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## Sexual Harassment of Unskilled Working Women

Jane Marie Goebert

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ABSTRACT

SEXUAL HARASSMENT OF UNSKILLED WORKING WOMEN

This study was done to develop an understanding of what characterizes a sexual harassment victim. The purpose was to determine if women who are unskilled and lower paid have a higher risk of being sexually harassed.

The survey was conducted in the St. Louis area. The sample consisted of both men and women working at various skill levels and incomes. There were 200 respondents. **Jane Marie Goebert, B.S.** is author.

The survey results were analyzed and compared to surveys taken in other geographical areas. This was to determine if there were any differences based on geography.

The findings of the survey did not support the hypothesis. The St. Louis survey and the other surveys researched showed that a woman's skill level and income were not the main characteristics of sexual harassment victims. The surveys showed that age and marital status were the main characteristics that determined a harassment victim. The surveys showed that a woman's income

An Abstract Presented to the Faculty of the Graduate  
School of Lindenwood College in Partial  
Fulfillment of the Requirements for the  
Degree of Master of (Science or Art)

## ABSTRACT

This study was done to develop an understanding of what determines a sexual harassment victim. The purpose was to determine if women, who are unskilled and lower paid, have a higher risk of being sexually harassed.

The survey was conducted in the St. Louis area. The sample consisted of both men and women working at various skill levels and incomes. There were 201 respondents, consisting of 132 women and 69 men.

The survey results were analyzed and compared to surveys taken in other geographical areas. This was to determine if there were any differences based on demographics.

The findings of the survey did not support the hypothesis. The St. Louis survey and the other surveys researched showed that a woman's skill level and income were not the main determinants of sexual harassment victims. The surveys showed that age and marital status were the main characteristics that determine a harassment victim. The surveys showed that single women between the age of 25 and 35 were more likely to be sexually harassed.

COMMITTEE IN HONOR OF CAMERON  
SEXUAL HARASSMENT OF UNSKILLED WORKING WOMEN

Associate Professor Arlene Tolson,  
Chairperson and Advisor

Joseph Abbott, Faculty Lindenwood College

Mike Swift, Faculty Lindenwood College

Wich Greber, Faculty Lindenwood College

Jane Marie Goebert, B.S.

A Culminating Project Presented to the Faculty of the Graduate  
School of Lindenwood College in Partial  
Fulfillment of the Requirements for the  
Degree of Master of (Science or Art)

1989

DEDICATION

COMMITTEE IN CHARGE OF CANDIDACY

Associate Professor Arlene Taich,  
Chairperson and Advisor

Joseph Ancona, Faculty Lindenwood College

Mike Ewald, Faculty Lindenwood College

Edith Graber, Faculty Lindenwood College

DEDICATION

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To my Mom and Dad

For all the love and support that you have given me through the years. Thanks for always being there.

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## CHAPTER 1

The purpose of this thesis is to determine if there is a higher percentage of sexual harassment among lower paid and unskilled working women. This thesis will explain and clearly define sexual harassment. It will distinguish the differences men and women have about sexual harassment. The paper will also determine if there is a sexual harassment problem among St. Louis area working women.

This thesis will highlight legal steps to take if sexual harassment should occur. It will discuss the different places women can go and seek legal counseling about sexual harassment. The thesis will provide legal information for women that have become a victim of sexual harassment so that they will be able to confront their harasser and eliminate the sexual harassment problem.

The research for this thesis will consist of a survey and interviews given to employees of St. Louis area businesses. The survey will poll men and women in different types of industries and salary ranges. It will poll service, retail, and manufacturing industries (See Appendix for Survey Sampling).

The survey will poll both white-collar and blue-collar workers. This survey will determine if there is

a sexual harassment problem among local area working women. It will also determine the way people perceive sexual harassment. It will show that every person views sexual harassment in a different way.

Interviews with managers within the businesses will also be conducted to determine if they see sexual harassment as a problem in a managerial perspective. They will be asked what steps they feel should be taken to avoid sexual harassment within the office.

The surveys will be used to compare with other surveys found in the literature research to see how the St. Louis area compares with other geographical areas. The interviews and surveys will be used to determine the accuracy of the following hypotheses and to provide information to prove the validity of the thesis statement.

Women with a lower education level are more likely to be harassed. The survey will determine if women without any college background have a higher risk of sexual harassment. It will prove that women with only a high school diploma tend to be harassed more frequently.

Women who are in lower paying jobs are sexually harassed more than women in higher paying jobs. The survey will show how women in lower paid jobs are more frequently harassed. It will show that women with little

power in underpaid jobs are more likely to be harassed because they need to keep their job.

Personal characteristics of women can lead to a higher risk of sexual harassment. Women who are single and in the age range of 25-30 are more likely to be harassed than other women. This thesis will prove that these women are prime targets for sexual harassment. It will show that there is less frequency of sexual harassment among women who are married, with children, and over the age of 30.

Women perceive sexual harassment differently than men. Men do not feel there are as many sexual harassment characteristics as women. Women tend to take gestures and comments more sensitively than men. It will show that a woman is more likely to consider a gesture sexual harassment than a man. The survey will determine the differences between men's and women's views on sexual harassment.

The policies of sexual harassment within companies are unknown to women. This hypothesis will prove that if a woman is being sexually harassed, they are unfamiliar with policies at their company that could prevent or control sexual harassment. It will show that women do not know the legal actions to take when sexual harassment happens.

Men are rarely harassed by women. This survey will show that men are not harassed by women as frequently as women are by men. It will also show that men do not know that policies on sexual harassment exist at their company.

Sexual harassment is widespread among working women. The survey and literature research will show that sexual harassment is a common problem among working women. It will show that women are harassed but do not report it. The research will prove that women who ignore it are repeatedly harassed. It will show that women who are harassed should confront their harasser and not bring it out in the open.

If a sexual harassment incident occurs, the victim does not discuss it with anyone at work. The survey will show that if someone is being harassed they will not talk about it. They will hide it because they think they brought it upon themselves. They also feel it will only cause more problems for themselves at work if they discuss it.

Some women do not know they are being sexually harassed. Some women may think it is part of their job. If sexual harassment has occurred since they started their job, they may think it goes with the territory. Depending on how the woman defines sexual harassment, she may think the actions are part of a normal working

environment.

There are many terms that are specific to this paper. The thesis statement uses the term unskilled. For this paper, the term unskilled will refer to those who have not had any type of higher education. Unskilled individuals will be those who have not had any further type of education or training above high school level.

The thesis statement also refers to the term lower paid. The term lower paid will refer to people who are in a salary range under \$20,000. For this paper, an individual has to be in both categories to be considered as a percentage of unskilled and lower paid working women.

The term sexual harassment can be defined in many ways. This paper will follow the definition provided by the Equal Employment Opportunity Commission. The guidelines for sexual harassment are stated as following:

"Unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working

environment." 1

This definition of sexual harassment is a violation of Title VII. Sexual harassment is a form of different treatment based on gender and is employment discrimination prohibited by Title VII of the Civil Rights Act of 1964.

There are many legal terms that are also specific to this paper. In a civil court a person can file sexual harassment charges and seek damages or punitive damages. Damages are usually in monetary terms. Damages are recovered for wrongful harm that has been done by another person.

Punitive damages are sought in addition to damages. Punitive damages are for compensation over the actual harm caused. These damages are for the purpose of punishing the defendant where their conduct is intentional and outrageous. This type of harm can be referred to as a 'tort'.

Sexual harassment may bring about many 'tort' actions. A tort is defined as an actionable harm. Under the law, several sexual harassment tort actions are assault, battery, intentional infliction of emotional distress, or intentional interference of an employment contract. Tort liability varies depending on state law.

The tort of assault can be defined as the

the St. Louis area. The survey will only be

intentional placing of a person in fear of an immediate harmful or offensive touching of his/her body. In assault, physical action does not take place. Assault has more mental effect to the victim. The tort of battery deals with the physical damages. Battery is defined as the intentional, actual, or offensive touching of the person.

The survey will be limited to the people who are

There are many limitations in the research of this thesis. The major limitation is the reluctance of businesses to participate in a sensitive survey. They may be willing to do a survey but not a survey with such a sensitive topic.

Businesses may be unwilling to allow a survey on sexual harassment because it may cause personnel problems. They may be reluctant to find out that sexual harassment occurs in their business. They may feel that the survey could bring issues forward that they did not have to be concerned with before. They may not want to have to establish any guidelines for sexual harassment problems. They may also think that it may bring about more sexual harassment problems if the idea is given to their employees. Employees may realize that they have been sexually harassed, whereas before the survey they would not have known or thought about it.

survey will have a different interpretation of sexual

Another limitation is that the survey is limited to

the St. Louis area. The survey will only be given in a few local businesses and will not be distributed over a large area of St. Louis. The survey could show bigger results if it was given to other geographic areas. Sexual harassment may not occur as much in St. Louis as compared to another state.

The survey will be limited to the people who are polled. It may be difficult getting an accurate amount of different age groups, sexes, salary ranges, or educational levels polled. The survey will be limited to the employees at the different businesses. The range of different personal characteristics will be dependent upon these employees.

Women may be hesitant to discuss any experiences of sexual harassment that they have had. Women may be afraid of sharing their experience because they do not want to jeopardize their current position. They may also be trying to forget that the experience happened. They may feel that it will cause them more damage talking about it to someone than discussing it and trying to take care of their sexual harassment problem.

Another limitation for this paper is that the term 'sexual harassment' can be misinterpreted. Every person has a different definition of it. Each person taking the survey will have a different interpretation of sexual harassment. The survey will determine how people define



sexual harassment and what are the differences. The term is clearly defined by the EEOC and that is the definition being used for this paper. The survey will show that individuals think there are more characteristics of sexual harassment than is covered under the EEOC guidelines.

The paper will provide research to prove the accuracy of the thesis. It will clearly distinguish what sexual harassment is and who is likely to be harassed. The paper will provide information for women that are being harassed to be able to eliminate or control their sexual harassment problem.

## CHAPTER 2

Sexual harassment has been a problem among working women for centuries. It occurred back in the middle ages and has continued all the way through the twentieth century. Women in unskilled, low paying jobs have been harassed on the job for centuries and have been unable to take any legal action against their harasser. Laws have only been established within the last few years to protect women against sexual harassment. It has taken centuries of abuse before laws have been written to slow down the problem of sexual harassment.

One of the first instances of sexual harassment was during the Middle Ages. There was a custom among the feudal lords and their serfs called 'droit du seigneur', which meant the right of the first night. This custom allowed the feudal lords to take the virginity of their serf's or vassal's brides.<sup>2</sup>

The custom of 'droit du seigneur' is a little different from the sexual harassment that exists today. The sexual harassment on the job today is directed at and occurs to the employee. The feudal lords were the employer's of the serfs or vassals and sexually harassing them indirectly by harassing their new bride. The serf's bride became the feudal lord's sexual property. Different forms of this custom existed

throughout Europe during the Middle Ages.

Another instance of sexual harassment occurred during the slavery ages. Women slaves became exclusive property of their owners. Women slaves were unskilled workers and they were not paid for their work. These women had no legal rights so they could not refuse their masters. Women slaves had to do whatever their masters wanted or they would be punished. Women slaves had to give in to any sexual advances that their masters made. Women slaves were often raped when they would not give in and then punished since they had put up a fight.

Forced in the roles of field laborer, house servant, breeder, a female slave was frequently used by her owner for his sexual and recreational pleasure. Lower class males, acting as overseers in the employ of the slave owner, also exercised their sexual prerogatives with slave women, using the fact of physical bondage and the power of the whip when necessary. Gross manifestations of sexual harassment were obviously a recurrent feature of the slavery system.<sup>3</sup>

Women slaves were considered both laborer and breeder. They worked for their masters, but they could also produce more slaves for their owners. The women slaves were sexually mistreated by the master and his other employees. The women were sexually exploited and could not do anything about it since there were no laws protecting slaves.

The Industrial Revolution brought about the most predominant cases of sexual harassment. Women workers in factories and sweat shops were repeatedly taken advantage of by their supervisors. Women factory workers were often immigrants from other countries and worked for very low wages. Historians have found that during this time there was a dramatic increase of pregnancies and believe that much of this was due to the sexual harassment occurring in the factories.

Many women that worked in the factories were sometimes prostituted by their supervisors. The supervisors would set up parties for the women to attend with prominent men from the town. There were many stories published during this time about the activity of this kind at the Lowell Mills in New England.

There used to be in the Lowell an association of young men called the "Old Line" who had an understanding with a great many of the factory girls and who used to introduce young men of their acquaintance, visitors to the place, to the girls for immoral purposes. Balls were held at various places attended mostly by these young men and girls....and after the dancing was over the girls were taken to infamous places of resort in Lowell and the vicinity and were not returned to their homes until daylight.<sup>4</sup>

Factory supervisors would often prostitute their women workers for extra money for themselves. The supervisors would threaten to fire the women if they

didn't do it. The women depended on their job too much to be able to refuse their supervisors.

Supervisors would often hold women's wages until they would give in to their desires. Women were trying to support themselves and had very little choice. The women would have to give in to their supervisor's sexual advances or else they would be fired.

"But no more had I time to refuse when he grasped me in his arms....If only I could discredit that man so that he would never dare insult a working girl again. If only I could complain of him in court. But I had no witnesses to testify the truth; with my broken English I could give very little explanation. So I left him alone and never went to collect my money, although I was in a frightful need." 5

Many of the women in these factories were from other countries and were supporting themselves. Without their wages, they would not be able to support themselves and they would be deported back to their country. It was important to these women to support themselves and stay in the United States.

Another example of sexual harassment during this time was occurring in the English coal mines. The women worked down in the mines as "hurriers". A Royal Commission was sent to investigate the working conditions and found the following.

In a great number of the coal mines the men worked in "a state of perfect nakedness" and were assisted in this state by females of all ages, "these females being themselves quite naked down to the waist." As "hurriers," women loaded small wagons with coal. Young girls, "hurrying" for men, working beside them in scanty garments and, alone with them for hours of the day in isolated parts of the mines, were totally at their mercy.<sup>6</sup>

The young girls working in the mines were continually exploited and sexually harassed by the coal miners daily. The Royal Commission found that the women were being mistreated and had to work under unfavorable conditions. Due to the time period, the sexual harassment was blamed on the women. It was often found during this era that sexual harassment cases were blamed on the immaturity of women. People would favor the men and say that the women had brought the sexual harassment on themselves.

In the nineteenth-century, many women were employed as domestics. These women worked around the clock at their employer's home and were rarely given any time off. The domestics would be given living quarters at their employers. Since the women lived at their employers, many of the women domestics were sexually harassed. Women that were being sexually harassed in factories or other jobs would at least be able to escape from it when they went home at nights. Domestics were not able to escape from it because they continually

lived with the fear of being sexually harassed day and night.

"He caught me by both hands around my waist....Then he kissed me and I struggled but he kissed me again. He was trembling and very much excited....I struggled, pushed him to one side, and ran out of the room, upstairs, to my quarters....I kept thinking of what had happened. He was my master and he kissed me and that worried me. When I saw him returning home that evening, I lost control. All I could think of was what he was going to do to me. He took advantage of me yesterday, and I thought he would do the same today. I shot him in self-defense."<sup>7</sup>

Domestics were normally underpaid workers and would have very little influence to bring a case against their harasser. The woman in the above example was tried for her master's murder. It was found that she had acted in self-defense, 'to preserve her priceless and crowning jewel of womanhood.'<sup>8</sup>This case showed that she was not guilty but it did not discuss the morality of her employer's actions. The cases normally focus on the woman's morality and not the man's. This is continually demonstrated throughout history.

Since the twentieth century, sexual harassment has been found in all types of working conditions. Sexual harassment occurs in jobs varying from waitressing to an office job. Waitresses often have to put up with the most problems from bosses, rude customers, or other

co-workers.

"It's a very sexual job, and that's how you make most of your tips. That means you have to smile through abusive remarks made by the customer. You have to take a lot of hassles, everything from comments to being propositioned outright."<sup>9</sup>

There are many other jobs that have just as many sexual harassment problems. The fact that so little seems to have changed is surprising in light of the continuing flood of women in the workforce!<sup>10</sup> Now that there has been a steady increase in women in the work force, the problem has become more noticeable throughout work environments but it is still difficult to bring a case to court.

Although it is difficult for women to battle a sexual harassment case, there has been an increase in places to turn to for legal advice. Most businesses have set up internal offices for legal counsel for their employees. They normally have a grievance procedure that an employee goes through to make a claim. They can also provide information about other local offices that the employee can contact if they need further guidance with their sexual harassment case.

The Equal Employment Opportunity Commission is another place women can contact to get information on sexual harassment. This commission is known for handling



any type of harassment or discrimination cases. They have established guidelines and procedures to follow if a woman becomes a victim of sexual harassment. Charges of sexual harassment can be filed at any of their offices. They have offices throughout the United States in 50 cities. They also provide an 800 number that anyone can call for more information on how to handle a sexual harassment problem. They are willing to answer any legal questions or provide guidance to someone more specialized in the area.

Laws for sexual harassment were only recently established. In the past, many cases had been brought to the court system but there were no guidelines or landmark cases to be able to make a woman's case substantial. The case that made the most impact on sexual harassment legal guidelines is Meritor Savings Bank vs. Vinson. This case was taken to the Supreme Court in 1986 and established the types of sexual harassment that violate Title VII under the Civil Rights Act of 1964.

The Supreme Court had three major issues to decide in this case. The first was to determine if unwelcomed sexual advances that create a hostile working environment constitute employment discrimination on the basis of sex. The second issue was to determine if a Title VII violation can be shown if a district court

found that the relationship between the plaintiff and the supervisor was a 'voluntary' one. The last issue was to decide if the employer is strictly held liable for an offensive working environment when the employer does not know about such activity occurring on the premises.

The case of Meritor Savings Bank vs. Vinson stated that the plaintiff charged that her supervisor had sexually harassed her both in the workplace and after hours. It stated that her supervisor had fondled her in front of other employees and would follow her into the restroom to harass her. She also claimed that she was repeatedly raped at work and after work. The bank and the supervisor both denied that any sexual harassment had occurred. She waited until a year after the incident occurred before reporting it.<sup>11</sup>

This case was brought to trial in a lower court, where they found that the plaintiff was not sexually harassed. They stated that she had voluntarily allowed the supervisor to have relations with her and it did not jeopardize her employment with the company.

The court also stated that she had not filed a complaint with her company through their internal grievance department. They said since a formal grievance had never been given there was no sign of sexual harassment ever occurring and the company could not be held responsible.<sup>12</sup>

After the district court, the case was taken to the court of appeals. The court of appeals reversed and remanded the case, stating that the lower court should have considered the hostile working conditions. They also ruled that the voluntary action of the plaintiff had materiality to the case. The court of appeals also said that the employer is held completely responsible for any type of misconduct that occurs between their employees.

The case was then taken to the Supreme Court. The Supreme Court stated that the case was mainly based on the 'unwelcomeness' of the sexual harassment. The Supreme Court took the three issues and established guidelines to follow in determining sexual harassment cases. The Supreme Court decided that a hostile environment can be created by unwelcomed advances and violates Title VII.

"Title VII affords employees the right to work in an environment free from discriminatory intimidation, ridicule, and insult." 13

The Supreme Court decided that a plaintiff can establish a violation of Title VII by "proving that discrimination based on sex has created a hostile or abusive work environment". They also stated that for it to violate Title VII the sexual harassment must be

"sufficiently pervasive to alter the conditions of the victim's employment and create an abusive working environment."<sup>14</sup>

The Supreme Court then decide upon the voluntary issue. They found that it was an issue of unwelcomeness of advances. They stated that under the EEOC guidelines on sexual harassment, the alleged advances only need to be unwelcome. The Supreme Court ruled that Title VII is violated if by her actions the sexual advances were unwelcomed, not by if her participation was voluntary.

The Supreme Court decided that on the issue of employer liability, agency principles should be used. This decision was determined based on the EEOC guidelines.

"An employer is responsible for its acts and those of its agents and supervisory employees with the respect to sexual harassment regardless of whether the specific acts complained of were authorized or ever forbidden by the employer and regardless of whether the employer knew or should have known of the occurrence."<sup>15</sup>

The Supreme Court decided that the employer is held responsible if the employee is threatened with their job. If the employee was threatened to be fired the employer is completely liable.

The case of Meritor Savings Bank vs. Vinson

established many guidelines for any cases that followed could use for their support. This landmark case provides information to make it easier to try sexual harassment cases in the judicial system.

All states have their own legislation on sexual harassment and each state has a different set of torts. They may vary according to the damages caused by the harasser. All states follow the EEOC guidelines and their definition of sexual harassment to prosecute cases.

Under Missouri criminal law, statute 566.120 (RSMO 1986) states that sexual abuse in the third degree, which includes sexual harassment on the job, can have a sentence of 6 months in jail and a fine of \$500.00. Most of the sexual harassment cases are held in civil court, which only deals with monetary settlements<sup>16</sup>

There are still many issues in sexual harassment cases that need to be established by the Supreme Court to make ruling cases easier. There are the issues of non-physical harassment, sex-based harassment, and isolated instances of sexual harassment that are still sketchy when determining a case. The court system has come a long way over the centuries on determining sexual harassment cases. They went from not listening to sexual harassment cases to refining standards that can now bring the harasser to justice.

## CHAPTER 3

Women have had a difficult time entering into the male-dominated work force. They have had to conquer many obstacles put forth by men. Many men have shown a lot of chauvinism or hate towards women trying to break in to the 'old boys network'. One way they show this is by sexual harassment or by putting women in demeaning situations at work.

Many men have been raised with the attitude that they have to have power over women. They have been brought up to think women should be at home, not at work. This attitude has caused many problems for women within the workplace. One problem that women have to deal with is that men often have a difficult time dealing with their sexual feelings for women in a working environment.

"It is difficult for a woman to work in a world run by men, without having to reflect back to men their own fantasies about her; yet women are constantly placed in the uncomfortable position of providing a passive audience before which men can project their chosen roles in the sexual drama of their lives. Men impose upon women the demands of their imagination."<sup>17</sup>

Women have to project an image at work so that a man does not look at her as a sex object. Many men often feel that women are in the work force for their sexual pleasure. This has given women a bigger challenge to

prove to her co-workers that she is a valuable employee and that she can do her job as well as a man.

"You can't not notice when you step on an elevator full of men and they stop talking to each other as soon as you get in,....and I know when I get off at my floor, they're going to be digging each other in their fat ribs and saying, 'How you'd like to have that one licking your popsicle, Harry? Play any golf this weekend?' Everywhere I go men are sticking their gluey little fantasies on my body without even seeing me."<sup>18</sup>

Women are often looked at as sexual objects and are not taken seriously by men in a working environment. One woman interviewed in a study reported that she had finally thought her boss was going to take her seriously when he suggested that they discuss her future and plan her goals with the company. He asked her into the conference room and instead of discussing her career, he raped her on the conference table.

"I don't see a man on the street and think, 'I'd like to sleep with him,' let alone follow him or make obscene remarks. Right, there is a big difference between men and women. A woman looks at one man at a time, you know, given a certain situation and feeling. She looks at a person. A man looks at every woman, women just aren't people to him at all."<sup>19</sup>

Men tend to treat women differently in a working environment than their other male co-workers. The women do not fit into their 'old boys network' and are treated as outcasts. Women have been trying to fight back

against the attitudes of men in the workplace.

Women are sexually harassed by these attitudes of men not wanting to work with women. Women sometimes have to work harder to be accepted by their male co-workers. Men often try to degrade women and make them feel that they are not equal with a man. Sometimes men will sexually harass a woman because they are trying to get back at her for entering in to a male-dominated job.

An example of women entering into a traditionally male-dominated job is shown by the sexual integration of women in the U.S. Forest Service. A study was done on the integration to show how women have been faced with an extreme amount of sexual harassment. The study explains that there is a high rate of sexual harassment in the Forest Service because the men are intimidated by the women trying to take their jobs.

Interviews with women who work in the Forest Service say that sexual harassment is a problem they have to face every day.<sup>20</sup> They say that men do not like the women trying to enter into their all male crews. The women interviewed say that men try to take it out on the women by sexually harassing them. The women are now told to try to avoid being in a forest area alone or with only one man.

The study also discusses how the clothing that



women wear can lead to sexual harassment. Being in the Forest Service, workers wear casual outdoor work clothes. When the weather gets hot, many of the men take off their shirts. The women interviewed say that they would prefer to wear cutoff shirts or halters. They say that it isn't worth the way they get treated and harassed when they wear more comfortable clothes. The Forest Service now requires women to wear proper clothes to try to avoid any sexual harassment problems.<sup>21</sup>

The study on the integration of women in the Forest Service also discusses the difficulty of prosecuting someone if a woman has been sexually harassed. The study shows how it is more difficult in a traditional male job to file a claim of sexual harassment. Women interviewed said that it is impossible to file a claim against any man they work with in the Forest Service. They say that their supervisors will not file a claim against one of their male workers. Women say that there is a male bond between the men workers and they would not go against one of their male workers.

"The issue was treated like a running joke by my male counterparts, the problem being-whose definition of sexual harassment is correct?! Unfortunately, all anyone could come up with were the negative aspects of any possible action that could be taken, i.e., false accusation, supersensitive female employees,....and mainly the old myth that 'she was asking for it' by her dress, manner, movement, etc."<sup>22</sup>

The women interviewed in the Forest Service explained that if a woman made a claim against a man it was turned around and made her look like she was at fault. They would say that she brought it on herself by the way she acted. They would also say that she was making it up because she was trying to get back at someone. The women workers said that it only causes more friction with their co-workers if they complain about sexual harassment.

"I wasn't going to take it any longer. Enough is enough. He grabbed my ass, and I just came around and punched him right in the nose, and said, '....keep your ....ing hands off of me. I don't want to be touched by you or anyone else!' Here's all these guys standing there-oh my goodness! I have a hot temper, but they had no idea that I would actually physically get upset....I never had any more physical contact with anyone unless it was supposed to be there." <sup>23</sup>

Women in the study said that it was difficult to confront the harasser. The woman above said that getting physically upset at the man was the best thing she could have done. Other women said that by confronting them physically they could get hurt worse. One woman described how she was thrown down on the ground and repeatedly kicked by her male crew boss when their verbal battles from the previous weeks broke out into violence.

The women Forest Service workers that had been interviewed and surveyed, were all fairly skilled but low-paid workers. The study showed that lower paid working women would get harassed frequently, but it had nothing to do with their skill level. This study strongly states that any woman within the Forest Service can be a victim of sexual harassment. The study shows how a woman in a traditional male job has a high possibility of being sexually harassed.

Over the years, there have been many myths created about sexual harassment. One myth that people believe is that sexual harassment only affects a small percentage of women. The truth is that sexual harassment is very widespread throughout all types of jobs and industries. Based on a survey given by Redbook Magazine in 1976, they found that 92% of the women surveyed had been physically harassed on the job.<sup>24</sup>

Redbook surveyed 9,000 clerical and professional women. They had a wide range of salaries, skill levels, education levels, and age categories. The survey also showed that 50% of the women surveyed had been fired or knew of someone that had been fired or quit because of sexual harassment. It also showed that 75% of the women said that if they would report an incident nothing would be done about it.<sup>25</sup>

Another myth some people believe is that women

should ignore sexual harassment when it occurs. The fact is that in one survey, of 33% of those who had been sexually harassed, 75% of these women had continual problems of sexual harassment. 25% of the women that ignored the sexual harassment received reprimands from their bosses or they had their workload increased.<sup>26</sup>

Another myth about sexual harassment is that if a woman really wants to discourage unwanted sexual attention, she can do so. A pamphlet written by the Project on the Status and Education of Women states that this is false because many times men often take 'no' as 'yes' and therefore do not accept a women's refusal. It also states that if a man is in any type of power over a women they may feel forced to submit.

Another myth is that some people think that most charges of sexual harassment are false. They think that women are only trying to get back at a man they are mad at. The pamphlet by the PSEW states that women who make claims of sexual harassment are often ridiculed, not believed, or they may lose their job. A person who would make a false claim would have very little to gain.

Women are often reluctant to report a sexual harassment experience. Women are frequently unwilling to discuss sexual harassment because they are uncomfortable, embarrassed, or ashamed when they talk

about personal incidents of harassment. Susan Meyer and Karen Sauvigne, who are the founders of the Working Women United Institute, say that women have been wrongly taught that it is somehow their fault and they rarely tell their friends, husbands, or family when it happens.

Women who do speak out are often ignored, discredited, or accused of misinterpreting someone's gestures. The reasons women do not report an incident were collected from a survey given to sexually harassed women by the Working Women United Institute. Only 18% of the women surveyed said that they reported the sexual harassment incident. 52% of the women surveyed said that they didn't report an incident because nothing would be done about it and it would only cause more problems.<sup>27</sup> This unwillingness to discuss any harassment problems can also lead to a company thinking that the problem does not exist. If no incidents of sexual harassment are reported, then the company would feel that this is a problem that does not occur in their daily operations.

A survey given in 1978 by the Working Women's Institute, a New York based organization that provides information on sexual harassment, surveyed women who had been sexually harassed. This survey showed that 42% of the women had quit their jobs because they could not get the harassment to stop or they had been punished because of complaining. Also in this survey, 24% of the

women had been fired because they did not give in to sexual advances.<sup>28</sup>

There are many reasons why sexual harassment happens to women. According to Barbara Burnett, the author of Every Woman's Legal Guide, women are normally in jobs that have little power or influence so it puts them at a disadvantage in the workplace. She states that there are two main reasons that sexual harassment happens to them. The first reason is that women are normally in a low paying job and are extremely vulnerable to the threat of losing their job. They need the financial comfort and support of their job.

The second reason states that a woman has little status and may be very expendable, while her harasser may be very vital to the company. This may encourage sexual harassment because the harasser's supervisor may not want to punish them since they are important to the business.

Barbara Burnett's views support part of the thesis. She states that lower paid working women are more likely to be harassed. She does not cover if the skill level of a woman is a factor, but it clearly states that women in lower paid jobs have to endure sexual harassment more than higher paid women.

Women often feel that they may jeopardize their

career, if they make a claim of sexual harassment. Despite the fears women may have about bringing their sexual harassment case to the courts, many women have tried their cases and won. There has been a wide range of sexual harassment cases tried. The cases vary from foul language being said around a woman to a woman being drugged by her boss and raped.

When a case is brought to trial, the court normally uses the guidelines set up by the EEOC. The definition by the Equal Employment Opportunity Commission is normally broken down in sections when determining a sexual harassment case. The way the EEOC guidelines are used vary depending on the case. The case normally uses a part of the sexual harassment definition by the EEOC to prove their case.

The EEOC guidelines are used differently for each case depending on the severity of the case. The cases can use part of the sexual harassment definition or all of it to prove the validity of a sexual harassment incident. The guidelines can also be used to throw a claim of sexual harassment out of the court.

In Rabidue vs. Osceola Refining Co. women were exposed daily to displays of nudity or partially clad women in posters in male employees' offices. They claimed that they were being harassed because it made the working environment uncomfortable for them to work.<sup>29</sup>

The Commission looks at the totality of each situation. In this case, it was thrown out of court because they said that the posters can not effect the working environment. They said that society condones and displays that type of exploitation in public in all forms of media.

The case of Scott vs. Sears, Roebuck and Co. shows how sexual harassment has to have been repeated to be considered harassment. This case was about offensive comments and the action of co-workers that had offended a woman. There was lack of evidence showing that the actions by the harasser had been continually repeated. Without the repetitive effect of the action, there was no evidence that a hostile working environment existed.<sup>30</sup>

A case can also be brought to trial and won even if the actions of the harasser have not been repeated. The following case shows how severe the sexual harassment cases can be. In Gilardi vs. Schroeder, the plaintiff was sexually harassed by her employer's owner. The woman was drugged by the owner and then raped while unconscious. The woman was then terminated from her job at the insistence of the owner's wife. The woman won \$113,000 in damages for harassment and intentional infliction of emotional distress.<sup>31</sup> In this case, the court was able to use a couple sections of the sexual



harassment definition to prove that the owner had violated Title VII.

Cases can take many years before they are ever tried and decided upon. Women frequently have had to take them up to higher levels through the court system. The Meritor Savings Bank vs. Vinson case went through the district court, court of appeals, and the Supreme Court. Each time it went to a different court, the new court made a completely different ruling. Lower courts often dismiss sexual harassment cases and women have had to take their cases to Federal Court or to the Supreme Court before they can get any legal action against the harasser.

Many women have had a difficult time filing a claim through the court system. Sometimes the offices that are there to help women make claims often make it more difficult for a woman to make a claim. The grievance procedures within companies can often be a problem when a woman files a sexual harassment claim. If the procedures are not followed correctly the case can be rejected. The case of Miller vs. Bank of America was thrown out because the employee did not go through the proper grievance procedures at their company.

One woman interviewed by Barbara Burnett, said that when she made her first claim at her company they didn't believe that any sexual harassment had occurred. She had

to keep making claims to people higher in the company before anyone would acknowledge that she had been harassed.

After getting her company to believe that sexual harassment had occurred, then she had to prove it to the courts. She found that after the Civil Service Commission found that there was an act of sexual harassment, the Justice Department then had to do the same. She found that her case was continually being passed from one office to the next.

The woman interviewed found that it was a constant battle between the Civil Service Commission and the Justice Department. She said that the Justice Department was always in favor of the company and not her, whereas the Civil Service Commission was in favor of her. She was getting frustrated with how long it took and finally gave up on the whole issue.<sup>32</sup>

Any woman can be harassed, but if the woman decides to prosecute, it can take a long legal battle after the woman files a claim. The legal system can slow down the problem of sexual harassment from ever being solved. Although the system can be tedious and long, many women have been bringing their cases to court and winning a long awaited justice.

## CHAPTER 4

A survey was taken to collect data on how men and women in the St. Louis area feel about sexual harassment. The survey proposed many questions to see if there are gender differences when defining sexual harassment. Another purpose of the survey was to determine how men and women define sexual harassment and at what level they feel it begins. It also was used to determine what characteristics men and women think constitute sexual harassment. The main purpose of the survey was to determine if sexual harassment is more prone to women in lower skilled and lower paid jobs. This survey was also taken for the purpose of comparing it to other sexual harassment surveys taken in other areas to see if there are any geographical differences.

The survey for this thesis was distributed among local businesses (See Appendix for Questionnaire). The survey polled 201 male and female employees. Of the 201 surveyed, 69 were men and 132 were women. For the hypothesis of this thesis, unskilled and lower paid working women were those who were making less than \$20,000 and did not have a college education. The men and women surveyed had a wide range of occupations and were at many different skill levels. The people surveyed worked in clerical, manufacturing, retail, and service industries holding positions from secretaries to managers.

One of the purposes of this survey was to determine if personal characteristics of a person determine if they are a prime target of sexual harassment. These characteristics are determined by a person's age, income level, marital status, and education level. The survey was used to determine if women with the same personal characteristics were harassed more frequently.

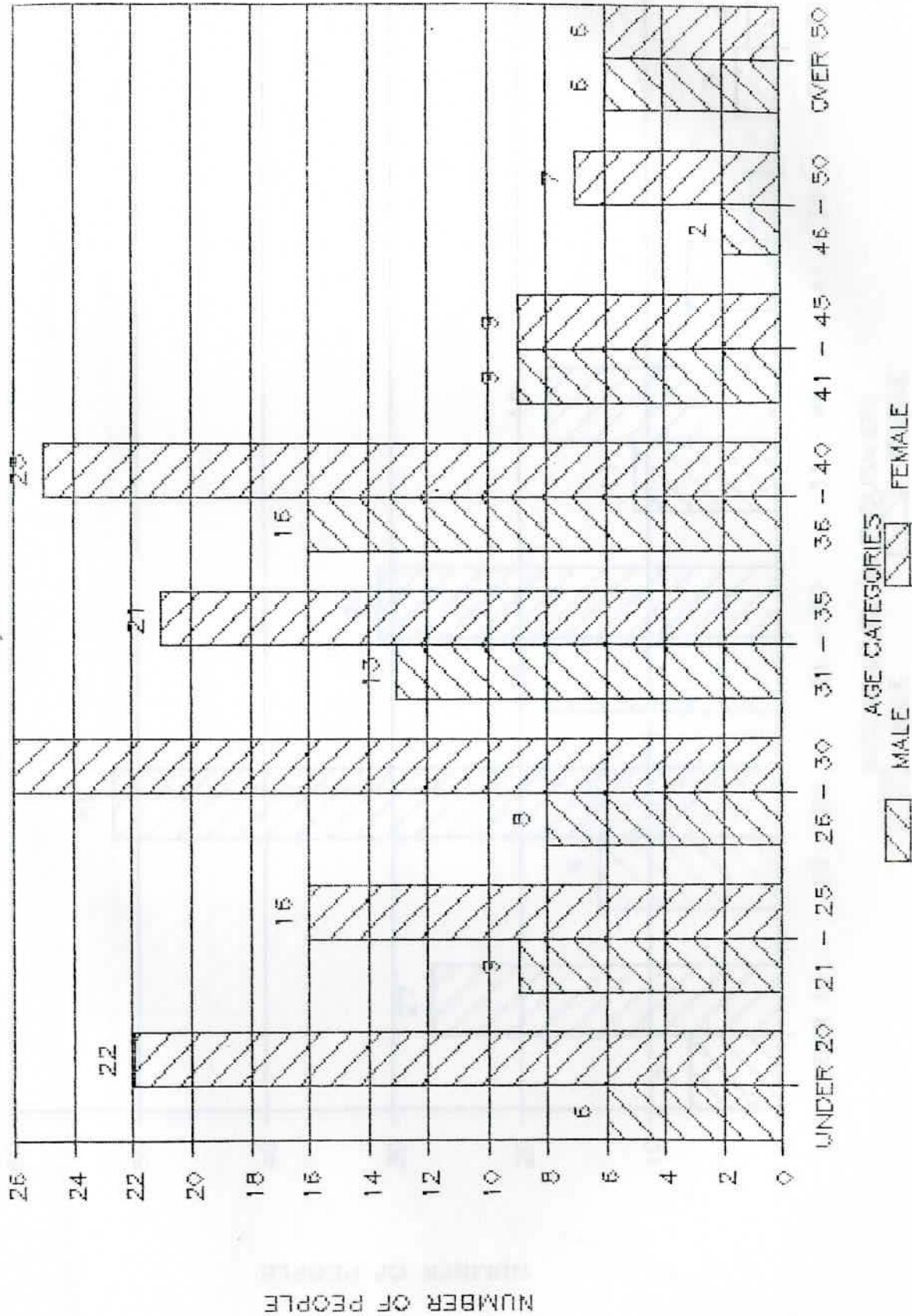
Figure 1 shows the age categories of the men and women surveyed. There were a wide range of ages surveyed and the people surveyed also worked at various income levels (See Figure 2). Figure 3 shows the marital status of the men and women surveyed and Figure 4 shows their education level. The survey will demonstrate if age, marital status, income, or education correlates with the frequency of sexual harassment.

One of the main purposes of the survey was to determine how men and women defined sexual harassment. The survey used a continuum to let the people surveyed show at what level they thought sexual harassment begins. The levels used on the continuum, ranging from the least severe to the most extreme, are as follows:

- Complimentary Comments
- Complimentary Looks and Gestures
- Nonsexual Touching
- Expected Socializing
- Insulting Comments
- Insulting Looks and Gestures
- Sexual Touching
- Expected Sexual Activity

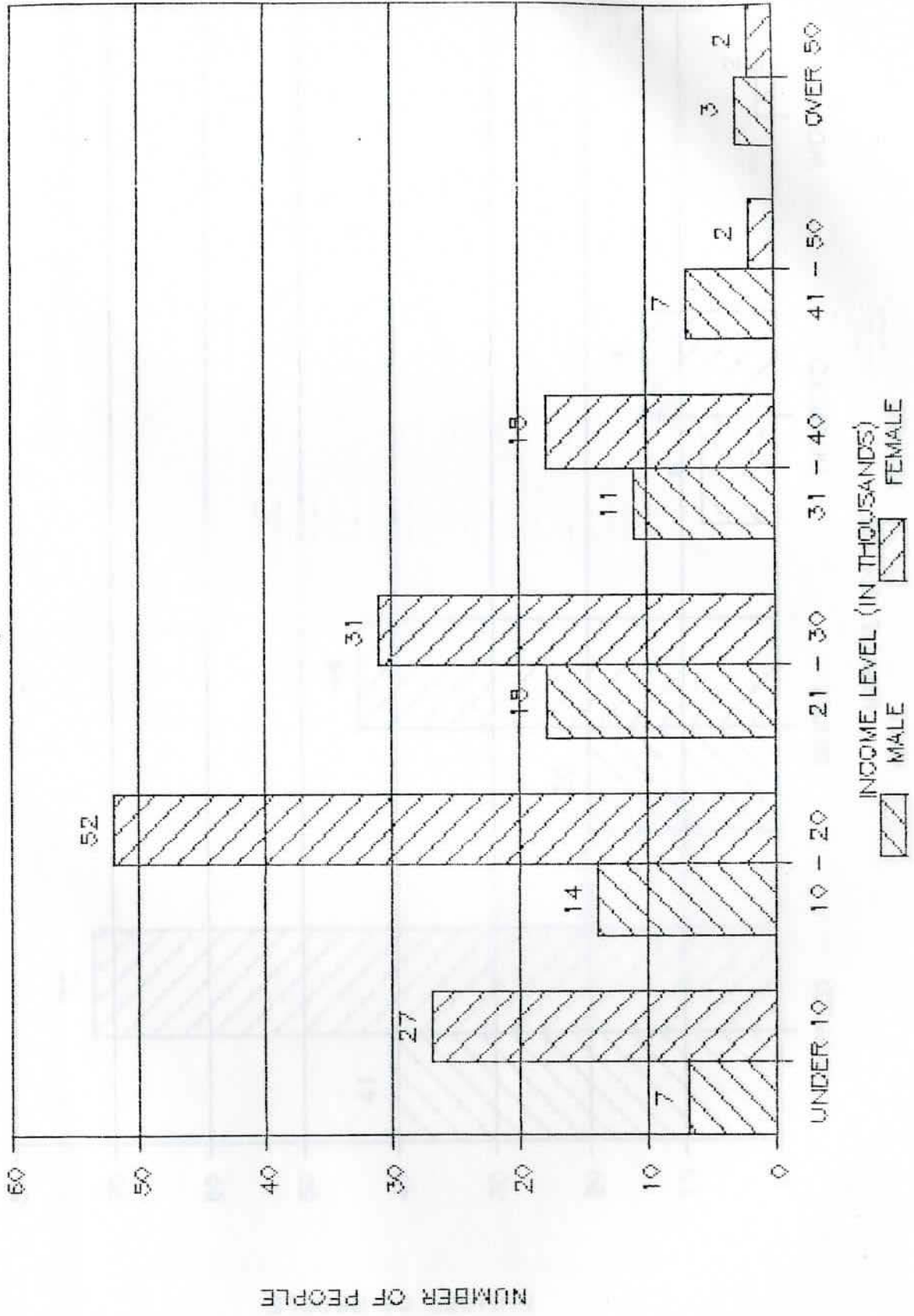
# AGE OF PEOPLE SURVEYED

26 Figure 1



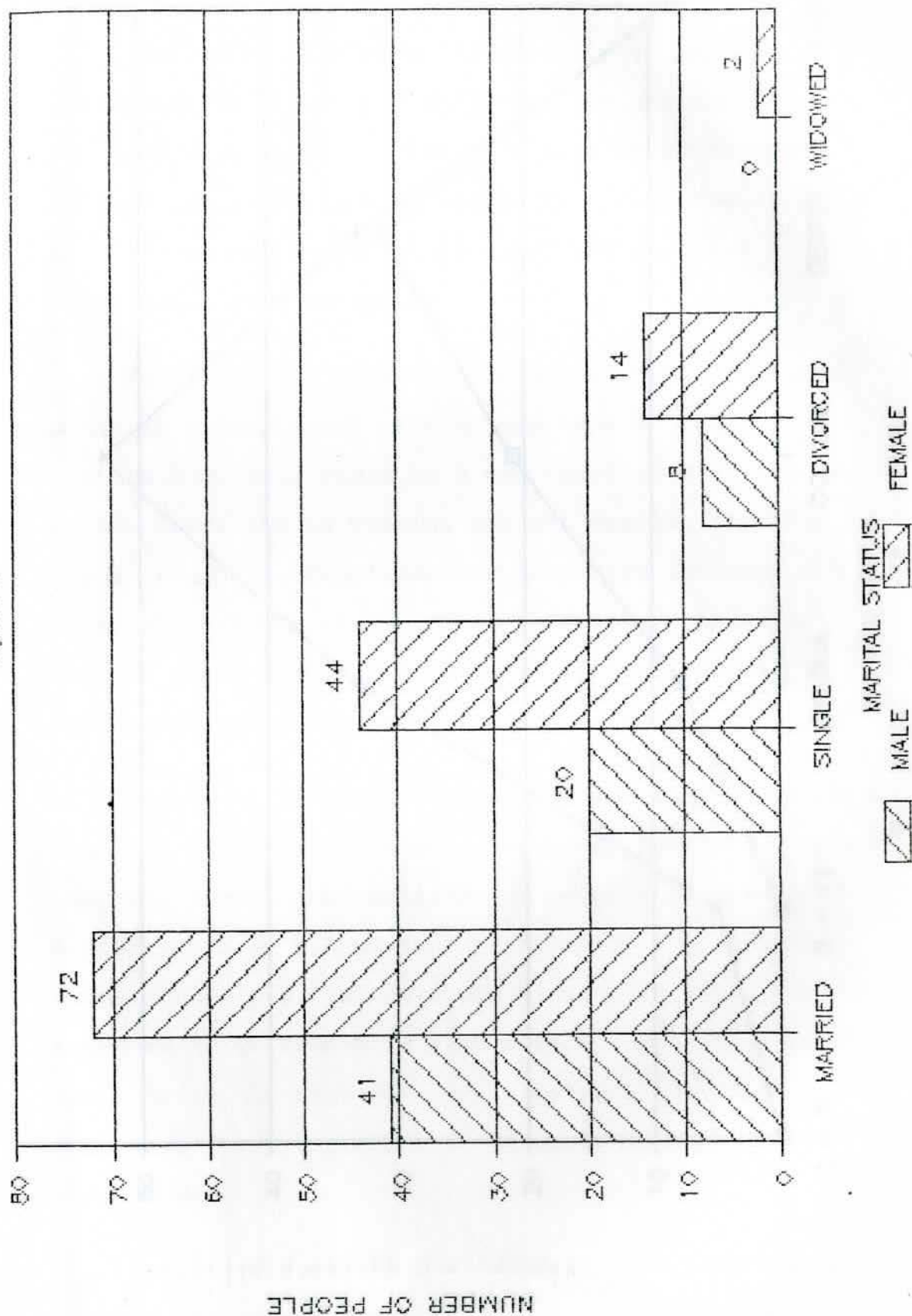
# INCOME LEVEL OF PEOPLE SURVEYED

Figure 2



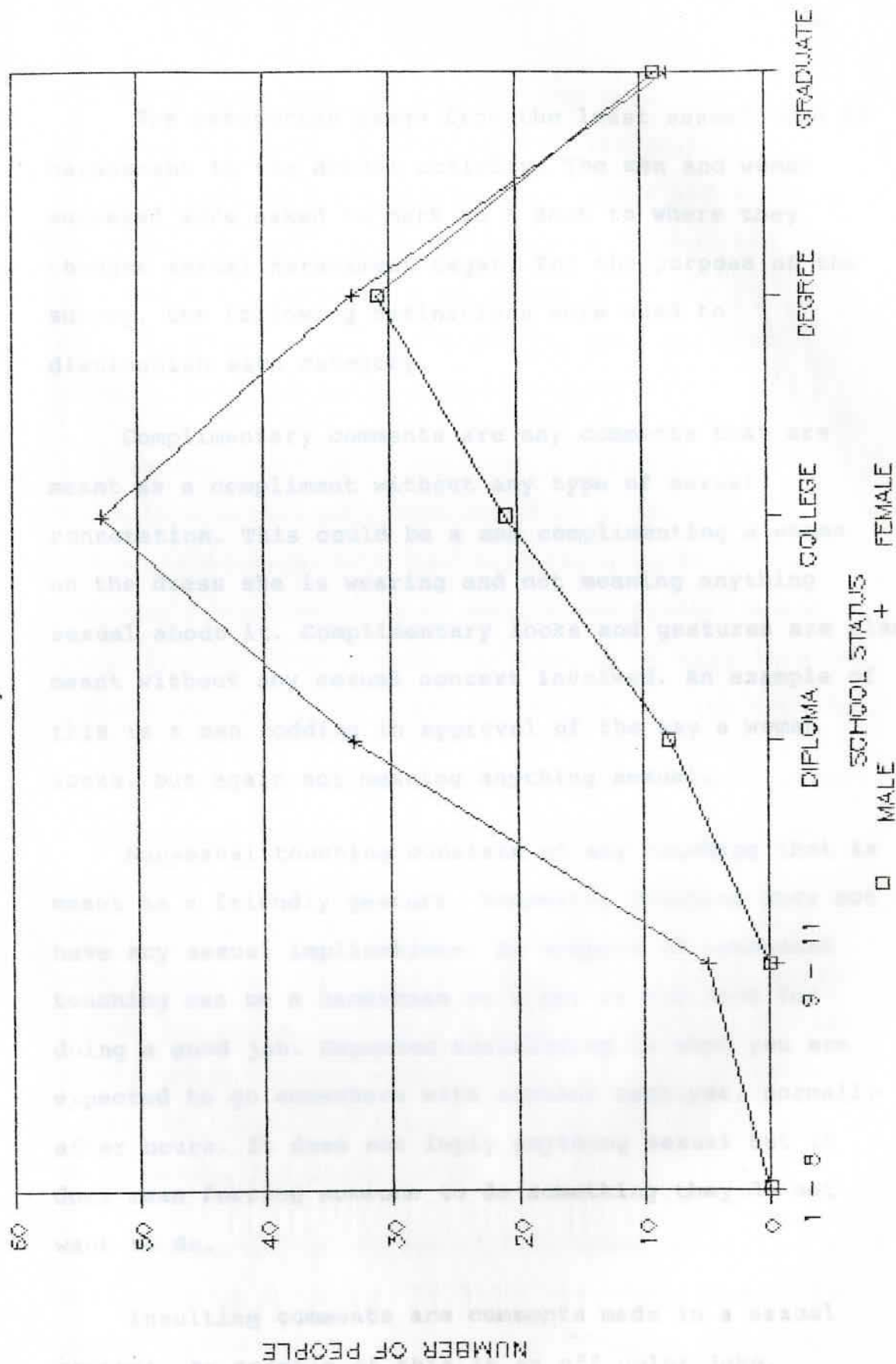
# MARITAL STATUS OF PEOPLE SURVEYED

Figure 3



# SCHOOL COMPLETION OF PEOPLE SURVEYED

Figure 4





The categories range from the least sexual type of harassment to the actual activity. The men and women surveyed were asked to mark an X next to where they thought sexual harassment began. For the purpose of the survey, the following definitions were used to distinguish each category.

Complimentary comments are any comments that are meant as a compliment without any type of sexual connotation. This could be a man complimenting a woman on the dress she is wearing and not meaning anything sexual about it. Complimentary looks and gestures are also meant without any sexual context involved. An example of this is a man nodding in approval of the way a woman looks, but again not meaning anything sexual.

Nonsexual touching consists of any touching that is meant as a friendly gesture. Nonsexual touching does not have any sexual implications. An example of nonsexual touching can be a handshake or a pat on the back for doing a good job. Expected socializing is when you are expected to go somewhere with another employee, normally after hours. It does not imply anything sexual but it does mean forcing someone to do something they do not want to do.

Insulting comments are comments made in a sexual context. An example of this is an off color joke.

Insulting looks and gestures are any type of gestures made with a sexual connotation. An insulting look or gesture could be a man staring at a woman and undressing her with his eyes. Insulting comments, looks, and gestures put a woman in a situation where she is uncomfortable and can not avoid it. They are also normally repeated on a continuous basis.

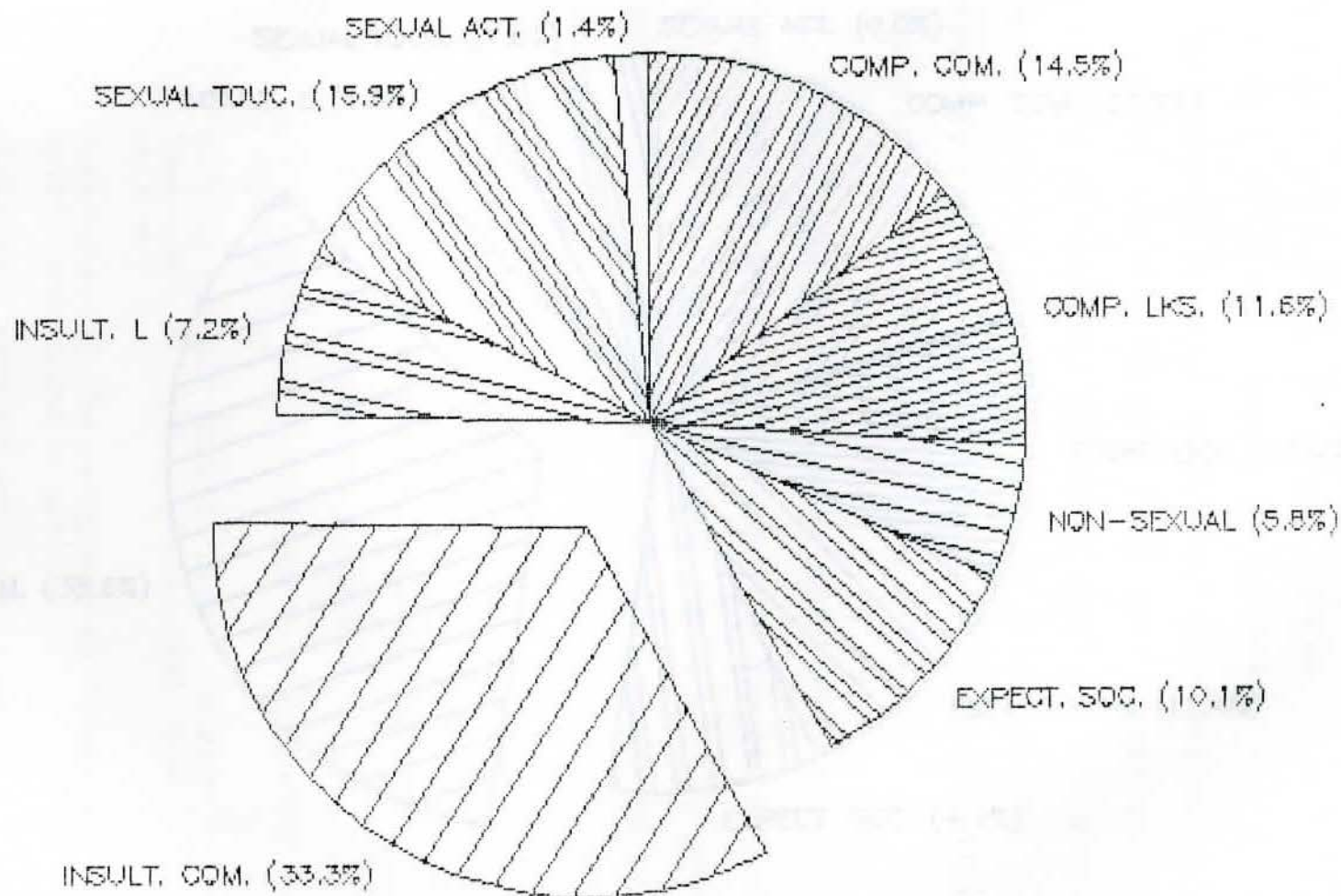
Sexual touching is any type of touching that is meant in a sexual way. This could be a man rubbing a woman's shoulders, or a man touching a woman's breast. Expected sexual activity is when a man expects sexual gratification from a woman. An example of this is a man threatening to fire a woman unless she has sex with him.

The results of the continuum showed that there was a difference between genders as to what level sexual harassment begins. Men tended to think sexual harassment started later in the categories (See Figure 5). The majority of the women thought sexual harassment began before insulting looks and gestures (See Figure 6). 88% of the women thought sexual harassment started before insulting looks, whereas only 75% of the men thought it began before insulting looks.

The women thought sexual harassment began at a much earlier stage than men. 20.5% of the women thought that sexual harassment began with complimentary comments, whereas only 14% of the men thought it started at that

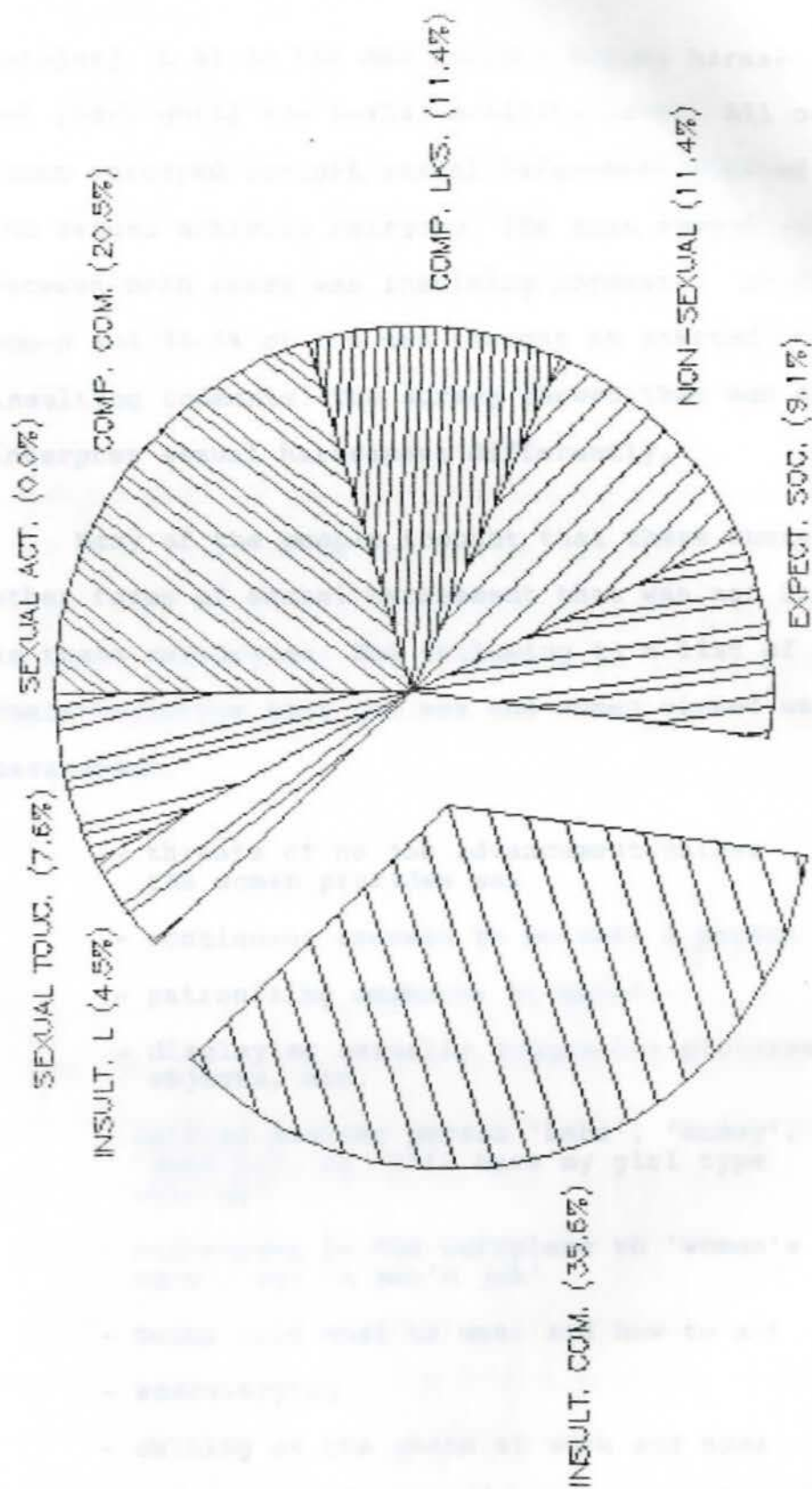
# MALE SEXUAL HARASSMENT CONTINUUM

Figure 5



# FEMALE SEXUAL HARASSMENT CONTINUUM

Figure 6



category. 1.4% of the men thought sexual harassment did not start until the sexual activity level. All of the women surveyed thought sexual harassment started before the sexual activity category. The most common category between both sexes was insulting comments. 35.6% of the women and 33.3% of the men thought it started at insulting comments. The survey showed that men and women interpret sexual harassment differently.

Many of the people thought that there were other forms of sexual harassment that was not included in these categories. The following is a list of other characteristics that the men and women viewed as sexual harassment.

- threats of no job advancement unless the woman provides sex
- continuous excuses to be near a person
- patronizing comments by males
- displaying sexually suggestive pictures, objects, etc.
- calling another person 'babe', 'honey', 'sweetie', or 'I'll have my girl type this up'
- references in the workplace to 'women's work', and 'a man's job'
- being told what to wear and how to act
- stereotyping
- calling on the phone at work and home
- prominent male chauvinistic attitude
- foul language, dirty jokes, rude comments

about body parts

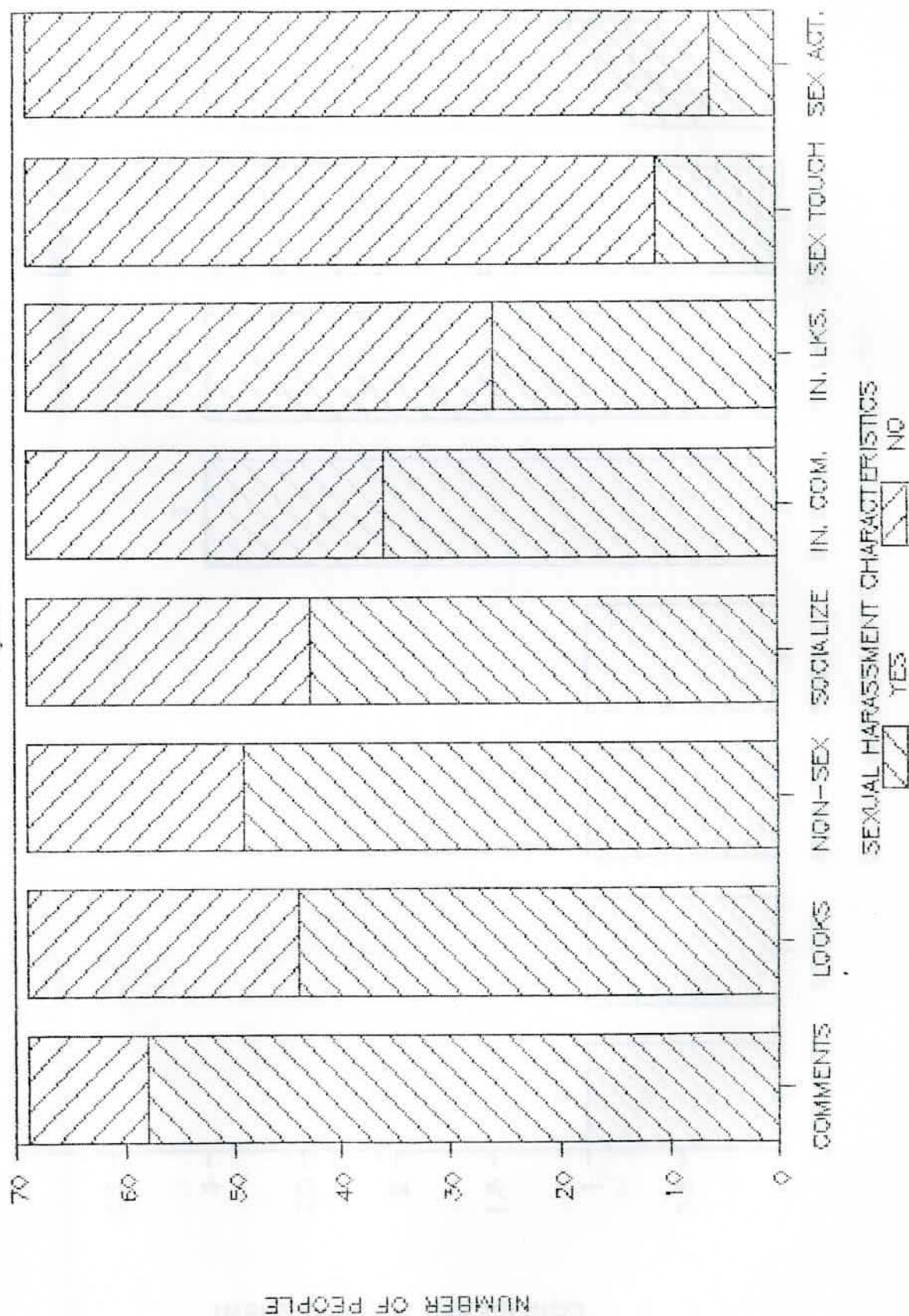
- when a man treats a woman colleague in a different or 'macho way'
- sexual written communications or comments
- exclusion from certain events
- being forced to demeaning tasks by supervisors who delight in watching you squirm
- false rumors, and writing on the bathroom walls

Another part of the survey asked participants if they had ever experienced any of the levels of sexual harassment that were on the continuum. It also asked the participants that if they had experienced it, did they consider it sexual harassment. Figure 7 shows the number of men that had and had not experienced each category. The majority of the men showed that if they experienced it, they did not consider it sexual harassment. As shown in Figure 8, of the men that experienced each category very few considered it sexual harassment. Only 3 out of the 6 men that had experienced the sexual activity category thought it was sexual harassment. In the sexual touching category, only 4 out of the 11 men that experienced it thought it was sexual harassment.

Figure 9 shows the number of women that had experienced each category. The majority of the women surveyed showed that if they experienced it, they considered it sexual harassment (See Figure 10). 85% of

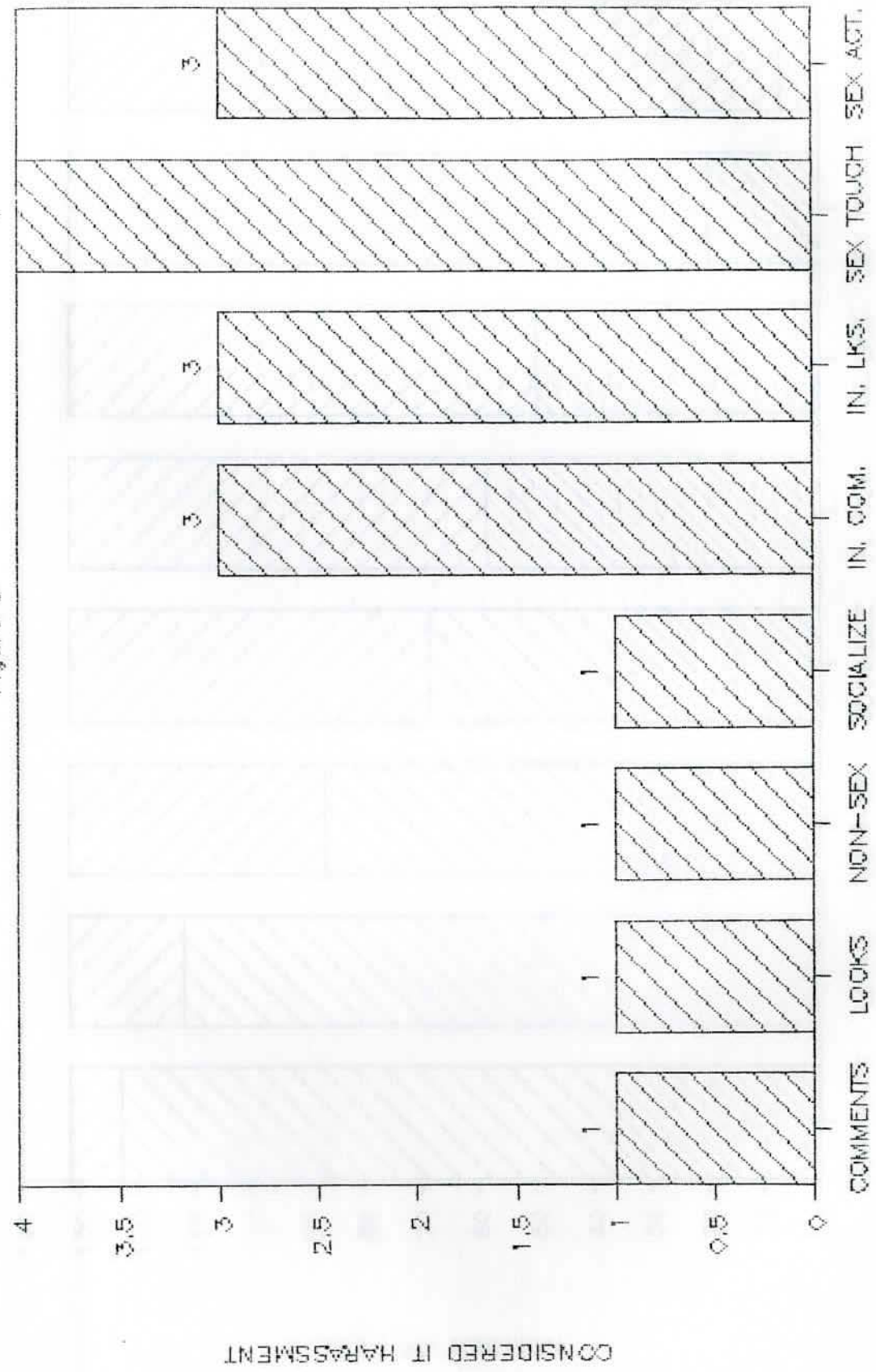
# MALE EXPERIENCE OF CONTINUUM

Figure 7



# MALE EXPERIENCE OF CONTINUUM

Figure B

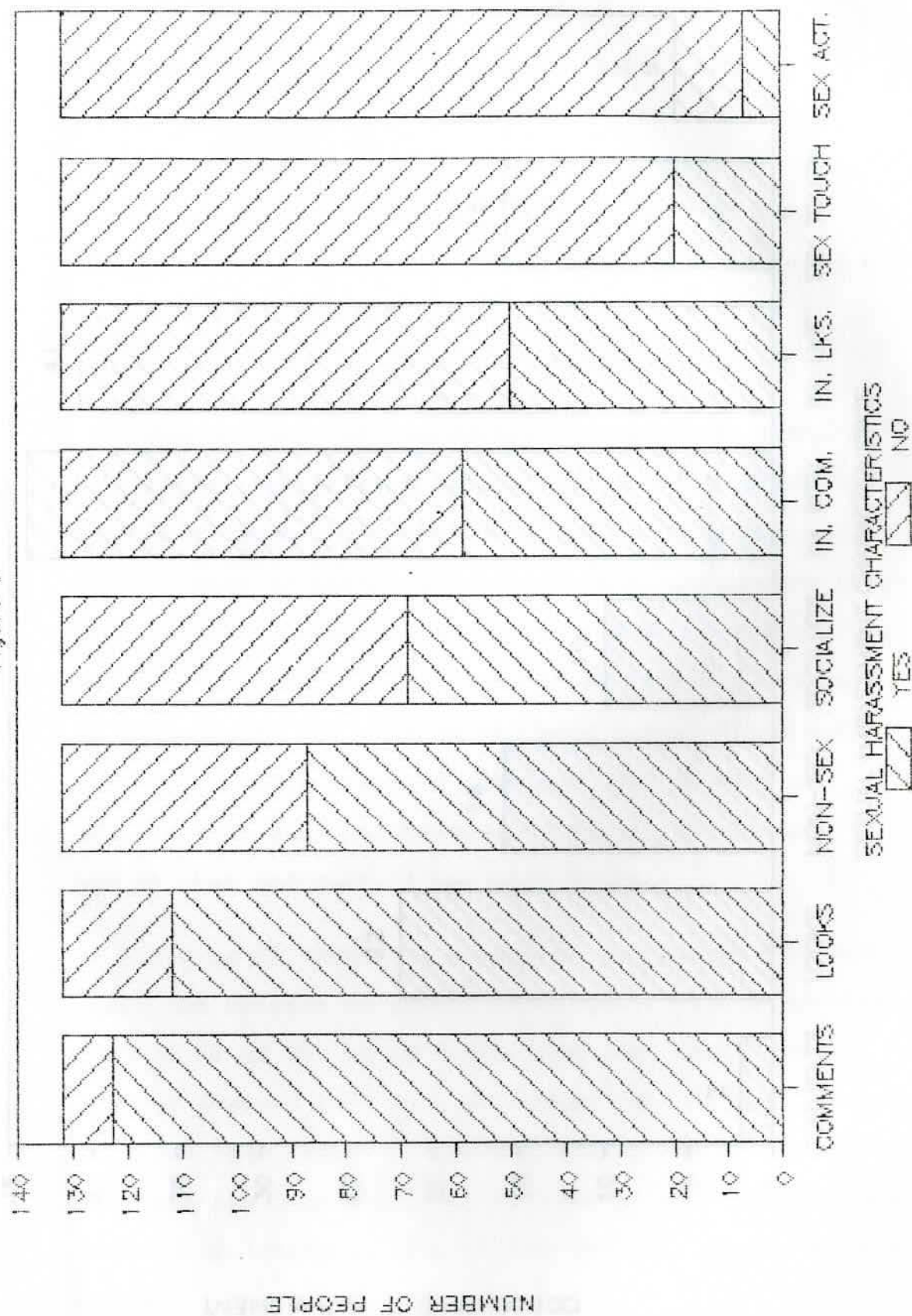


SEXUAL HARASSMENT CHARACTERISTICS



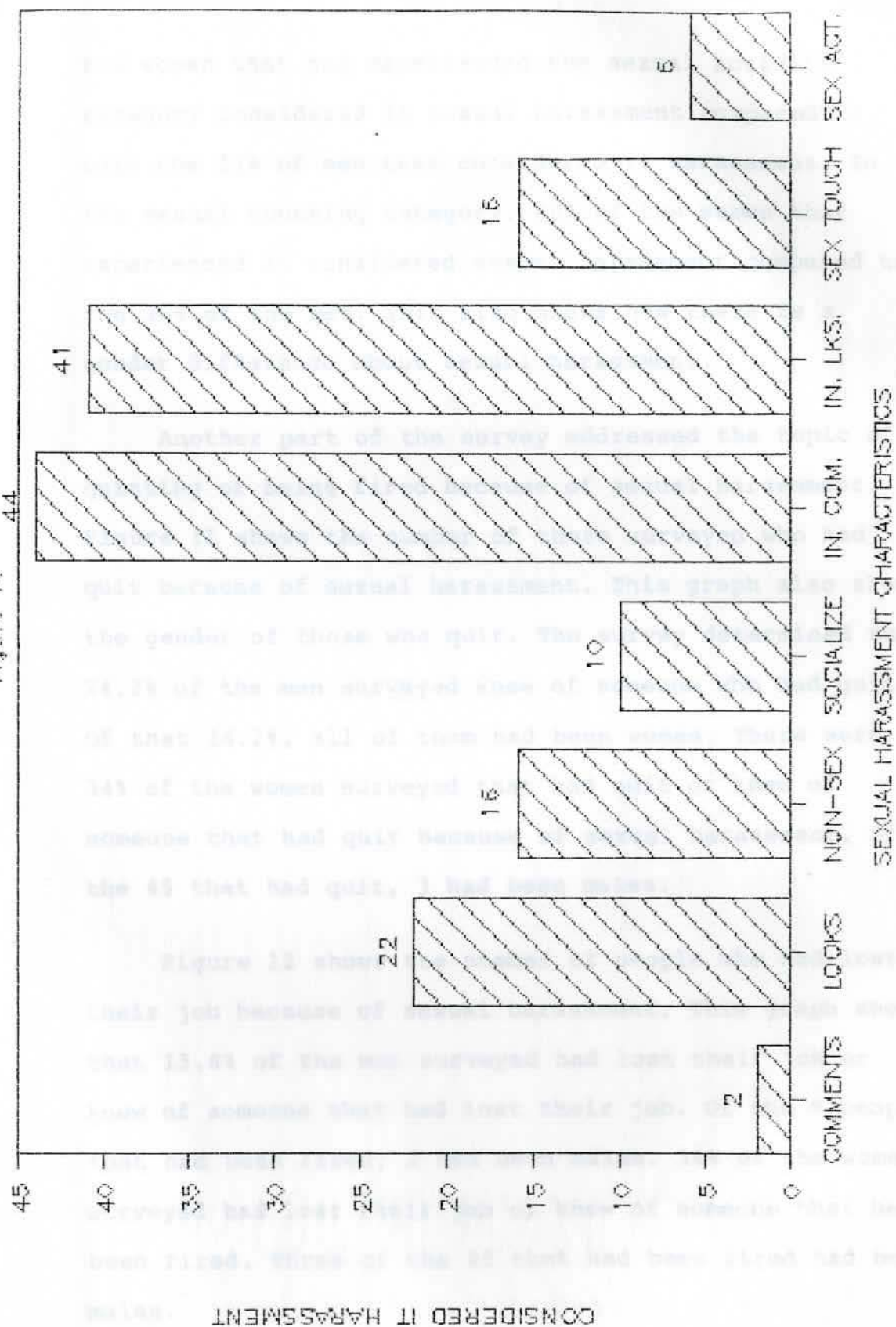
# FEMALE EXPERIENCE OF CONTINUUM

Figure 9



# FEMALE EXPERIENCE OF CONTINUUM

Figure 10



the women that had experienced the sexual activity category considered it sexual harassment compared to only the 50% of men that considered it harassment. In the sexual touching category, 80% of the women that experienced it considered sexual harassment compared to the 36% of the men. This also shows how there is a gender difference about sexual harassment.

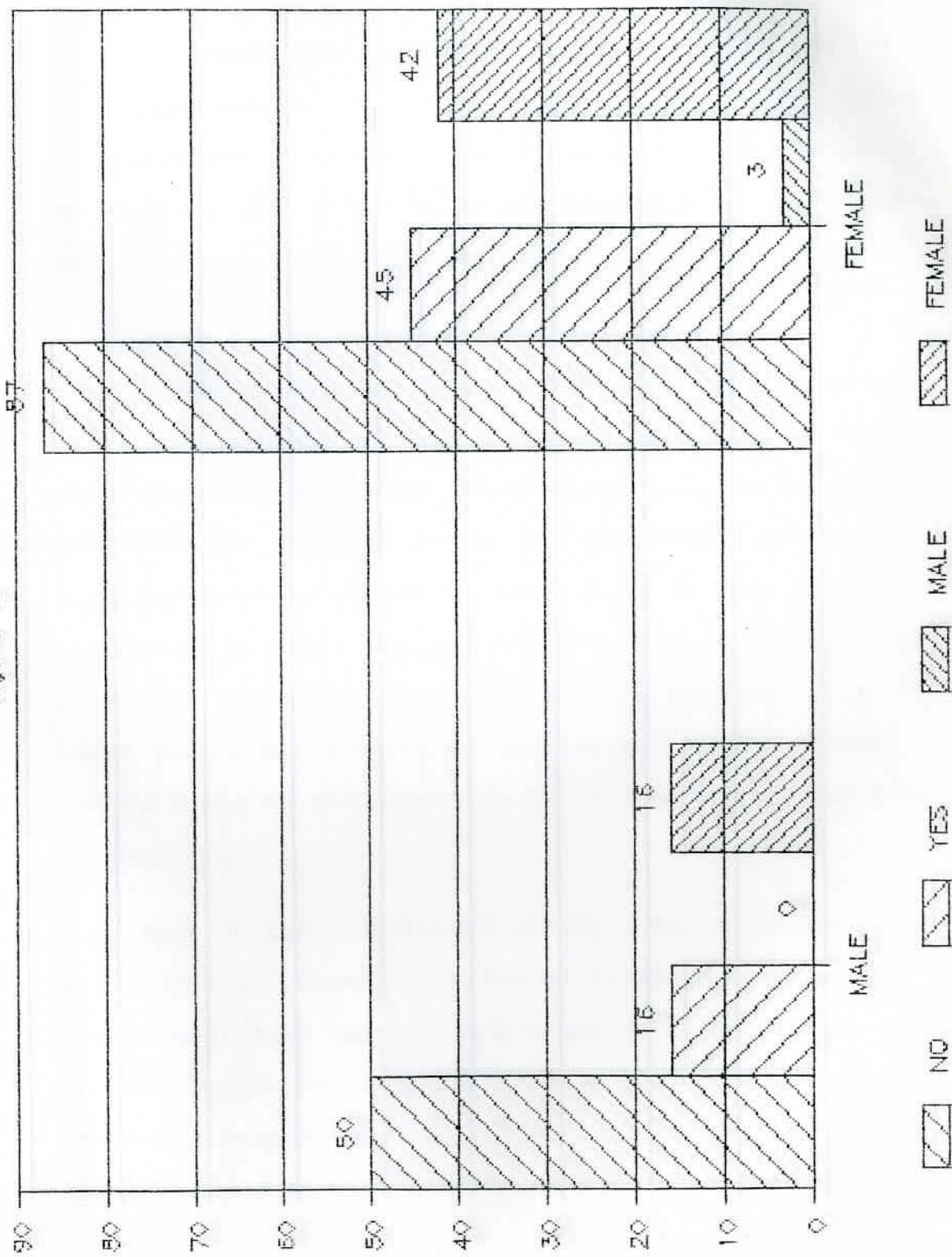
Another part of the survey addressed the topic of quitting or being fired because of sexual harassment. Figure 11 shows the number of those surveyed who had quit because of sexual harassment. This graph also shows the gender of those who quit. The survey determined that 24.2% of the men surveyed knew of someone who had quit. Of that 24.2%, all of them had been women. There were 34% of the women surveyed that had quit or knew of someone that had quit because of sexual harassment. Of the 45 that had quit, 3 had been males.

Figure 12 shows the number of people who had lost their job because of sexual harassment. This graph shows that 13.6% of the men surveyed had lost their job or knew of someone that had lost their job. Of the 9 people that had been fired, 2 had been males. 34% of the women surveyed had lost their job or knew of someone that had been fired. Three of the 45 that had been fired had been males.

Another part of the survey discussed if employees

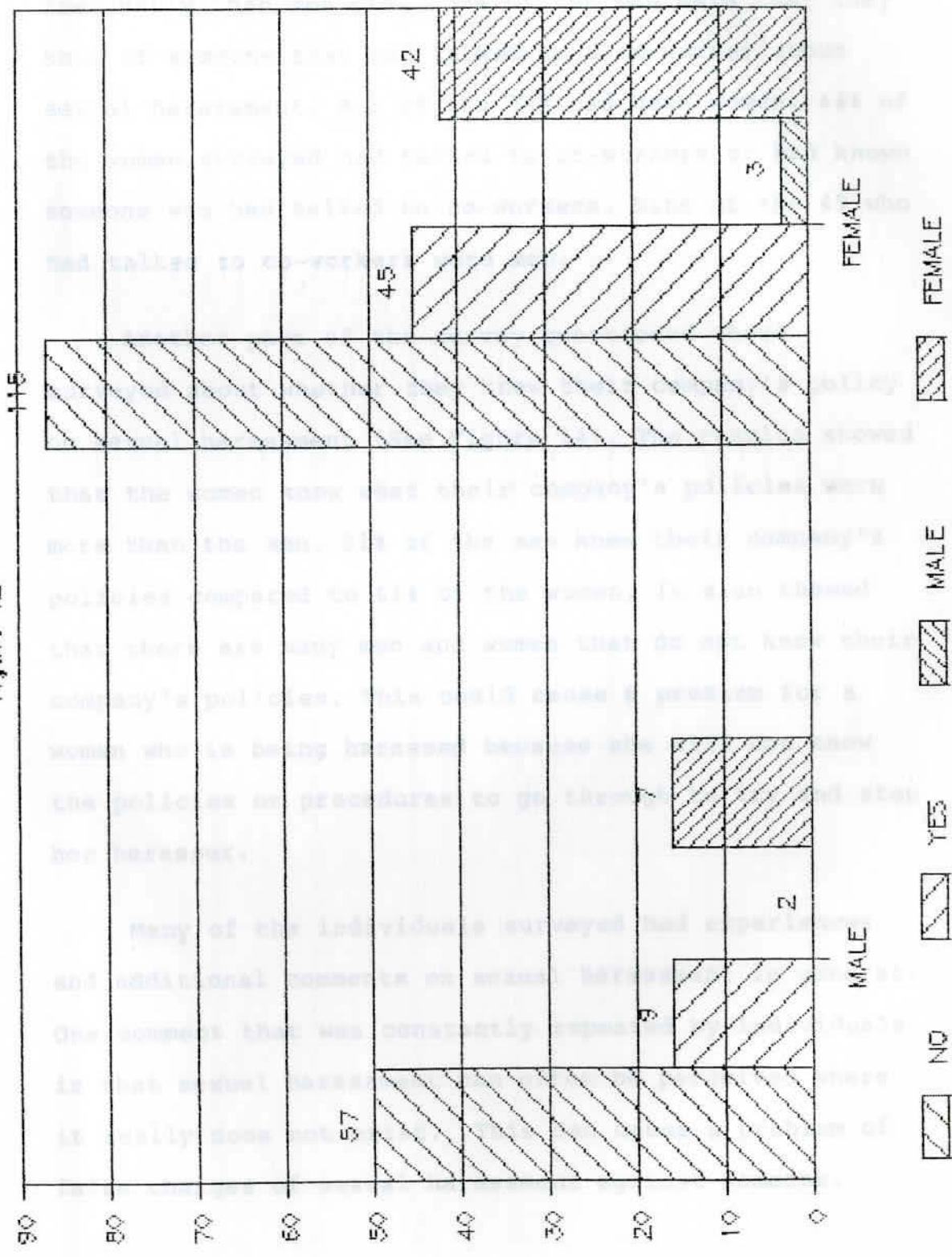
# QUIT BECAUSE OF SEXUAL HARASSMENT

Figure 11



# LOST JOB BECAUSE OF SEXUAL HARASSMENT

Figure 12



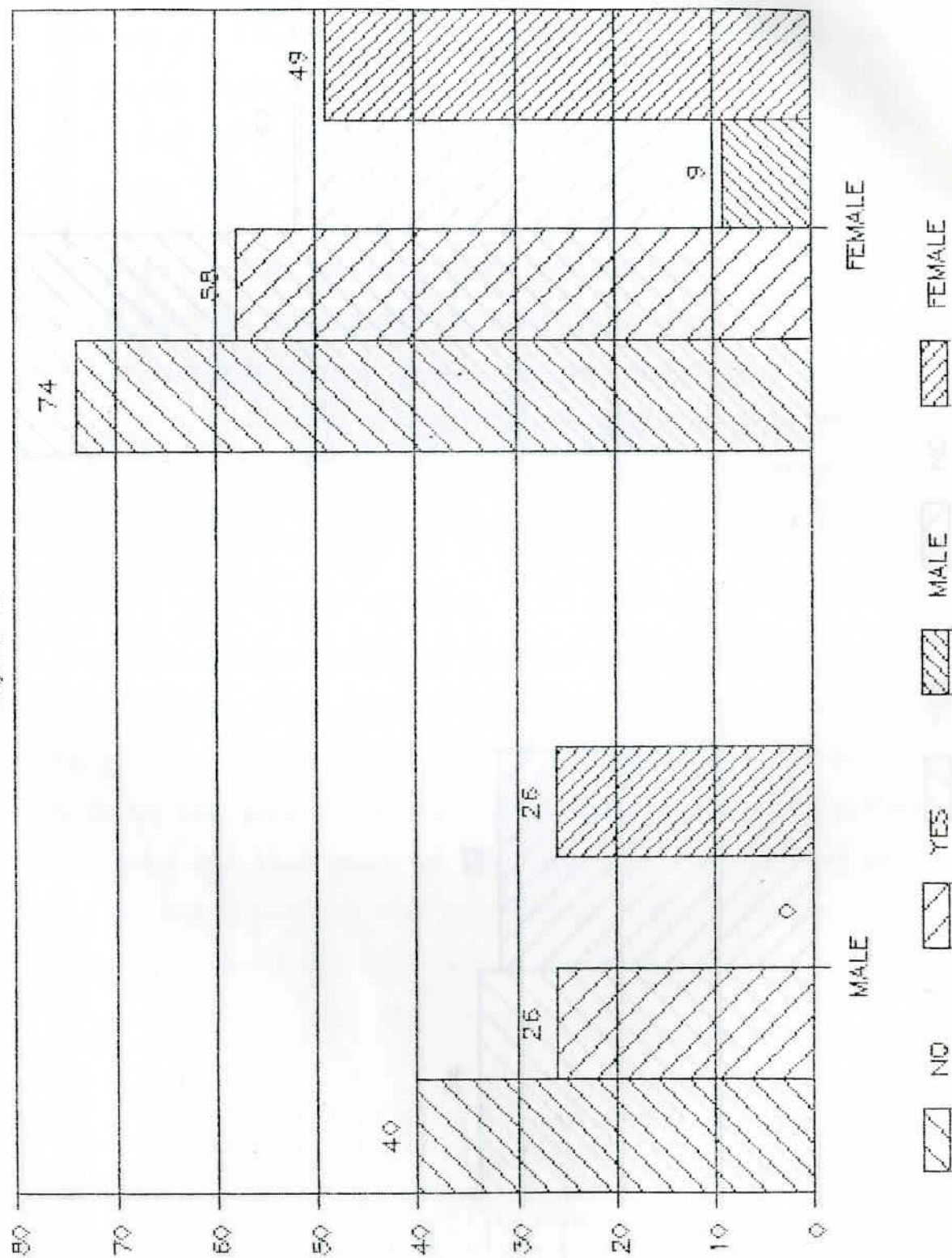
talked to co-workers about harassment (See Figure 13). The results showed that women talked to co-workers more frequently than men did. 39% of the men said that they knew of someone that had talked to a co-worker about sexual harassment. All of the 39% had been women. 44% of the women surveyed had talked to co-workers or had known someone who had talked to co-workers. Nine of the 49 who had talked to co-workers were men.

Another part of the survey questioned those surveyed about whether they knew their company's policy on sexual harassment (See Figure 14). The results showed that the women knew what their company's policies were more than the men. 51% of the men knew their company's policies compared to 61% of the women. It also showed that there are many men and women that do not know their company's policies. This could cause a problem for a woman who is being harassed because she will not know the policies or procedures to go through to try and stop her harasser.

Many of the individuals surveyed had experiences and additional comments on sexual harassment in general. One comment that was constantly repeated by individuals is that sexual harassment can often be perceived where it really does not exist. This can cause a problem of false charges of sexual harassment against someone.

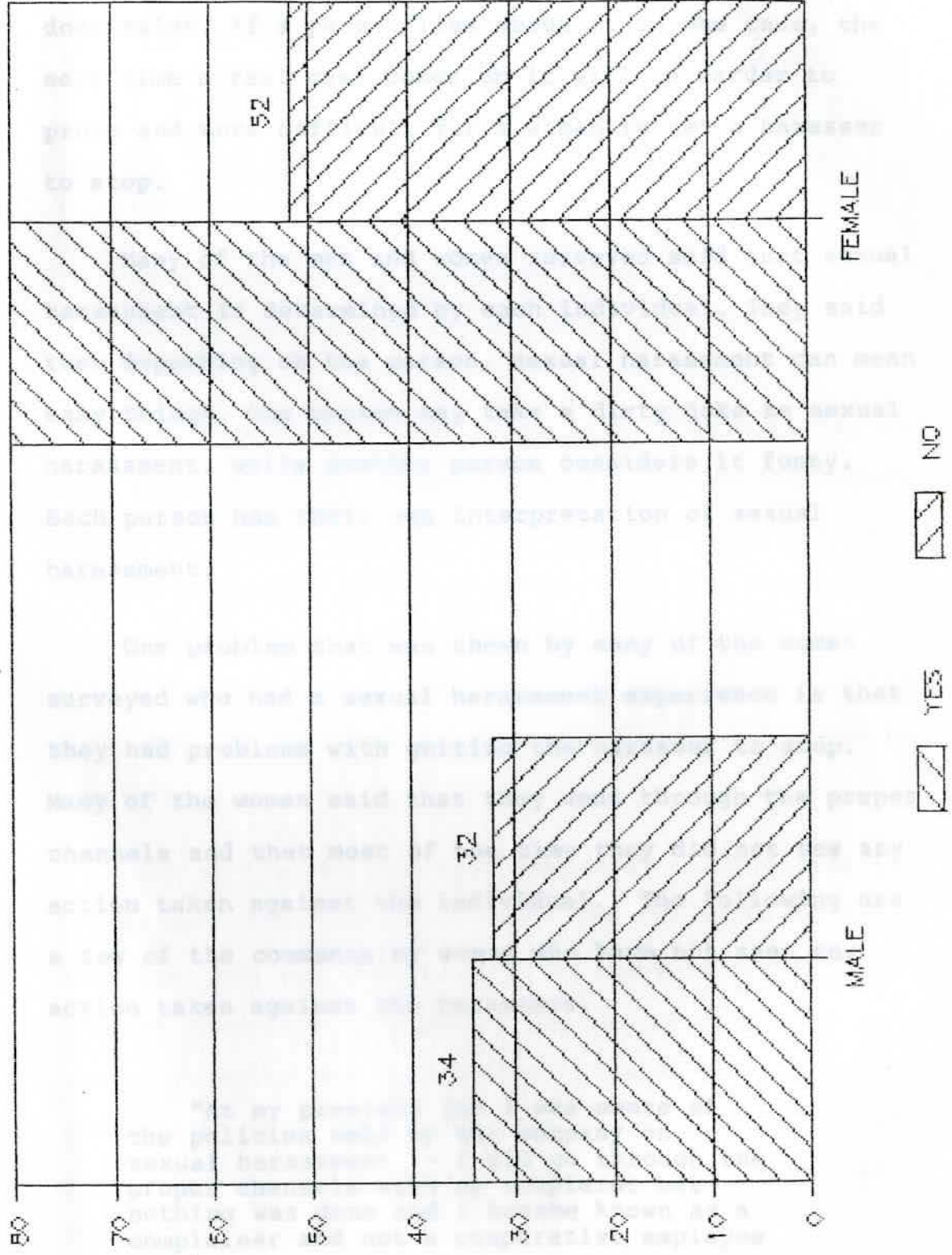
# TALKED TO CO-WORKERS ABOUT HARASSMENT

Figure 13



# KNOW COMPANY'S POLICY ON HARASSMENT

Figure 14





Another person said that sexual harassment can be used as a weapon by a disgruntled employee. This can cause problems when a real case of sexual harassment does exist. If a person lies about it in one case, the next time a real case comes up it will be harder to prove and more difficult for a woman to get a harasser to stop.

Many of the men and women surveyed said that sexual harassment is determined by each individual. They said that depending on the person, sexual harassment can mean many things. One person may take a dirty joke as sexual harassment, while another person considers it funny. Each person has their own interpretation of sexual harassment.

One problem that was shown by many of the women surveyed who had a sexual harassment experience is that they had problems with getting the harasser to stop. Many of the women said that they went through the proper channels and that most of the time they did not see any action taken against the individual. The following are a few of the comments by women who have not seen any action taken against the harassers.

"At my previous job I was aware of the policies held by the company on sexual harassment - I did go through the proper channels with my complaint but nothing was done and I became known as a complainer and not a cooperative employee

with the managers above me."

"Sexual harassment should not exist on the job. I'm a white female and I had to put up with the comments my black male 'advancer' made to me and others for two years while management collected more cases on him. Management could not terminate him because he was black and if fired he could easily bring on a lawsuit for discrimination. I felt so helpless - it was a terrible situation to face every day and one of the worst times of my life!"

"When I have been at work there have been times when a man makes sexual comments over the phone. The Security Office knows about it, but they allow it to continue."

These women show how it can be difficult to try and stop a harasser. The women who do try to complain about sexual harassment can often be treated as though they are the one doing something wrong. This can also cause other women with sexual harassment problems not want to report them. They may feel that they will be persecuted more than the harasser so it is not worth it to them to complain.

One of the men surveyed commented about a case that he had been involved in at work. The man surveyed had an employee that had been touched in a sexual manner by another co-worker. The person accused of doing the sexual touching was convicted in Federal Court of sexual harassment. This case shows that sexual harassment can be stopped and controlled if taken through the proper channels.

The survey polled 73 women that had the specifications of having an income under \$20,000 and no college education. There were 12 of these women that had been sexually harassed. There were 7 that had been harassed by sexual touching and 5 had been harassed by expected sexual activity. The survey showed that 3.3% of the women that did not fit the specifications were harassed by expected sexual activity, and 22% were harassed by sexual touching. 9.5% of the women who had the specifications were harassed by sexual touching and 6.8% were harassed by expected sexual activity.

Using the three categories of insulting looks and gestures, sexual touching, and expected sexual activity together, 28% of the women who fit the specifications had experienced one of the three categories compared to 76% of the women without the specifications. This shows that any women can be harassed and it is not based on income level or education.

The survey polled 66 women that had been harassed by either insulting looks and gestures, sexual touching, or sexual activity. The women surveyed ranged in age from 17 to 50. The majority of the women harassed were under the age of 30. There was 66% under the age of 30 that had been harassed. Looking at the women under the age of 30 that had been harassed, there were 44.8% that

were single and 55.2% were married. This survey showed that younger women were more likely to be harassed, but their marital status was not a factor.

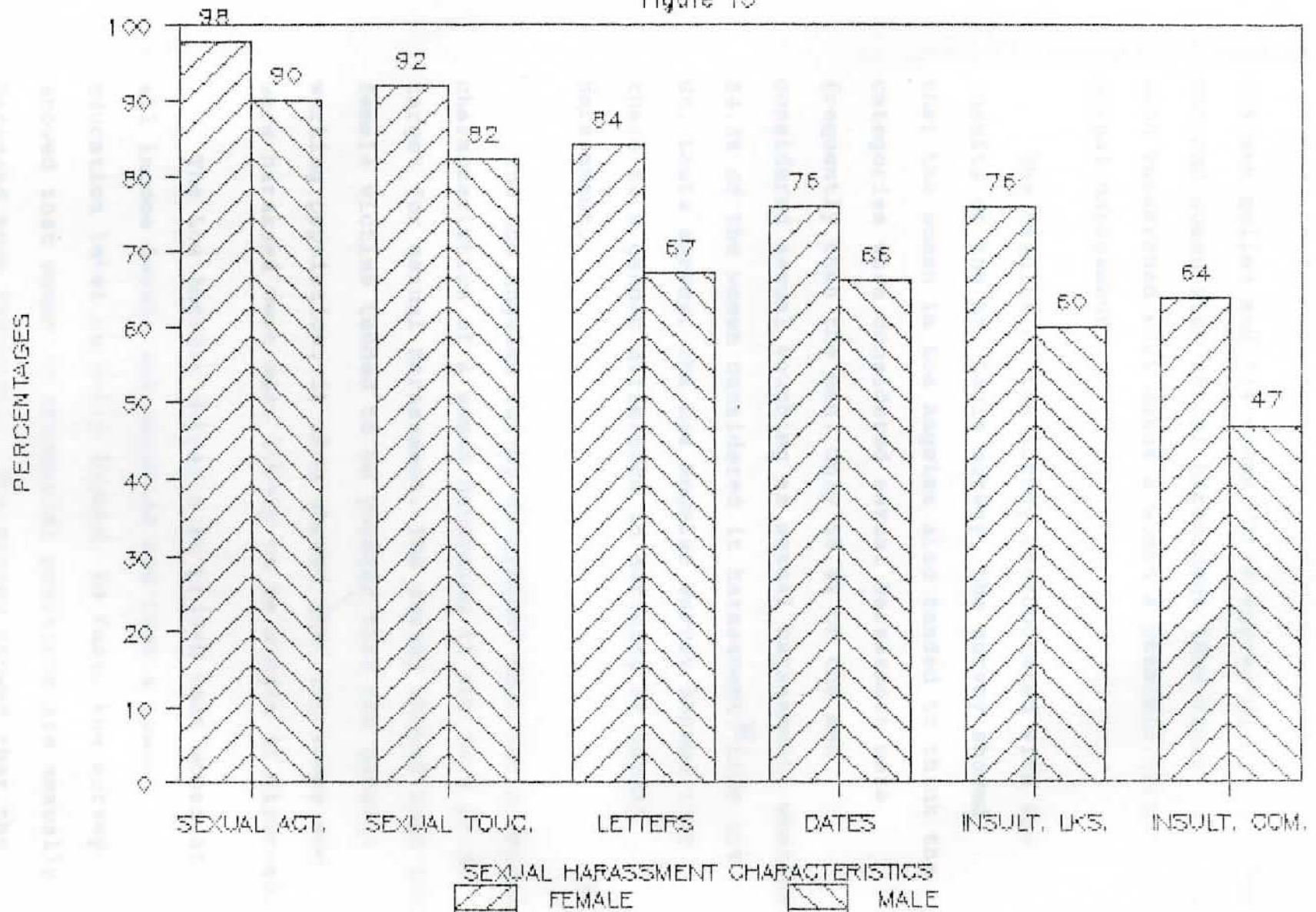
The U.S. Merit Systems Protection Board recently did a study on sexual harassment among federal civil service workers. This survey was distributed among 8,523 federal employees, and it found that 42% of the women were being sexually harassed.<sup>33</sup> One of the main purposes of the survey was to determine how men and women define sexual harassment (See Figure 15). The survey showed that men and women view it differently. This agrees with the results of the St. Louis survey that women tend to believe there are more sexual harassment characteristics than men.

Another part of the survey dealt with the characteristics of the women who were sexually harassed. This survey found that harassed women were more likely to be single, under 35, and with a higher education. The study showed that 53% of the women were single and 50% had a college degree.<sup>34</sup> The survey found that a woman's salary range was not an influential factor. This survey showed that women who were unskilled and had a lower salary were not sexually harassed more frequently.

In 1980, another survey was distributed to local area workers in the Los Angeles County area. There were

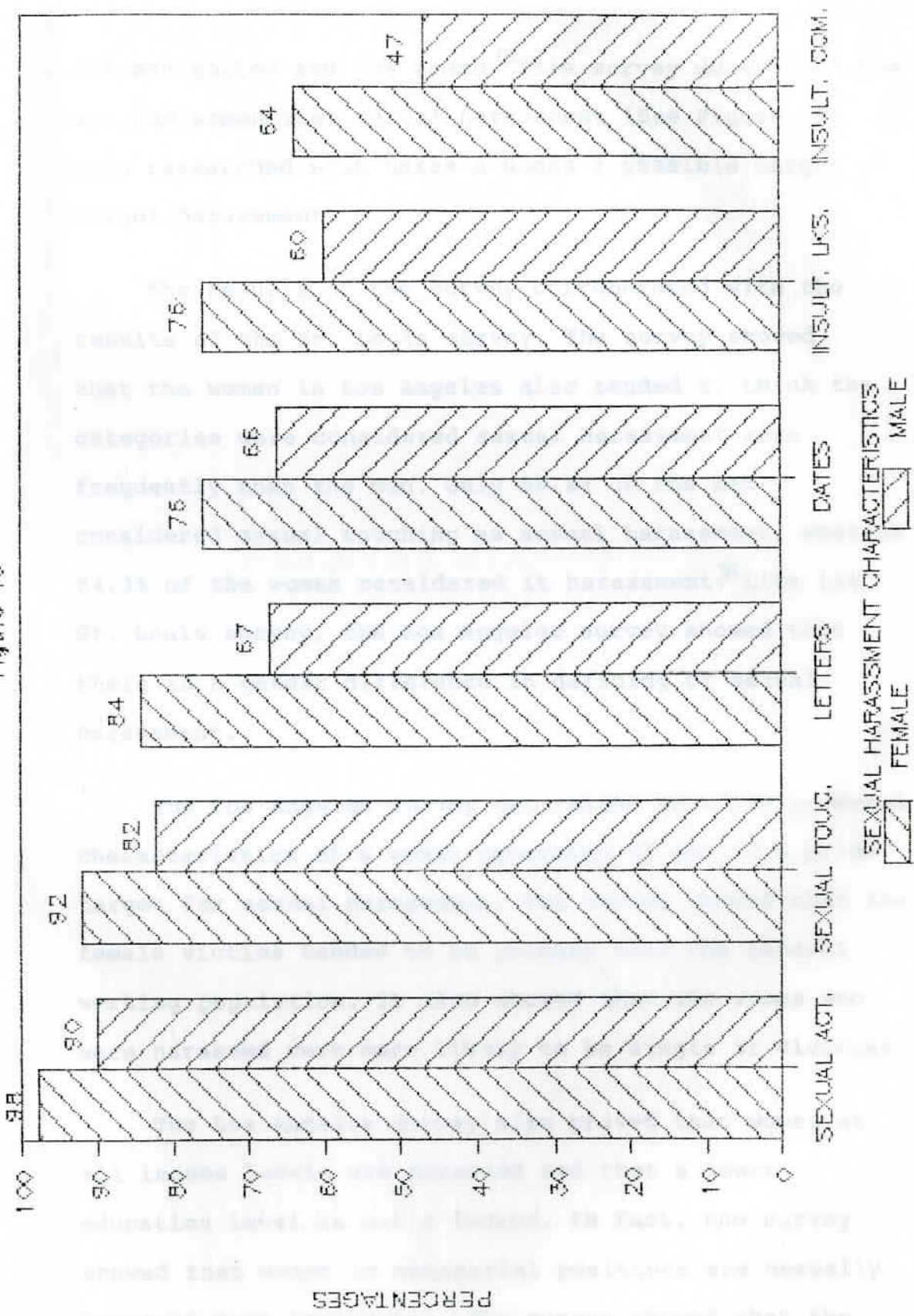
# FEDERAL EMPLOYEE'S CONTINUUM

Figure 15



# FEDERAL EMPLOYEE'S CONTINUUM

Figure 15



385 men polled and 784 women.<sup>35</sup> This survey determined how men and women view sexual harassment (See Figure 16). It also researched what makes a woman a possible target of sexual harassment.

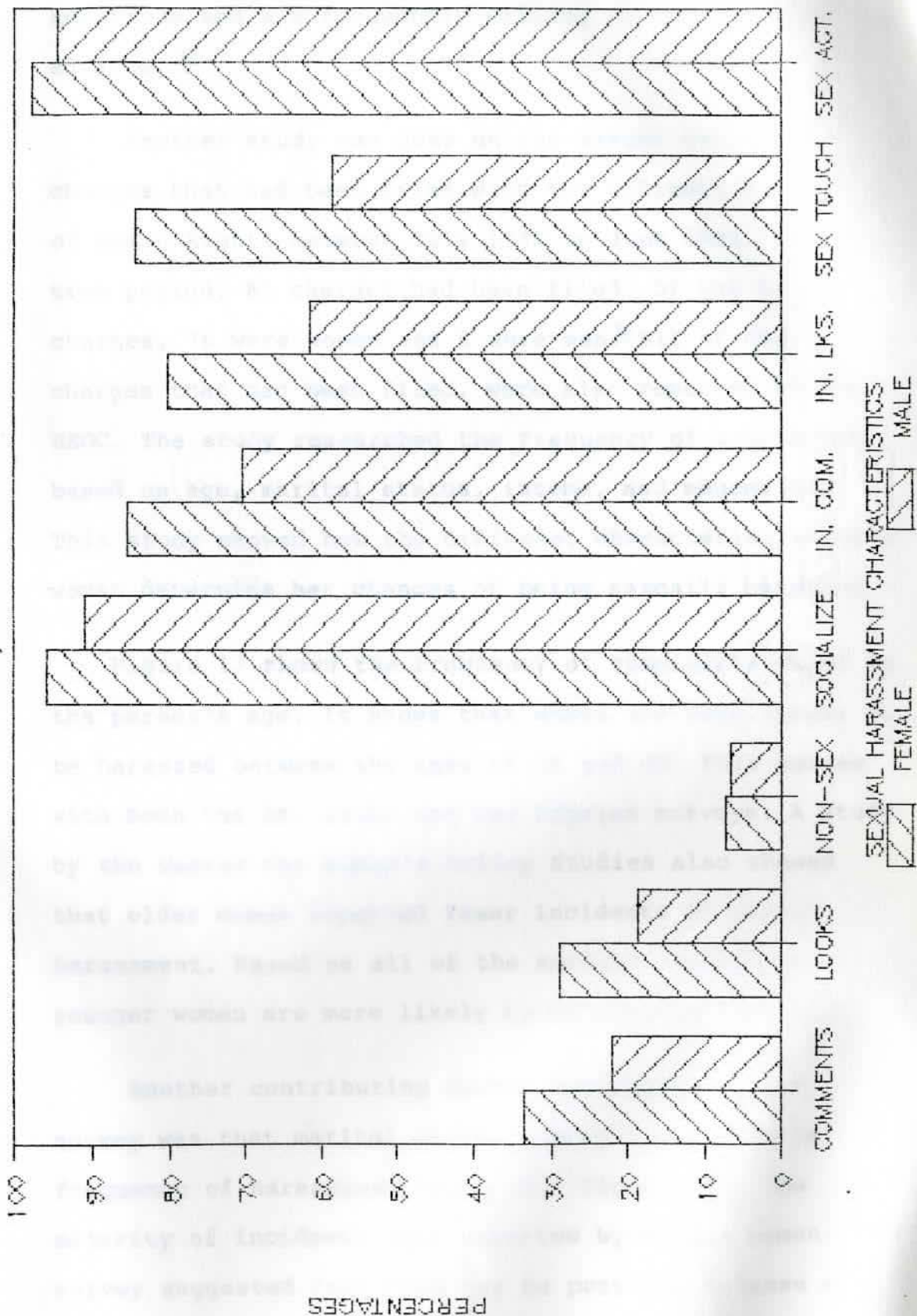
The results of the survey corroborated with the results of the St. Louis survey. The survey showed that the women in Los Angeles also tended to think the categories were considered sexual harassment more frequently than the men. Only 58.6% of the men considered sexual touching as sexual harassment, whereas 84.3% of the women considered it harassment.<sup>36</sup> Like the St. Louis survey, the Los Angeles survey showed that there is a gender difference in defining of sexual harassment.

The Los Angeles survey determined that the personal characteristics of a woman determine if she is a prime target for sexual harassment. The survey showed that the female victims tended to be younger than the general working population. It also showed that the women who were harassed were more likely to be single or divorced.

The Los Angeles survey also proved that women at all income levels are harassed and that a lower education level is not a factor. In fact, the survey showed that women in managerial positions are sexually harassed more frequently. The survey showed that the women in higher positions are very career oriented and

# LOS ANGELES COUNTY CONTINUUM

Figure 16





ambitious and are frequently willing to "do anything" to advance.<sup>37</sup>

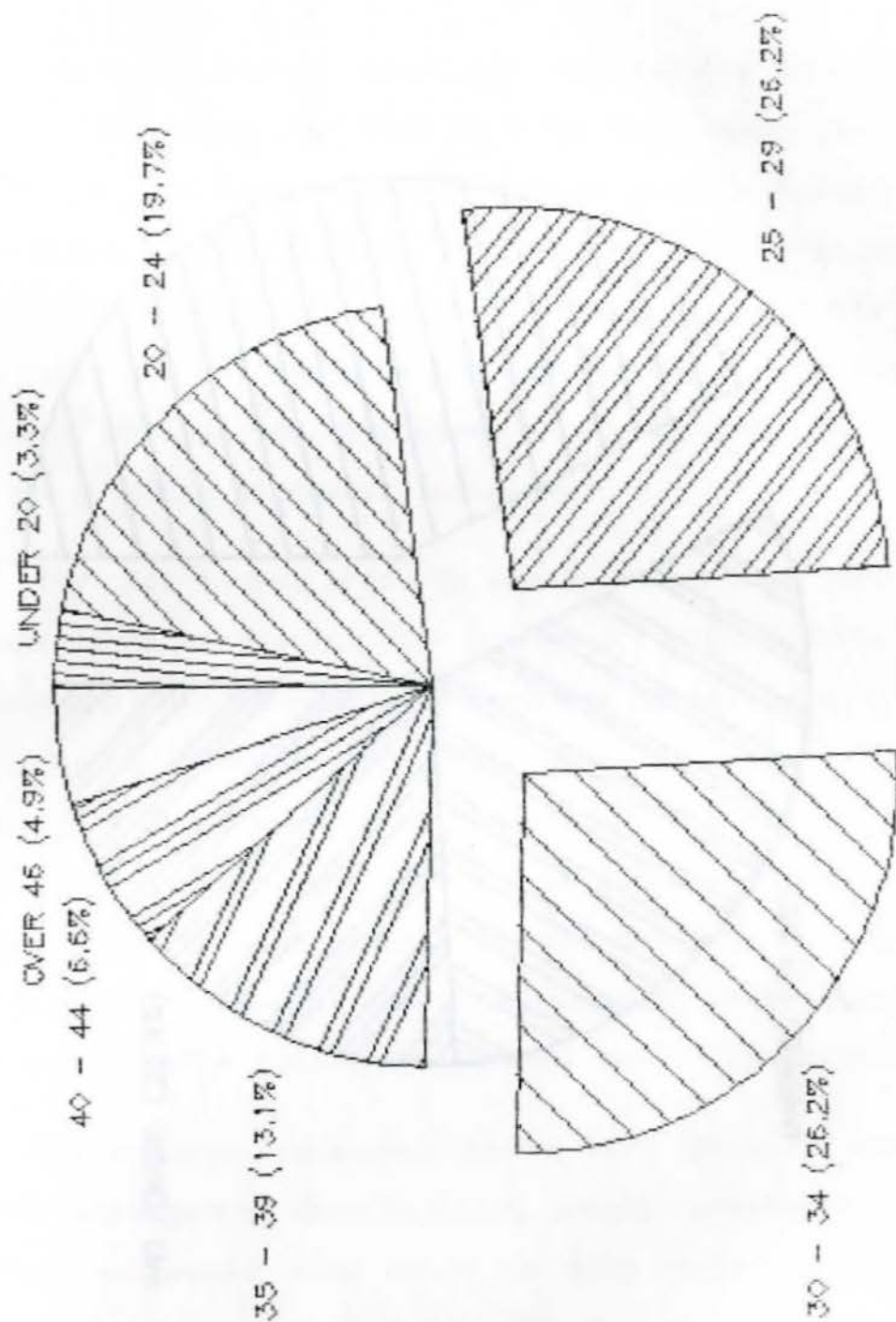
Another study was done on the sexual harassment charges that had been filed with the Illinois Department of Human Rights between July 1981 to June 1983. In this time period, 81 charges had been filed. Of the 81 charges, 76 were women and 5 were men.<sup>38</sup> All of the charges that had been filed, were also reported to the EEOC. The study researched the frequency of complaints based on age, marital status, income, and education. This study showed how the different characteristics of a woman determine her chances of being sexually harassed.

Figure 17 shows the frequency of complaints based on the person's age. It shows that women are more likely to be harassed between the ages of 25 and 35. This agrees with both the St. Louis and Los Angeles surveys. A study by the Center for Women's Policy Studies also showed that older women reported fewer incidents of sexual harassment. Based on all of the surveys researched, younger women are more likely to be sexually harassed.

Another contributing factor determined by the survey was that marital status played a role in the frequency of harassment cases (See Figure 18). The majority of incidents were reported by single women. The survey suggested that this may be possible because male co-workers think it is socially acceptable to pursue a

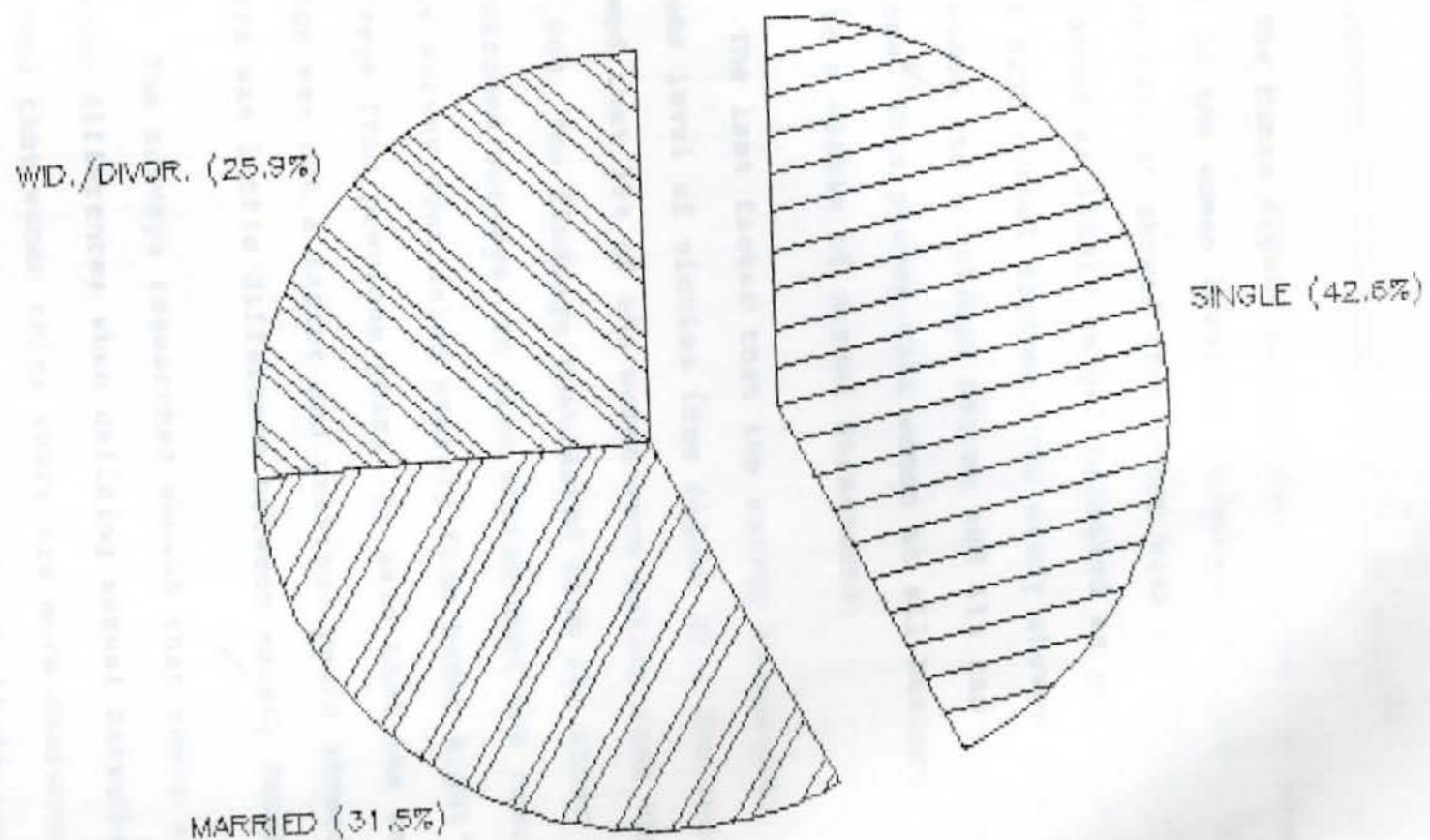
# CHARGES FILED BASED ON AGE

Figure 17



# CHARGES FILED BASED ON MARITAL STATUS

Figure 18



relationship with a single female at work.<sup>39</sup>

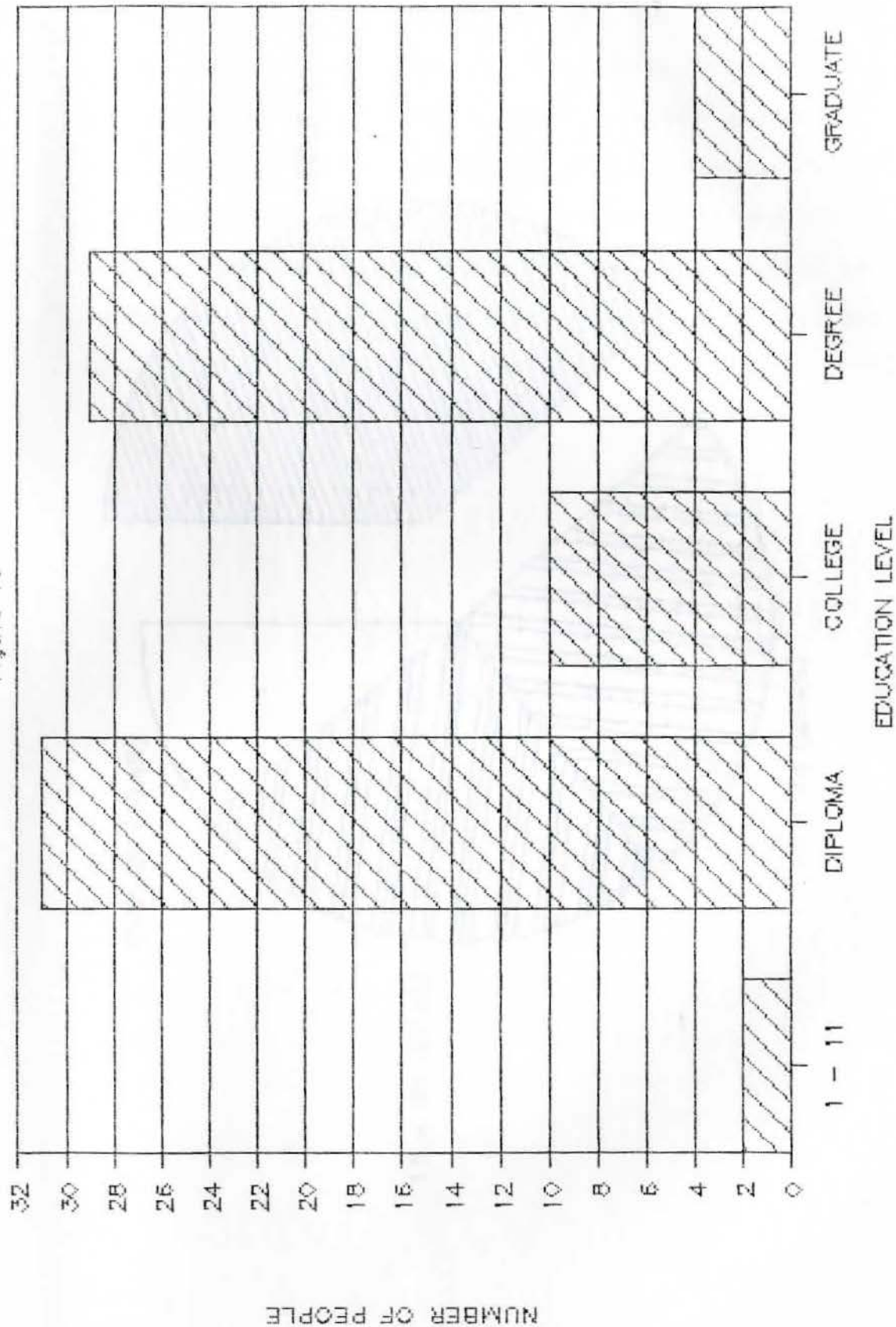
The Human Rights survey also studied the education level of the women involved in harassment cases (See Figure 19). It showed that women with a college degree were about as likely to get harassed as women with only their high school diploma. The study showed that 38% of the women had a college degree and 41% had a high school diploma.<sup>40</sup> This proves that women at all business levels can be a victim of sexual harassment.

The last factor that the survey researched, was the income level of victims (See Figure 20). The results showed that 39% of the women were making less than \$10,000. The findings contrasted from the other researched surveys. It also stated that the results from this survey contrasted sharply from Human Right's surveys from previous years. It said that the salary range was not a factor and previous years showed that there was little difference between salary ranges.<sup>41</sup>

The surveys researched showed that there are many gender differences when defining sexual harassment. They showed that women think there are more characteristics of sexual harassment than men. The St. Louis survey determined that sexual harassment occurs more frequently to women who are younger but their marital status, education level, or income are not factors. The other surveys contrasted this by saying that the influential

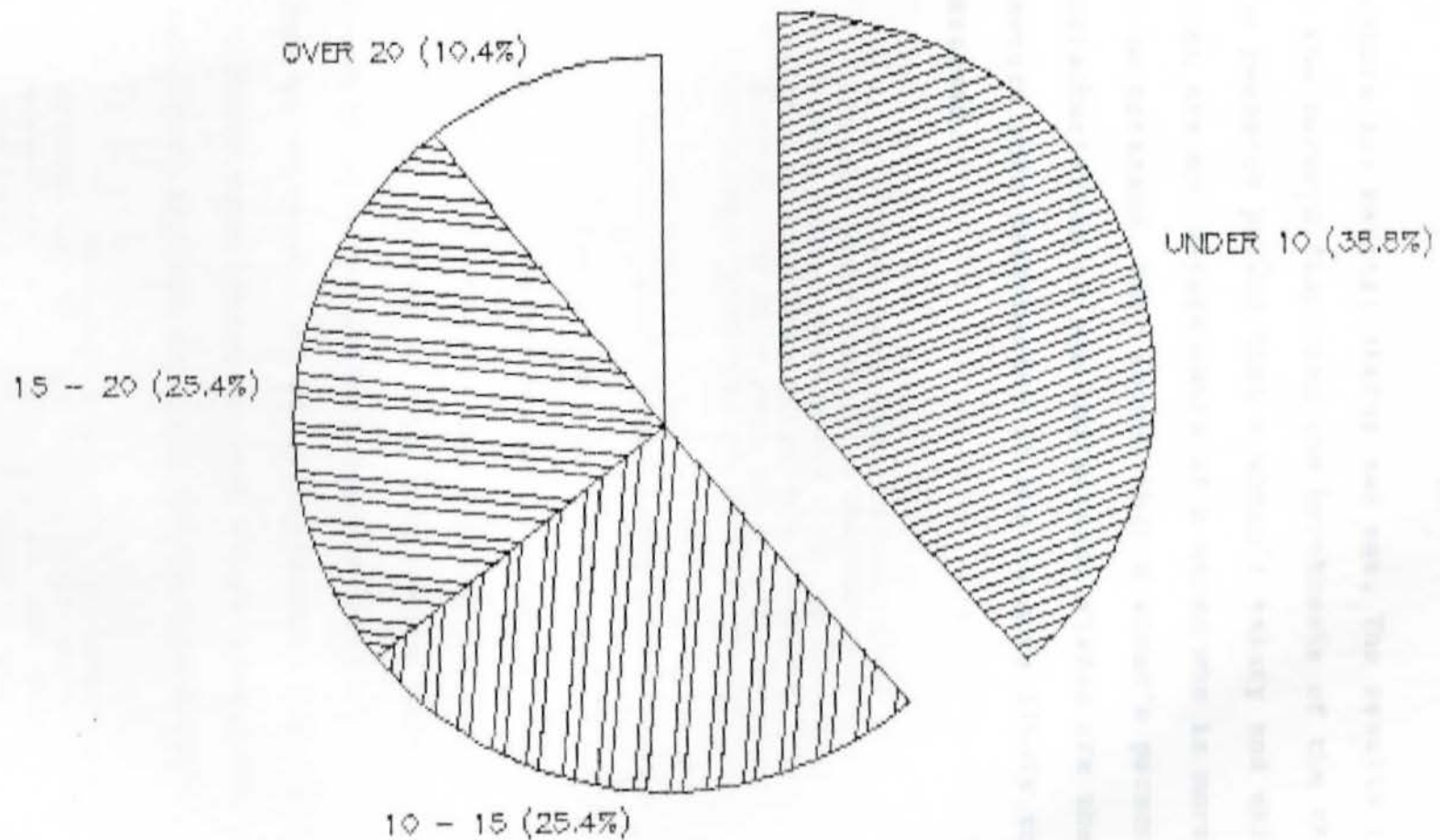
# CHARGES FILED BASED ON EDUCATION

Figure 19



# CHARGES FILED BASED ON INCOME

Figure 20



factors are marital status and age. The results from all of the surveys disproved the hypothesis of the thesis. The research proved that a woman's salary and skill level are not determinants of a woman who is more likely to be harassed. They showed that a woman's personal characteristics of age and marital status are the main factors when determining if she is more likely to be harassed.

"Sexual harassment arises from the unequal power relations between men and women. Men derive power over women from traditional attitudes, occupational status, the male peer group and, if necessary, physical strength."

Women who go through an experience of sexual harassment often go through several psychological phases. Psychologists who have researched sexual harassment studies have noticed the pattern of phases that women experience. The four phases they have noticed are confusion/self-blame, fear, anxiety, depression/anger, and disillusionment. The time period for each phase depends on the individual and the severity of the incident.

"The psychological and behavioral effects on the individual will vary according to her ability to cope with this particular form of stress, her personality make-up, and her situational constraints."

The first phase a woman experiences is confusion and self-blame. The woman is confused about the incident

## CHAPTER 5

The survey results determined that sexual harassment can occur to anyone. It displayed that all women are at risk to becoming a victim. As long as there are men and women in a work environment together, women will always be at risk of being sexually harassed.

"Sexual harassment arises from the unequal power relations between men and women. Men derive power over token women from traditional attitudes, occupational status, the male peer group and, if necessary, physical strength."<sup>42</sup>

Women who go through an experience of sexual harassment often go through several psychological phases. Psychologists who have counseled sexual harassment victims have noticed the pattern of phases that women experience. The four phases they have noticed are confusion/self-blame, fear/anxiety, depression/anger, and disillusionment. The time period the women experiences in each phase depends on the individual and the severity of the incident.<sup>43</sup>

"...the psychological and behavioral effects on the individual will vary according to her ability to cope with this particular form of stress, her personality make-up, and her situational constraints."<sup>44</sup>

The first phase a woman experiences is confusion and self-blame. The woman is confused about the incident



and is unsure about what happened. She often tries to pretend it did not happen or ignores it until it happens again. The woman finds that she is confused about how it happened and if she brought it upon herself.

The fear and anxiety phase develops when the harasser continues harassing their victim. The woman becomes worried about losing her job or no advancement if she does not allow the sexual harassment to continue. The woman feels as though she is trapped and is being watched at all times. There are physical signs related to this phase. Women often experience binge-eating, gastrointestinal disorders, jaw tightness and teeth grinding, or anxiety attacks. The women involved in this phase also tend to lose their concentration and productivity at work.<sup>45</sup>

As the victims become deeper involved in the sexual harassment incident, they experience depression and anger. The women get mad when they realize they may have to leave their jobs to be rid of the harassment. They start losing their self-esteem and wonder if they will ever be able to develop a successful career again. The women turn their depression into anger when they start realizing that they have the right to be able to work free from sexual harassment.<sup>46</sup> In the earlier phases women are blind to their rights. They are too concerned about what they are doing wrong.

In the last phase, women realize that they need help and they go to someone that can help them control the sexual harassment. The women often have doubts about the legal system and wonder if justice will be served. They question their safety at work and they lose trust in other people, especially men.<sup>47</sup>

One of the problems that most women face when they are being harassed is what should they do to make things better. They are often uncertain how to stop the harassment without getting in deeper trouble. The survey taken by federal employees asked the question how women react to an incident. Below lists the percentages of women who experienced sexual harassment and said they were able to "make things better" by the following actions.<sup>48</sup>

Asking or telling the person to stop.....	61%
Threatening to tell or telling others.....	55%
Reporting the behavior to the supervisor or other officials.....	49%
Transferring, disciplining or giving a poor performance rating to the person.....	48%
Avoiding the person.....	45%
Making a joke of the behavior.....	40%
Ignoring the behavior or doing nothing.....	29%
Going along with the behavior.....	16%

The survey showed that women are very uncertain as to what action works the best. It showed that most women had the best luck with just telling the harasser to stop. The problem is that one action may work in one woman's harassment case but not work for another woman. It shows that each case has to be handled separately. Unfortunately, there is not one guaranteed action that can stop a harasser.

There have been many suggestions and research done on how to prevent and control sexual harassment within the office. One of the ways that is frequently discussed in literature is providing a training program for employees to make them aware of sexual harassment and how to handle it if they become involved in a harassment incident.

Managers were interviewed to see what suggestions they had to prevent sexual harassment from occurring. The main response was to educate the employees about the ways that are available to them to report an incident. They said that most employees are unaware of the procedures that they need to take. They also suggested posting the policies and procedures in common areas where employees can read it and be aware of it (See Appendix for Sample Sexual Harassment Policy Statement).

"It is only through training that people will learn to change their behaviors and develop the skills

necessary to manage the interactions of their work groups. To ensure the effectiveness of sexual harassment policies and training programs, an organization should initiate programs as a preventive measure and not merely as a means of crisis management."<sup>49</sup>

One example of a training program for the work environment uses Role Negotiations Techniques.<sup>50</sup> This program involves work groups in sessions that allow the individuals to communicate their expectations of each person in the group. This program allows each person to explain what they expect out of the other individuals that they work with and their feelings on sexual harassment.

The program should initially open with a discussion of sexual harassment. This session should explain sexual harassment and differences that are often seen among genders. The topic of the responsibility of the company should also be discussed. It should explain the grievance procedure and the path an employee should take if they are confronted with a sexual harassment incident. This educates the employee on the opportunities that they have as an employee to control sexual harassment.

The results of this thesis has shown that sexual harassment is a problem that occurs frequently. The study has shown that the problem exists in all types of working environments. The survey results showed that any

woman can become involved in a sexual harassment incident. The survey determined that women are frequently unaware of the policies and procedures to take when involved in a sexual harassment case.

The research from the survey and the other surveys it was compared to disproved the hypothesis. The results showed that the women who are more frequently harassed are those between the ages of 25 and 35 and they are single. The research showed that employees need to become more aware of the problem of sexual harassment. It showed that the employers need to make their employees aware of what sexual harassment is and how to handle it if they become involved in an incident. If employers make an effort to discourage harassers by some type of disciplinary action, the problem may eventually become non-existent if the harasser realizes it will be more damaging to himself if he continues the harassment.

QUESTIONNAIRE

The survey is being done for a study for the MBA program at [university] by [researcher]. The study is to determine if there is a higher percentage of sexual harassment among [university] students.

INSTRUCTIONS: Circle an "X" next to the response that you think is the most appropriate.

1. Sex: Male \_\_\_\_\_ Female \_\_\_\_\_

2. What is your age?  
17-20 \_\_\_\_\_ 21-24 \_\_\_\_\_  
25-30 \_\_\_\_\_ 31-35 \_\_\_\_\_  
36-40 \_\_\_\_\_ over 50 \_\_\_\_\_

3. What is your occupation? \_\_\_\_\_

4. What is your income?  
under \$10,000 \_\_\_\_\_ \$30,000-\$40,000 \_\_\_\_\_  
\$10,000-\$20,000 \_\_\_\_\_ \$40,000-\$50,000 \_\_\_\_\_  
\$20,000-\$30,000 \_\_\_\_\_ over \$50,000 \_\_\_\_\_

5. What is your marital status? **APPENDIX**  
Single \_\_\_\_\_ Widowed \_\_\_\_\_  
Married \_\_\_\_\_ Divorced \_\_\_\_\_

6. Do you have any children?  
No \_\_\_\_\_ Yes \_\_\_\_\_ If yes, how many? \_\_\_\_\_

7. What is your highest grade school or college completed?  
1-2 years \_\_\_\_\_ some college \_\_\_\_\_  
3-11 years \_\_\_\_\_ college graduate \_\_\_\_\_  
high school \_\_\_\_\_ graduate degree \_\_\_\_\_

8. Below is a continuum on sexual harassment. From your perspective, mark an "X" on the line where you think sexual harassment begins.

Complimentary Comments

Complimentary Looks, Gestures

Sexual Touching

Explicit Sexualizing

Insulting Comments

Insulting Looks, Gestures

Sexual Touching

Explicit Sexual Activity

9. Please list any other characteristics that are not listed that you consider sexual harassment.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## QUESTIONNAIRE

This survey is being done for a thesis for the MBA program at Lindenwood College by Jane Goebert an MBA degree candidate. It will provide information to determine if there is a higher percentage of sexual harassment among unskilled workers.

DIRECTIONS: Mark an 'X' next to the response that you think is the most appropriate answer.

1. Male \_\_\_\_\_ Female \_\_\_\_\_
2. What is your age?  
17-20 \_\_\_\_\_ 36-40 \_\_\_\_\_  
21-25 \_\_\_\_\_ 41-45 \_\_\_\_\_  
26-30 \_\_\_\_\_ 46-50 \_\_\_\_\_  
31-35 \_\_\_\_\_ over 50 \_\_\_\_\_
3. What is your occupation? \_\_\_\_\_
4. What is your income?  
Under \$10,000 \_\_\_\_\_ \$30,000-\$40,000 \_\_\_\_\_  
\$10,000-\$20,000 \_\_\_\_\_ \$40,000-\$50,000 \_\_\_\_\_  
\$20,000-\$30,000 \_\_\_\_\_ over \$50,000 \_\_\_\_\_
5. What is your marital status?  
Single \_\_\_\_\_ Widowed \_\_\_\_\_  
Married \_\_\_\_\_ Divorced \_\_\_\_\_
6. Do you have any children?  
No \_\_\_\_\_ Yes \_\_\_\_\_ If yes, how many? \_\_\_\_\_
7. What is your highest grade school or college completed?  
1-8 years \_\_\_\_\_ some college \_\_\_\_\_  
9-11 years \_\_\_\_\_ college graduate \_\_\_\_\_  
high school \_\_\_\_\_ graduate degree \_\_\_\_\_
8. Below is a continuum on sexual harassment. From your perspective, mark an "X" on the line where you think sexual harassment begins.

\_\_\_\_\_ Complimentary Comments

\_\_\_\_\_ Complimentary Looks, Gestures

\_\_\_\_\_ Nonsexual Touching

\_\_\_\_\_ Expected Socializing

\_\_\_\_\_ Insulting Comments

\_\_\_\_\_ Insulting Looks, Gestures

\_\_\_\_\_ Sexual Touching

\_\_\_\_\_ Expected Sexual Activity

9. Please list any other characteristics that are not listed that you consider sexual harassment.

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10. Have you ever experienced the following?

	On the Job		If yes, did you consider it as Sexual Harassment	
	YES	NO	YES	NO
Complimentary Comments	___	___	___	___
Complimentary Looks, Gestures	___	___	___	___
Nonsexual Touching	___	___	___	___
Expected Socializing	___	___	___	___
Insulting Comments	___	___	___	___
Insulting Looks, Gestures	___	___	___	___
Sexual Touching	___	___	___	___
Expected Sexual Activity	___	___	___	___

11. Have you or do you know of someone who has quit a job because of sexual harassment?

Yes \_\_\_ If yes, what sex were they? Male \_\_\_  
 No \_\_\_ Female \_\_\_

12. Have you or do you know of someone who has lost a job because of refusing sexual advances?

Yes \_\_\_ If yes, what sex were they? Male \_\_\_  
 No \_\_\_ Female \_\_\_

13. Have you or do you know of someone who has talked to a co-worker because of sexual harassment?

Yes \_\_\_ If yes, what sex were they? Male \_\_\_  
 No \_\_\_ Female \_\_\_

14. Do you know your company's policies on sexual harassment?

Yes \_\_\_  
 No \_\_\_

ADDITIONAL COMMENTS:

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 Please make any additional comments to clarify or explain any of the previous questions. Also feel free to discuss issues related to the topic you think are important to the survey.

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Thank you for your participation in this survey.



## SAMPLE SEXUAL HARASSMENT POLICY STATEMENT

It is the policy of the Company that all employees should enjoy a working environment free from all forms of discrimination, including sexual harassment. No employee, either male or female, should be subjected to unsolicited and unwelcomed sexual overtures or conduct, either verbal or physical.

Sexual harassment lowers morale and is damaging to the work environment; it is also illegal. Therefore, the Company will treat sexual harassment like any other form of employee misconduct - it will not be tolerated.

Specifically, it is illegal and against the policies of this Company for any employee, male or female, to sexually harass another employee by 1) making acceptance of unwelcomed sexual advances or request for sexual favors or other verbal or physical conduct of a sexual nature, a condition of an employee's continued employment; 2) making submission to or rejections of such conduct the basis for employment decisions affecting the employee; or 3) creating an intimidating, hostile or offensive working environment by such conduct.

Therefore, the Company will act positively to investigate alleged sexual harassment claims and to effectively remedy them when an allegation is determined. False accusations will result in the same severe disciplinary action applicable to one found guilty of sexual harassment.

## SURVEY SAMPLING

The survey sampling was taken from local area businesses. The survey tried to reach a wide variety of businesses. The range of businesses was based on those that allowed their employees to take the survey. Many businesses were approached but refused to allow the survey. The majority of the companies allowed the survey as long as there was anonymity. The survey sampled the following types of industries in the St. Louis area:

- a major manufacturing company
- a major retailing company
- a utility company
- a financial institution
- a health care center
- a government agency

The sampling was of employees randomly chosen within each company. The survey was given to different levels of employees within each different type of industry. The results of the survey show the percentages of the different skill and income levels of the employees that were surveyed.

## Notes

<sup>1</sup>"Facts About Sexual Harassment," Equal Employment Opportunity Commission, March 1987: p. 2.

<sup>2</sup>Constance Backhouse and Leah Cohen. Sexual Harassment on the Job (Englewood Cliffs, N.J.:Prentice-Hall, Inc., 1981), p. 53.

<sup>3</sup>Ibid., p. 53.

<sup>4</sup>Ibid., p. 58.

<sup>5</sup>Ibid., p. 56.

<sup>6</sup>Ibid., p. 55.

<sup>7</sup>Ibid., p. 47.

<sup>8</sup>Ibid., p. 6.

<sup>9</sup>"Facts About Sexual Harassment," Equal Employment Opportunity Commission, March 1987: p. 4.

<sup>10</sup>"Hands Off at the Office," U.S. News and World Report, August 1, 1988: p.56.

<sup>11</sup>Ibid., p. 4.

<sup>12</sup>Ibid., p. 5.

<sup>13</sup>Ibid., p. 5.

<sup>14</sup>Ibid., p. 22.

<sup>15</sup>Ibid., p. 40.

<sup>16</sup>Michael Korda. Male Chauvinism (New York, New York: Random House, 1973), p. 99.

<sup>17</sup>Ibid., p. 100.

<sup>18</sup>Ibid., p. 101.

<sup>19</sup>Elaine Pitt Enarson. Woods-Working Women (University Alabama:The University of Alabama Press, 1983), p. 109.

<sup>20</sup>Ibid., p. 94.

- <sup>21</sup>Ibid., p. 110.
- <sup>22</sup>Ibid., p. 112.
- <sup>23</sup>Margaret Scott. "Sexual Harassment:A Hidden Issue". Project on the Status and Education of Women, June 1978, p. 2.
- <sup>24</sup>Ibid., p. 3.
- <sup>25</sup>Ibid., p. 3.
- <sup>26</sup>Ibid., p. 3.
- <sup>27</sup>Ibid., p. 3.
- <sup>28</sup>Ibid., p. 3.
- <sup>29</sup>"Facts About Sexual Harassment," Equal Employment Opportunity Commission, March 1987: p. 15.
- <sup>30</sup>Ibid., p. 15.
- <sup>31</sup>Ibid., p. 16.
- <sup>32</sup>Barbara A. Burnett. Every Woman's Legal Guide (Garden City, New York:Doubleday & Company Inc., 1981), p. 318.
- <sup>33</sup>"Hands Off at the Office," U.S. News & World Report, August 1, 1988: p. 56.
- <sup>34</sup>Ibid., p. 57.
- <sup>35</sup>Barbara A. Gutek. Sex and the Workplace (San Francisco, California:Jossey-Bass Inc., 1985), p. 23.
- <sup>36</sup>Ibid., p. 43.
- <sup>37</sup>Ibid., p. 56.
- <sup>38</sup>"Complainant Characteristics and Reported Behaviors and Consequences with Formal Sexual Harassment Charges," Personnel Psychology, 1985, p. 561.
- <sup>39</sup>Ibid., p. 564.
- <sup>40</sup>Ibid., p. 564.
- <sup>41</sup>Ibid., p. 567.

42"Sexual Harassment on the Job: Psychological, Social and Economic Repercussions," Canada's Mental Health, September 1984, p. 22.

43"Counseling Victims of Sexual Harassment," Psychotherapy, Summer 1986, p. 318.

44Ibid., p. 317.

45Ibid., p. 318.

46Ibid., p. 318.

47Ibid., p. 319.

48"Hands Off at the Office," U.S. News & World Report, August 1, 1988: p. 57.

49"Preventing Sexual Harassment: A Proactive Approach," Training and Development Journal, May 1987, p.35.

50Ibid., p.35.

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