Module 2
Understanding Sex-Based Harassment

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Objectives

• Know the definition and types of sex-based harassment in the workplace
• Identify contexts that influence opportunity youths’ experiences with sex-based harassment in the workplace
• Recognize how some opportunity youth have increased vulnerability to and challenges reporting sex-based harassment
Legal Definition of Sexual Harassment Discrimination

“Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.”¹
Sex-based Harassment in the Workplace: Key Concepts

- Sex-based harassment at work is illegal if it is unwelcome (unwanted) and so frequent or serious that it creates a hostile work environment.\(^4\)
- Harassment based on sexual orientation, pregnancy, or gender identity is prohibited.\(^1\)
- Sex-based harassment is a form of workplace violence.\(^2\)
  - Workplace violence also includes interpersonal aggression, bullying, and other forms of discrimination and oppression within the workplace.
Examples of Sex-based Harassment in the Workplace

- Sexual jokes
- Sexual photos
- Touching
- Requests for sexual favors
- Sexual and non-sexual conduct based on sex or gender
  - Calling another person at work *babe, baby, darling, or honey* (or similar terms)
  - Comments suggesting that men or women don’t belong in certain jobs
  - Comments questioning men’s or women’s skills or abilities
Types of Sex-Based Harassment in the Workplace

1. This for That (Quid pro Quo)
2. Hostile Work Environment
3. Harassment by Non-employees
This for That (Quid pro Quo)

**Definition:** The “Person in power demands a sexual favor in return for an employment action or benefit,” such as keeping a job, getting a promotion, or receiving special treatment. Submission is a condition of employment or can be used to make employment decisions and can be explicit or implicit. ³
This for That (Quid pro Quo)

Examples

• A manager makes sexual advances and indirectly implies that a young person must submit in exchange for permission for a day off.
• A manager implies that a young person must tolerate gender and/or sexually related nick-names or language to maintain employment.
Hostile Work Environment

**Definition:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature and of a non-sexual nature, but based on one’s sex (including sexual orientation, gender identity, or pregnancy), may constitute hostile-environment sexual harassment when the conduct has the purpose or effect of unreasonably interfering with an employee’s work performance or of creating an intimidating, hostile, or offensive working environment.⁴
Hostile Work Environment

Examples
• Sexual content posted on walls and computer screens
• Leering, suggestive looks
• Unwelcome physical proximity
• Unwelcome phone calls, emails, and text messaging
Harassment by Non-employees

**Definition:** Sexual harassment by non-employees who harass employees within the workplace.

- Employers are responsible for sexual harassment if they know or should have known about it.\(^5\)
- Sex-based harassment in the workplace by non-employees may be committed by someone known to a young person.\(^6\)
  - About 24% of workplace violence is related to personal relationships.\(^6\)
Harassment by Non-employees

Examples

• A non-employee gains access to a workplace and commits a crime that targets an employee or customer who is a current or former intimate partner.

• An intimate partner of an employee makes threats against an employee at the employee's workplace.\textsuperscript{6}
Impact of Identity-Based and Situational Power Inequities

These inequities have unique impacts on youth’s experiences with sex-based harassment:

• More **vulnerable** to sex-based harassment
• Type of sex-based harassment experienced may be **unique**
• **Challenges** reporting and addressing sex-based harassment
Racialized Harassment and Racism Influence Experiences of Sex-Based Harassment

• Youth of color are particularly vulnerable to sex-based harassment:
  • Native and Indigenous, Black, and Latino young people have higher rates of disconnection from school and work than White youth, which plays into power differentials once they enter or re-enter employment.⁷
Racialized Harassment and Racism Influence Experiences of Sex-Based Harassment

• Women of color have experienced increased rates of sex-based harassment, despite an overall decline, and face unique types of sex-based harassment.⁸

• Women of color may experience dual racial and gender discrimination and racialized sex-based harassment in the workplace, leading to significant wage gaps and feelings of isolation.⁹-¹¹
Racialized Harassment and Racism Influence Experiences of Sex-Based Harassment

• Racism leads to challenges reporting and addressing sex-based harassment:
  • Those in charge may not believe or may minimize women of color’s reports of sex-based harassment.\textsuperscript{12,13}
  • Women of color may experience increased feelings of isolation and occupational and psychological harms.\textsuperscript{9}
Limited Protections Leave LGBTQ+ Youth Vulnerable to Sex-Based Harassment

• Approximately 14% of opportunity youth are LGBTQ+.  
• LGBTQ+ workers are more vulnerable to harassment
  o They are more likely to have experienced sex-based harassment than their heterosexual and cisgender peers.  

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15,16
Limited Protections Leave LGBTQ+ Youth Vulnerable to Sex-Based Harassment

• LGBTQ+ youth and adults face complex forms of sex-based harassment:
  o Pressure to conform to binary gender standards\textsuperscript{17,18}
  o Intentional use of incorrect pronouns and names\textsuperscript{17,18}
  o Heterosexism (policies or structures that privilege heterosexual people over LGBTQ+ people), stigmatization, and microaggressions\textsuperscript{15,17,19}
Limited Protections Leave LGBTQ+ Youth Vulnerable to Sex-Based Harassment

- LGBTQ+ people face **unique challenges reporting sex-based harassment**.
  - Experiences of sex-based harassment are often minimized or not recognized by the law.
  - LGBTQ+ youth may be blamed for their experiences.\textsuperscript{18,20,21}
  - This hinders access to support, reduces their sense of dignity, may lead them to remain closeted, and leaves them feeling unsafe, unsupported, and isolated.\textsuperscript{17,18}
Immigration Status May Increase Vulnerability and Prevent Addressing Sex-Based Harassment

• Opportunity youth who are undocumented and/or in mixed-status families may face challenges reporting and addressing sex-based harassment.
  o Lack of information on laws and protections surrounding sex-based harassment\(^2^2\)
  o Increased fear of retaliation for reporting sex-based harassment, especially if there’s a risk of deportation\(^2^2-2^4\)
  o Increased experiences of isolation due to sex-based harassment\(^2^5\)
Economic Vulnerability May Influence Experiences with and Prevent Addressing Sex-Based Harassment

• May be reluctant to report harassment or “rock the boat” due to:
  o Concerns about losing a job or ability to obtain another job\textsuperscript{23,27}
  o Program or public benefits that require employment as a condition of participation
• Limited professional knowledge and skills due to a lack of prior work experience may make young people more vulnerable to sex-based harassment.\textsuperscript{27}
Opportunity Youth Often Work in Environments and Industries that Increase Their Vulnerability to Sex-Based Harassment

- Often work in environments and industries where sex-based harassment is common, thus increasing their vulnerability to sex-based harassment.\(^{23}\)
  - Male-dominated workplaces
  - Have significant hierarchies (e.g., hotels)
  - Work is isolated, alone, or overnight (e.g., security and hotels)\(^{23}\)
Opportunity Youth Often Work in Environments and Industries that Increase Vulnerability to Sex-Based Harassment

• Retail sales: Retail sales workers account for ~9% of employed persons, but ~17% of workplace violence.\(^{28}\)
• Restaurants: Women who work in restaurants are sexually harassed at higher rates than men and the harassment is more egregious.\(^{29}\)
  o In restaurant work and other tip-based service industries, young workers may feel like they have to withstand harassment in order to earn higher tips.
• Hotels: 58% of hotel workers experienced sex-based harassment by a guest.\(^{30}\)
Histories of Trauma Influence How Opportunity Youth May Respond to Sex-Based Harassment

• A low sense of self-esteem and self-worth resulting from trauma may lead to unique challenges for youth in reporting and addressing sex-based harassment.
• Trauma may cause youth to normalize workplace sex-based harassment, disregard their safety, and fail to report sex-based harassment.\(^{31}\)
Histories of Trauma Influence How Opportunity Youth May Respond to Sex-Based Harassment

- Opportunity youth who have experienced trauma may be triggered or retraumatized by hierarchical structures within a workplace that reinforce power dynamics experienced in the past.
  - Youth may suffer mental health consequences as a result.\(^\text{33}\)
  - Youth who have experienced commercial sexual exploitation might be more attuned to the possibility of sex-based harassment.
    - Consequentially, may quit their job suddenly if they feel they are at risk of experiencing sex-based harassment.\(^\text{32}\)
Ableism Increases Young People's Vulnerability to Sex-Based Harassment

• Ableism is a system of oppression that assigns value to people’s bodies and minds based on socially constructed norms and leads to discrimination.
  o Ableism may be interpersonal or structural (e.g., the absence of policies, processes, or tools that reduce barriers to engagement).

• A higher proportion of opportunity youth (17.4%) have a disability than youth who are not disconnected from school and work (5.4%).

• Disabled workers are more vulnerable to sex-based harassment.
  o A study from the UK found that 68% of disabled women had experienced sex-based harassment at work.
  o Gender identity and class compound the impact of disability on people’s vulnerability to harassment.
Ableism Increases Young People's Vulnerability to Sex-Based Harassment

• There are several ways in which ableism can increase risks related to sex-based harassment and victimization.\textsuperscript{38,39}
  o Misconceptions about a person's disability
  o Social isolation
  o Lack of accessible sex education
  o Challenges in communicating consent

• Reporting mechanisms may not have accessibility in mind, making them difficult or impossible for disabled people to use, and reports may not be taken seriously.\textsuperscript{39}
Key Takeaways

• Workplace sex-based harassment includes unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct.

• There are three main types of workplace sex-based harassment: this-for-that, hostile work environment, and harassment by non-employees.

• Structural inequities such as those based on race, gender identity, sexual orientation, immigration status, economic vulnerability, histories of trauma, and disability may influence youths’ experiences with harassment.
Looking Ahead

• Understanding how sex-based harassment can impact opportunity youth helps professionals provide them with better support.
  o Youth-supporting professionals can understand and anticipate opportunity youth’s responses to harassment, the concerns that youth may have related to handling harassment, and the different ways in which harassment may manifest.

• **Module 3** offers more information about laws and policies that protect young people, and on the roles of employers and youth-supporting professionals in preventing and addressing sex-based harassment.
Citations


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24. Data from conversations with Subject Matter Experts and Youth Supporting Professionals.


27. Data from conversations with Subject Matter Experts and Youth Supporting Professionals.


31. Data from conversations with Subject Matter Experts and Youth Supporting Professionals.

32. Data from conversations with Subject Matter Experts and Youth Supporting Professionals.

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