

Investigating the Role Of Workplace Culture in the Prevalence of Sexual Harassment

Sexual harassment in the workplace is a broadly-researched topic in the social science fields, with applications to company management, worker safety, and law. This literature review is a brief look at a few sources from varying perspectives, attempting to provide an overview of what theories have been tested about the role of workplace culture in perpetuating or halting sexual harassment. Many of these conclusions or theories can be applied to other forms of illegal harassment, but sexual harassment has gained the most attention, particularly lately. It also is the most commonly complained-of harassment.

Similarly, this review of literature examines the place of workplace and societal culture in dealing with harassment relies primarily on the literature involving sexual harassment. Again, some of the points are translatable to other protected categories, but some emanate from entrenched and often subconscious views of gender differences. It seems likely that effective remedies for a substandard workplace culture, however, would be applicable across all categories.

The American Concept of Sex in the Workplace

The culture of a given workplace cannot be understood without reference to the mores and attitudes of American society as a whole. Julie Beribitsky offers a scholarly and fascinating review of the cultural impact of women joining the ranks of the white collar worker, tracing distinct eras since the early 1900s, through the effect on the political landscape of Robert Packwood's expulsion from the Senate, Anita Hill's allegations against Clarence Thomas, and Bill Clinton's impeachment. (Berebitsky, Julie, *Sex and the Office: A History of Gender, Power, and Desire*, Yale University Press, 2012.

Berebitsky explores the cultural understanding of the office as "a space of sexual possibility." This understanding was fueled by the rise of employment of both men and women in offices, together with books, including erotic pulp fiction, movies, Playboy magazine articles, and television stories portraying sexually-charged male-female relationships at work. (Berebitsky, at 10) In these relationships, men always had a higher position in the company. To add fuel to the sexualized landscape in the popular imagination, similar cultural sources assumed that a woman worked in an office in order to find a husband (or to steal away someone else's husband). (Berebitsky, at 12) These deeply rooted assumptions were buttressed by the public's ongoing taste for the details of sex scandals toppling powerful politicians or businessmen, which reinforced entrenched views about gender roles and adultery.

“The belief in men’s essentially sexual character made it easier for generations of Americans to excuse men’s unwanted overtures as a courtship misunderstanding or an unavoidable miscommunication between the sexes.” (Berebitsky, at 7) The sexual double standard meant that women were supposed to control men’s baser impulses. Within the office, however, men’s discussion of coworkers’ physical attractiveness, and even pursuit of sex with the most desirable workers, facilitated male bonding and established hierarchy among the men. Women did not exist as individuals within such a competition, but rather were status symbols. (Bereblitsky, at14)

“Even if a woman had not consciously (or unconsciously) provoked such behaviors, she had failed to defend herself effectively, which at the very least meant that she had failed at her duty of keeping men’s baser instincts in check. The majority of female office workers, it must be noted, agreed that this responsibility was theirs (and, evidence suggests, some still do), which could lead to feelings of guilt and prevent them from coming to the aid of a woman who received unwanted attentions.” (Berebitsky, page 8)

In the popular imagination, as we have seen, sexual harassment was about sex. But it is more commonly about power. “Men who feel threatened by women’s increasing numbers in the workplace use sexual harassment to intimidate women and undermine their confidence. Women who are targeted by such behaviors often report diminished productivity as well as emotional and physical problems.” (*Confronting Sexual Harassment* at 16). McLaughlin, *et al* points out the following. “In her pioneering work, MacKinnon (1979, 216) argued that sexual harassment ‘undercuts women’s autonomy outside the home’ and reinforces economic dependence on men.”

The Persistence of Stereotyped Gender Roles

The 20th-century norm of males always being in charge, and females occupying limited and lower status roles, has changed, at least in many workplaces. Yet the legacy of assumed male superiority affects the modern office, and other workplaces.

In supervisor-subordinate relationships, there is a skew of power by design. This imbalance can, when handled well, prove fruitful: good leaders can delegate tasks to get work done effectively and quickly; get to know their employees’ strengths and weaknesses; and provide mentoring. However, in the wrong hands, this power imbalance can also prove to be harmful. Lopez et al. (2009) describe some of the causes of this type of workplace as chaos in the workplace, caused by ambiguity, weak supervisors, and mismanagement. (Lopez at 7) Taken together to create a chaotic environment, Lopez et al. suggest that these places have higher risk of sexual harassment incidents occurring. They also describe more specific conditions in which harassment becomes more likely, including gender composition. To expand further, the article states: “Both

identity defense and job defense are involved in harassment and in an escalating manner. Where job security is an issue, however, harassment becomes much more mean-spirited and threatening” (Lopez et al. 2009, at 22)

Tinkler (2012) supports this fear as well. With an argument against heavily enforcing sexual harassment training, the article states: “Research has shown that enforcement of sexual harassment law discourages men from mentoring female colleagues...reinforces paternalistic stereotypes of women...and usually reflects managerial interests over the rights of employees.” (Tinkler 2012, at 2) It is clear, however, that if the article did support such training, these factors would still exist – but there may not be as clear an avenue to discuss or complain about them. In addition, Tinkler believes that training polarizes men and women and further reinforces gender norms and differences and causes both parties to become defensive. All of these factors create a more strained work environment, and the anger men tend to feel in these sessions (i.e., they can feel attacked or offended if it is implied that men are more likely to harass than women) can escalate this. (Tinkler 2012, 10-11)

Although modern attitudes are beginning to relax the view of gender as an either/or, male/female attribute, traditional and even archaic views of gender roles are stubbornly persistent. Ely and Padavic (2007) note that the perpetuation of the binary view of gender, results in “unequally valued opportunities [which] perpetuates a view of woman as problematic . . . and preserves male dominance.” (Ely and Padavic 2007, 1127). Traditional, unquestioned gender roles give men an assumed power over women. An observation from Tinkler (2012) shows the power of this: for example, the tired perception that women can’t “take a joke” from men. This has been joined by the frequently repeated complaint that a man can no longer compliment a woman. This type of attitude, that women routinely misperceive men’s intentions and overreact, can lead to victims of sexual harassment opting not to report their experiences. This behavior in turn causes psychological distress and ultimately reinforces gender norms. (Tinkler 2012, 4)

Lopez et al. (2009) expand on the factors promoting gendered power imbalance. In their work of analyzing and coding 110 ethnographies detailing general harassment in workplaces, they find that general and sexual harassment are distinct phenomena, but both are more likely when the work is highly physical. They further conclude that while job insecurity and workplace chaos are not significant predictors of sexual harassment, they do correlate with harassment in general; and sexual harassment increases in a high female group composition. In addition, highly concentrated minority workforces lead to general harassment; unfortunately, the ethnographers studied did not provide adequate information on the gender identities of the minority workers experiencing general harassment to definitively form a link to sexual harassment as well.

According to McLaughlin, “...women, opt to switch careers over “bargaining with patriarchy” (Kandiyoti 1988). Indeed, sexual harassment and mistreatment of women in masculine workplaces contributes to gender segregation and gender gaps in attainment.” (*Id.* at 350.) “Popular understandings of women as the emotional, even vindictive, sex and female sexuality as treacherous (often combined with racial and class- based myths), continue to affect how women in the workplace are treated and viewed by others.” Bereblitsky at 296.

The dawning acceptance of implicit bias in recent years has improved the understanding of the depth of adherence to traditional gender roles in workplaces. In *Zero Tolerance, Best Practices for Combating Sex-Based Harassment in the Legal Profession*, the ABA’s Commission on Women in the Profession advocates for a deeper understanding of the power of implicit biases, which studies have shown lead both men and women to tend to disbelieve women making allegations of harassment; this tendency is more pronounced when employees do not conform to sexual stereotypes. (*Id.* at 33-34)

Reinforcing traditional gender roles in any way, even if unintentionally, can create an atmosphere in which sexual harassment becomes more likely to occur. Blanket acceptance of the male’s role as pursuer of sexual conquests, incapable of controlling his urges, and default breadwinner and superior can cause sexual harassment to seem acceptable or at least expected.

Attributes of Workplaces with Pervasive Sexual Harassment

It is also important to recognize what types of workplaces and workers are the most at-risk for harassment. McLaughlin, *et al.* explains that “Sexual harassment is well documented across many fields but women who work in men-dominated occupations and industries experience higher rates (Fitzgerald et al. 1997; Gruber 1998; McLaughlin, Uggen, and Blackstone 2012). The likelihood of harassment also increases with exposure to a wider range of employees (Chamberlain et al. 2008; De Coster, Estes, and Mueller 1999), and is higher among single women (De Coster, Estes, and Mueller 1999; Rosenberg, Perlstadt, and Phillips 1993), highly educated women (De Coster, Estes, and Mueller 1999), and women in positions of authority (Chamberlain et al. 2008; McLaughlin, Uggen, and Blackstone 2012).” (McLaughlin at 336).

Confronting Sexual Harassment includes the author’s empirical study of the legal consciousness of injustice, limited to women occupying administrative roles in a large university setting. These women also reported, in high numbers, sexual harassment at other workplaces. Yet, unless the harassment was severe, most women did not even classify discriminatory treatment as sexual harassment.

On the other hand, the prevalence of sexual assault among poorly paid and often undocumented workers cannot be denied. The lack of farmworkers' power, for example, has led to severe abuses. The Southern Poverty Law Center engaged with farmworkers around the country in the "bandana project," recording experiences of sexual assault and harassment. Other organizations have published empirical studies to the same effect. (See, for example, Yeung, *In a Day's Work*, at 34-37.) Similarly, domestic workers have found it difficult to deal with the power disparity and lack of corroboration for their complaints. (*Id.*)

Therefore, while both high achieving and low skilled women are frequent targets for sexual harassment, what factors, other than the presence of women, contribute to a workplace culture where it is tolerated? The workplace must have a harasser, and an environment that tolerates or perpetuates the harassment.

An interesting take on the role of personality types likely to engage in sexual harassment appears in the article by Ziegler-Hill et al. entitled "The Dark Triad and Sexual Harassment Proclivity." The Dark Triad is a trio of personality traits identified by psychologists to include narcissism, psychopathy, and Machiavellianism. The authors state that "this constellation of personality traits is characterized by a willingness to exploit and manipulate others, callousness, disagreeableness, deceitfulness, egocentrism, lack of honesty-humility, empathy deficits, and a focus on agentic goals" (47). While possessing all of these traits would create a very extreme personality type, possessing one or a few of these traits is not uncommon for either men or women, and the combination of one or some of these traits with sexual proclivity can be an indicator for likelihood of sexual harassment to occur. According to the article, individuals with Dark Triad traits typically have a high number of sexual partners and prefer low commitment relationships, and they often engage in mate poaching and adultery (Ziegler-Hill et al. 2015, 48). After completing two separate studies, the authors find that 1) "The highest levels of sexual harassment proclivity were reported by men who possessed relatively high levels of Machiavellianism" (49); 2) "Individuals who possessed low levels of psychopathy and sexual harassment proclivity reported that female targets [based only on a photograph] were the least likely to experience sexual harassment" (51); 3) "Women rated female targets as being more likely to experience sexual harassment than did men (51); and that "men with low levels of sexual harassment proclivity rated male targets as less likely to engage in sexual harassment than did men with high levels of sexual harassment proclivity or women." (52) All of these findings demonstrate that there are entrenched gender roles that affect how both men and women view the likelihood of sexual harassment occurring, and that men demonstrating any combination of the Dark Triad traits are at bigger risk for engaging in sexual harassment. It should be noted that the Dark Triad traits are disproportionately represented in leadership roles, including those seeking public office. Ziegler-Hill et al. (2015) identify the most likely potential harassers are men possessing all three or any of

the two Dark Triad traits (narcissism, psychopathy, and Machiavellianism) with a high level of sexual harassment proclivity.

Lopez et al. (2009) describes some characteristics of heavily at-risk victims, including racial minorities and women. The article mainly focuses on types of workplaces that would be especially at-risk: physically demanding work or workplaces with a skewed sex ratio (with more males than females). Occupations with both risk factors include construction, auto-assembly, and firefighting, and the authors describe a common male solidarity to emerge in these places, which commonly leads to a male dominance, sexualization and dehumanization of women, and eventual harassment, both general and sexual. (Lopez et al. 2009)

In a Day's Work discusses the groundbreaking work of John B. Pryor, who developed the Likelihood to Sexually Harass Scale. He concluded that harassers “tended to hold adversarial sexual beliefs, to have higher rape proclivities [he used a scale developed by Neil Malamuth for that], to find it hard to see other people’s points of view, and to subscribe to rigid sex roles.” (p 140). He concluded that “sex and power are cognitively connected in the minds of people who are likely to commit sexually coercive acts. . . .” (*Id.*) Further studies using this scale established that likely harassers were more likely to sexually harass a subordinate if their supervisors or peers also engaged in that behavior. (*Id.* at 141.)

Two recent studies concluded that not much has changed in the professional world either. The National Academies of Science, Engineering and Medicine put out a major report in June 2018, exploring the prevalence of sexual harassment in the scientific profession, *Sexual Harassment of Women Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine*. It found more than half of the respondents had experienced sexual harassment. The four main contributing factors were:

- a. Male-dominated environment, with men in positions of power and authority.
- b. Organizational tolerance for sexually harassing behavior (e.g., failing to take complaints seriously, failing to sanction perpetrators, or failing to protect complainants from retaliation).
- c. Hierarchical and dependent relationships between faculty and their trainees (e.g., students, postdoctoral fellows, residents).
- d. Isolating environments (e.g., labs, field sites, and hospitals) in which faculty and trainees spend considerable time.

The proportion of those experiencing harassment in the legal profession is about the same as in the medicine and the sciences, as reported in *Zero Tolerance, Best Practices for Combating Sex-Based Harassment in the Legal*

Profession, American Bar Association Commission on Women in the Profession. And similar to other occupations, women have found that reporting sexual harassment is often detrimental to their careers, in cultures where male partners control compensation and other aspects, and where “intimate knowledge of sexual harassment policies” is not part of the firm culture. (*Id.* at 3-4, 41).

This discussion of culture changes would not be complete without addressing the inevitable pendulum swing: “an emerging critique of the feminist perspective – originating from both friends and foes of the women’s movement – suggests that the harms of sexual harassment have been exaggerated and that excessive regulation may have the unintended consequence of censoring women’s sexual expression.”) *Confronting Sexual Harassment*, at 21.)

While the “Me Too” movement appeared to usher in a radically different era in the understanding of sexual harassment, the change had been brewing for a long time. According to “Confronting Sexual Harassment,” the enunciation of rights to an oppressed group can alter the group members’ self-perceptions, their personal identities. “To bring about their programs of social change, social movements must encourage individuals to link their experiences to the collective experiences of other members of the group.” (*Confronting Sexual Harassment*, at 18.) From there the movements attempt to alter perceptions of conditions – from unpleasant but unchangeable, to a violation of the rights of the group members. That new mindset can then be used via political or judicial means to further their agenda, together with the continued appeal to public opinion.

The Frequent Inadequacy of Internal Remedies

Employers almost universally have anti-harassment policies, but they have for various reasons proven ineffective to address the problem. Often the inadequacy forms a part of the institution’s culture. For example, Dick Kirby’s documentary *The Hunting Ground* followed multiple survivors and advocates from multiple American universities. It found that victim-blaming among administration perpetuates silence. Such an attitude is quickly disseminated, and consequently many victims do not report. This tendency is much more common among male victims. The administrators’ main job is to protect the institution, often causing the victims to be disbelieved, or told to remain quiet.

Similar trends are seen in non-academic settings. People (especially men) with power are often excused if an allegation is put forward against them because of their status and entitlement; this celebrity status leads others in the community or outside of it to jump to their defense more quickly without knowing both sides of a story; those who are supposed to help victims will sometimes choose to protect the company instead of the victim, especially if they fear losing their job; and, the first schools (or companies) to admit a problem *become* “schools and companies with an assault problem.” Leaders fear alienating donors, investors, and opening themselves up to liability in court. They

may choose to silence an issue rather than address it. (See Carlson, Gretchen, *Be Fierce: Stop Harassment and Take Your Power Back*, Center Street Hatchett Book Group, 2017).

In exploring the pervasiveness of the problem, a number of social scientists have studied workplaces in an ethnographic manner, collecting and analyzing individual stories. For example, McLaughlin, et al., collected a number of case studies of women experiencing sexual harassment. “Hannah’s experience shows how misogynistic work environments influence attainment.” (McLaughlin at 348.) “Lisa was ostracized by coworkers who, consistent with past research, viewed harassing behaviors as trivial and failed to support targets (Loy and Stewart 1984; Quinn 2002).” *Id.* The authors conclude, “[a]s individual employees, Hannah and Lisa were limited in their ability to transform their workplace cultures.” Their case studies included a police officer who quit, because the lack of support is physically dangerous.

It is widely recognized throughout academic literature that sexual harassment is likely to cause psychological distress for the victim (Dick 2015; Jiang et al. 2014; Mainiero and Jones 2012; Ziegler-Hill et al. 2015). Jiang et al. (2014) state that sexual harassment can lead to reduced job satisfaction, psychological well-being, and work productivity and increased withdrawal behaviors (1). In addition, Mainiero and Jones (2012), who study the role social media plays in workplace sexual harassment and the gray areas in ethically dealing with non-explicit incidents, state that if such negative feelings are brought into the workplace, they can negatively affect work relationships and productivity (369).

Indeed, a transformation has arisen, where sexual harassment is often seen less as the violation of the rights of an employee to be free from sexual harassment in the workplace, to an impediment to workplace productivity. (*Confronting Sexual Harassment*, p 20). Under that view, the employer’s primary goal is to minimize time spent on the conflict while insulating the company from legal recourse.

Mainiero and Jones (2012) argue that if workers perceive that protections are not legitimate, that their reports will not be followed through, or that reporting will cause more harm than good, then reports of sexual harassment decrease, workers do not feel safe, and employee turnover increases. This problem is thoroughly discussed in Dick Kirby’s 2015 documentary *The Hunting Ground*, the award-winning documentary exploring the epidemic of sexual assault on college campuses.

The documentary concludes that victim-blaming among administration perpetuates silence: many victims simply choose not to report having been assaulted, a phenomenon which is much more common among male victims. Where administrators view their main job as protecting the institution, the

students who are assaulted have their problems trivialized or are expressly or impliedly told to remain quiet. Because of this victim-blaming attitude, survivors often deal with serious depression after their assault, and some take their own lives. The film calls the problem of sexual assault on campuses an “epidemic.”

Parallel themes are discussed in other academic articles found in this review. People (especially men) in positions of power are often excused if an allegation is put forward against them simply because of their status and entitlement; this privileged status leads others in the community or outside of it to jump to their defense more quickly without knowing both sides of a story. Secondly, those, such as human resources professionals, who are supposed to help victims, will sometimes choose to protect the company or institution, rather than the victim, especially if they fear losing their job. Further, in a subtle upending of expectations, the first schools (or companies) to admit they have a problem become “schools and companies with an assault problem.” The presidents of colleges and universities, and executives at private companies, fear alienating important people, including donors or investors, and thus appears the incentive to silence an issue rather than address it.

The Kirby documentary makes an important point: to publicly recognize a problem of sexual assault or harassment is to alienate yourself to a degree, to taint your name if no further steps are taken. The spotlight is turned on. This is one reason why employers commonly try to keep sexual harassment incidents quiet. The documentary states that a shockingly large amount of universities report few or no incidents of sexual assault. The absence of sexual assault is simply not true; rather, the institutions are taking affirmative steps to hide the reports. Similarly, in workplaces, human resources professionals routinely instruct complainants and other witnesses to keep strictly mum about the facts of the complaint and investigation. This rule, articulated as a way to keep investigations untainted, has the effect of keeping the incidence of sexual harassment unknown.

A recent study by the United States Department of Justice found that negative perceptions of the EEO process, including the stigma, risk of retaliation and the lack of effective response, may contribute to underreporting of harassment. Underreporting naturally hinders an employer’s ability to address “harassment and the conditions that allow such behavior to occur.” (Office of the Inspector General, U.S. Department of Justice, Review of Gender Equity in the Department's Law Enforcement Components, June 2018).

Marshall, in *Confronting Sexual Harassment*, found that “targets of harassment are skeptical of grievance procedures on these grounds and are therefore reluctant to use them to redress problems with sexual harassment. Even in the absence of effective dispute resolution mechanisms, targets develop their own oppositional strategies for dealing with sexual harassment. For

example, they join with others to circulate information about harassers and to confront harassers when possible. Thus, even though legal institutions may provide remedies of questionable effectiveness, legal schemas nevertheless inspire resistance.” (*Id.* at 31.)

Implementing Effective Cultural Change

Many sources support the corollary to the previous section: that effective enforcement procedures, with buy-in from the institution’s leaders, can lead to real change. Other authors recognize that companies which *do* put anti-sexual harassment policies and procedures in place and do it effectively can bolster their reputation rather than diminish it. Jiang et al. (2014) emphasize that in order to effectively have such measures in place, it must be very clear that the policies exist. The authors find that the more workers perceive anti-sexual harassment practices are enforced, the less likely they are to feel psychological distress. (Jiang et al. 2014, 5) Further, the article argues that people will not just assume that anti-sexual harassment policies exist, and if they do, they will not assume that they are rightfully and regularly enforced. Mainiero and Jones (2012) also favor a policy of making HR stances clear, especially in terms of stepping in or not when it comes to social media contact.

According to Jiang et al. (2014), the more workers perceive that anti-sexual harassment practices are enforced, the less likely they are to feel psychological distress. “Perceived anti-sexual harassment practices reduce psychological distress, thereby enhancing engagement. By contrast, sexual harassment incidents amplify psychological distress, which, in turn, diminishes engagement” (14). Mainiero and Jones (2012) also describe the complexities of workplace dynamics in social groups indirectly involved with an incident of sexual harassment: they suggest that observers are more likely to take action if there is a social consensus that it is sexual harassment (Mainiero and Jones 2012). This implies, unfortunately, that if a company instills a workplace model of hushing up sexual harassment incidents, puts a taboo on the subject, and suggests social or workplace punishments for reporting, it becomes increasingly less likely for this social consensus help to arrive.

McDonald et al. (2015) state that some of the major problems within the workplace include lack of clarity on what constitutes sexual harassment, balancing confidentiality with the ineffectiveness of total secrecy, and the difficulties of accurately determining the frequency of sexual harassment incidents. (McDonald et al. 2015, 43-45) They suggest that training be conducted regularly and universally, and should be based on information from the specific organization (statistics, their own policies, etc.). (46) In addition, reporting processes are perceived to be adversarial or hostile, not confidential, and that the risk factor of group isolation is likely to fall on deaf ears if the processes are not handled sensitively and the company’s attitude of protecting workers is not clear.

(46) Therefore, there is an agreement here: if policies are in place, and their existence is clear to the employees both from regular required training and other measures, psychological distress can be reduced, as the stigma on reporting is diminished.

Easier said than done, concludes Tinkler (2012). Enforcing a sexual harassment policy takes on a much greater challenge:

While laws aimed at reducing inequality may threaten the power and resources of only those at the top of the status hierarchy, the enforcement of these laws makes the cultural beliefs and norms of the entire society more vulnerable. Even those who are unwilling to accept their unequal position in the status order have reasons to behave according to social norms. As such, the effectiveness of sexual harassment law may depend on men and women reorienting deeply entrenched beliefs and norms. (Tinkler 2012, 5)

In fact, Tinkler (2012), continues, training sessions, at least the way they are usually done, may exacerbate the problem. By conducting qualitative research (through interviews and participant-observation techniques), Tinkler finds that anti-sexual harassment policies and training sessions on them reinforce traditional binary gender stereotypes and roles, which create a workplace environment detrimental to both men and women. Some of the trends in resisting sexual harassment law include women being overly sensitive, both men and women expressing fear of getting into trouble, and that policies threaten normal interaction – for example, both men and women may see the possibility of workplace romance as pleasurable and positive, but the severity of consequences discourages such pursuits from occurring as frequently. Tinkler states that “Contrary to the equalizing aims of sexual harassment law, policy training sessions often polarize men and women and reify rather than break down traditional gender stereotypes” (10-11). According to her interviews, men were likely to be more impatient with anti-sexual harassment law, and in some cases, even show anger and hostility towards the women that file complaints. In addition, women often stated that they did not want to receive social backlash for being labeled as a “victim,” especially when such victimhood status would lower an already lower-status according to her gender. Tinkler’s work shows that, in many cases, when there is a more severe reason for a report, many women will show positive reactions toward the report, and some men will as well; however, if the case is seen as “trivial” in the eyes of peers (even if it is not at all trivial for the victim), that victim has an increased likelihood to receive social backlash because of their report. Anti-sexual harassment rules and trainings tend to invoke traditional gender stereotypes, which can be harmful to those who do not fall into the binary as well.

Training on anti-harassment policies are a major plank in an employer's defense to a charge of illegal workplace harassment, and therefore training will not disappear. Ideally it is improved. Jiang et al. (2014) advocate for clear policies reducing psychological distress and enhancing employee engagement. "The indirect effects of perceived anti-SH practices and SH incidents were stronger for women than men, corroborating the social identification theory prediction that disparaged groups should be more attuned to experiences involving group identification threats." (15) Therefore, implementing carefully so as not to continue to isolate one demographic group over another is crucial.

The National Academy of Sciences report from June 2018, finding widespread sexual harassment, concluded: "However, we are encouraged by the research that suggests that the most potent predictor of sexual harassment is organizational climate—the degree to which those in the organization perceive that sexual harassment is or is not tolerated. This means that institutions can take concrete steps to reduce sexual harassment by making systemwide changes that demonstrate how seriously they take this issue and that reflect that they are listening to those who courageously speak up to report their sexual harassment experiences." (*Id.* at 11)

A comprehensive review from a New York Times Reporter summarized the findings of various studies about the culture of sexual harassment, and concluded that the typical diversity and anti-harassment training ranges from unsuccessful to counter-productive. (Miller, Claire Cain, "Sexual Harassment Training Doesn't Work. But Some Things Do.", New York Times, December 11, 2017.) (This reinforces that men are portrayed as sexually insatiable, and women as vulnerable.) The takeaways from this survey:

- Empower the Bystander, so that harasser and victim are not the only roles an employee can play. The bystander can report harassment, validate the victim's experience, or intervene, if safe, with the harasser.
- Encourage Civility, inculcating a culture of respectful behaviors.
- Train Seriously and Often, including supervisors, (supportive) white men, and outside trainers, rather than HR.
- Promote More Women. When gender inequality is less of a norm, sexual harassment is not as prevalent.
- Encourage Reporting, from all levels, including even encouraging higher reporting rates as a symptom that sexual harassment will not be swept under the rug. Similarly, the reporting should be understood to be welcome, and will not automatically lead to dire consequences for the alleged harasser.

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