

Chapter 6

Sexual Harassment as a Contributory Factor in Work–Family Conflict: Implications for Policies in the Workplace

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Introduction

The South African government is committed to promoting family life and strengthening families, as articulated in the Green Paper on Families (Republic of South Africa 2011). According to the Green Paper, the South African family is under threat due to the legacy of colonialism and apartheid; high levels of poverty, inequality and unemployment; teenage pregnancies; HIV and AIDS; illiteracy; gender inequality; absent fathers; domestic violence and high numbers of orphaned and vulnerable children. However, a factor that has been neglected in the country's family research literature is the impact of sexual harassment in the workplace and its deleterious effects on marital and family life of both the harasser and the harassed persons as well as significant others in the family.

Overall, while there is recognition of the adverse effects of sexual harassment on work productivity, staff morale, staff turnover and the legal costs for companies in terms of lawsuits and a negative public image (LaBand and Lentz 1998), minimal attention seems to have been paid to the personal costs arising from the emotional stress, guilt, jealousy, lack of trust and disrupted relationships which spill over from work-to-family and exacerbate work–family conflict.

While mindful that work is not the only place where sexual harassment occurs, that men as well as women can be subject to this phenomenon, and that sexual harassment can take place between same-sex persons as well as opposite sexes (Naylor 2010), the focus of this chapter is primarily on sexual harassment by males

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on females in the workplace. This chapter discusses the definitions of sexual harassment in the workplace; the historical context; theoretical approaches; causes or antecedents; consequences and responses; policy and legislation; conclusions, and recommendations for addressing this form of gender discrimination and source of work–family conflict.

Sexual Harassment in the Workplace

There appears to be no universally accepted definition of sexual harassment as laws, customs and cultures differ from country to country. However, what is apparent is that definitions of sexual harassment have altered with time as various ideologies, discourses, and contexts have influenced understanding of the phenomenon. Scarduzio and Geist-Martin (2010) maintain that ideologies constrain and shape the sense that people make of sexual harassment in the workplace. Moreover, the decisions that victims, harassers and witnesses make regarding sexual harassment are all influenced by various discourses.

Definitions about sexual harassment have usually referred to sexually derogatory or demeaning actions from men towards women and were often defined according to type, purpose and severity of harassment (Chamberlain et al. 2008). Sexual harassment can affect women and men of all ages, disability, physical appearance, background, sexual orientation, or occupational status. Sexual harassment can occur in any work environment and alongside bullying and physical violence can be understood in terms of ‘organisational violation’, when the organisational culture allows individuals to be abused and treated without respect. Hunt et al. (2007) argue that whilst anyone can be sexually harassed, it is usually young, single or divorced women with relatively low levels of education that are most vulnerable to sexual harassment. They further identify ethnic minority groups; lesbians, gays and bisexuals; and disabled employees as being particularly vulnerable to being sexually harassed at work.

Women working in male-dominated professions and workplaces are also often subjected to sexual harassment as they are often required to depend upon men for training and mentoring. In essence, many occupational spheres are still largely constituted along gender lines, where patriarchal structures still exist and men’s status is elevated over women’s, placing women in an inferior and vulnerable position (Walby 1988). Overall, therefore, in order for a woman to obtain organisational authority she is often required to manage not only harassment from her co-workers or supervisor but also from her subordinates (Ramsaroop and Brijball Parumasur 2007). Particular kinds of work also invite sexualisation more than others and as a result certain workplaces tend to have high incidences of sexual harassment. Once sexual behaviour becomes accepted in a work environment, it becomes a natural aspect of the work milieu (Renzetti et al. 2001).

Research conducted by Icenogle et al. (2002 as cited by O’Leary et al. 2009) further found that blue collar workers were not as likely as white collar workers to label behaviours as sexually harassing. Almost a fifth of the blue collar workers in a manufacturing plant did not even perceive the promise of job rewards in return for sexual favours as sexual harassment. It is, therefore, imperative that sexual harassment is clearly defined in order to eliminate confusion and to create clear boundaries in the workplace.

One also needs to take into account that there are gender differences in the perception of sexual harassment, and that women are more likely than men to label certain behaviour as sexually harassing (Steenkamp 2010). Men are more likely to assume several ideological positions when explaining their understanding of sexual harassment, including the impact of hegemonic masculinity, the complicated process of consent, and the contrasting experiences of male and female victims (Scarduzio and Geist-Martin 2010). In a study conducted at a South African university involving 827 students, Mayekiso and Bhana (1997) found that men were less likely than women to classify the verbal forms of sexual harassment, such as derogatory remarks, jokes, or suggestive looks as sexual harassment. Their study also found that African students were less likely to acknowledge the prevalence of sexual harassment as opposed to other racial groups. These findings indicate gender and cultural differences in the understanding of sexual harassment.

Most of the research that has explored personality characteristics of harassers have only looked at the personality profiles of male harassers. Characteristics that have been identified include: A propensity to engage in sexual violence; a cognitive understanding that connects social dominance with sexuality; a preference for traditional male sex-role stereotypes; limited empathy; misogynistic attitudes and beliefs and power-driven personalities with low levels of honesty and humility (O’Leary-Kelly et al. 2009).

A brochure distributed by the South African Cape Peninsula University of Technology about Sexual Harassment (n.d.) (2012) identifies the different types of harassers into six categories:

- *Mr. Macho* or one of the boys: This category refers to groups of men who embarrass women with comments, jokes and/or show sexually graphic material. Whilst this behaviour may only be considered as verbal or visual harassment, it can contribute to creating a hostile work environment;
- *The Great Gallant*: This personality refers to the type of individual who is gallant and makes comments that are sexually inappropriate or embarrassing for the recipient. Whilst the harasser might think of himself as appealing and desirable, the recipient generally does not share these views.
- *The Opportunist*: This kind of harasser is usually promiscuous and will take any opportunity to take advantage of the situation. He may start his amorous behaviour in the presence of others and then try to continue in private. The opportunist if confronted will insist that the action is consensual and does not take responsibility for his inappropriate behaviour.

- *The Power Player*: This kind of harasser asks for sexual favours in exchange for benefits that he can offer the employee, such as promotion and so forth. This kind of harassment is also known as quid pro quo harassment and is an abuse of power and trust.
- *The Serial Harasser*: This category of harasser is psychologically disturbed and plans his advances and strikes in private, so that it is his word against his victims. He establishes an image so that people would not think this kind of behaviour is possible for him and would tend to not believe the victims should they speak out.
- *The Situational Harasser*: The behaviour of this kind of harasser usually results from a psychological trauma or situation that the harasser is experiencing. Examples would include divorce, illness of a spouse or substance abuse problems. If there is a change in the situation, the harassment often stops.

What is evident is that there are many different kinds of harassers who use different situations to sexually harass an individual. Today there is a much broader understanding of the concept than earlier definitions of sexual harassment which focused only upon legal and psychological perspectives. Furthermore, due to the greater acknowledgement of the problem at both national and international levels, the apparent increase in the incidence of sexual harassment could possibly be attributed to the fact that this behaviour is no longer tolerated; that is, as societies become more focused on promoting equality and prohibiting discrimination, the issue of sexual harassment has gained prominence (O’Leary-Kelly et al. 2009).

Particularly in the last decade, South Africa has made significant progress in acknowledging the range and extent of sexual harassment in the workplace. South Africa is one of the first countries in the world to have such extensive legislation concerning sexual harassment, namely the *Amended Code of Good Practice on the Handling of Sexual Harassment Cases in The Workplace* (Republic of South Africa 2005) in which sexual harassment in the workplace is viewed as a form of unfair discrimination and is prohibited on the grounds of sex and/or gender and/or sexual orientation, and is defined as:

unwelcome conduct of a sexual nature that violates the rights of an employee and constitutes a barrier to equity in the workplace, taking into account all of the following factors:

- whether the harassment is on the prohibited grounds of sex and/or gender and/or sexual orientation;
- whether the sexual conduct was unwelcome;
- the nature and extent of the sexual conduct; and
- the impact of the sexual conduct on the employee.

Different kinds of sexual harassment are acknowledged by the amended code including unwanted physical, verbal, non-verbal, victimisation, quid pro quo harassment and sexual favouritism. These different types are elaborated upon as follows:

- “*Physical conduct* of a sexual nature includes all unwelcome physical contact, ranging from touching to sexual assault and rape, as well as strip searches by or in the presence of the opposite sex.
- *Verbal conduct* includes unwelcome innuendos, suggestions, hints, sexual advances, comments with sexual overtones, sex-related jokes or insults, graphic comments made about a person’s body made in their presence or to them, inappropriate enquiries about a person’s sex life, whistling of a sexual nature and the sending by electronic means or otherwise of sexually explicit texts;
- *Non-verbal conduct* includes unwelcome gestures, indecent exposure and the display or sending by electronic means or otherwise of sexually explicit pictures or objects;
- *Victimisation* occurs where an employee is victimised or intimidated for failing to submit to sexual advances;
- *Quid Pro quo harassment* occurs where a person such as an owner, employer, supervisor, member of the management, influences or attempts to influence an employee’s employment circumstances (for example engagement, promotion, training, discipline, dismissal, salary increments or other benefits) by coercing or attempting to coerce an employee to surrender to sexual advances. This could include *sexual favouritism*, which occurs where a person in authority in the workplace rewards only those who respond to his or her sexual advances” Republic of South Africa (2005:27).

Whilst this understanding of sexual harassment is progressive and attempts to address some of the contentious concerns that are present when trying to determine whether sexual harassment has occurred, there are still aspects of the Code of Practice that can be debated. For example, the Code stipulates that there are numerous ways in which the employee may indicate that the harassment is unwelcome such as walking away or by not responding to the perpetrator. However, this type of behaviour may be difficult to prove and may be reduced to one person’s word against another. The Code also mentions that the impact of the conduct on the employee needs to be considered when establishing whether sexual harassment occurred. It mentions that the conduct should constitute an impairment of the employee’s dignity taking into account the circumstances of the employee as well as the respective positions of the employee and the perpetrator in the workplace. This perspective highlights the subjective nature of sexual harassment as an event or experience that might impair one employee’s dignity while not necessarily impairing the dignity of another person.

Historical Understanding of Sexual Harassment

From a review of the literature it appears that the term ‘sexual harassment’ emerged in the 1970s in the United States of America as attention began to be placed upon the sexual harassment of women in the workplace (Hunt et al. 2007).

In 1979 MacKinnon, an American Law professor, published her seminal work on sexual harassment in the work environment, which laid the foundations for the introduction of policies and laws addressing sexual harassment. Initially, the American courts did not know where to place sexual harassment and it was dealt with as a form of sexual discrimination. Although the Civil Rights Act of 1964 prohibits employers from discriminating against individuals with respect to terms, conditions, or privileges of employment on the grounds of an individual's race, colour, religion, sex or national origin, it did not sufficiently address sexual harassment, and it became apparent that specific legislation needed to be promulgated to address this phenomenon. MacKinnon emphasised the discourse that sexual harassment is a form of discrimination and that it is often linked to the notion of power (Naylor 2010; Le Roux et al. 2002).

The understanding of sexual harassment as a human rights issue has continued to grow and gain momentum internationally. At the United Nations Women's Conference in Beijing in 1995, a programme was adopted to advance women's rights which included prohibiting sexual harassment at work, and in December 2000 the United Nations passed a new complaint procedure for female victims of discrimination. This procedure permitted women to submit sexual harassment complaints to the United Nations if the employer was unwilling to investigate such allegations (Lederer 2000 cited by Paludi and Paludi 2003).

By the same token, the European Commission passed a nonbinding council resolution for its Member States, which helped to initiate a formalised and standardised definition of sexual harassment, and in 2002 the European Union adopted a 'Code of Practice' which required all Member States to promote awareness of sexual harassment and introduce programmes to reduce its occurrence (International Trade Union Confederation 2008). The International Labour Organisation Convention 111 also deals with sexual harassment at work under the Discrimination in Employment section. However, while sexual harassment as a problem is becoming internationally acknowledged and some countries have developed laws to specifically address it, many countries still do not have specific laws against sexual harassment.

Historical Context and Development of South African Legislation on Sexual Harassment

In a country like South Africa with its history of discriminatory apartheid laws and practices, unequal power relations based upon race and gender, patriarchal cultures and belief systems, the potential for sexual harassment is rife. Apartheid promoted discriminatory practices that not only discriminated against people on the basis of their race and culture but also against their gender. Therefore, black women as the

most exploited members of the working class were the most likely victims of sexual harassment (Naylor 2010).

During the apartheid era, sexual harassment in the workplace was barely acknowledged or even recognised. Whilst under common law all employees were afforded the right to privacy, dignity and humane treatment, this framework did little to curb sexual harassment. Employers were required to ensure that the work environment was safe, conducive to work and free from hostility and disrespect. However, employers tended to focus on ensuring the physical safety of the work environment, and placed little or no emphasis on the elimination of sexual harassment within the workplace (Naylor 2010). The concept of sexual harassment could be addressed under criminal law, which included acts such as rape as well as indecent assault. Sexual Harassment could also be addressed in terms of the Labour Relations Act of 1953 and the subsequent amendments to the Act in 1979, 1980 and 1988 under the concept of “unfair labour practice”. Prior to the 1988 amendment the industrial court could not award damages to a victim of sexual harassment but could only instruct the employer to stop any unfair labour practice and restore the person to the position which existed prior to the introduction of the unfair labour practice (Sutherland 1992).

Critics of this Act such as Mowatt (1986) claimed that the relief provided for under the act was relatively ineffective. Cameron et al. (1989) also highlighted the fact that the Industrial Court only offered protection and relief for those already in employment so that applicants who were offered employment in exchange for sex were not protected. Furthermore, legislation did not cover all categories of workers. Domestic workers were excluded from this legislation and consequently were offered no protection against sexual harassment in the workplace. Sutherland (1992) also argued that what was needed in the “unfair labour code” was an exact definition of sexual harassment, in order to provide guidelines for employers on how to prevent this phenomenon in the workplace, as the current legislation left too many unanswered questions.

In 1987 a case of unfair labour practice was brought before the industrial court, where a married female employee and a married senior partner of a firm had had a consensual affair. When the affair ended the manager asked the female employee to resign as he found it stressful to continue to work with her and he wanted to assure his wife that the affair was over. When the employee refused to resign she was subsequently fired on the basis of numerous unsubstantiated allegations. She filed an unfair labour practice suit against the firm and was reinstated by the Industrial Court (*G vs. K*, 1987 as cited in Naylor 2010). What this ruling challenged was the presumption that had existed amongst many employers that when an employee has an affair with her employer, the employer can dismiss the employee when the affair is over in order to prevent embarrassment.

It was only in 1989 that the first officially reported case of sexual harassment was heard before the South African Industrial Court, in the case of *J vs. M Ltd*. This case involved a senior executive of an unknown company who was alleged to

have sexually harassed a female employee against her will (De Kock 1989). Significantly in his ruling on this case, Judge De Kock drew upon international research on sexual harassment and found the defendant guilty of sexual harassment. Furthermore, Judge De Kock acknowledged that a wide spectrum of activities constituted sexual harassment and that sexual harassment could be physical or verbal in nature. He also recognised that a single act can constitute sexual harassment (Sutherland 1992). This case highlighted the concern that sexual harassment in South Africa had not received sufficient attention by either employers or the employees and that the effects of sexual harassment were underestimated and ignored.

In the same year as the infamous case of J vs. M, sexual harassment began to appear on the agendas of trade unions. The Transport and General Workers Union identified sexual harassment and sexually exploitative behaviour as a concern at the Congress of South African Trade Unions (COSATU). Whilst agreement about what constituted sexual harassment could not be reached, much debate and discussion about sexual harassment was generated and laid the foundations for further consciousness in this area to be developed and fought for by the trade unions (Sutherland 1992).

South African Policies and Legislation to Curb Sexual Harassment

As mentioned previously the ground breaking case of J vs. M was the first case to be brought before court in South Africa. Since then numerous policies and legislative acts have been promulgated that have acknowledged or addressed sexual harassment.

The Constitution of the Republic of South Africa

The South African Constitution, which was passed by parliament in 1996, is often referred to as one of the most progressive in the world. The Constitution of the Republic of South Africa upholds democratic values of equality, human dignity and freedom as well as security of the person. Section 10 (p. 1247) stipulates that, “everybody has inherent dignity and the right to have their dignity respected and protected”. Section 12 states that “everyone has the right to bodily and psychological integrity, which includes (b) the right to security in and control over their body” (Republic of South Africa, 1996:1247). These rights can be specifically applied to protecting citizens against sexual harassment.

The Employment Equity Act No. 55 of 1998

The purpose of the Employment Equity Act (EEA) is to promote equal opportunity in the workplace by, ‘promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination’. Chapter 2 of the act prohibits unfair discrimination and stipulates that “no person may unfairly discriminate, directly or indirectly, against an employee in any employment policy or practice, on one or more of grounds including race, *gender*, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language, and birth” (Republic of South Africa 1998). Section 60 of this Act addresses employer liability stipulating that it is the employer’s responsibility to investigate any alleged misconduct or discrimination and failure to do so will be seen as contravention of this Act.

The Labour Relations Act no 66 of 1995 (Republic of South Africa 1995) did not make any provision for an employer to be held liable when an employee sexually harassed another employee. If the harassed person elected to resign due to the intolerable circumstances of her employment, the onus would be upon that employee to show that she had resigned due to the harassment and not for other reasons. This claim of constructive dismissal would in terms of the Labour Relations Act be deemed as unfair as the resignation occurred as a result of discrimination on the basis of sex and/or gender. However, in terms of the EEA an employer has a duty and obligation to investigate complaints and allegations of unfair discrimination and it is not sufficient for an employer to simply attempt to eliminate unfair discrimination in the workplace. As (Naylor 2010) points out, Section 60 (1) of the EEA is important as it increases the vicarious liability of the employer and incorporates alleged acts that occurred ‘whilst at work’ and not only in the course and scope of employment. An employer can therefore be found to be vicariously liable for acts of sexual harassment by employees where: An employment relationship exists; an act of sexual harassment as defined has occurred; the sexual harassment is brought to the attention of the employer; the employer fails to consult all parties and fails to take the necessary steps and act in a reasonable fashion.

One of the first cases of employer liability to be brought before the South African courts was Ntsabo vs. Real Security CC. Ntsabo a South African woman obtained a position as a security guard with Real Security in 1999. Her supervisor began sexually harassing her, and would threaten her with a poor performance review if she would not engage in a sexual relationship with him. Ntsabo informed the management of Real Security about the situation. After the supervisor had attempted to rape her, Ntsabo’s family phoned the management and complained. However, the management did not address the issue and instead said that the supervisor had complained of Ntsabo’s poor work performance. Ntsabo subsequently resigned and in June 2000 sued Real Security for damages under the EEA for failing to protect her. Acting Judge Pillay, taking into account section 60 of the EEA found the employer, Real Security, liable and ordered that the employer pay

patrimonial and non-patrimonial damages to Ntsabo for future medical expenses, her pain and suffering and for impairment of her dignity (Naylor 2010).

The Code of Good Practice on the Handling of Sexual Harassment

The Code of Good Practice on the Handling of Sexual Harassment was initially published in 1998. The objective of the code was to eliminate sexual harassment in the workplace and establish workplaces where sexual harassment is not tolerated and where the individual's integrity, dignity, privacy and right to freedom are respected. This code provides the appropriate procedures when dealing with sexual harassment and explains how to prevent its recurrence (Naylor 2010). However, this code was amended in 2005 as it was felt that sexual harassment was not comprehensively defined. Section 60 of the amended code specifies that where sexual harassment is of a serious nature, the complainant should be encouraged to inform the employer. This code also allows friends, colleagues or human resource officials acting on the request of the complainant to report the incident of sexual harassment. The application of the code extends beyond employers and employees and includes clients, suppliers and anyone who has dealings with the business. A code of good practice could only be considered when interpreting or applying the Labour Relations Act. However, this has changed and now codes of good practice are taken into account when any law is interpreted or applied (Naylor 2010).

Women Empowerment and Gender Equity Bill

This Bill, which was passed in 2012, establishes a legislative framework for the empowerment of women; encourages gender mainstreaming; and provides for an offence for practices with adverse effects. Furthermore, the Bill recognises "that certain practices, including cultural, patriarchal, traditional, customary or religious practices may impair the dignity of women and undermine equality between men and women" (Republic of South Africa, 2012). This Bill speaks to the empowerment of women and attempts to reduce gender inequality that is still prevalent in South African workplaces today.

Theoretical Approaches to Sexual Harassment

There are numerous theoretical approaches for understanding harassment; however, only the most salient of these approaches are described.

Berdahl's (2007) Theory of Harassment

This theory locates sexual harassment within the broader harassment literature and advocates that underlying tenets of this harassment are goal-directed behaviour. Berdahl identifies three influencing variables: (i) the fact that the underlying motive of harassment is to protect the harasser's social status; (ii) the existence of a gender hierarchy; and (iii) that distinctions are made between sexes as well as within them. Berdahl understands the occurrence of sexual harassment to be influenced by both contextual and personal factors (cited in O'Leary-Kelly et al. 2009).

Accountability Theory

Accountability theory suggests that where there are insufficient accountable procedures in place in an organisation, harassers do not feel restricted in their actions. This situation would be common when there is fragmentation of responsibility, competing role expectations, and reluctance to impose standards on levels of behaviour (O'Leary-Kelly et al. 2009).

De Coster et al.'s (1999) Theory

This theory suggests that some individuals are more susceptible to being sexually harassed as the nature of their work is more likely to bring them into contact with predators. The process of harassment involves three aspects, namely, a motivated harasser; a suitable target and the absence of guardians or policies to prevent victimisation (O'Leary-Kelly et al. 2009).

The Multi-perspective Framework of Sexual Harassment

Bowes-Sperry and Tata (1999) acknowledge three different theoretical perspectives of sexual harassment. These different perspectives provide an expanded understanding of what constitutes sexual harassment, showing the complex nature of the phenomenon.

- Firstly, the *individual/subjective perspective* refers to any behaviour of a sexual nature that an individual subjectively considers to be offensive and involves behaviour that is not welcomed by the recipient;
- Secondly, the *conceptual/behavioural perspective* maintains that this behaviour consists of three primary dimensions, namely: *gender harassment*—harassing behaviours are exhibited and expressed towards the opposite sex, without

gaining sexual co-operation; *unwanted sexual attention*—sexual advances or behaviours are not wanted by the recipient and *sexual coercion*—with this kind of behaviour, sexual co-operation is implicitly or explicitly linked to job-related outcomes; and

- Thirdly, *the legal perspective*—this approach refers to sexual harassing behaviour that violates the laws of the country in which the incident took place.

Causes or Antecedents of Sexual Harassment

Patriarchal Cultures and Gender Socialisation

Chamberlain et al. (2008) maintain that organisations are located within the broader sociocultural environment, which is often characterised by patriarchal cultures and gender socialisation which promote sexist attitudes and tend to prime individuals for advancing and receiving sexual harassment in the workplace. However, although patriarchy and gender socialisation help to explain the cultural foundations underpinning sexual harassment, it is the organisational context that determines whether and how sexual harassment occurs in a particular work environment. The three main features of organisations that influence sexual harassment include worker power, workplace culture and gender composition.

Worker Power

Chamberlain et al. (2008) posit that three sources of power have been implicated in sexual harassment, namely, self-direction, formal grievance procedures and job security. Power differences arising from workers' relative importance in the labour force may provide protection for some employees while making others more vulnerable to sexual harassment. Self-direction can potentially reduce harassment because self-directed employees are usually more skilled and harder to replace than other sectors of the work environment. At the same time, women with high levels of organisational power may provoke resentment and consequently be subjected to sexual harassment. Workers may also derive a degree of power through protective policies and formal grievance procedures which signal an organisation's commitment to discourage sexual harassment. In addition, job insecurity tends to heighten vulnerability. For example, temporary workers who lack even minimal job security have an economic interest in remaining silent and not reporting sexual harassment.

Workplace Culture

Four aspects of workplace culture are relevant for sexual harassment, namely, co-worker solidarity, supervisor harmony, workplace anonymity, and physicality of the work (Chamberlain et al. 2008). De Coster et al. (1999) found that work group solidarity and a supportive work group culture limit the degree to which sexual harassment is regarded as a problem at work. They attributed these relationships to co-workers' commitment to one another's well-being, their willingness to intervene and stop harassment, and provide support for victims' actions in defending themselves through formal and informal procedures.

De Coster et al. (1999) also argue that harmonious relations with supervisors can reduce sexual harassment as supportive supervisors offer guardianship directly, by protecting workers from abuse, and indirectly, by encouraging employees to help themselves through following various grievance procedures.

Degree of anonymity can also influence the likelihood of sexual harassment. On the one hand, large organisations may provide a modicum of anonymity for perpetrators relative to smaller work settings. On the other hand, large organisations may have bureaucratic structures that can prevent the most severe forms of sexual harassment (Dobbin and Kelly 2007).

A further aspect of workplace culture is the physicality of work. Particularly in male-dominated workplaces, physically demanding work may increase sexual harassment due to the sexualized, masculine culture where women's presence may be perceived as a threat to workers' masculinity and physical safety. In such environments, sexual harassment could also be used to defend privileged job opportunities and wages against the incursion of lower paid female labour (Chamberlain et al. 2008). Moreover, according to Pellegrini (2001) men in groups tend to behave with more aggression and bravado than they would as individuals.

Gender Composition

Women in gender-mixed and mainly male settings are believed to be at the greatest risk for sexual harassment, whereas women employed in predominantly female work environments are at the least risk due to the reduced frequency of their contact with men. Women working in traditionally male settings tend to be targeted because of their high visibility and threat to male identity and male bonding. However, women who work in groups with high numbers of females but who have relatively low status such as maids and waitresses are at an increased risk for sexual harassment because of their low power and subordinate status (Chamberlain et al. 2008).

Other causes or antecedents of sexual harassment include lack of company policies around sexual harassment; lack of credibility of the victim versus the perpetrator; blaming the victim for provoking the harassment through her dress, lifestyle and private life and a moral culture where "one-night stands" are

regarded as acceptable. In addition, O’Leary-Kelly et al. (2009) maintain that due to the high prevalence of marital stress and divorce in western society, some men and women come to work in a state of emotional distress which makes them vulnerable to sexual harassment.

Consequences of, and Responses to, Sexual Harassment

Over the last few decades significant attention has been paid to perceptions and attributions about sexual harassment but only recently has attention been given to the consequences of sexual harassment. Moreover, empirical research that has been conducted has focused more on the responses of the ‘victim’ as opposed to the effects on the family of both the alleged perpetrator and the victim or upon the organisation (Lee et al. 2004).

Consequences for the Victim

The victim may experience stress-related physical and mental illness. Physical effects may include frequent illnesses, ulcers, trouble sleeping or the need to sleep all the time, headaches, nightmares, fatigue and lack of energy. Psychological effects may include a loss of self-esteem and confidence, reduced motivation, suicidal thoughts, feelings of humiliation and the perception of intimidation. They may feel degraded, ashamed, embarrassed or angry (Naylor 2010; Cape Peninsula University of Technology, n.d.). As a result victims sometimes resort to abusing drugs and/or alcohol in order to cope. Furthermore, victims may not report the harassment for fear of stigma and labelling that may occur as well as more long-term effects such as limited promotion opportunities or dismissal. Some prefer to request a transfer or leave the job rather than confront the harassment. Rudman et al. (1995, as cited by Kariaga 2010) explain that women who resign because of sexual harassment issues often have difficulty in finding alternate employment, as they may struggle to obtain good references from the previous employer or they may be afraid to explain to potential employers the true reasons for leaving the previous employment for fear of being labelled or stigmatised in the potential new workplace.

Work–Family Overspill: Consequences for the Family of the Victim

The victim may also exhibit behavioural changes which include isolation, as well as a deterioration of work and family relationships, and may become preoccupied with the experience and focus all his or her energy on the experience to the

detriment of the family. In the worst cases some victims have even resorted to suicide (International Trade Union Confederation 2008). The following case study illustrates how sexual harassment can be a source of work–family conflict:

Case Study A: The Case of M

M was a competent, goal-driven executive manager in a large organisation. She experienced unwanted sexual overtures from B, a fellow manager in the company. Initially, she tried to ignore his advances, but when he became increasingly persistent, she complained to the Chief Executive Officer (CEO) of the firm. Despite the existence of a company sexual harassment policy, the CEO appeared to trivialise the issue and tried to persuade M not to pursue the matter. M experienced the work environment as increasingly hostile and eventually resigned from her position.

After leaving the organisation, she decided to take legal action against the company and B. In the early stages she received support from her husband. However, as the case began to receive increasing media exposure, the husband began to feel more and more stressed. B had said that M had been receptive to his advances and he claimed that her flirtatious manner and style of dress had signalled to him that she was open to having an affair. Her husband wondered about M's role in the relationship and he began to mistrust her. He also felt increasingly uncomfortable with the snide comments made about M by his work colleagues.

The couple's two school-age children also felt ashamed, embarrassed and resentful when their classmates discussed their mother and made jokes about her. Tensions within the family increased and 6 months later the husband sued for divorce and sole custody of the children. M subsequently won her harassment case in the courts but her family and marital life were irrevocably damaged.

Effects on the Victim's Work Performance

A victim's work performance may also deteriorate due to impaired concentration and judgement, demotivation, compromised teamwork, and increased absenteeism. In addition, victims may feel isolated or alienated at work (sexual harassment, n.d.) and, as already discussed, may not report the harassment for fear of stigma and labelling that may occur as well as more long-term effects such as limited promotion opportunities or dismissal. Some victims would rather request a transfer or leave the job than confront the harassment. Adopting these kinds of options, however, may have adverse effects for the victim's career opportunities and indirectly, their family's well-being.

Consequences for the Alleged Harasser

An area that has clearly not received much research is the effect that sexual harassment allegations may have upon the alleged harasser. Once a formal complaint has been filed against the alleged harasser, many organisations choose to suspend the employee. This procedure can be professionally embarrassing and result in long-term consequences for the alleged harasser. The effects of these allegations can also be detrimental to the partner or spouse and the family of the alleged harasser, as they try to cope with the allegations surrounding the harassment. Sometimes opportunists can see the financial advantages of claiming harassment as the alleged harassers may prefer to reach a financial settlement rather than endure the humiliation and other consequences of a sexual harassment suit. The case study below illustrates this example.

Case Study B: The Case of X the Executive Director

X, a senior executive of a company was working alongside the firm's accountant Y in attempting to save the company from closure and retrenching 230 employees. This meant that X and Y spent many late nights trying to plan and strategize to save the company. The executive's wife complained that he was never home and that she had to care for their three young children on her own, despite also holding down a highly stressful job.

The pressure of trying to ensure that the company did not close continued to place undue stress upon the marriage as X felt that his wife was not supporting him sufficiently while his wife felt that he was neglecting her and their children. X started having an affair with Y. However, he made it clear to Y that he was not prepared to leave his wife for her, despite her demands that he terminate his marriage.

After a few months X decided to end the affair and work on his marriage. Y was angry and hurt as she had believed that there were long-term prospects for this relationship. She then decided to lodge a sexual harassment complaint with the board of the company, claiming that X had continually harassed her and that he had threatened to ruin her career if she did not comply with his demands. X was suspended and admitted to his wife that he had regrettably had an affair but insisted that he had not sexually harassed Y. He felt humiliated, angry and resentful as his wife requested that he move out of the marital home. Employees at work were horrified by the story that Y told of continual harassment and distanced themselves from X. The board of executives asked X to resign in order to save the company's image. Y became unemployed, with his marriage in tatters and his career ruined due to false sexual allegation claims.

Consequences for Co-workers

According to the International Trade Union Federation (2008), co-workers who observe or are aware of sexual harassment within the organisation may also experience detrimental effects which can impact on their attitudes to work. These deleterious effects can lead to co-workers experiencing decreased job satisfaction and psychosomatic problems. Sexual harassment investigations can also lead to serious divisions between the staff as some people feel compelled to choose the side of the alleged harasser while others choose the side of the alleged victim. O'Leary-Kelly et al. (2009) found that the interpersonal work dimension (relationships with co-workers and supervisors) was more adversely affected than the victim's sense of work satisfaction. In addition, their study established a negative relationship between the sexual harassment experience and the victim's sense of organisational commitment, thereby underscoring the deleterious effects of such experiences.

In 1997 Glomb and her colleagues expanded our understanding of the work environment by introducing the construct of '*ambient sexual harassment*' as a group-level phenomenon. This construct refers to the general level of sexual harassment in a work group which is reflected in individual level outcomes such as job satisfaction, health conditions, psychological conditions and work and job withdrawal. They argued that co-workers are often aware of colleagues' experiences of sexual harassment and this awareness contributes to a stressful work environment. Higher levels of ambient sexual harassment were found to be associated with higher levels of team cohesion and lower levels of team citizenship behaviours and ultimately affected the overall productivity and financial performance of the team (Glomb et al. 1997 as cited by Raver and Gelfand 2005).

Consequences for Employers

Human capital is an essential resource and sound interpersonal relations are a crucial ingredient for organisational effectiveness. Sexual harassment can, however, have a negative impact on an organisation's human capital by creating a hostile and intimidating work environment that infringes upon the rights of employees (Ramsaroop and Brijball Parumsar 2007). Organisations may also experience a loss of productivity due to impaired judgement, compromised teamwork, demotivation of staff and absenteeism. Another consequence may be that potential applicants may not apply for vacancies at particular workplaces if they are aware that sexual harassment is tolerated and not appropriately dealt with (International Trade Union Confederation (2008). Despite this, many authors such as Raver and Gelfand (2005) argue that researchers have not paid sufficient attention to the impact of sexual harassment beyond the individual level and that the effects for the organisation have been neglected. A call for more attention to these areas has been made by others such as Lee et al. (2004).

Conclusion and Recommendations

The prevalence and impact of sexual harassment are clearly an under-acknowledged problem, the consequences of which are far reaching, affecting not only the workplace but also the families of those involved. It is important that workplaces create environments that are free from discrimination and where principles such as equality and the right to privacy are encouraged. Moreover, in view of the fact that sexual harassment is mainly (but not always) perpetrated by men against women, we need to consider gender asymmetries from a broader perspective. Unless sexual harassment is addressed on a societal level, and efforts are made to change the status of women's subservient role in society, women will continue to experience inequality at work and have limited access to high status and well-paid jobs that have traditionally been occupied primarily by men. All these factors can potentially exacerbate work–family conflict.

Social Policy

In line with the Amended Code of Good Practice on Handling of Sexual Harassment Cases in the Workplace (Republic of South Africa 2005), it is recommended that all employers should adopt a sexual harassment policy. Kariaga (2010) in a study of three banking institutions in Zimbabwe found that the occurrence of sexual harassment was much higher in the bank that did not have a sexual harassment policy, and concluded that the absence of a sexual harassment policy contributes to the prevalence and acceptance of sexual harassment in organisations.

Sexual harassment policies should state that sexual harassment is a form of unfair discrimination on the basis of sex and/or gender and/or sexual orientation which violates the rights of the complainant and represents a barrier to equity in the workplace. Such policies should emphasise that sexual harassment in the workplace will not be permitted or condoned, and that complainants have the right to follow the procedures in the policy and appropriate action will be taken by the employer. Policies should further state that it is considered a disciplinary offence to victimise or retaliate against an employee who in good faith lodges a grievance of sexual harassment. Moreover, sexual harassment policies should clarify the procedures to be followed by the complainant and the employer in reporting sexual harassment, provision of advice and assistance, formal versus informal procedure options, disciplinary sanctions and the ensuring of confidentiality.

Measures to constantly measure and assess the workplace culture should be incorporated into the policy. Realistic appraisals can help to monitor any discriminatory practices and sexual harassment that are occurring. Reese and Lindenberg (2004 as cited by Ramsaroop and Brijball Parumasur 2007, p. 32) identify specific factors that need to be incorporated when trying to develop a suitable organisational culture, that is free of harassment. These factors include:

- Promoting a work climate of dignity and integrity;
- Adopting anti-discriminatory practices in order to promote gender equality; and
- Changing gender-role socialisation and gender-role stereotyping.

It is also imperative that the company has a policy on what is an acceptable dress code for work as an employee's appearance and dress code have been found to be influential factors in determining the prevalence of sexual harassment. Ensuring an acceptable dress code and a culture of mutual respect can help to promote a respectful and anti-discriminatory workplace (Ramsaroop and Brijball Parumasur 2007).

Training and Awareness Programmes

In the aforementioned study that Kariaga (2010) undertook which explored sexual harassment in Zimbabwean banks, she found that whilst some of the banks did have a sexual harassment policy, employees were not aware of the existence of this policy and did not know how to address the problem when incidents of harassment occurred. This finding emphasised that the existence of a sexual harassment policy is not sufficient and training and awareness about the sexual harassment policy needed to be conducted with all employees, and not only with management.

The contents of the policy should be communicated effectively to all employees through orientation, education and training programmes so that they cannot claim to be unaware of the policy. It is also crucial that both employers and employees are helped to become aware of what constitutes sexual harassment and the procedures to be followed by complainants and employers. However, in addition to implementing effective policies in the workplace, it is important for all stakeholders to understand how the organisational context, the characteristics of the harasser and the target, all interact in complex ways to shape sexual harassment. Ramsaroop and Brijball Parumasur (2007) suggest that the appointment of sexual harassment advisors, who are effectively trained in managing sexual harassment, can be an effective strategy for assisting with sexual harassment complaints.

Research

Monitoring and evaluation need to be conducted to assess the effectiveness of existing policies. Hunt et al. (2007) maintain that the evaluation and monitoring of sexual harassment programmes can potentially assist organisations to ensure that their programmes are relevant and effective. They identify numerous ways of monitoring and evaluation including: Conducting incident surveys of sexual harassment; assessing proxy indicators such as absenteeism rates, staff turnover, etc.; monitoring of formal and informal complaints; conducting qualitative

research on the organisational climate and assessing what defines acceptable and unacceptable behaviour; regular meetings to discuss policy and procedures; obtaining feedback on training programmes and gathering information from exit interviews. Furthermore, a critical area that is often neglected and needs to be researched is the gap between policy and practice, which can guide the organisation on where to focus attention and how to introduce initiatives to address the gaps.

When conducting research in the area of sexual harassment, the researcher needs to be careful of the way in which questions are phrased and which research method would be most appropriate to employ, qualitative or quantitative. Whilst qualitative methods can help to gain in depth understanding of the experiences of either the alleged victim or alleged harasser, one needs to consider that due to the sensitivity of the issue many people may feel uncomfortable discussing the issue face to face with a researcher and would prefer to remain anonymous (Hunt et al. 2007).

Further research needs to be conducted into specific areas, including: research on the sexual harassment of male employees and the impact of such harassment on work–family conflict; research on sexual harassment by the same sex; empirical research exploring sexual harassment via electronic media and individuals' experiences of this phenomenon; the influence and impact of leadership styles of the managers on the incidence of sexual harassment; and most importantly research into how the sexual harassment claim affects both the alleged victim and alleged perpetrator's family.

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