



## Factsheet about Sexual Harassment

### What is sexual harassment?

Sexual harassment is defined as unwelcome sexual advances. This includes any verbal or physical behavior of a sexual nature, and any direct or implied requests for sexual favors. It also includes conduct that:

- 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.

### Who can be victim of sexual harassment?

The victim may be a woman or a man. The victim does not have to be of the opposite sex. The victim does not have to be the person harassed, but could be affected by the offensive conduct.

### Who can be a sexual harasser?

The harasser may be a woman or a man. He or she can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non employee.

### What are the two types of sexual harassment?

- Quid pro quo sexual harassment
- Hostile environment sexual harassment

Quid pro quo which literally means this for that occurs when: 1) an individual's acceptance or rejection of sexual requests or favors affects the conditions of an individual's employment; or 2) is used as the basis for employment decisions affecting such individual. For example, if a supervisor were to tell an employee that he would consider promoting her if she dressed sexier and goes out to dinner with him on occasions.

Hostile environment sexual harassment usually requires a showing of a pattern of unwelcome offensive conduct (whether verbal or physical) that is based on gender. Some examples of sexually harassing conduct that creates a hostile environment may include: unnecessary touching, jokes of a sexual nature, offensive language that tend to affect the employee's ability to his or her job, and sexually explicit or offensive pictures that is in plain view of other employees.

### What should a sexual harassment victim do?

First, the victim should directly inform the harasser that the conduct is unwelcome and must stop. It is important for the victim to communicate that the conduct is unwelcome, particularly when the alleged harasser may have some reason to believe that the advance may be welcome.

If you believe you have been subjected to sexual harassment, there are a number of forums open to you. Incidents of sexual harassment should be reported to:

- A supervisor – The supervisor is the first point of contact. If the supervisor is the harasser, then report it to a management official in the chain of command. The supervisor or management official will report the matter to the Ad Hoc Committee on Harassment.
- The Office of Equal Employment Opportunity Programs - If you wish to file an EEO complaint alleging discrimination and/or harassment within **45 calendar days** of the date of incident(s).
- Employee Relations - If all or part of the complaint is pursued under the negotiated grievance procedure covering bargaining unit employees, a grievance must be filed within **20 days** of the alleged incident, or **20 days** after the grievant becomes aware of the alleged incident.
- Union Official – If you desire assistance in the EEO and grievance processes.
- Ad Hoc Committee on Harassment – If you wish to report incidents of harassing conduct/behavior.

For more detailed information on making a complaint, refer to NARA 396, Anti-Harassment Policy.

Prevention is the best tool to eliminate sexual harassment in the workplace.