

Know Your Rights

Sexual Harassment: How to Spot It

There are two main forms of sexual harassment in the workplace: the first is **Quid Pro Quo** and the second is **Hostile Work Environment**.

Quid Pro Quo

Requiring an applicant or employee to submit to offensive conduct as a condition of employment.

If you have sex with me, I will hire you.

VARIATIONS: cast, promote, give you a raise, make sure you go far in the company or business, etc.

If you won't let me masturbate in front of you, then I will fire you.

VARIATIONS: demote, not give you a raise, not green light your project.

If you have sex with me, I will give you favorable work hours.

VARIATIONS: overtime hours.

The following examples may not rise to the level of quid pro quo sexual harassment:

Women/Men who have had sex with me, have become big stars.

Not clearly requesting/demanding sex as a condition of employment

Would you have drinks or dinner with me so we can discuss your potential employment with the company?

Not clearly requiring submission to offensive conduct as a condition of employment

Hostile Work Environment

Unwelcome verbal, physical or visual conduct that creates an intimidating, offensive or hostile work environment or that interferes with work performance. Severe or pervasive in nature.

You have such a hot body. Those pants look so great on you. I wish I were those pants. I see you are wearing your fuck me shoes today.

I had such a hot date last night. Oh my God. We must have given each other blow jobs all night long.

Unwelcomed kissing, touching and groping.

Sending suggestive emails and texts; sending semi-nude or nude photos, sending derogatory or suggestive cartoons.

The following examples may not rise to the level of sexual harassment because they are not severe or pervasive or may be consensual:

1 *A hug, a kiss on the hand or cheek, or an inadvertent hand in an un-welcomed place, such as a person's rear-end when both are moving quickly through close quarters.*

2 *Repeated compliments about appearance and clothing when not sexual in nature.*

3 *Discussion and/or joking of a sexual nature and drawing or viewing of sexual pictures when it is in the context of writing material for a work project.*

4 *Sexy photos, posters, life size standees of scantily clad people, and sexual footage, when related to a work project.*

5 *Consensual sex/affair.*

Determining whether someone's conduct constitutes quid pro quo sexual harassment or someone's conduct is severe or pervasive enough to constitute a hostile work environment requires finding out as many facts as possible, and judging credibility of the individuals involved and any other people that can corroborate their stories. If you are not sure if the offensive conduct falls within the legal definition of sexual harassment, speak to a person in command (e.g., human resources, supervisor, management) or to the person directly, if you feel safe. Your voice matters and you should not feel alone as there are immediate resources available to you.