

COURSE TITLE Workplace Harassment for Employees

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COURSE DESCRIPTION Harassment at work can have a corrosive effect on an organization's culture and can lead to low employee morale, reduced productivity, and even criminal liability. Focusing on the forms of harassment prohibited by federal law, this course will provide an overview of the types of behaviors that can give rise to harassment claims, including those based on gender, race, color, national origin, religion, age, and disability. It will also discuss the benefits of and strategies for promoting a respectful work environment that is free of all forms of harassment, intimidation, and discrimination.

If you have questions about harassment either during or after this course, please contact the designated human resources professional at your company who is trained in this area.

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COURSE GOAL To become aware of the various forms of workplace harassment

LESSON TITLE Workplace Harassment for Employees

Topic 1: What Is Unlawful Harassment?

OBJECTIVE: Recognize examples of the classes that are protected from unlawful discriminatory harassment under various federal and state laws

Question: Which characteristic is not protected from harassment in the workplace by federal law?

1. Race
2. Gender
3. (CORRECT) Economic status
4. Religion
5. Age (40 or older)
6. National origin
7. Disability

Question: Which characteristic is not protected from harassment in the workplace by federal law?

1. Religion
2. Age (40 years and older)
3. National origin
4. Gender
5. (CORRECT) Political affiliation
6. Race
7. Disability

Match each federal law that forms the legal basis for preventing harassment in the workplace with the group or class it protects.

Question: Match each federal antidiscrimination law to the description of its main purpose.

- A. Americans with Disabilities Act (ADA)
Aims to protect disabled people from discrimination
- B. Age Discrimination in Employment Act (ADEA)
Aims to protect those 40 years of age and over
- C. Title VII of the Civil Rights Act of 1964
Aims to protect individuals from discrimination based on race, color, national origin, religion, or gender

Question: Match each federal law to its description.

- A. Age Discrimination in Employment Act (ADEA)
A law that protects people age 40 or over
- B. Americans with Disabilities Act (ADA)
A law that protects disabled people
- C. Title VII of the Civil Rights Act of 1964
A law that prohibits discrimination based on race, color, national origin, religion, or gender

Learning Point 1: Introduction

As society has become more diverse, so too has the workplace. And while diversity is welcomed within companies for many reasons, unfortunately it can also become the source of discrimination and harassment. Harassment in the workplace is a serious issue. What some employees may consider harmless fun can in fact be hurtful and damaging to others – and illegal. Consider this encounter between Carl and Tariq.

CARL: Hey, Tariq – there's cake in the kitchen.

TARIQ: Oh...

CARL: Jenna's birthday. C'mon.

TARIQ: I can't.

CARL: Can't what – take five minutes to wish Jenna happy birthday?

TARIQ: Carl, it's Ramadan...remember?

CARL: Oh come on, there's no way the fasting rules apply to birthday cake!

TARIQ: Carl, I'm serious. I'll wish Jenna a happy birthday later, but no cake.

TARIQ: Sigh.

NARRATOR: Whether he's aware of it or not, Carl is harassing Tariq for observing his religious beliefs. Tariq is offended and brings his concern to his manager.

BILL: Carl doesn't mean any harm, Tariq. He's just kidding around. He's a good guy.

TARIQ: This is the third time it's happened. It's not like I haven't told him it's offensive. Bill, I'm fasting.

BILL: I know, I know. And we're sensitive to your situation...which is why I'm taking you off the McClain account.

TARIQ: What? That's my account. I've been leading it for two months.

BILL: And you've been doing a great job. But you know Ted McClain. He likes to be wined and dined. This way, you don't have to worry about not taking him to lunch.

TARIQ: I'm not happy about this. And what are you going to do about Carl?

BILL: Tariq, take a break and cool down. Think about it and you'll see there's no harm done. You need to lighten up a little yourself. We're a relaxed office here.

NARRATOR: Instead of recognizing the harassment for what it is, Tariq's manager has made matters worse. Not only does he fail to deal with the discrimination, he compounds it by taking away one of Tariq's key accounts. Tariq goes to his HR department.

ELLEN: You made it clear how you feel? More than once?

TARIQ: Three times. At least.

ELLEN: And followed up with your manager?

TARIQ: Yes! And his response was to take me off my key account!

ELLEN: Leave this with me, Tariq.

NARRATOR: Companies that fail to take steps to prevent harassment and address it if it occurs can face substantial penalties and be required to compensate the harassment victims. In this course, you will learn what employees need to know about various forms of workplace harassment. In particular, you will learn about the categories of harassment that are specifically prohibited by law, and the kinds of behaviors that lead to illegal harassment, with the goal of helping you to avoid engaging in such behavior.

Learning Point 2: Antidiscrimination laws

Most people understand that harassment in the workplace is against the law, but not everyone is aware of the different forms harassment can take and the types of actions that would be considered illegal.

Question: Who do you think may have engaged in harassing or discriminating behavior toward Tariq?

1. (CORRECT) His manager, Bill
2. (CORRECT) His coworker, Carl
3. His HR manager, Ellen
4. None of them; Tariq was not harassed or discriminated against

INCORRECT FEEDBACK Actually, both Bill and Carl may have engaged in harassing or discriminating behavior toward Tariq.

CORRECT FEEDBACK Both Bill and Carl may have engaged in harassing or discriminating behavior toward Tariq.

Unlawful harassment is defined as unwanted behavior directed at an individual on the basis of a characteristic that is protected by law. The behavior must negatively affect the victim's working conditions or terms of employment.

With that definition in mind, when you examine the situation with Tariq, Carl, and Bill, it's clear that Tariq is a victim of discriminatory harassment by both of them.

It's easy to see how Carl's unwanted behavior could constitute harassment. His repeated badgering of Tariq demonstrates a lack of respect for Tariq's beliefs, and his prank with the cake is offensive.

But not all cases are so clear cut. Bill's intentions were good – he was trying to help Tariq with his fasting. However, by taking a large client away from Tariq, Bill negatively affected Tariq's working conditions. Rather than helping Tariq, Bill effectively punished him for fasting, and this is discriminatory.

In this course, we'll cover three federal laws that define which characteristics are protected from harassment and discrimination:

Title VII of the Civil Rights Act of 1964

The Americans with Disabilities Act, also referred to as ADA, and

The Age Discrimination in Employment Act, or ADEA

Title VII prohibits employers from discriminating against employees because of their race, color, religion, sex, and national origin. Harassment based on any of these characteristics is considered unlawful discrimination under Title VII.

The ADA seeks to prevent discrimination against disabled employees and job applicants. The law provides that employees with physical or mental disabilities should

be treated the same as the rest of the workforce, and that all applicants should have an equal chance for consideration. Wherever possible, organizations should accommodate disabled employees' needs to ensure a work experience that is comparable to their colleagues'. This includes making facilities accessible to people with disabilities.

The ADEA aims to prevent discrimination against people age 40 and over. The law demands equality for older employees and job applicants.

Match each law with the group of people it is intended to protect from discrimination and harassment.

A. ADA

Protects people with disabilities from discrimination and harassment

The Americans with Disabilities Act (ADA) aims to prevent discrimination and harassment against disabled people by demanding equality, inclusion, and accommodation wherever possible.

B. ADEA

Protects those 40 years of age and older

The Age Discrimination in Employment Act (ADEA) protects individuals age 40 and over by preventing age discrimination and harassment in interviews, job ads, and employment.

C. Title VII

Protects individuals from discrimination based on race, color, national origin, religion, or gender

Title VII of the Civil Rights Act aims to protect against discrimination and unfair employment practices, including harassment, on the grounds of race, color, national origin, religion, or gender.

Learning Point 3: Protected characteristics

Now consider this example. Jack, a recent college graduate, is a junior copywriter at a large advertising agency. He really enjoys his job, but hopes to one day become an account manager.

Jack was hired at the same time as several other new copywriters. To distinguish himself from the others, he has tried to engage his manager in conversation as much as possible.

Before long, Tristan, one of the other recently-hired copywriters, caught on to what Jack was doing. He started calling Jack a "brown noser" and "suck-up" to his face and sending Jack text messages to similar effect. Several of the other copywriters, at Tristan's urging, have begun doing the same thing.

Question: Do you think Tristan's behavior would qualify as illegal harassment under any of the laws we've covered so far?

1. Yes
2. (CORRECT) No

INCORRECT FEEDBACK Although Tristan is harassing Jack, his actions aren't actually illegal.

CORRECT FEEDBACK Although Tristan is harassing Jack, his actions aren't actually illegal.

Although Tristan is harassing Jack, his actions aren't actually illegal. This is because Tristan's harassment is not based on a characteristic of Jack's that's afforded protection under the law. Of course, Tristan's behavior may violate the agency's conduct policy, but it would not be considered unlawful according to Title VII, the ADA, or the ADEA.

The key point to remember is that even if harassing behavior is rude, uncivil, or just plain mean, it is unlawful only when it is directed at someone due to a characteristic, such as race, that is protected by law. Drawing this distinction doesn't mean that we encourage harassment when it doesn't happen to be based on any of those characteristics.

Instead, we are focusing here on these characteristics to help clarify what types of behavior the law specifically prohibits. Your company's anti-harassment policy may define other types of behavior that, while not necessarily illegal, are not permitted in your workplace.

So let's examine the characteristics that are protected under law. Federal law specifically prohibits harassment that is based on six characteristics: race, gender, religion, national origin, age, and disability.

Race

Race discrimination includes telling racial jokes, using inappropriate epithets, or posting racially offensive pictures or images.

Gender

Gender harassment includes jokes, hazing, or other harassing actions that are based on sex, gender stereotypes, or pregnancy. Both men and women, as well as transgendered individuals, can be victims of gender harassment.

Religion

Religious harassment includes jokes, derogatory comments, or offensive pictures that are based on an employee's belief system or lack of one.

National origin

National origin harassment occurs when an employee is subjected to harassing behavior because of his or her ethnic ancestry or traits linked to ethnicity, such as accent or cultural identity.

Age

Age harassment occurs when an individual 40 years or older is subjected to offensive comments, jokes, or stereotypes on the basis of his or her age.

Disability

Disability discrimination occurs when a disabled person is put in a less favorable setting more frequently than other people doing the same job or when he or she is subjected to name-calling or teasing because of his or her disability.

At present, there is no federal law to protect most private sector employees from discrimination based on their sexual orientation or marital status, but many states have enacted laws to prohibit such discrimination.

Federal employees, in most cases, are protected from harassment on the basis of sexual orientation or marital status under an executive order.

Although we are focusing on illegal harassment, as noted earlier, we do not mean to imply an endorsement of any kind of behavior that is intended to harass, intimidate, humiliate, or otherwise do harm just because it's not illegal. Employees are required to conduct themselves in a respectful manner and many employers enforce policies that go well beyond the law in defining unacceptable conduct in the workplace.

For example, if coworkers ridicule a woman because she likes to express herself by wearing black lipstick and nail polish, their actions are not based on a protected characteristic and are therefore not illegal. But the woman's employer may take

disciplinary action against the coworkers if their teasing is harassing or offensive, and interferes with a safe and productive work environment.

Question: Which of these people do you think are experiencing illegal harassment according to the federal laws covered in this course?

1. (CORRECT) Simone, a 39-year-old woman, wants to be promoted to a managerial role. Her boss, Tony, constantly tells her that she "isn't management material" because she's a woman.

This is a correct option. Tony's offensive comments, which are based on Simone's gender, could constitute unlawful harassment.

2. (CORRECT) Ian, who's Jewish, wears his yarmulke to work every day. His boss always remarks that if he wants to wear "his beanie" to work, he should move to Israel.

This is a correct option. Ian is exercising a religious observance that doesn't unduly burden his employer, so his boss's comments could constitute religious harassment.

3. Matt, a staunch Democrat, lands a job at a law firm where the senior partners are former Republican lawmakers who remain politically active. Matt's colleagues tease him that there "isn't room for a liberal" like him at the firm and his "days are numbered."

This is an incorrect option. Political affiliation is not a characteristic protected from harassment by law in private sector employment.

4. Susan is a talented 20-year-old computer programmer working for a high-tech firm, where her colleagues are mostly in their late 30s and 40s. She's constantly referred to as "the newbie," which offends her since her programming skills are among the best.

This is an incorrect option. The ADEA aims to protect older workers – those 40 and over – from discrimination and harassment, but there is no protection for younger workers.

Question: Which characteristic is not protected from harassment in the workplace by federal law?

1. Race

This is an incorrect option. The law prohibits harassment on the basis of the color of a person's skin or any other characteristics related to race.

2. Gender

This is an incorrect option. The law prohibits harassment on the basis of a person's gender.

3. Religion

This is an incorrect option. Federal law protects people from harassment on the basis of religion

4. National origin

This is an incorrect option. A person is protected by law from harassment on the basis of his or her national origin.

5. Age (40 or older)

This is an incorrect option. The law protects individuals who are 40 years of age and older from harassment based on their age.

6. Disability

This is an incorrect option. Disabled people are protected from harassment by federal law.

7. (CORRECT) Education

is the correct option. Federal law does not specifically protect a person from harassment that's based on the level of education he or she has achieved.

There are many forms of harassment that are prohibited by law. The main laws that determine what constitutes unlawful harassment are Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, or ADA, and the Age Discrimination in Employment Act, also known as the ADEA.

These laws protect certain classes of people that are most likely to experience harassment and discrimination based on their race, gender, religion, national origin, age, or disability.

Topic 2: Recognizing Workplace Harassment

Question: Which is not an example of discrimination or harassment that is prohibited by federal law?

1. A male employee squeezes a female coworker's posterior
2. An employee openly refuses to work with any members of her team who are of Asian descent
3. An employee constantly makes demeaning comments to a coworker who uses a wheelchair
4. (CORRECT) A female manager warns a male employee that he will not be promoted because of his poor work performance

Question: Identify the three examples of harassment or discrimination that are prohibited by federal law.

1. (CORRECT) "I'm Muslim. My manager always tells people not to make me angry because I'll probably bomb the office. I've told him how offensive this is, but he doesn't listen."
2. "He berated me in front of my colleagues for spilling coffee on the carpet in his office."
3. (CORRECT) "When I refused to go on a date with my boss, she gave me deadlines that were impossible to meet so that she could claim that I'm incompetent."
4. (CORRECT) "My manager will only let me work with certain customers. She says that because I'm from Canada, I can't possibly understand American culture and can't be trusted to manage the big accounts."

Recognizing Workplace Harassment

Recognizing harassment in your workplace enables you to deal with it more effectively. Let's join Ellen, the HR manager, as she interviews several employees to get their views on harassment within the company.

ELLEN: Leah, I'm conducting an investigation of potential harassment in the office. Is there anything you'd like to share with me?

LEAH: You're talking about Bill and the guys, right? Always flirting with Jenna and saying what they say. It's so obvious.

ELLEN: Do you feel harassed by the men's behavior?

LEAH: No, no, they don't say anything directly to me...but what about the way they treat Jenna? I can't just leave my desk when they come by to flirt with her.

ELLEN: Has she complained about this to you?

LEAH: Oh, Jenna loves the attention. Told me to mind my own business when I mentioned it. But those guys are so sexist.

JENNA: Ellen, the office vibe is cool. It's a good place to work. But Eddie? My project manager? He told me I won't get the team lead position because of poor work performance. Typical controlling guy.

ELLEN: Didn't you have performance issues mentioned in your appraisal?

JENNA: Well, yeah...but Eddie's just jealous because I get along so well with the guys on Bill's team.

RICHARD: I'll tell you one thing I don't like: Carl is always calling me Chinese. I told him a million times I'm Korean-American but he seems to get a kick out of pretending there's no difference. And he's always making a joke of it in front of everybody.

PATRICIA: I haven't wanted to say anything, Ellen, but between you and me, some of the younger folks call me Grandma. I complained at first but they kept saying it. Telling me how it's amazing I even know how to use a computer. I know it seems silly, but I really don't like it.

CARL: Celebrating birthdays is part of our tradition.

ELLEN: No-one is saying you can't celebrate someone's birthday, Carl. The issue here is pressuring Tariq to eat cake when you know he's fasting for Ramadan and putting the cake on his desk.

CARL: Oh, c'mon. That was just a joke.

ELLEN: Hasn't he complained several times that he finds these kinds of things offensive?

CARL: That guy needs to lighten up.

NARRATOR: Ellen's investigations have uncovered a range of issues. The employees she interviewed all believe they have experienced or witnessed harassing behavior. But not all of these cases necessarily point to illegal harassment.

So how can we tell when behavior constitutes unlawful harassment and when it doesn't?

The guidelines of the US Equal Employment Opportunity Commission, which is commonly known as the EEOC, define unlawful harassment as "unwelcome conduct of a discriminatory nature against a member of a protected class because of his or her membership in that protected class."

Unlawful harassment occurs when the unwelcome conduct creates one or more of these conditions:

- 1) It affects a term or condition of employment
- 2) It unreasonably interferes with the individual's work performance, or
- 3) It creates an intimidating, hostile, or offensive work environment

In other words, when discussing unlawful harassment, the conduct must be unwelcome, and also either severe or pervasive according to the viewpoint of a "reasonable person."

Severe conduct could be a single incident of extremely inappropriate behavior – something that a reasonable person would consider outrageous.

Pervasive conduct is behavior that is less severe on its own, but – when repeated over time or considered in combination with other conduct – creates an unreasonable working environment. Pervasiveness is also evaluated from the perspective of a reasonable person.

So let's quickly recap the situations that Ellen uncovered, and then examine each in turn to determine whether it included unwelcome conduct that was severe or pervasive.

Then we can decide whether each situation involves harassment:

- 1) Leah reported that Jenna is being harassed by Bill and his team
- 2) Richard reported that Carl is harassing him by calling him Chinese
- 3) Jenna reported that Eddie is discriminating against her by denying her the team lead position
- 4) Patricia reported that she is being harassed because of her age, and
- 5) Carl denied that his treatment of Tariq with the birthday cake was anything more than a simple joke

Question: Is Leah's complaint on Jenna's behalf valid? Are Bill and his team harassing Jenna?

1. Yes
2. (CORRECT) No

INCORRECT FEEDBACK Actually, because Jenna welcomes the flirtation and attention, she is not being harassed. For behavior to be harassing, it must be unwelcome.

CORRECT FEEDBACK Jenna is not subject to harassment because she welcomes the flirtation and attention. For behavior to be harassing, it must be unwelcome.

It's clear that Jenna's not being harassed by Bill and his team because she welcomes their behavior and is not shy about the fact that she enjoys the attention. For behavior to be harassing, it must be unwelcome.

However, while Jenna is a willing participant in the situation, Leah is not. Therefore, the situation may give rise to a harassment issue for Leah because she routinely has to watch another female employee being treated in an overtly sexual way. If Leah felt offended or harassed by this, it would be an example of pervasive conduct creating an unreasonable working environment.

Jenna has her own complaints, but not about the men on Bill's team. She voiced a concern about her project manager Eddie.

She suggested that Eddie denied her the team lead position because he's jealous of her relationship with the guys on Bill's team. But Eddie indicated that the decision was based on Jenna's poor work performance, which was previously mentioned in her appraisal.

Question: Is Jenna is being unlawfully harassed or discriminated against by Eddie?

1. Yes
2. (CORRECT) No

INCORRECT FEEDBACK Jenna is not the victim of unlawful harassment or discrimination, because Eddie's decision was based on her documented poor work performance.

CORRECT FEEDBACK Jenna is not the victim of unlawful harassment or discrimination, because Eddie's decision was based on her documented poor work performance.

Jenna is not the victim of unlawful harassment or discrimination, because Eddie's decision was based on her documented poor work performance.

What about Richard's complaint about Carl? Richard has requested that Carl recognize that he's Korean American and not Chinese, but Carl pretends there's no difference. This is unwelcome behavior related to Richard's national origin. Richard is being subjected to repeated harassment as Carl jokes about his national origin to their coworkers. Carl's joking is pervasive and if allowed to continue may create an offensive work environment for Richard.

Patricia complained to Ellen that she's being teased about her age by her younger coworkers. Do you think she is being illegally harassed?

The law offers protection against harassment on grounds of age to people aged over 40. So, yes, Patricia has a case to make. She is experiencing unlawful harassment because she is forced to endure the unwelcome and age-based comments of her coworkers. If these comments are ongoing, the harassment is pervasive.

What about Carl's behavior towards Tariq? Harassment is examined in terms of what a reasonable person would find harassing. In this case, a reasonable person would probably consider Carl's behavior to be harassing.

Remember: unlawful harassment involves conduct that is unwelcome, and either severe or pervasive. A pervasive situation like Tariq's is one that involves continuing incidents, while a severe incident, such as a physical threat or assault, need only happen once.

Employees should avoid any kind of behavior that raises the possibility of being viewed as harassment. If there's any chance someone could find your behavior offensive for any reason, you should avoid it.

As Ellen's investigations show, not every situation that people perceive as harassment actually constitutes unlawful harassment. Let's examine a new situation between Paula and Rick, and consider whether either has been subjected to unlawful harassment by the other.

Paula is a production team lead for a circuit board manufacturer. She recently filed a safety violation report about Tyrone, a member of another production team led by Rick. Rick confronted her about the incident. Now they've each filed harassment complaints about each other with HR.

Select Paula and Rick to learn more about their complaints.

Rick: "I'm furious Paula made a report about Tyrone! Why couldn't she have just come to me about it? Now I have the safety violation on my team's record!"

Whatever. She's always had it in for me, and she's been waiting for her chance to make things more difficult for me and my team. Well two can play at that game! Since then, I've been making sure she knows just how much I hate working with her!"

Paula: "I tried to find Rick when I saw that Tyrone was working without his personal protective equipment, but he was in a meeting with the production manager and I had to respond quickly. It wasn't anything personal. Tyrone could really have gotten hurt!"

Do you think that Rick is being unlawfully harassed by Paula?

Rick may be upset that his safety record has been affected by Paula's actions. But Paula acted in the best interests of Tyrone's safety, and her actions do not constitute harassment of any type.

What about Paula? Is she being unlawfully harassed by Rick?

Rick's conduct, while understandably unwelcome by Paula, doesn't rise to the level of unlawful harassment because Rick's hostility isn't related to a protected characteristic of Paula's. Instead, Rick's rude comments were related to Paula's actions over an administrative matter and not a particular personal trait.

Clearly, Rick and Paula's manager should help them work out their differences in a calm, respectful manner right away. But this situation is not one that is directly impacted by the anti-harassment laws we've discussed in this course.

Question: Based on what we've covered so far, which actions are examples of unlawful harassment?

1. (CORRECT) Tad is attracted to his coworker, Carla. He often rubs her shoulders, even though she has repeatedly asked him not to.

This is a correct option. Carla has made it clear that she does not welcome Tad's massages. Tad continuing to rub Carla's shoulders could be considered sexual harassment, particularly given the physical nature of the action.

2. Rachel calls her colleague in the next cube a "nosy busybody."

This is an incorrect option. Calling a coworker a nosy busybody might be unkind,

but it's not based on a protected characteristic and therefore would not rise to the level of illegal harassment.

3. (CORRECT) Mike, a manager, tells Jayne, a new trainee, that she will not be promoted unless she goes on a date with him.

This is a correct option. In this case, Mike is tying Jayne's advancement in the company to her agreeing to date him. This is illegal sexual harassment.

4. Judy sends her manager, Steve, a card on his birthday.

This is an incorrect option. Sending another employee a birthday card would not be seen as unlawful harassment by a reasonable person.

5. (CORRECT) Several times a week, Ben, who works at his company's IT Help Desk, sends anonymous e-mails containing anti-Vatican propaganda to his coworkers that he knows are Catholic.

This is a correct option. Ben is targeting the harassment at his coworkers based on their religion, which is a protected characteristic under the law.

Now that you've had a chance to explore some of the behaviors that can lead to unlawful harassment, it's probably becoming clear that one of the major benefits of harassment awareness training is that you, and other employees, can more easily recognize inappropriate behaviors if they should occur.

This means you and your colleagues will be less likely to unwittingly harass a coworker, and more likely to report wrongdoing if you witness it so that management can take action.

Dealing with harassment before it escalates demonstrates that the company takes the matter seriously and will not tolerate illegal behavior. It also makes it more likely that the issue can be resolved quickly, fairly, and with minimal disruption.

Question: What are the potential benefits of being aware of harassment in your workplace?

1. (CORRECT) Fewer incidents of harassment

This is a potential benefit. Employees are less likely to unknowingly harass someone if they understand the expectations set by the law and the company

2. (CORRECT) Fewer harassment-based lawsuits

This is a potential benefit. If a harassment victim is able to find resolution quickly and fairly within the organization, he or she will be less likely to resort to litigation. Harassment lawsuits are expensive and time consuming, and can negatively affect the public's perception of the company.

3. The complete elimination of all uncivil behavior in the workplace

This isn't a likely benefit of being aware of harassment in your workplace. Even the best anti-harassment program can't guarantee that harassment will never occur. But educated employees better understand their role in avoiding harassing behavior and reporting it if they see it.

4. (CORRECT) Increased morale

This is a potential benefit. Harassment can have a corrosive effect on an organization's environment. Employees' confidence that harassment will not be tolerated can help to improve a company's overall morale.

Unlawful harassment occurs when unwelcome conduct is directed toward a person because of a personal characteristic that the law protects.

All employees in an organization have a responsibility to familiarize themselves with the various forms that harassment can take in order to avoid engaging in it while at work.

Question: Sandy is a customer service representative at a clothing catalog's call center. She suffers from a medical condition that causes leg deformation. Her coworkers constantly make fun of the way she walks. They call her terrible names and make gestures about her body. She is hurt by their blatant rudeness, but not intimidated.

There are number of possible steps Sandy could take next. Which courses of action would be appropriate for her?

1. (CORRECT) Tell her coworkers that she finds their behavior offensive, and ask them to stop
2. (CORRECT) Consult her company's harassment policy to determine how to file a complaint with HR
3. (CORRECT) Speak with her manager about the situation and ask for help
4. Send an e-mail around to her coworkers threatening to sue them if they don't start treating her better

Some of Ahmed's coworkers don't like the fact that he is of Middle Eastern descent. They are generally rude to him and call him derogatory names.

Yesterday, Ahmed let his coworkers know that he found their behavior offensive, but it had no effect.

What's the best course of action for Ahmed now?

1. Talk to his harassers again, and explain that he is going to report them if they don't start treating him with respect
2. (CORRECT) Seek help from his manager, the HR Department, or other contact identified in the company's harassment policy
3. ignore the problem and hope that it goes away on its own

Now **that you have learned to recognize workplace harassment, what should you do if you're** harassed at work, or if you see others in the workplace being harassed?

It's not always possible to avoid being harassed in the workplace. What's important to remember, though, is that if it happens, ignoring it or hoping it will stop will not solve the problem.

Instead, if the situation allows, you should calmly and firmly talk to your harasser to make it clear the conduct is unwelcome. It may be that the harasser simply does not understand that you find his or her behavior objectionable, and a conversation will resolve the problem. You should speak to your harasser in private, if practical, and be straightforward about your feelings, as Tariq did with Carl.

When Carl was putting pressure on Tariq to eat some birthday cake, Tariq told him in a direct manner that he was serious about his fast and would find a different way to wish Jenna a happy birthday.

But, Carl ignored what Tariq said, and went on to leave cake on Tariq's desk, escalating the matter. So what can you do if your harasser ignores your request to stop, or makes things worse in response?

In that case, or where a conversation isn't safe or otherwise possible, you should seek help, which is what Tariq did next - first he spoke to his manager, and then to HR. You can approach your manager, a different manager, or a member of your company's HR Department for assistance.

Your company's anti-harassment policy may contain a detailed complaint procedure that you can follow. Most policies contain multiple points of contact so you can approach the individual you feel most comfortable talking to. Remember, don't hesitate to talk with someone if you feel you are being harassed.

If for some reason your internal complaint doesn't resolve the situation, you can get help from a government agency such as the EEOC, or a similar state-level department. These agencies have the power to investigate the situation on your behalf and work with your employer to fix the problem.

You can also seek assistance from an agency if you feel you are retaliated against for filing a complaint. It is illegal for your employer to retaliate against you for making a good-faith complaint about harassment you are experiencing.

Consider this example.

Mary's boss, Doug, constantly makes belittling jokes about her race and tells her she is incompetent because she's female. Doug's behavior gets so severe that Mary becomes terrified of him, and dreads going to work because she is afraid that he may become physically violent toward her.

When Mary decides to seek help, what is the first step she should take?

1. Talk to Doug in person and tell him to stop harassing her

Actually, because Mary is afraid that Doug may become physically violent, she should not speak to him in person. Instead, Mary should seek help immediately from someone else in the company, such as an HR representative or other manager. She may wish to consult her company's anti-harassment policy if she's unsure whom to contact.

2. (CORRECT) Bring Doug's conduct to the attention of HR immediately

This would be the best step for Mary to take. By filing an internal complaint, Mary gives her company a chance to deal with Doug's behavior. Due to the threat of physical violence, the company's response should be swift and decisive.

3. File a complaint with the EEOC

This is probably not the best course of action for Mary at this point. Instead, she should consider filing an internal complaint first and giving the company a chance to resolve the problem. Due to the severity of Doug's conduct and the threat of physical violence, the company's response should be immediate and effective. If for some reason it's not, or if Mary still feels threatened, she should seek help from the police or a government agency like the EEOC.

If you are harassed at work, you should begin by speaking to your harasser and making it clear the behavior is unwelcome. If this conversation is not helpful, or if you don't feel

comfortable having it, seek help from your company's HR Department or another manager.

Your company's anti-harassment policy is an effective resource for guiding you through the complaint process.