limited if sufficient information is not provided.
 - In addition, the investigator may need information from you to do a thorough investigation. Consequently, it may become impossible for you to remain anonymous.
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Sexual Harassment training review



Do you know more about Sexual Harassment now?

- Assess your knowledge of sexual harassment by answering the questions on the next slides.
- You will see a series of questions displayed one at a time and have a few seconds to answer the question in your head.
- Check your response when the correct answer will show up on the next slide.

Let's begin!

MULTIPLE CHOICE

Sexual harassment includes which of the following? (More than one may apply.)

- A. A customer repeatedly makes sexual comments to a cashier
- B. A male co-worker tells a female colleague an off-color joke to which she did not object or find it offensive and laughs
- C. Male alternative staff member continuously tease their male co-worker because they think he's not macho
- D. A female manager asks another manager out on a date, and he says yes
- E. Graffiti with sexual content is spray painted in the bathroom stall


Answer:

A, C, E

(A) An employee can be subjected to sexual harassment by a customer. (C) Same-sex harassment is illegal. (E) Sexual harassment can include visual harassment, such as graffiti, emails, posters, etc.

(B) and (D) are not sexual harassment because nobody objected to the behavior. Sexual harassment occurs when behavior is unwelcome. Both the male co-worker in (B) and the female manager in (D) should be cautious since their behavior could become sexual harassment if it is unwelcomed and repeated.





True or False

Sexual harassment is only between a male supervisor and a female alternative staff member.


Answer:

False

A man or woman can be the harasser. Same-sex harassment is also unlawful.



Answers



True or False


Sexual harassment only happens at the workplace during work hours.

Answer:

False

Sexual harassment can occur when employees are outside the workplace. For example, incidents of sexual harassment may occur during an off-site business meeting or meal or when a supervisor or co-worker engages in inappropriate behavior while transporting the victim to or from the worksite.





True or False

Complimenting a co-worker's appearance is always sexual harassment.


Answer:

False

A compliment, by itself may not be sexual harassment. Compliments can become sexual harassment if they are part of a persistent pattern of sexual behavior that makes someone uncomfortable.

For example, compliments said with sexual innuendo or accompanied by leering can become sexual harassment. alternative staff should be encouraged to speak up if they are uncomfortable with a compliment, e.g. "Please don't say that" or "That makes me uncomfortable."





True or False

The first step you should take to stop sexual harassment is to ignore the harasser.


Answer:

False

Silence may encourage the harasser to continue or make the harasser think that the behavior is welcome.



Answers



True or False

Asking a co-worker for a date after she/he told you she/he is not interested, is sexual harassment.


Answer:

True

One request for a date is not sexual harassment. If a person has said that she/he is not interested, the co-worker should not ask again because repeated requests for dates can become sexual harassment.



Answers



True or False

Sexual harassment only involves inappropriate touching or comments.


Answer:

False

There is also visual harassment where a coworker/supervisor displays sexually explicit images.



Answers



True or False

It's okay to tell jokes in the workplace, even if they are off-color, as long as it's only the guys.


Answer:

False

If someone overhears the jokes and that person is offended, the conduct could be sexual harassment.



Answers



True or False

If you have been sexually harassed at work, you should tell a friend or co-worker and write down what happened and how it made you feel.

Answer:

True

It is important to have verbal and written documentation of sexual harassment. Sexual harassment should also be reported to a supervisor, the Human Resources department, or someone in authority in the organization.



After completing the quiz, you should by now have a better understanding of preventing sexual harassment in the workplace.



Key Takeaways

This training has provided you with an overview of the sexual harassment prevention for alternative staff.

What is Sexual Harassment?

- Sexual harassment is a form of sex discrimination prohibited by Title VII of the Civil Rights Act of 1964.
- Sexual harassment occurs when an alternative staff is subjected to a destructive behavior that creates a hostile or offensive work environment.
- It damages the respect and dignity of the person being harassed.



Key Takeaways continued

Sexual Harassment in the workplace

Sexual harassment is a destructive behavior that creates a hostile or offensive work environment. It damages the respect and dignity of the person being harassed.

The State of Georgia is committed to providing a safe and respectful environment that is free from sexual harassment.

For this reason, it is every State employee, as well as alternative staff's responsibility to:

- Demonstrate appropriate behavior
- Follow employer policies
- Comply with the laws



Key Takeaways cont.

Forms of sexual harassment

- The victim as well as the harasser may be a woman or a man.
- The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.

Reporting sexual harassment

You may submit a complaint or report regarding sexual harassment or retaliation to:

- Your highest-ranking official
- Your DOR Office of HR if harasser is the highest-ranking official
- Office of State Inspector General (OIG)



Acknowledgement Form

- After completing the Sexual Harassment training for alternative staff, please sign the acknowledgment form provided to you.
- This form will acknowledge that you have completed this training and are aware of actions that could constitute sexual harassment.



Thank You.

You have completed the Sexual Harassment training for alternative staff!

If you encounter any situations that could constitute sexual harassment contact:

- Your highest-ranking official
- Your DOR Office of HR if harasser is the highest-ranking official
- Office of State Inspector General (OIG)