

STEPPING UP TO THE CHALLENGE: Towards international standards on training to end sexual harassment



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INTRODUCTION

UN Women, through the office of the Executive Co-ordinator and Spokesperson on Addressing Sexual Harassment and other forms of Discrimination, has begun to set an international agenda on ending sexual harassment. United Nations General Assembly resolution 73/148,¹ firmly locates sexual harassment within the agenda of ending violence against women and girls (VAWG), a key issue for the realisation of women's human rights and equality. The resolution urges states parties to accelerate measures to identify, address and prevent sexual harassment². Ending such violence is a core component of the sustainable development goals³. An International Labour Organisation resolution⁴ addresses violence and harassment in the world of work and recognises the 'right of everyone to a world of work free of violence and harassment, including gender-based violence and harassment'.

UN Women has, as part of its work to establish standards to end sexual harassment, echoed calls for the need to address cultural change and set out approaches to further this agenda. This paper, on training, is one piece of this larger programme of work, as training can be one component in processes of change and if done well it can drive and build a collective commitment to that change.

UN Women has established a rights-based framing for addressing sexual harassment, understanding it as an issue of sex and gender inequality that intersects with other forms of discrimination, inter alia, on the basis of race, immigration status, class, disability, sexual orientation and indigenous status.

The UN Women publication *Towards an end to sexual harassment: the urgency and nature of change in the era of #metoo* (UN Women, 2018)⁴ notes that whilst there is, as yet, no internationally agreed definition of sexual harassment it is possible to set a frame-

work for understanding and policy development. In summary:

- sexual harassment is a human rights issue, a form of gender-based discrimination, in a context of unequal power relations;
- it takes a range of forms from sexual assault through aggressive touching, image-based abuse and verbal sexual and sexist conduct;
- sexual harassment follows the contours of power and inequality, the intersections of sex/gender with other structural social inequalities - race, ethnicity, age, disability, nationality, religion and any other social structures which disadvantage the abused and afford privilege to the harasser;
- the language used in definitions should not trivialize, make moral judgments through terms such as 'offensiveness', nor should they presume what the impacts might be;
- in the context of employment sexual harassment should be understood as unwelcome sexual and/or sexist conduct;
- sexual harassment encompasses single incidents, courses of conduct and can become a pervasive workplace context.

1 <https://undocs.org/en/A/RES/73/148>

2 United Nations A/C.3/73/L.21/Rev.1

3 SDG5.2 commits to the elimination of violence against women, SDG11.7 commits to universal access to safe, inclusive and accessible public spaces, see <https://sustainabledevelopment.un.org/>

4 <https://www.unwomen.org/en/digital-library/publications/2018/11/towards-an-end-to-sexual-harassment>

5 Adopted in 2019, see https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190

The document also contains an outline for policy development within institutions, which has also guided this project, the key elements of which are summarised below.

- Procedures should be simple and accessible with multiple entry points and clear pathways, accompanied by strong messages that reporting is welcomed, and that there is help and support available.
- Patterns in reports should be tracked, in terms of equality issues and outcomes, alongside regular surveys which monitor the scale and nature of sexual harassment in specific contexts.
- Procedures must be equitable between the parties, and cover everyone, including interns and those on short or limited contracts.
- Investigations should be independent and prompt, with a preponderance of evidence standard, as with other administrative proceedings, and a range of proportionate sanctions.
- Those undertaking investigations should have expertise in addressing sexual harassment
- Clear victim centred pathways should be traced between informal and formal processes, internal and external reporting.
- Confidentiality should not be conflated with secrecy.
- Non-disclosure agreements are not appropriate where a pattern of abuse is known to the institution or becomes known.
- Strong leadership needs to underpin and support implementation.
- Prevention must be supported by transparent accountability within a wider commitment to promoting equality.

As the General Assembly resolution⁶ makes clear sexual harassment takes place in many contexts – for example, in schools and colleges, in public and semi-public spaces, within leisure and entertainment and online sectors. This paper focuses on training as a preventative intervention, currently such training is primarily found within employment contexts. The overall framework could, however, be adapted to other spaces and places. A further caveat is that most training, and evaluation of it, comes from the global north, meaning that we know far less about what works (or does not) in the global south. This is a serious limitation and further work will be needed to adapt the framework; the intention is that the principles and direction of travel will be transferable.

Whilst some forms of sexual harassment are criminalised in certain countries, and what is defined as sexual harassment may shade into sexual assault, the criminal law is not the reference point here. In employment contexts the reference points will usually be equality law, labour law and internal standards of behaviour.

This paper is based on a search of academic research on sexual harassment training, coupled with some grey material and recent commentaries. It begins with a short summary on what we know about the scale and nature of sexual harassment and on sexual harassment training, followed by discussion of the knowledge gaps and issues identified to explain its limited effectiveness. This is followed by a discussion of current thinking on what makes training effective and then a new framework for standards in training is presented. This background paper has been researched and written by Professor Liz Kelly for the Office of the Executive Co-ordinator and Spokesperson on Addressing Sexual Harassment at UN Women.⁷

6 <https://undocs.org/en/A/RES/73/148>

7 <https://www.londonmet.ac.uk/profiles/staff/liz-kelly/>

STEPPING UP TO THE CHALLENGE: TOWARDS INTERNATIONAL STANDARDS ON TRAINING TO END SEXUAL HARASSMENT

This section includes a brief summary of what we know about the scale and nature of sexual harassment and what we know about sexual harassment training.

Whilst research on sexual harassment is limited when compared to the global knowledge base on domestic violence, there have been a number of recent surveys which show that it is the most common form of violence against women and girls, affecting more than half of women and girls.

The European Fundamental Rights Agency (2014) found in their violence against women survey across the 28 member states that 55% of women had experienced at least one form of sexual harassment since they were 15, and 21% reported it in the previous 12 months⁸. Higher prevalence rates were evident for younger women and for those in higher level positions (three-quarters of this group reported it over their lifetime since 15). There were higher reporting rates in the northern EU states compared to those in southern and central Europe, a variation attributed to social norms on acceptable behaviour.

More recent surveys, limited to employment contexts, show that more have witnessed sexual harassment than experienced it (see, for example, ACTU, 2018). In this Australian survey, and that conducted for the UN (safe spaces climate survey⁹), the greatest barriers to reporting were fear of negative consequences and lack of faith in the process. ACTU (2018) also note that of the minority who did make a formal complaint, the majority (56%) were not satisfied with the outcome.

Another Australian survey (Australian Human Rights Commission, 2018) found that rates of harassment followed the contours of inequality: the highest rates were recorded for young people, LGBT, disabled and Aboriginal and Torres Strait Islanders (the first two categories also had higher reporting rates in the UN survey). In both studies the majority of perpetrators were older men: lateral relationships (colleagues) were the most common, followed by horizontal (managers and supervisors). Both single events and courses of conduct were noted, and verbal forms of harassment the most common. In contrast, a study by Statistics Canada (Hargo & Moyser, 2018) found that half of the experiences reported by women were

8 https://fra.europa.eu/sites/default/files/fra_uploads/fra-2014-vaw-survey-main-results-apr14_en.pdf

9 https://viraltopiczone.files.wordpress.com/2019/01/d3bcc-un_safe_space_survey_report_15_january_2019_final.pdf

from clients/customers, an issue which has received limited attention in policy and training.

McDonald (2011) notes that there are different norms for behaviour in sectors of the economy – where the workforce and work role is heavily masculinised; this may include forms of sexual bravado. Qualitative studies of firefighting (Baigent, 2005) and mining (Yount, 2005) provide detailed analyses of the ways in which forms of sexual harassment are normalised within such environments. In contrast, other workplaces are feminised, with sexualisation of women taken for granted, Lisa Adkins' (1995) work on the leisure and hospitality industries documents the ways in which behaviour which would reach legal standards of sexual harassment become normalised as 'part of the job', despite many women disliking this. McDonald (2011) further notes that some workplaces have a white male heterosexual culture, within which women, people of colour, lesbians and gay men are considered 'interlopers', creating other axes along which harassment takes place. She further notes that the patterns are different, although less documented in the global south.

We also know that existing procedures have not been effective – either in encouraging reporting, changing behaviour or in providing redress (McDonald & Charlesworth, 2019). Whilst they provide formal access to rights, they have proved insensitive to the wishes and needs of complainants, who are too often seen as a threat to the organisation, rather than someone who has been harmed and who is owed a duty of care.

These data show that sexual harassment follows the contours of inequality – with sex, gender, age and sexuality the key axes noted to date. Power is, therefore, not limited to institutional hierarchies, but includes the structural inequalities which influence who does what work within economies, creating discriminatory work cultures. An intersectional analysis is, therefore, both a necessary and core component in responses to sexual harassment. As knowledge gaps are filled we will understand better who is defined as more sexually available across contexts, with gendered and racialised constructs of victims and perpetrators a key axis to examine. That said sexual harassment is clearly also used as a resource against women who achieve professional qualifications and positions of power and influence within organisations. The patterns are, therefore, complex and need to be mapped in each location rather than presumed in advance.

What we know about sexual harassment training

Whilst there is not a huge literature on sexual harassment training, there is more than is often claimed. Findings are not that encouraging and in some cases contradictory. There are a number of studies, mainly written from a human resources or legal perspective, which suggest that training increases sensitivity to sexual harassment, but can lead to over-identification in case studies when compared to legal constructs (see, for example, Buchner et al, 2014). Antecol & Cobb Clark (2003) interpret these findings differently, suggesting that training may create more expansive definitions. There is also a common finding that training seems to prompt resistance in some male trainees (see, for example, Tinkler, 2012).

That said, a limitation in many evaluations is that the length and training content is not specified, or considered as a key factor in assessing effectiveness. The importance of such gaps is evident since in several widely cited studies, which show limited impact, the input was a 30 minute presentation or a 2.5 hour course with minimal interactivity. Bingham & Sherer (2001) note that men's negative responses 'may have been due to the inadequacy of a 30 minute programme' (p144), arguing that there are dangers in cutting corners, in that it may move attitudes in the opposite direction of those intended. Bainbridge et al (2018) note that there is often a conflation between awareness raising - a 'knowing gap' and the skill and willingness to use knowledge - a 'doing gap'. Any work on standards, therefore, needs to begin from what is known currently about training effectiveness in general (see later section).

Another common observation is that, particularly in the USA, sexual harassment training was introduced to protect organisations from/within litigation. This has led some to argue that the legal requirement in many US states to prevent sexual harassment in the workplace has led to training becoming a tick box compliance exercise, a symbolic action, disconnected from both the wider equalities agenda where it was originally located (Tippett, 2018) and any serious ambition to change workplace cultures

(Edelman, 2016). In the process, concerns about/for victims become marginalised. Whilst any training was recognised by courts as fulfilling this legal responsibility, with no requirement that it be effective, more recently a number of court rulings have insisted that organizations need to demonstrate that their efforts have been in 'good faith' (Roehling & Huang, 2017, p138). Whilst provision of training has served to mitigate the level of compensation/fines, it has not protected organisations from litigation, with compensation payments a regular occurrence (Osborn, 2018). Thus even at the level of the business case, current training models have proved ineffective.

Where training is undertaken as a compliance exercise, it tends to use generic packages (Pilgrim and Keyton, 2009; Keyton, 2018), purchased from external providers, rarely adapted to the specific workplace or institution and often lacking specialist knowledge on sexual harassment. Edelman (2016) maintains that this has resulted in a market that rewards conformity and eschews innovation, with content focused on procedures and processes. Little training is formulated to address the specific forms and shapes of sexual harassment in different workplaces, still less to address the localised cultures which legitimise and/or normalise certain behaviours and practices, making culture change an even less likely outcome.

Further limitations in research methods are noted by Roehling & Huang (2017) in their overview of research on sexual harassment training: more than half of the experimental studies use university students as the sample; a minority give detailed attention to the design of training; many post training evaluations are limited to simple yes/no questions which may not even be linked to the training content. They further comment that there is very little research which seeks to explore medium to longer term impacts. The opportunity to design studies which explore variations within organisations - highlighting where change is greater/limited - have also rarely been taken up. Cheung's (2018) evaluation, across university departments, found a cynicism about sexual harassment training where participants viewed their workgroup as unethical. This study shows that context matters not just within organisations as a whole, but for work groups within.

One of the drivers for the compliance-based response has been ‘the business case’ promoted by and within human resources. A number of op-eds in the wake of #metoo question whether this framing may have contributed to ineffectiveness (see, for example, Hoyle, 2018): it communicates to participants that training is an exercise in limiting liability rather than a commitment to change. Training is taken more seriously if employees think they are working in an ethical organisation (Brueck, 2017), that it is not a ‘hollow exercise’ (Magley & Grossmann, 2017), and is connected to principles, including dealing with complaints carefully.

GAPS AND GLITCHES

Much of the training done over the last 30 years has not worked as a prevention tool - it's been focused on simply avoiding legal liability. (Equal Employment Opportunity Commission, 2016)

This section explores the key issues which have been identified in the literature for why sexual harassment training has limited influence on changing levels of such harassment and the cultures which sustain it. Jennifer Freyd (cited in Janove, 2018) argues that there is a need to replace the institutional betrayal, which too many victims of sexual harassment have encountered, with institutional courage: courage to address the gaps and glitches which this section explores, courage to rethink the approach to sexual harassment.

The first observation, shared by researchers from various locations, is that sexual harassment needs to be more than a human resources issue, and there needs to be clarity about what the goal is beyond legal compliance. The focus needs to shift from what is unacceptable to what kind of workplace organisations want to create or encourage. This requires knowing what the starting point in each organisation is, and the various cultures within it.

A number of commentators (see, for example, Hoyle, 2018) argue that a power analysis needs to be reinstated. It is not the case, as a gender neutral approach suggests, that anyone can be harassed by anyone, rather the contours of inequality predict both

who is most likely to be its target, and who will be the perpetrator. Sexual harassment training, therefore, needs to be aligned with equalities and implicit bias/diversity training. As Catharine MacKinnon (cited in Tippet, 2018) has noted, sexual harassment is not just ‘sexual’, gender based harassment may not be sexualised: EU law and policy contains the concept of ‘gender harassment’ which may be a useful framing for exploring discriminatory work environments. The Council of Europe (COE, 2019), in light of the #metoo movement, has an agreed recommendation on sexism, which defines it for the first time in an international legal instrument, and designates employment as one of the arenas where change is needed.

A focus on legal compliance, policies and procedures, leads to avoidance of the difficult and contested ground of norms about what is acceptable social and sexual behaviour in workplaces (Gurchiek, 2018), and how these norms are inflected by social positions. This avoidance is, in part, a reason for lack of impact. For example, the notion of ‘banter’, how to draw a line between this and sexual harassment, is often raised by men during sexual harassment training. To be effective, training needs to not evade such conversations, but begin from exploring what ‘banter’ is, how it is understood and experienced differently. Is it a form of male behaviour – joking and teasing which begins from a masculine heterosexist world view?

Some commentators (see, for example, Tinkler, 2012) expand on this, noting that some of the examples used in training are caricatures, and frequently fail to cover the ambiguities within interactions, the cues in body language and innuendo which make behaviour unwelcome and discomfiting. Only through being invited to unpick such concepts, and how they operate within specific social contexts, can participants be invited to consider assumptions normally taken for granted. It is here that the issues of workplace cultures, and the meanings that behaviour might have for different social groups within it, need to be explored: that respectful behaviour includes understanding these variations and taking them into account in ones’ interactions.

Tinkler (2012) offers further interesting observations here, when exploring gendered responses to sexual

harassment training. Women may be resistant to simplistic training messages, as they are aware of the stereotypes about women who make complaints: that this can result in a loss of status and respect, especially if the content of training reproduces these same ideas. The disempowerment of victimhood threatens the precarious position some women have achieved in the workplace. Men's resistance is also linked to a potential loss of status but located within the privileges of masculinity. Six key themes in resistance to training are identified: that too big a deal is made about sexual harassment; fear of getting into trouble; women are over sensitive; sexual harassment policies are bad for women; general antagonism to women in the workplace; that sexual harassment policies threaten normal interactions between women and men. In a later article Tinkler (2013) argues that to be effective sexual harassment training needs to anticipate and explicitly address such resistances. That some men take away from sexual harassment training that they should eschew all social engagement with women in order to avoid an accusation suggests that space for discussions about social and sexual ethics within workplace contexts is essential.

Whilst there are some consistencies there are also specificities of contexts. Training in a workplace where there is an over-evaluation of a specific form of heterosexual masculinity needs to be different to a workplace culture based on authoritarian hierarchy, or to contexts in which there is an over sexualisation of feminised roles. Bespoke designs are needed which explore the specific rituals and practices which serve to disguise, beginning from what is normalised in each context (McDonald, 2012).

Other issues which have been highlighted as seldom addressed include:

- whether harassers really think their behaviour is acceptable, or if there is a workplace culture which tolerates it (Natour, 2018);
- limited focus on general sexism and the climates that this creates in organisations;
- an under emphasis on sexual harassment by clients/customers, which in some employment contexts may be the majority experience;
- thinking carefully about the potential tension between inclusivity and reinforcing stereotypes about both victims and perpetrators in how case studies are developed;
- offering more solutions than reporting, since this shifts the focus from institutions to victims, making them responsible for addressing the issue.

McCann (2018) reviewing what we currently know concludes that what has been done so far has not worked and that there is a need for new ideas and methods. Tippett (2017) reviewing the content of what they term 'fear-based models' of training argues for an alternative approach which: promotes civility, equality and respect; seeks to create an inclusive workforce; and challenges the cultures which are conducive to sexual harassment. While bystander interventions have been noted as a possible direction of travel, they are unlikely to be taken up where employees think their workplace culture is toxic and unchangeable. For sexual harassment training to be effective it must have the courage to address the impact of unequal power and social relationships, behaviours that may not be illegal but are often uncomfortable. McDonald et al (2015) similarly argue that framing the approach as a way to address workplace injustice offers more potential for change.

Perry et al (2009) reflect on what they term 'the state of the art' in sexual harassment training, highlighting key issues which need to be addressed: understanding the climate in each organisation; having a clear intention within training philosophy; recognising that culture change requires interactive and experiential training methods from trainers with sexual harassment expertise; that some groups may benefit from single sex sessions; a commitment to maintenance of learning and engagement over time.

What is effective training?

A wider literature has been drawn on here, to explore what is considered effective in training. In public health, for example, there is widespread recognition that it takes years to find out what works in creating behaviour change: a similar commitment to try, test and rethink is necessary for sexual harassment training if we are to move beyond the limitations of what has been tried to date.

Much of the training currently, including that within the UN, is provided online – since this form of delivery is both cost and time efficient, flexible for trainees, uniform, works geographically and internationally and is measurable. However, it is entirely technology reliant, which has implications when thinking globally. It can be effective where the issue is acquiring new knowledge/skills, it is less effective where the issues are contested, as there is limited space for questions/doubts. Is also often experienced as boring/impersonal with low completion/retention. Kalinoski et al (2013) in a meta-analysis of 65 evaluations of diversity training conclude that it was most effective when it included active involvement and was conducted face to face.

An evaluation of a multi-module e-learning platform on Fair Trade (Judge et al, 2016) found the most engagement where material was stimulating and ‘interaction between trainees provided the greatest learning opportunities’ (p9). Webinars were difficult to schedule, whilst opportunities for ‘peer sharing’ were most valued. Another evaluation by the Tavistock Centre showed that librarians took up the training opportunities to improve their IT skills but far less that on organisational capability. This suggests there are additional challenges managing cultural change in organisations: asking people to change their ways of thinking and identities is not the same as learning new skills.

There is widespread agreement that training needs to be immersive if it is intended to be part of changing cultures/perspective. Health Education England (2018) maintain such training should also be face to face, in groups no bigger than twenty, for maximum engagement and it should include

meaningful discussion. There is a strong support in the training literature for ‘blended learning’ – using different methods/materials and some form of interactivity. Whilst instructor led training enables the communication of much information in a short time frame there is usually limited interaction and questions/concerns/differences remain unaddressed. There is also some recent support, including in the sexual harassment literature for what is termed micro learning – regular reinforcements after the main training has been completed.

Overall, there is widespread consensus that trainees need to be active participants if the issue of concern is complex: here training is less about skills or knowledge and much more about being invited to reflect on, and possibly change, one’s views. Here the goal is to create insight and a community of interest which commits to being part of a process of change.

It is also clear that all training needs to be adapted to contexts and is most effective if at least some of the content is based on data, experiences and case studies drawn from each particular organisation. Giving a clear message that this is about us, these are things which have happened here, enables trainees to identify with the material.

Re-thinking training and the contexts in which it takes place

[it needs to be] authentic and engaging and persuasive. (Tippett, 2018)

Drawing on this review, these principles underpin the framework for training standards.

- Global guidelines cannot be rooted in legal constructs, not only because this framing has proved ineffective but for practical reasons, since there are no common legal definitions.
- The framework is rooted in recognition of sexual harassment as an issue of human rights and

discrimination: it is systematic, takes place within workplace cultures, and follows the contours of power and inequality.

- Training needs to be located within a policy framework which:
 - has a clear intention to protect and promote dignity at work;
 - is stitched into a broader intersectional equalities framework, which recognises the complexities and layers of power relationships, hierarchies within organisations and the wider society;
 - starts from an intention to transform workplace cultures through building a set of shared values which are upheld throughout the organisation;
 - is context specific, committed to tracing the extent and shape of sexual harassment currently in each organisation/workplace, documenting how certain roles and/or specific groups are sexualised;
 - draws on what we know about effective training to develop and test new approaches.

A FRAMING BASED ON STANDARDS

Experiential learning is the foundation of all training, to be able to challenge conceptions and raise awareness... This only really happens through 'seeing and doing it'.

(Health Education, England, 2018)

Based on our current state of knowledge, if we are to move towards culture change, to move from betrayal to courage, these are the standards we should all be working towards. The more organisations take on the challenges, develop new and effective approaches – within specific workplaces/locations/ social contexts – the more this framework can be adapted and expanded.

Whilst dignity at work has been a key human rights principle in relation to employment, the question of

ethics tends to be applied to business models, rather than the relationships within workplaces. Ethics and values *within* organisations, including sexual ethics (Carmody, 2015) are the secure anchoring of an approach to sexual harassment which sees it as part of a denial of equal opportunity.

For sexual harassment training to be transformative of the cultures which tolerate and even support it, it needs to be co-constructed with workforces drawing on current evidence about its scale and shape in each organisation. The value base must be stitched into wider policy which begins from the principles of safety, dignity and equality at work. Rather than a business case such policy should be framed in terms of core values and ethics, that the organisation is accountable to employees and vice versa in creating meaningful and long term change. It also needs to cover all layers of work, including those on short term/ precarious contracts, implementation partners, even where this is transnational.

First steps

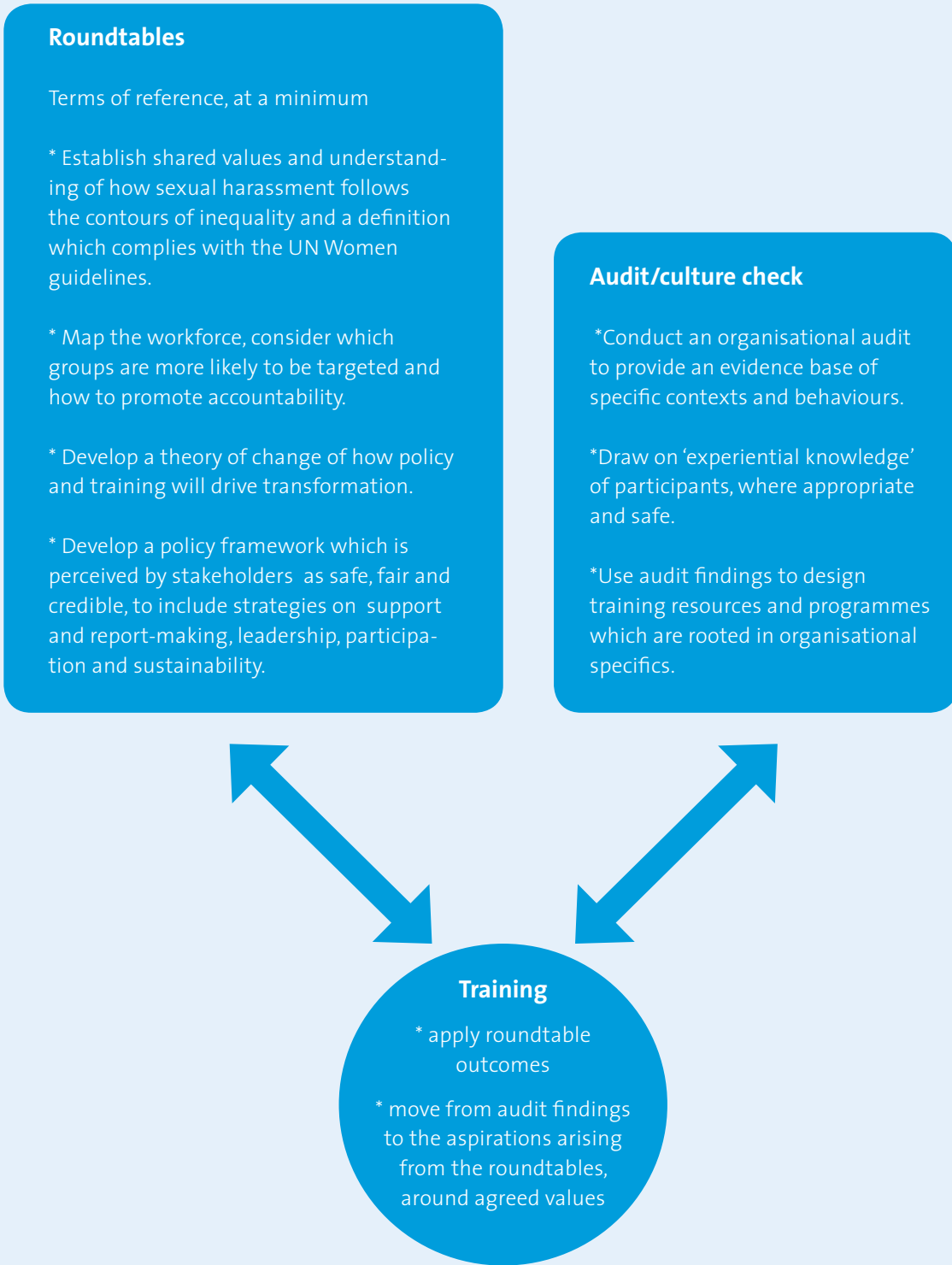
There are at least two steps proposed here: a set of roundtables across the workforce and key stakeholders, including trade unions to build a values-based approach to sexual harassment; an audit/culture check to establish the extent and forms of in each organisation. These steps are probably best facilitated by an external agency to create more confidence in the process, and through this greater transparency.

Roundtables

There are a series of tasks which the roundtables need to explore and reach agreement on.

- Agreeing the values which will be the foundation of the approach to sexual harassment SH within a clear understanding of how sexual harassment follows the contours of inequality, the ways power and inequality are sexualised.
- Establishing a definition which complies with the UN Women guideline (see earlier section) and the relevant legal framework. The form of words should work in the organisational context and how specific elements such as 'unwelcome' are understood should be clearly outlined. The

FIGURE 1
Roundtables, Audits and Training



definition should be revisited following the audit outlined below.

- Map the workforce, the different layers and workplaces, this should include an exercise on which groups are more likely to be targeted in which spaces.
- Develop a theory of change on how sexual harassment policy, and training specifically, seeks to transform both how sexual harassment is responded to, and over time that its prevalence is reduced. The training aspect should have specific milestones and hoped for impacts attached to it.
- From the theory of change develop a policy framework, in line with the UN Women guidelines outlined earlier, which is perceived by stakeholders as safe, fair and credible. Such policies should include:
 - a support and complaint strategy, with clear pathways and options;
 - a leadership strategy across all levels of the organisation, who is responsible at the strategic level, champions and networks;
 - a participation strategy, how are staff to become part of this transformation, including as change makers and as active bystanders;
 - a sustainability strategy which recognises change will take time.

Audit / Culture Check

This should draw on established good practice in sexual harassment prevalence research, adapted to specific workplaces: within a large organisation there may be a range of contexts and cultures (those who are mainly office based, those who are client/customer facing, areas with very different sex ratios in the workforce) so more than one version of the survey may be necessary.

To assess current levels and forms of sexual harassment, ask what have employees have experienced/ witnessed in last 12 months, using a range of behaviourally specific questions on language/

gestures, intrusive behaviours (kissing, touching, pinching), sexual threats, sexual coercion. Bearing in mind the definition (UN Women, 2018) includes unwelcome and sexist conduct questions should also cover gender-based harassment and everyday sexism. Who has committed the harassment should also, where appropriate, include customers and clients. Questions about use of technology – computers, phones etc. should also be included. McDonald (2011) recommends including several open questions to ensure that forms which are specific to workplaces/ locations and may not be covered by general questions are captured. Data should also be collected about basic demographics – sex, age, sexuality, gender identity, race/ethnicity, position in organisation – in order to trace the intersectional power relations within patterns of sexual harassment. Workplace surveys can also be used to explore awareness of current policy, complaint routes, willingness to report and/or intervene. This process can also be accompanied by focus groups with specific sections of the workforce to explore in more detail how inequality is being reproduced.

A combination of staff and human resources should work with this data to make recommendations for progress. Current complaints should be monitored to assess if they trace the same contours as revealed through the survey.

SEXUAL HARASSMENT TRAINING

Sexual harassment training should be regular and universal, not only part of induction into an organisation. That said, a 'one size fits all' approach is unlikely to be effective, rather a layered approach, linked to work roles and responsibilities, and possibly also the different cultures in parts of a workforce is recommended. The following steps, drawn from the lessons outlined earlier, should be part of any serious attempt to use training as one part of a transformative approach.

A tiered training strategy should be linked to the theory of change, with training understood as part of creating solutions/promoting change. Within this, those with managerial/ leadership responsibility will need additional input, including on how to deal with complaints using care and sensitivity, mindful of the needs and wishes of complainants.

Training should be evidence based, using data from the organisation audit/culture check on the forms, contexts and relationships, and where appropriate and safe drawing on the 'experiential knowledge' of participants. Asking what participants have observed is a safer strategy than asking them to discuss what they have experienced.

All training should begin by establishing shared values at the outset, this can then become a reference point for trainers and trainees when areas of contestation emerge. The previous sections have established that if training is to change attitudes and cultures it needs to be face to face and interactive. Self-guided/online training should only be used where a) it is accessible to the workforce and b) to cover basic knowledge, current policies and procedures.

More effective training requires investment and time. One route is to invest in a training for trainers programme, facilitated by sexual harassment experts.

This process would enable the crafting of training resources and programmes which are rooted in what is currently known about the organisation. The ambition in this developmental work will be to build curricula designed to change values and cultures. It should then be piloted across different layers of organisations, and adapted in light of feedback.

The following standards should be used in curriculum development.

- Immersive and safe content, with a focus on new ways of thinking and acting rather than right answers.
- Programmed for 1-2 days, with 2-4 half day sessions for those with the highest workloads.
- Trainers have expertise on the issue and the skills to engage with complexities.
- Strong links between the content and intended impact/outcomes.
- Explore social and sexual ethics in the workplace explicitly, what is/is not acceptable and how to judge if something may be unwelcome. Anticipate and engage with resistance from women and men about sexual harassment policy and training.
- Useful, relevant and up to date materials.
- Active engagement with what participants know/ think they know – a concept map is a useful tool here, and can be used in small group work.
- Consider whether training – or small group working within it – should be single sex, and how to address the range of cultures within an organisation.
- Encourage debate/discussion, create space for questions/doubts/concerns.
- Provide space for reflection and revision of positions.

- Case studies should be authentic, linked to the organisation, and used to explore what difference it would make if the parties had different characteristics in terms of age, sex, race/ethnicity, sexuality.
 - They can also be based on examples of where processes did not work, this enables consideration of what could/should have been done differently.
- Present a range of options for action other than formal complaint – bystander interruption, support for victims, questioning the behaviour of perpetrators. Role plays are often very useful in practicing different ways of acting, especially if time is taken to explore what it felt like for the intervener, for the victim and for the perpetrator.
- When promoting bystander intervention explore what could go wrong, what the barriers to intervening may be, and enable alternative forms of action to be explored.
- Space for personal and group action plans, how they are going to become change makers.
- Micro training follow ups to maintain commitment and trace change at the individual level.
- Consider whether assertiveness and/or self-defence training might be relevant for women, especially those who have client/customer facing roles.
- Experiment with new and original approaches. For example, the Associate Vice Chancellor Portland

State University realised attendees at a sexual harassment training had ‘zoned out’. He asked the men to go home and speak to women in their lives about their experiences of sexual harassment, they came back with an entirely different perspective (Gurchiek, 2018) .

- Use feedback and evaluation to explore what participants have learnt, what they found most useful and most challenging, what they still have concerns about.

For training to become effective it needs to be an ongoing project, with opportunities for further learning and feedback loops from trainers and participants into further iterations of the training. McDonald & Charlesworth (2019) argue that backlash should be anticipated and planned for, with strategies crafted within the organisational policy and training strategy.

In low resource contexts these processes might be considered within a cross organisational strategic response.

These standards offer a route to move away from the sense of betrayal which was, and continues to be, voiced across the globe through the #metoo movement, instead taking courage to step up to the challenge of transforming the cultures which have allowed sexual harassment to harm the working lives of so many.

REFERENCES

- Adkins, L. (1995). *Gendered Work: Sexuality, Family and the Labour Market*. Buckingham: Open University Press.
- Antecol, H. & Cobb-Clark, D. (2003). Does Sexual Harassment Training Change Attitudes? A View from the Federal Level. *Social Science Quarterly*, 84(4), 826-842.
- Australian Council of Trade Unions (2018). Sexual Harassment in Australian Workplaces: Survey Results. [https://www.actu.org.au/media/1385284/a4_sexual-harassment-survey-results_print.pdf]
- Australian Human Rights Commission (2018). Everyone's business: Fourth national survey on sexual harassment in Australian workplaces. [<https://www.humanrights.gov.au/our-work/sex-discrimination/publications/everyone-s-business-fourth-national-survey-sexual>]
- Baigent, D. (2005). Fitting in: the conflation of firefighting, male dominance and harassment. In Gruber J & Morgan P (Eds) *In the Company of Men: Male Dominance and Sexual Harassment*. Boston, North Eastern University Press, 45-64.
- Bainbridge, H. T. J., Perry, E. L., & Kulik, C. T. (2018). Sexual harassment training: explaining differences in Australian and US approaches. *Asia Pacific Journal of Human Resources*, 56, 124-147. doi:10.1111/1744-7941.12169
- Bingham, S. G. & Scherer, L. L. (2001). The Unexpected Effects of a Sexual Harassment Educational Program. *The Journal of Applied Behavioral Science*, 37(2), 125-153.
- Bisom-Rapp, S. (2001). Fixing Watches with Sledgehammers: The Questionable Embrace of Employee Sexual Harassment Training by the Legal Profession. *University of Arkansas at Little Rock Law Review*, 24(1), 147-168.
- Buckner, G. E., Hindman, H. D., Huelsman, T. J., & Bergman, J. Z. (2014). Managing Workplace Sexual Harassment: The Role of Manager Training. *Employee Responsibilities and Rights Journal*, 26(4), 257-278.
- Carmody, M. (2015). *Sex, Ethics, and Young People*. London, Palgrave Macmillan.
- Cheung, H. K., Goldberg, C. B., King, E. B., & Magley, V. J. (2017). Are They True to the Cause? Beliefs About Organizational and Unit Commitment to Sexual Harassment Awareness Training. *Group & Organization Management*, 43(4), 531-560. doi:10.1177/1059601117726677
- Deloitte Touche Tohmatsu Limited (2019). United Nations Safe Space Survey Report. [https://static1.squarespace.com/static/514a0127e4b04d7440e8045d/t/5c40afed562fa7b3d415e617/1547743218259/un_safe_space_survey_report_15_january_2019_final.pdf]
- Hango, D. & Moysen, M. (2018). Harassment in Canadian workplaces. *Insights on Canadian Society*. [<https://www150.statcan.gc.ca/n1/pub/75-006-x/2018001/article/54982-eng.htm>]
- House of Commons Women and Equalities Committee (2018). Sexual harassment in the workplace. [<https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/725/72502.htm>]
- Jiang, K., Hong, Y., McKay, P. F., Avery, D. R., Wilson, D. C. et al. (2014). Retaining Employees Through Anti-Sexual Harassment Practices: Exploring the Mediating Role of Psychological Distress and Employee Engagement. *Human Resource Management*, 54, 1-21.
- Kalinoski, Z. T., Steele-Johnson, D., Peyton, E. J., Leas, K. A., Steinke, J., & Bowling, N. A. (2013). A meta-analytic evaluation of diversity training outcomes. *Journal of Organizational Behavior*, 34, 1076-1104. doi: 10.1002/job.1839
- Keyton, J., Clair, R., Compton, C. A., Dougherty, D. S., Berthoud, D. F., Manning, J., & Scarduzio, J. A. (2018) Addressing sexual harassment in a sexually charged national culture: a *Journal of Applied Communication Research* forum, *Journal of Applied Communication Research*, 46(6), 665-683. doi: 10.1080/00909882.2018.1546472
- Magley, V., Fitzgerald, L., Salisbury, J., Drasgow, F., & Zickar, M. (2016). Changing Sexual Harassment within Organizations via Training Interventions: Suggestions and Empirical Data, in Burke, R. and Cooper, C. (eds.) *The Fulfilling Workplace: The Organizations Role in Achieving Individual and*

- Organizational Health*, London and New York: Routledge, 225-246.
- Mayer, J. D., Barsade, S. G., & Roberts, R. D. (2008). Human abilities: Emotional intelligence. *Annual Review of Psychology*, 59, 507-536.
- McCann, B. (2018). Does Sexual Harassment Training Work? 2018 EASNA Annual Institute Handout.
- McDonald, P. (2011). Workplace Sexual Harassment 30 Years on: A Review of the Literature. *International Journal of Management Reviews*, 14(1), 1-17. doi: 10.1111/j.1468-2370.2011.00300.x
- McDonald, P. & Charlesworth, S. (2019). *Academic Evidence on the Causes, Manifestations and Responses to Workplace Sexual Harassment*. Submission to the Australian Human Rights Commission's National Inquiry into Sexual Harassment in Australian Workplace.
- McDonald, P., Charlesworth, S., & Graham, T. (2015). Developing a framework of effective prevention and response strategies in workplace sexual harassment. *Asia Pacific Journal of Human Resources*, 53, 41-58. doi:10.1111/1744-7941.12046
- Perry, E. L., Kulik, C. T., & Field, M. P. (2009). Sexual Harassment Training: Recommendations to Address Gaps Between the Practitioner and Research Literatures. *Human Resource Management*, 48(5), 817-837. doi: 10.1002/hrm.20316
- Pilgram, M. & Keyton, J. (2009). Evaluation of Sexual Harassment Training Instructional Strategies. *NASPA Journal about Women in Higher Education*, 222-240. doi: 10.2202/1940-7890.1032
- Pryor, J. B. & McKinney, K. (1995). Research on sexual harassment: Lingering issues and future directions. *Basic & Applied Social Psychology*, 17(4), 605-611.
- Roehling, M. V. & Huang, J. (2018). Sexual harassment training effectiveness: An interdisciplinary review and call for research. *Journal of Organizational Behavior*, 39, 134-150. doi: 10.1002/job.2257
- Society for Human Resource Management (2018). Harassment-Free Workplace Series: A Focus on Sexual Harassment. [<http://www.shrm.org/hr-today/trends-and-forecasting/research-and-surveys/pages/workplace-sexual-harassment.aspx>]
- Tinkler, J. E. (2012). Resisting the Enforcement of Sexual Harassment Law. *Law & Social Inquiry*, 37(1), 1-24.
- Tinkler, J. E. (2013). How do sexual harassment policies shape gender beliefs? An exploration of the moderating effects of norm adherence and gender. *Social Science Research*, 42, 1269-1283.
- Tinkler, J. E., Li, Y. E., & Mollborn, S. (2007). Can Legal Interventions Change Beliefs? The Effect of Exposure to Sexual Harassment Policy on Men's Gender Beliefs. *Social Psychology Quarterly*, 70(4), 480-494.
- Tippett, E. C. (2018). Harassment Trainings: A Content Analysis. *Berkeley Journal of Employment & Labor Law*. [https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2994571]
- United Nations System Chief Executives Board for Coordination (2018). UN System Model Policy on Sexual Harassment. [<https://www.unsystem.org/content/un-system-model-policy-sexual-harassment-o>]
- United Nations Women (2019). UN Women Policy on Sexual Harassment.
- US Equal Employment Opportunity Commission (2016). Report of the Select Task Force on the Study of Harassment in the Workplace. [http://www.eeoc.gov/eeoc/task_force/harassment/upload/report.pdf]
- Walsh, B. M., Bauerle, T., & Magley, V. J. (2013). Individual and contextual inhibitors of sexual harassment training motivation. *Human Resource Development Quarterly*, 24, 215-237.
- Yount, K. (2005). Sexualization and work roles among men miners: structural and gender-based origins of harassment. In Gruber J & Morgan P (Eds) *In the Company of Men: Male Dominance and Sexual Harassment*. Boston, North Eastern University Press, 65-91.

REFERENCE WEBLINKS

- eLogic Learning, Tips for Developing Effective Sexual Harassment Prevention Training, October 23, 2018
<https://elogiclearning.com/tips-for-developing-effective-sexual-harassment-prevention-training/>
- Evandro Gigante, Laura Fant, Daryl Leon and Arielle E. Kobetz, New York State Issues Final Guidance on Sexual Harassment Policy and Training Requirements In Advance of October 9 Effective Date, *Law and the Workplace*, October 2, 2018
<https://www.lawandtheworkplace.com/2018/10/new-york-state-issues-final-guidance-on-sexual-harassment-policy-and-training-requirements-in-advance-of-october-9-effective-date/>
- Kathy Gurchiek, Sexual Harassment Prevention Training Should Involve Real Conversations, *Society for Human Resource Management*, May 30, 2018
<https://www.shrm.org/resourcesandtools/hr-topics/behavioral-competencies/global-and-cultural-effectiveness/pages/sexual-harassment-prevention-training-should-involve-real-conversations.aspx>
- Courtney Osborn, What Makes Sexual Harassment Training Meaningful and Impactful, *thetrainingassociates.com*, May 15, 2018
<https://thetrainingassociates.com/blog/sexual-harassment-training/>
- Pamela Hogle, 5 Novel Suggestions to Improve Sexual Harassment Training, *LearningSolutions.com*, March 22, 2018
<https://www.learningsolutionsmag.com/articles/5-novel-suggestions-to-improve-sexual-harassment-training>
- Pamela Hogle, The State of Sexual Harassment Training in the #MeToo Era, *LearningSolutions.com*, March 12, 2018
<https://www.learningsolutionsmag.com/articles/the-state-of-sexual-harassment-training-in-the-metoo-era>
- Brendan L. Smith, What it really takes to stop sexual harassment, *Monitor on Psychology*, February 2018, Vol 49, No. 2
<https://www.apa.org/monitor/2018/02/sexual-harassment>
- Jathan Janove, Viewpoint: It's Time to Take a New Approach to Sexual Harassment Prevention, *Society for Human Resource Management*, January 18, 2018
<https://www.shrm.org/ResourcesAndTools/hr-topics/employee-relations/Pages/Viewpoint-Its-Time-to-Take-a-New-Approach-to-Sexual-Harassment-Prevention.aspx>
- Claire Cain Miller, Sexual Harassment Training Doesn't Work. But Some Things Do, *New York Rhana Natour*, Does sexual harassment training work?, *PBS NewsHour*, January 8, 2018
<https://www.pbs.org/newshour/nation/does-sexual-harassment-training-work>
- Nell Gelhaus, Is Workplace Sexual Harassment Training Effective?, *Dashe & Thomson*, December 20, 2017
<https://www.dashe.com/blog/is-workplace-sexual-harassment-training-effective>
- The Bronfenbrenner Center for Translational Research, Sexual Harassment Training Is Largely Ineffective, *Psychology Today*, December 13, 2017
<https://www.psychologytoday.com/gb/blog/evidence-based-living/201712/sexual-harassment-training-is-largely-ineffective>
- Times*, December 11, 2017
<https://www.nytimes.com/2017/12/11/upshot/sexual-harassment-workplace-prevention-effective.html>
- Lauren Edelman, What's the point of sexual harassment training? Often, to protect employers, *Washington Post*, November 17, 2017
https://www.washingtonpost.com/outlook/whats-the-point-of-sexual-harassment-training-often-to-protect-employers/2017/11/17/18cd631e-c97c-11e7-aa96-54417592cf72_story.html?noredirect=on&utm_term=.b154e65e6917
- Claire Lampen, Why sexual harassment training doesn't work, *BBC*, 22 November 2017
<http://www.bbc.com/capital/story/20171121-why-sexual-harassment-training-doesnt-work>
- Hilary Brueck, Members of Congress now have to do sexual-harassment training — here's what

- would actually make it effective, *Business Insider*, November 18, 2017
<https://www.businessinsider.com/sexual-harassment-training-effective-2017-11?r=US&IR=T>
- Chloe Hava, How can we end workplace sexual harassment? HRonline, 15 November, 2017
<http://www.hrmonline.com.au/section/featured/antidote-sexual-harassment/>
- Scott Roxborough, Sweden to Require Sexual Conduct Education for Companies Applying for Film Subsidies, *Hollywood Reporter*, November 15, 2017
https://www.hollywoodreporter.com/news/sweden-require-sexual-conduct-education-companies-applying-film-subsidies-1058472?utm_source=twitter&utm_source=Direct
- Julia Belluz, Congress is making harassment trainings mandatory. Science shows they don't work, *Vox.com*, Nov 14, 2017
<https://www.vox.com/science-and-health/2017/10/24/16498674/corporate-harassment-trainings-dont-work>
- Vicki Magley and Joanna Grossman, Do Sexual Harassment Prevention Trainings Really Work?, *Scientific American*, November 10, 2017
<https://blogs.scientificamerican.com/observations/do-sexual-harassment-prevention-trainings-really-work/>
- Elana Schor, Senate passes measure requiring sexual harassment training for senators, *Politico*, aides, November 9, 2017
<https://www.politico.com/story/2017/11/09/congress-sexual-harassment-training-senators-aides-244762>
- Allen Smith, Sexual Harassment Training Should Be Separate for Managers and Rank and File, *Society for Human Resource Management*, November 2, 2017
<https://www.shrm.org/resourcesandtools/legal-and-compliance/employment-law/pages/separate-sexual-harassment-training.aspx>
- Madison Pauly, There's Little Evidence Sexual Harassment Trainings Work. Here's what academics and government researchers say could make them better, *MotherJones.com*, November 1, 2017
<https://www.motherjones.com/media/2017/11/theres-little-evidence-sexual-harassment-trainings-work/>
- Dana Wilkie, When HR Gets It Wrong: Training that Doesn't Work, *Society for Human Resource Management*, July 19, 2017
<https://www.shrm.org/ResourcesAndTools/hr-topics/employee-relations/Pages/HR-Gets-it-Wrong-3-.aspx>
- Frank Dobbin and Alexandra Kalev, Why Diversity Programs Fail, *Harvard Business Review*, July–August 2016
<https://hbr.org/2016/07/why-diversity-programs-fail>
- Jena McGregor, To improve diversity, don't make people go to diversity training. Really, *Washington Post*, July 1, 2016
https://www.washingtonpost.com/news/on-leadership/wp/2016/07/01/to-improve-diversity-dont-make-people-go-to-diversity-training-really-2/?utm_term=.054044ddb88
- Sam Levin, Sexual harassment training may have reverse effect, research suggests, *Guardian*, 2 May 2016
<https://www.theguardian.com/us-news/2016/may/02/sexual-harassment-training-failing-women>
- Ilana DeBare, The cost of compliance / Sexual harassment training becomes a lucrative business, *San Francisco Gate*, October 28, 2005
<https://www.sfgate.com/business/article/The-cost-of-compliance-Sexual-harassment-2598839.php#item-85307-tbla-4>
- Holly Curtis, Rethinking Online Sexual Harassment Training After #MeToo, *edgepoint learning*, no date (but is post 2017)
<https://www.edgepointlearning.com/blog/online-sexual-harassment-training/>

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