Sexual Harassment:
Is It or Isn’t It?
Hospitality Situations for Discussion

Training Leader’s Guide
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**Sexual Harassment: Is It or Isn't It?**

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Sexual Harassment: Is It or Isn’t It?
Hospitality Situations for Discussion

Preparation Materials
**Introduction**

In 1980, the Equal Employment Opportunities Commission issued federal guidelines declaring sexual harassment an unlawful employment practice. In 1986, the Supreme Court decision in Meritor vs. Vinson affirmed these guidelines and the fact that harassment on the basis of sex is illegal.

Although sexual harassment has been declared illegal, several problems concerning the prevention and handling of sexual harassment continue to plague workers and employers alike. Sexual harassment is a topic few people can address without embarrassment. There is a natural reluctance to delve deeply into this sensitive topic even though a major portion of the workforce, both men and women, has been affected.

**Sexual Harassment: Is It or Isn't It?** is a video-based training program with interactive vignettes designed to stimulate discussion about the not-so-obvious forms of sexual harassment and the hostile work environment it can create. You may stop the tape for discussion after each vignette or let Greg Naylor, an attorney specializing in employment law, continue narrating the legal viewpoints for each scenario.

American Media's sexual harassment video programs and accompanying Training Leader's Guides are designed to assist your efforts in communicating the latest information on identifying and dealing with sexual harassment. They provide management and employees alike with valuable tools to help eliminate the emotional and financial problems of sexual harassment in the workplace. The programs can be used on their own or used together for a comprehensive training course on sexual harassment.

Upon completing this training session, your participants should be able to:

- Define sexual harassment and offensive behaviors that can be considered harassment.
- Recognize the effects that harassment has on people.
- Stimulate discussion and examine personal feelings about sexual harassment.
- Promote the concept that sexual harassment of any type is a form of discrimination and cannot be tolerated.
- Discuss your organization’s policies and procedures related to sexual harassment.
Training Session Checklist

Use this checklist to help you gather all necessary materials for the training session.

Meeting Preparation
- Determine your training objectives.
- Measure the current status of your participants using the Pretraining Survey.
- Choose different ways to train to ensure transfer of information.

Location
- Create a relaxed environment.
- Make sure all seats have a good view of the visuals.
- Make sure there is enough light to take notes when participants view the video.
- Provide an adequate writing surface for participants.
- Check for good acoustics.
- Verify that your room is accessible and equipped for participants with disabilities.

Video Equipment
- Make sure the VCR is properly connected to the monitor.
- Test the VCR, and check monitor for proper picture, color, and volume.
- Make sure the tape is rewound and ready to play before beginning your session.
- Check all other equipment for proper operation.

Materials
- Training Leader's Guide
- Videotape—Sexual Harassment: Is It or Isn't It?
- How-To Book—Stopping Sexual Harassment Before It Starts
- Overheads
- Paper and Pencils
- Additional Equipment
- Participant Worksheets
Trainer’s Instructions for Using the Book Stopping Sexual Harassment Before It Starts

Group Training Sessions
Stopping Sexual Harassment Before It Starts, part of AM I’s How-To Book Series, is an excellent complement to your group training session. In this guide, we have included an exercise from Stopping Sexual Harassment Before It Starts.

To use the book effectively, you may:
• Use the exercise we have developed for this course, incorporate other exercises from the book that you feel better meet the needs of your organization, or use a combination of both.
• Assign reading of an entire chapter of the book that covers an area you wish to emphasize in your session.
• Assign reading of the entire book and completing of assigned exercises.

Self-Study
No time to call everyone together for training? No problem—AMI has made training even easier with its self-study programs. By combining the effectiveness of the video Sexual Harassment: Is It or Isn’t It? and AM I’s How-To Training Book Stopping Sexual Harassment Before It Starts, your employees can improve their skills through self-guided study.

Written in a user-friendly, easy-to-understand style, the book includes interactive exercises in each chapter to help the reader process the information and put it into action—ensuring that the information makes an impact.

On-the-Job Reference Tool
Providing copies of the book to each training participant allows you to continue instilling the importance of improving workplace performance after your session is completed. The book is an excellent tool for continued learning and provides an easy, hands-on reference for use on the job.
**Tips for Transferred Learning**

Keep in mind the following tips when conducting any adult training. You may wish to review these tips and incorporate them into your session planning.

1. **Adults learn when they feel they need to learn.**
   Discuss ways your training will help participants improve job performance by learning how to motivate employees.

2. **Adults learn by doing.**
   Use the exercises found in this Training Leader's Guide or create your own to give participants an opportunity to practice skills they can take back to their jobs. Also, provide reinforcement tools, such as copies of the How-To Book *Stopping Sexual Harassment Before It Starts*, for your participants to take back to their jobs for continued and reinforced learning.

3. **Adults learn by solving realistic problems.**
   Discuss and analyze actual on-the-job situations. Allow the trainees to solve these real-life problems by using what they have learned.

4. **Adults learn in an informal environment.**
   Design your training room to be as informal as possible. Avoid classroom-style seating. If appropriate, encourage training participants to wear casual clothing. Encourage discussion and interaction to make participants feel more comfortable.

5. **Adults learn by different training methods.**
   Vary your training methods. Combine discussions, role-plays, case studies, self-evaluations, and action planning in your training session. Using a variety of methods reinforces your message and promotes audience involvement.

6. **Trainers learn by follow-up methods.**
   Follow-up methods are crucial when determining the success of transferred training. Feedback from your participants' managers; follow-up surveys or training sessions; three-, six-, and nine-month skill-testing sessions; etc., can help you evaluate the information being used on the job site.
Possible Session Agendas

Two session agendas have been provided to help guide you through your Sexual Harassment: Is It or Isn't It? session. You can modify these agendas to meet the needs of your participants. A blank agenda sheet is also provided on page 13 if you wish to create your own agenda.

### 1 1/2-Hour Session

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<thead>
<tr>
<th>Activity</th>
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<tr>
<td>Introducing the Session to Participants</td>
<td>15 minutes</td>
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<tr>
<td>Sexual Harassment Overview</td>
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<td>Training Vignettes</td>
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<td>Acknowledgment of Sexual Harassment Training</td>
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<td>Session Evaluation</td>
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### 3+-Hour Session

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<tr>
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<tr>
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<td>Pretraining Survey Discussion</td>
<td>15 minutes</td>
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<td>Training Vignettes</td>
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<td><strong>Break</strong></td>
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<td>Training Review</td>
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<td>Posttraining Survey</td>
<td>15 minutes</td>
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<tr>
<td>Acknowledgment of Sexual Harassment Training</td>
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<tr>
<td>Optional Exercise for the Sexual Harassment Desk Reference Guide</td>
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<td>39</td>
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<tr>
<td>Session Evaluation</td>
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## Trainer’s Personalized Session Agenda

You may want to plan a session that is different from the agendas provided on page 12. Below is a blank agenda to assist you in outlining your session.

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<thead>
<tr>
<th>Activity</th>
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Invitation Memo to Participants

This memo can be sent to your participants approximately one to two weeks prior to your training session. Modify the memo to fit your specific needs.

(Today's Date)

TO: (Participant's Name)
FROM: (Trainer's Name)
RE: Sexual Harassment: Is It or Isn't It? Training Session

Although sexual harassment has been defined and declared illegal, several problems concerning the prevention and handling of sexual harassment continue to plague workers and employers alike.

On (insert date), we will hold a training session to explain our policy regarding sexual harassment, discuss how it affects you, and review common situations that may or may not be harassment. The session will be held at (insert location). During the session, you'll have the opportunity to:

- Define sexual harassment and offensive behaviors that can be considered harassment.
- Identify the effects that harassment has on people.
- Examine personal feelings about sexual harassment.
- Recognize that sexual harassment of any type is a form of discrimination and cannot be tolerated.
- Discuss our organization's policies and procedures related to sexual harassment.

To help us get the most out of our training session, please complete the enclosed Pretraining Survey and return it to me by (insert date). Your honest responses to the questions will help us to place emphasis on critical areas.

Please mark your calendar so you can attend this very important training session.
Trainer’s Instructions for the Pretraining Survey

1. Complete the Invitation Memo to Participants (page 14), and send it along with a copy of the Pretraining Survey (included with Participant Materials) to each participant. Ask participants to complete the survey and return it to you at least five days before the training session.

2. Use the Pretraining Survey to evaluate the needs of your participants. This survey will allow you to design the training session to emphasize areas or topics of importance.

3. A Posttraining Survey is also provided for use at the end of the training session to determine if your training goals have been met or if further education and training are necessary.
Sexual Harassment: Is It or Isn’t It?
Hospitality Situations for Discussion

Training Materials
Introducing the Session to Participants

Time Required:
• 15 minutes

Materials Needed:
• Overhead 1
• Overhead 2

Objective:
• To introduce participants to the subject of sexual harassment.

1. Read or paraphrase the following:

Everyone loses when sexual harassment occurs. It affects productivity and lowers morale at all levels of an organization. Most importantly, it can even result in a lawsuit.

Everyone has the right to work in an environment free from sexual harassment and to be evaluated solely on his or her work performance.

2. Show Overhead 1 and read or paraphrase:

Upon completing this training session, you should be able to:
• Define sexual harassment and offensive behaviors that can be considered harassment.
• Identify the effects that harassment has on people.
• Examine personal feelings about sexual harassment.
• Recognize that sexual harassment of any type is a form of discrimination and cannot be tolerated.
• Discuss our organization’s policies and procedures related to sexual harassment.

Every situation is different, but we all need to be aware of how our actions affect others. There are different forms of sexual harassment—some are obvious and some are subtle. Two types of sexual harassment are quid pro quo and hostile environment.
3. Show Overhead 2 and read or paraphrase:

Quid pro quo sexual harassment occurs when employment decisions or expectations—hiring decisions, promotions, salary increases, work assignments, or performance evaluations—are based on an employee's willingness to grant or deny sexual favors.

Hostile environment sexual harassment occurs when verbal or nonverbal behavior in the workplace:
• Focuses on the sexuality of another person or occurs because of the person's gender.
• Is unwanted or unwelcome.
• Is severe or pervasive enough to affect the person's work environment.

Today we are going to view examples of several situations that might be considered sexual harassment. We will discuss whether or not these situations could be considered sexual harassment—subtle or obvious—and what steps should be taken if the act is considered sexual harassment.

By discussing a variety of different situations, you can increase your understanding and avoid sexual harassment in the workplace.

The more you know about sexual harassment, the better off you and your organization will be if a sexual harassment situation occurs.
Sexual Harassment Overview

Time Required:
- 10 minutes

Materials Needed:
- Overhead 3
- Overhead 4

Objective:
- To discuss what is and isn't sexual harassment.

1. Have a large-group discussion about each one of the questions below. Overheads 3 and 4 are provided with the questions for your assistance. (You may wish to divide your participants into small groups or pairs to discuss their thoughts on each question and present their thoughts to other participants.)

2. Allow time for questions and feedback. Answers to the questions are provided below to assist you with discussion.

- What behavior is harassing?
  Sexual harassment behavior falls into four main groups—verbal, visual, physical, and written. The behavior can be blatant or very subtle. Any behavior in any of the categories listed is considered sexual harassment if the behavior is unwelcome.

- Why do people sexually harass others?
  The majority of people who harass do so as a conscious or unconscious way of expressing dominance or power. It may be used as a method for organizational or social control over someone else. Sometimes people harass others in an attempt to keep them in their place. Others harass in front of their peers in an attempt to seek peer approval. Sexual harassment is a bullying tactic used by some to get what they want. Very little harassment is based on sexual desire.

- Who harasses, and how can they be identified?
  There is really no typical abuser. Some sources give characteristics of typical or potential harassers, but there can be no positive identification until the harassing is committed. Anyone can harass, just as anyone can be a target of harassment regardless of sex, sexual preference, age, or professional position.
• **What is the difference between sexual attraction and sexual harassment?**  
First of all, sexual harassment is a form of discrimination and may have nothing to do with one person’s physical attraction to another. It is a misuse of power. From the beginning, the harasser is out to prove his or her dominance over the victim. The harasser’s goals are usually intimidation and control, not the pursuit of a mutually satisfying relationship.

• **Who are the most frequent victims of sexual harassment?**  
Early statistics on sexual harassment indicated that this was a problem of working women. Additional studies, conducted as a result of increased interest in the subject, indicate that it is becoming a growing problem for men as well. There is also an increase of homosexual harassment incidents reported.

• **Can a sexual harassment claim be made by an employee even if that employee consented to the sexual activity?**  
Yes. Submission to the sexual activity by the employee citing harassment is not a defense an employer can use to avoid liability in a sexual harassment suit. The employee may have consented to the sexual activity only after pressure from the harasser.

• **What do most people want as a result of filing a sexual harassment claim?**  
Studies show that the majority of these people just want the harassment to stop. More and more people are filing complaints with employee-rights agencies like the EEOC because employers fail to take action. It’s interesting to note that the majority of people who have been harassed quit or transfer out of the offensive work environment.

• **How can sexual harassment be prevented?**  
Of course, the best method to stop harassment is to prevent it from happening. Prevention begins with an attitude that sexual harassment in any form will not be tolerated.
Pretraining Survey Discussion

Time Required:
- 15 minutes

Materials Needed:
- Pretraining Survey (Participants should have received and completed these prior to the training session.)

Objective:
- To apply acquired knowledge from previous discussion to specific situations.

1. Read each scenario (on the Pretraining Survey) and ask your participants to discuss each situation and decide if it is or isn't sexual harassment.

2. When they have come to a conclusion, read and discuss the answer.

Connie, a team leader, has known for some time about affairs between some female employees and their bosses. Furthermore, these women have received perfect reviews while other more-deserving employees have not. When Connie comes up for a promotion, it is made clear that “socializing” will be part of the new job. She rejects the offer and receives a poor performance appraisal and a probation period and loses an opportunity for an increase in salary. Is Connie being sexually harassed?

Yes, on two accounts. First, because some women in Connie’s office have in the past received a promotion or financial gain in return for sexual favors, Connie is a victim of environmental sexual harassment. Even though Connie was not at first being harassed directly, she was forced to work under intimidating conditions. And second, Connie is denied a promotion and salary increase because she will not give in to sexual demands.

Jane works in the catering department of a large hotel chain. Through the course of the working day, Jane is subjected to suggestive jokes, remarks, and questions about a woman’s sexual behavior. She is “accidentally” touched repeatedly. Does such behavior by Jane’s coworkers constitute sexual harassment?

Yes. Any repeated offensive or suggestive language or inquiries about a person’s sexual behavior are considered sexual harassment when the victim asks the perpetrator to stop the offensive behavior and he or she refuses. Any touching of intimate body parts, accidental or not, is considered sexual harassment. Stroking someone’s hair,
putting an arm around his or her shoulder, or anything of a similar nature is considered sexual harassment when the victim asks the perpetrator to stop the offensive behavior and he or she refuses.

In their monthly work group meetings, Mr. Blake always requires Liz to set up the meeting in the break room, provide coffee, and take notes. The work group consists of three supervisors: Liz, Tom, and Jack. Is Mr. Blake discriminating against Liz?

Yes. Mr. Blake is discriminating against Liz by requesting that she set up the meeting, make the coffee, and take notes. He is expecting her to perform tasks not required of Tom and Jack. These requests are not sexual in nature, but they do discriminate.

Kelley is hired as a room attendant. Upon reporting for work, she is presented with a uniform that she finds too tight. She objects but wears the uniform when she is told it is required for the job. For two days, Kelley is subjected to repeated abusive comments and suggestions by employees passing her sales area. When she complains, her employer orders her to wear the uniform or quit. Is this sexual harassment?

Yes. Kelley’s employer has made it perfectly clear that one of the terms of her employment is to wear a sexually suggestive uniform. If Kelley refuses to wear the outfit, she will lose her job. Such conditions are considered sexual harassment when they intimidate the employee, subject the employee to abusive comments and sexual suggestions, or are contingent on the employee retaining her position.

Clare and Mark work in the hotel gift shop. They are often teamed together on special projects and spend a considerable amount of time together. Mark is attracted to Clare and has asked her out on several occasions. Clare repeatedly rejects his offer, but Mark believes that persistence will win out, so he keeps asking. Is Mark sexually harassing Clare?

Yes. Clare has told Mark on several occasions that she is not interested in going out with him. Mark’s repeated request for a date is considered sexual harassment.

continued
Max’s boss, Shirley, invites him to the hotel bar after work to celebrate his record-breaking day of sales. However, when he arrives, he discovers that she is seated at a very secluded table. After a brief discussion of his job performance and chance for a possible promotion, Shirley asks Max back to her house for a drink. Is Shirley sexually harassing Max?

Yes. Shirley implies that Max’s career potential and chance at a possible promotion are contingent on his sexual cooperation—“coming back to her house for a drink.” In this case, Max is the victim of sexual harassment.

Linda is very attracted to her boss, Dan. Since they’re both single, she asks him over to her house for dinner. After a very pleasant evening and a few too many drinks, they wind up spending the night together. Could this be considered sexual harassment?

It would appear that this situation is mutually desired by two consenting adults. However, in cases like this, there is no black-and-white answer. Because Dan is Linda’s boss, the organization could be open to a future sexual harassment suit. At some point, Linda could sue her employer, saying that she felt compelled to sleep with Dan for a variety of job-related reasons. Because suits like this are becoming more common, managers, supervisors, and team leaders should be aware of how their sexual relations with a subordinate could have detrimental effects on the organization.

3. Read or paraphrase the following:

Perception is key to defining sexual harassment. By doing exercises like this one, you will see that perception can differ in every situation.
Training Vignettes

Time Required:
• 55 minutes

Materials Needed:
• Video—Sexual Harassment: Is It or Isn’t It?
• Video Case Study sheets for the trainer
• Copy of your organization’s policy on sexual harassment

Objective:
• To help participants identify sexually harassing behavior.

1. Divide your participants into teams of four. Explain that they will be watching a series of video vignettes in which characters face possible sexual harassment situations.

2. Before each vignette, read or paraphrase:
   If you were faced with the following situation, what would you do? Discuss your thoughts as a group and write your answers on a sheet of paper.

3. Show the first vignette in its entirety.

4. Following the first vignette, stop the video and ask the questions found in the Video Case Study sheets.

5. After five minutes, ask one person from each group to explain the group’s answers. After each group has shared its answers, show the Legal Viewpoint portion of the vignette.

6. Continue this process for each vignette.
Video Case Study 1 - Great Opportunity?

Show video to the next fade-to-black.

**SCRIPT**

**Patrick:** (to couple) Sure, no problem. I'll be happy to call and remind the agency that you need the car here by nine.

Patrick hands them the room key.

**Patrick:** (continuing) Again, congratulations on your anniversary. If you need anything, just give us a call.

The couple smiles and exits. Lisa walks over to Patrick.

**Lisa:** You know, Patrick, I've been keeping my eye on you. I think you're really coming along. You seem to be very in tune with the guests' needs.

**Patrick:** Thanks, Lisa.

**Lisa:** You've got a lot of potential to move up. As a matter of fact, when Jim leaves next month, I've been thinking about recommending you for Front Office Supervisor.

**Patrick:** Really? That would be great!

She gives him a warm smile.

**Lisa:** Of course, there are no guarantees, but...(pause—thinking) You know, I was just thinking, I was planning to take a couple days off next week and go up to my family's place at the lake. If you'd like, I could arrange for you to get those days off and we could go together.

**Patrick:** (uneasy) Gee, I don't know.

**Lisa:** Come on. It will be a fun little getaway... and we could talk about the job in more detail. You know, a promotion like that could be a great opportunity for you.

1. **Could this situation be considered sexual harassment? Why or why not?**

2. **If you were Patrick, how would you respond in this situation?**

3. **Does it make a difference if Lisa is Patrick's boss?**

4. **What steps should Patrick take now?**

(State your organization's policy as it relates to this situation.)

When Lisa asked Patrick if he'd like to join her at the lake, that request alone didn't violate any laws. She is free to ask him out and he is free to decide whether to go with her or not. However, a problem develops when she ties the date request to the possible promotion. Remember, it is illegal to ask for sexual favors in return for favorable job considerations. If Patrick felt that his chances of getting the new position were directly tied to accepting her invitation, we could have an example of quid pro quo sexual harassment.
Video Case Study 2 - The Word Game

Show video to the next fade-to-black.

**SCRIPT**

**Jake:** Hey there, pretty lady.
**Angela:** Oh! I didn't know anyone was in here.
**Jake:** Sorry about that. We’re just installing new shower rods and curtains in a couple of the rooms.
**Angela:** Well, I don’t want to get in your way. I’ll come back later.
**Jake:** (visually checking her out) Hey, don’t rush off. You can stick around and give me a hand. (strong innuendo) You know, I’m pretty good with my “tools,” but I can always use some help to make sure my “curtain” is properly hung.
**Angela:** I don’t think that’s funny.
She takes her cleaning supplies and walks out of the room.
**Jake:** (laughing) Hey, what did I say?

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1. Could this situation be considered sexual harassment? Why or why not?

2. If you were Angela, how would you respond in this situation?

3. Can you think of other sexual innuendos you’ve encountered in the workplace?

4. What steps should Angela take now?

(State your organization’s policy as it relates to this situation.)

---

**Legal Viewpoint**

Usually one comment or action isn’t considered harassment. Typically, it is a pattern of repeated behaviors or comments which creates an offensive work environment. If these comments continue, particularly after Angela communicates her dislike for such behavior, then this example could be considered hostile work environment sexual harassment. Even though the man is an outside vendor and not an employee of the hotel, he can still create an illegal hostile work environment. The law is clear. A third party—such as a vendor—who is working with a facility’s employees can cause illegal sexual harassment. In addition, if a company is made aware that the vendor is engaging in this kind of illegal behavior, they must take action to stop it.
Video Case Study 3 - A Touchy Situation

Show video to the next fade-to-black.

1. Could this situation be considered sexual harassment? Why or why not?

2. If you were Janice, how would you respond in this situation?

3. What steps should Janice take now?

(State your organization’s policy as it relates to this situation.)

Occasional, accidental physical contact can certainly happen in any workplace. Such contact generally would not be considered harassment. However, purposeful physical contact, including contact which is repetitive, can create a sexually harassing work environment. In this case, the woman clearly let her coworker know that she wanted him to stop. Because he continued, this could be considered sexual harassment. The best policy for prevention of this type of harassment is simple. Unless your job specifically requires it, never touch anyone at work. Remember, physical contact in the workplace can be both unwelcome and misinterpreted.

SCRIPT

Will: Oh sorry, Janice. It’s just crazy in here tonight, isn’t it?
Janice: Yeah, I guess so.

He stands next to her as he checks the orders which have come up.

Will: Where’s that salad?
He looks around the counter in front of them and apparently sees the salad on the other side of Janice.

Will: Oh, there it is.
As he starts to walk around her, another waiter rushes by in back of them, forcing Will to rub up against Janice again. This time he places his hands on her shoulders as he walks by. Surprised and uncomfortable by the contact, her back stiffens.

Will: (hands still on her shoulders) Boy, you’re really tense tonight. How’s this feel?
He starts to rub her shoulders. Janice is obviously nervous and uncomfortable. She shrugs her shoulders in an attempt to get him to stop.

Janice: (uncomfortable) Please don’t do that.
He continues rubbing her shoulders.

Will: Come on... I’m just trying to help you relax.
She pulls away.

Janice: (more forceful) I said stop it!
Video Case Study 4- You’ve Got Mail

Show video to the next fade-to-black.


case study

1. Could this situation be considered sexual harassment? Why or why not?

2. If you were this Tammy, how would you respond in this situation?

(State your organization’s policy as it relates to this situation.)

Legal Viewpoint

According to the law, suggestive e-mails, pictures, posters calendars, or cartoons that are unwelcome or uninvited can create a hostile work environment. And a facility that allows such items in the workplace could be guilty of permitting sexual harassment. In this situation, Tammy may or may not have found the photo her friends sent personally offensive. However, as this case clearly shows, a professional work environment is simply not a proper place for such material. Even if sexual material is intended just for a coworker, that doesn’t mean that someone else may not see it and be offended. Keep this type of material out of the workplace.
Video Case Study 5–Just Give It A Chance

Show video to the next fade-to-black.

**SCRIPT**

Leslie: Hi, Nikki.
Nikki seems a little cold towards Leslie.
Nikki: Oh, hi.
Nikki takes off her coat and hangs it on a wall hook. She then starts to put on her apron without looking at Leslie. Leslie ignores the cold response and tries to be warm and friendly.
Leslie: Hey, I’ve been thinking, I probably came on a little strong yesterday and I’m sorry... I have a tendency to do that. But I’ll tell you, I really do think we have a lot in common and could have a good time together.
Nikki tries to be a little friendlier.
Nikki: Look, maybe I overreacted a bit too... you did surprise me. But like I said before, I’m really not interested. You’re a nice person to work with, but that’s it.
Leslie: (As if to say “you don’t know what you’re missing”) Okay...

1. **Could this situation be considered sexual harassment? Why or why not?**

2. **If you were Nikki, how would you respond in this situation?**

(States your organization’s policy as it relates to this situation.)

**Legal Viewpoint**

Was this a case of sexual harassment? At this point, probably not. However, the fact that it is a same-sex situation is not an excuse. The laws prohibiting harassment are the same regardless of the gender of those involved. The employee has made it clear that she is not interested in her coworker other than job-related matters. As long as Leslie is willing to respect those boundaries, this likely will not become an illegal sexual harassment situation.
Video Case Study 6 – Just A Joke?

Show video to the next fade-to-black.

1. Could this situation be considered sexual harassment? Why or why not?

2. If you were Linda, how would you respond in this situation?

(State your organization’s policy as it relates to this situation.)

Legal Viewpoint

This may seem like a simple case of kidding around. However, off-color jokes and comments should be left out of the workplace. You never know who may be offended. In this case, when it became obvious that these jokes were upsetting to the female, the men should have stopped. By continuing to tell the jokes even when they knew that it bothered her, they were creating a hostile work environment. According to the law, this incident could be considered sexual harassment. A facility could be held liable if it knew or should have known about the incident and failed to stop it. Linda’s supervisor was clearly aware of the situation. Legally, she should have done something to stop it. Remember, the failure to act could be viewed as excusing or even encouraging the illegal behavior. To minimize a facility’s liability, a supervisor must promptly and fully investigate any complaint reported to them. Employees should be assured that there will not be retaliation for reporting behavior. Remember, it is their right and responsibility to report it.
Video Case Study 7 - Too Happy?

Show video to the next fade-to-black.

**SCRIPT**

Roger holds up his drink as if to make a toast.

**Roger:** Guys, this has been a great birthday! You’re the best.

The others take their glasses and all drink as **Heather**, a server in a somewhat revealing casino cocktail waitress outfit, walks up with another round of drinks. As **Heather** serves the drinks, Roger gives her a visual “once over.”

**Roger:** Hey, Sweetie. What did you say your name was?

**Heather:** Heather.

Roger starts to pat his pockets as if he is looking for something.

**Roger:** Heather, I seemed to have lost my phone number. Could I have yours?

The others all laugh. **Heather** just smiles and finishes serving the drinks.

**Roger:** Hey, Heather, it’s my birthday. How’d you like to help blow out my candle?

The guys all laugh. **Heather** tries to act like the off-color humor doesn’t bother her.

**Heather:** That’s okay.

He puts his arm around her waist.

**Roger:** When’s your shift over? Maybe we can go out and celebrate. Getting upset but still keeping her cool, she pushes his arm away.

**Heather:** I’m sorry, sir, we are not allowed to go out with guests.

**Roger:** Ah, come on, who’ll know? Plus, I’m a big spender. You don’t want me taking my business somewhere else, do you?

1. **Could this situation be considered sexual harassment? Why or why not?**

2. **If you were this woman, how would you respond in this situation?**

3. **What impact can sexual harassment have on your business?**

(State your organization’s policy as it relates to this situation.)

Everyone would agree that this is clearly a case of harassment. And every employee has the right to be protected from harassment by guests. First, just because the woman’s outfit is somewhat revealing, this does not give the customer permission to make unwanted advances towards her. Second, although the man may have the right to ask her out, once she turned him down, that should have been the end of it—especially after she pointed out it was against her employer’s policy. His continued advances, particularly in conjunction with the physical contact, have clearly created a hostile work environment for the young woman. In this case, she should take appropriate action and immediately report the incident to her supervisor.
Video Case Study 8–Just Being Friendly?

Show video to the next fade-to-black.

CHAPTER 9

1. Could this situation be considered sexual harassment? Why or why not?

2. If you were Ms. Davis, how would you respond in this situation?

3. If you were Terrence, how would you respond in this situation?

(State your organization’s policy as it relates to this situation.)

Legal Viewpoint

A case of sexual harassment? Unlikely. He didn't violate any law by his joking, off-hand comment to the woman. Indeed, he may have meant no sexual innuendo at all. However, this brings up an important point. Even though this may not be a case of sexual harassment, you can see how easy it may be to inadvertently offend a guest. In doing so, you may irritate or even lose a good customer. Remember, the best policy is to always keep your comments and actions appropriate and business related.
Video Case Study 9 - No H ablo Espanol?

Show video to the next fade-to-black.

**SCRIPT**

**Peggy:** Hi, Juan. Hi, Carlos.
They set the mattress down against the wall.

**Carlos:** Hey, Peggy. How's it going?

**Peggy:** Not bad. Just have a couple more rooms to do and I'm done for the day. What are you two doing?

**Juan:** Putting in some new mattresses. (swaggering) You know, for the big jobs they call in the big guns.
He holds up his arm and points to his flexed biceps. They laugh. Peggy smiles.

**Peggy:** Well, I'll get out of your way.
She turns and bends over to pick up a food tray which is sitting on the floor next to the door. The men admire her posterior.

**Carlos:** (in Spanish) Ooo, muy bonita!
Juan does a wolf whistle. Peggy turns around and shakes her head as she places the tray on her cart. We can tell she's not happy with the whistle and comment.

**Peggy:** Hey, whatever that meant... Keep it to yourself next time. Okay?
The men laugh.

**Juan:** Sure, no problem. (in Spanish) She's a little uptight. Maybe she needs to stick around and help us break in the new mattress.

1. **Could this situation be considered sexual harassment? Why or why not?**

2. **If you were Peggy, how would you respond in this situation?**

(State your organization's policy as it relates to this situation.)

As a general rule, the courts have made it clear: isolated teasing or simple rudeness is not sexual harassment. However, off-color comments and gestures can become illegal if they are severe and pervasive, they are directed at a person because of their sex, and they negatively affect that person's employment. The fact that Peggy doesn't speak Spanish and doesn't know exactly what they said is irrelevant. Their gestures and whistles clearly make her uncomfortable. Since she let them know that she did not like what they were doing, if they continue this behavior in the future, it could be considered sexual harassment.
Exercise from the Book Stopping Sexual Harassment Before It Starts

Time Required:
• 20 minutes

Materials Needed:
• How-To Book—Stopping Sexual Harassment Before It Starts

Objective:
• To learn how to prevent sexual harassment.

1. Distribute the book Stopping Sexual Harassment Before It Starts to each participant.

2. Ask participants to read Chapter 5, Preventing Sexual Harassment. This reading provides information on methods and practices an organization can adopt to prevent sexual harassment.

3. When participants have finished the reading, turn to page 89 and complete the Self-Check: Chapter Five Review as a group. Read each question aloud and answer and discuss as a group.
Training Review

Time Required:
• 20 minutes

Materials Needed:
• None

Objective:
• To review the training points learned in this session.

1. Divide participants into small groups.

2. Ask each participant to think of a situation they have witnessed that may be considered sexual harassment and share it with the other members of their group.

3. Have each group discuss the situations.

4. Ask each group to decide how they would handle the situation if it happened again.

5. Have one member from each group describe one of their situations and how they decided to handle it.

6. Offer suggestions if their actions are not in line with your organization’s policy.
Posttraining Survey

Time Required:
• 15 minutes

Materials Needed:
• One copy of the Posttraining Survey for each participant

Objective:
• To measure how well participants are retaining information.

1. Read or paraphrase the following:
   This worksheet is designed to evaluate the effectiveness of this training session. In no way will it be used to penalize you.

2. Distribute the Posttraining Survey and give participants time to complete it. Discuss the questions below.

1. What is sexual harassment?
   Unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
   • Submission to such conduct by an individual is made explicitly or implicitly a term or condition of employment.
   • Submission to or rejection of such conduct by an individual is used as the basis for an employment decision.
   • Such conduct has the purpose or effect to interfere with an individual’s work performance or creates a hostile or intimidating environment.

2. If you are sexually harassed, what should you do?
   (Trainer should state organization’s policy here.)

3. What are the two main types of sexual harassment?
   Quid pro quo and hostile environment.

4. What can you do to protect yourself from sexual harassment?
   Conduct yourself in a businesslike manner, dress appropriately, become familiar with your right to work in an environment free from discrimination based on sex, be prepared to assert these rights, become acquainted with your organization’s policy and procedures for reporting harassment, take a few minutes to stop and decide ahead of time what kind of action you would take if you were harassed.

5. What are some of the effects of sexual harassment?
   Lost motivation, low morale, lawsuits, negative (or hostile) environment.
Acknowledgment of Sexual Harassment Training

Time Required:
• 5 minutes

Materials Needed:
• One copy of the Acknowledgment of Sexual Harassment Training for each participant
• One copy of the Session Evaluation Form for each participant

1. Pass out the Acknowledgment of Sexual Harassment Training to the participants and read or paraphrase the following:
   Sexual harassment will not be tolerated in our work environment. Let’s take a moment to review our organization’s policy concerning sexual harassment.

   By signing and acknowledging your training here today, you help ensure that sexual harassment becomes obsolete in our organization. This acknowledgment will be kept in your employment file in the human resources department (or with the appropriate person).

2. Give participants time to read and sign the statement.

3. Collect the statements and forward them to your human resources department or the appropriate person.

4. Hand out the Session Evaluation Form. Allow participants five minutes to complete it.
Optional Exercise for the Sexual Harassment Desk Reference Guide

Time Required:
• 15 minutes

Materials Needed:
• Desk Reference Guides*

Objective:
• To familiarize participants with an easy-to-use desk reference.

1. Read or paraphrase the following:
These Guides contain basic information to help you identify all forms of sexual harassment and understand the steps you should take to prevent, stop, or report sexual harassment.

You may wish to write our organization’s policy on sexual harassment inside the front cover so you always have quick access to it. Most importantly, remember that everyone has the right to work in an environment free from sexual harassment.

2. Choose the alternative method for using the Sexual Harassment Desk Reference Guides that best meets the needs of your participants.

Alternative 1:
You may wish to distribute the Guides and review a few sections with your participants as part of your session, allowing time for questions and discussion.

Alternative 2:
You may wish to distribute the Guides to participants following your session for their personal reference.

Alternative 3:
You may wish to distribute the Guides to participants following the session and have them discuss the materials in a refresher course.

3. Pass out the Guides to your participants.

* Call your training consultant at 1-888-776-8268 to purchase Desk Reference Guides for your training session.
Follow-Up Memo

The memo below should be personalized and sent to each participant one to two weeks after your training session. By following up in this manner, you will give your participants the opportunity to review and utilize what they have learned in their work environment.

(Today's Date)

TO: (Participant's Name)
FROM: (Trainer's Name)
RE: Sexual Harassment: Is It or Isn't It? Training Session

Earlier this month, you attended a training session in which we talked about recognizing and responding to sexual harassment. During the training session, you learned how to:

- Define sexual harassment and offensive behaviors that can be considered harassment.
- Identify the effects that harassment has on people.
- Examine personal feelings about sexual harassment.
- Recognize that sexual harassment of any type is a form of discrimination and cannot be tolerated.
- Discuss our organization's policies and procedures related to sexual harassment.

If you would like to continue your own self-study on sexual harassment, you are welcome to contact me or (name/department) for use of the Sexual Harassment: Is It or Isn't It? video, the Stopping Sexual Harassment Before It Starts self-study book, and other materials we have on recognizing and preventing sexual harassment.

Our hope is that you have been able to put the ideas you learned to work within your area. If you have any questions, please contact me at extension (###).
Sexual Harassment: Is It or Isn’t It?
Hospitality Situations for Discussion

Participant Materials
Pretraining Survey

Instructions: Read each scenario and determine if the situation could be considered sexual harassment. Circle YES if it is or NO if it isn't. Be prepared to discuss your answers at the training session.

YES—NO   Connie, a team leader, has known for some time about affairs between some female employees and their bosses. Furthermore, these women have received perfect reviews while other more deserving employees have not. When Connie comes up for a promotion, it is made clear that “socializing” will be part of the new job. She rejects the offer and receives a poor performance appraisal and probation period and loses an opportunity for an increase in salary. Is Connie being sexually harassed?

YES—NO   Jane works in the catering department of a large hotel chain. Through the course of the working day, Jane is subjected to suggestive jokes, remarks, and questions about a woman’s sexual behavior. She is “accidentally” touched repeatedly. Does such behavior by Jane’s coworkers constitute sexual harassment?

YES—NO   In their monthly work group meetings, Mr. Blake always requires Liz to set up the meeting in the break room, provide coffee, and take notes. The work group consists of three supervisors: Liz, Tom, and Jack. Is Mr. Blake discriminating against Liz?

YES—NO   Kelley is hired as a room attendant. Upon reporting for work, she is presented with a uniform that she finds too tight. She objects but wears the uniform when she is told it is required for the job. For two days, Kelley is subjected to repeated abusive comments and suggestions by employees passing her sales area. When she complains, her employer orders her to wear the uniform or quit. Is this sexual harassment?

YES—NO   Clare and Mark work in the hotel gift shop. They are often teamed together on special projects and spend a considerable amount of time together. Mark is attracted to Clare and has asked her out on several occasions. Clare repeatedly rejects his offer, but Mark believes that persistence will win out, so he keeps asking. Is Mark sexually harassing Clare?

YES—NO   Max's boss, Shirley, invites him to the hotel bar after work to celebrate his record-breaking day of sales. However, when he arrives, he discovers that she is seated at a very secluded table. After a brief discussion of his job performance and chance for a possible promotion, Shirley asks Max back to her house for a drink. Is Shirley sexually harassing Max?

YES—NO   Linda is very attracted to her boss, Dan. Since they're both single, she asks him over to her house for dinner. After a very pleasant evening and a few too many drinks, they wind up spending the night together. Could this be considered sexual harassment?
Posttraining Survey

Instructions: The questions listed below highlight key points from your Sexual Harassment: Is It or Isn't It? training session. Consider the questions and write your answers in the space provided.

1. What is sexual harassment?

2. If you are sexually harassed, what should you do?

3. What are the two main types of sexual harassment?

4. What can you do to protect yourself from sexual harassment?

5. What are some of the effects of sexual harassment?
I acknowledge that on __________, ________, I attended sexual harassment sensitivity training entitled Sexual Harassment: Is It or Isn’t It?

I understand my organization’s policy on sexual harassment.

I also understand that:

1. I have the right to work in an environment free from sexual harassment.

2. I have the responsibility not to engage in behaviors that constitute sexual harassment.

3. If I feel I am being harassed, I have the right and responsibility to communicate this directly to the appropriate party.

_______________________________________________________
Signature

_______________________________________________________
Please Print Your Name Above

_______________________________________________________
Date
Session Evaluation Form
Sexual Harassment: Is It or Isn't It?

Instructions: Please circle the number that best describes your evaluation of the training session.

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<thead>
<tr>
<th></th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Uncertain</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
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<td>This training program concentrates on the importance of understanding sexual harassment on the job.</td>
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<td>This training program helped me understand the seriousness of sexual harassment.</td>
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<td>As a result of this program, I am more confident in my ability to defend myself or act against any form of sexual harassment.</td>
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<td>The objectives of the program were clearly presented.</td>
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<td>Opportunities to ask questions and discuss issues were sufficient.</td>
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<td>The session was well organized.</td>
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<td>The best part of this program was</td>
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<tr>
<td>I would recommend this session to others. (circle one)</td>
<td>Yes</td>
<td>No</td>
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Sexual Harassment: Is It or Isn’t It?
Hospitality Situations for Discussion

Overheads
Session Objectives

• Define sexual harassment and offensive behaviors that can be considered harassment.

• Identify the effects that harassment has on people.

• Examine personal feelings about sexual harassment.

• Recognize that sexual harassment of any type is a form of discrimination and cannot be tolerated.

• Discuss our organization’s policies and procedures related to sexual harassment.
Two Kinds of Sexual Harassment

1. Quid Pro Quo

2. Hostile Environment
Common Questions

• What behavior is harassing?

• Why do people sexually harass others?

• Who harasses, and how can they be identified?

• What is the difference between sexual attraction and sexual harassment?
Common Questions

• Who are the most frequent victims of sexual harassment?

• Can a sexual harassment claim be made by an employee even if that employee consented to the sexual activity?

• What do most people want as a result of filing a sexual harassment claim?

• How can sexual harassment be prevented?