

# **Workplace Harassment Commission**

July 6, 2018

## **Sub-Committee on Workplace Culture**

### **Mission Statement**

Seek to identify and understand the characteristics that contribute to the culture of harassment in the workplace and develop strategies to change the workplace culture.

**Topic:** What Contributes to the Culture of Harassment in the Workplace?

### **Introduction**

In addressing the issue of workplace culture and that contributes to harassment in the workplace, it is first important to understand the concepts of culture and harassment. Therefore, in keeping with the mission statement of the Sub-Committee on Workplace Culture, we will examine culture and harassment as related to the workplace. What is culture? What is harassment? What contributes to harassment?

According to various definitions, culture refers to the “language, beliefs, values and norms, customs, dress, roles, knowledge and skills, and all the other things that people learn that make up the way the life of any society.” Workplace culture is also defined as “ the underlying values, beliefs and principles that serve as a foundation for an organization’s management system as well as the practices and behaviors that both exemplify and reinforce those basic principles.”

The Center for Advanced Research on Language Acquisition expands the definition of culture by defining “culture as shared patterns of behavior and interactions, cognitive, that are learned by socialization construct and understanding,” and can be seen as the “growth of a group identity fostered by social patterns unique to the group.”

The Business Dictionary further states that “culture determines what is acceptable or unacceptable, important, unimportant, right or wrong, and it encompasses all learned and shared explicit or tacit, assumptions, beliefs, knowledge, norms, and values, attitudes, behavior, dress, and language.” There are many aspects of culture and everyone has it. While we are “born into a culture, it is something that is often learned and is adaptable to various

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workplace environments.” Based on the definitions of culture, it is reasonable to see how the various aspects of culture can impact the work environment.

There are also many definitions of harassment based on the context in which it is used. For workplace harassment, the Equal Employment Opportunity Commission (EEOC) defines harassment as a form of employment discrimination that violated Title VII of the Civil Rights Act of 1964 as amended, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, and the Genetic Information Nondiscrimination Act of 2008. It is also noted the Maryland State Civil Rights Law also expands the protected groups by prohibiting discrimination based on sexual orientation/gender identity, and marital status.

The EEOC further defines harassment as unwelcomed conduct that is based on race, color religion, sex (including sexual harassment and pregnancy), national origin, age (40 and older), disability or genetic information. Many state and local civil rights laws have more prohibited forms of discrimination than federal laws. According to the EEOC, harassment is unlawful, where enduring the offensive conduct becomes a condition of continued employment, or the conduct is severe or pervasive enough to create a hostile work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Research and data show that harassment is prevalent in the workplace, but more emphasis, especially in recent years, is placed on sexual harassment than any other form of harassment. Race discrimination continues to be highest complaint of discrimination filed, followed by sex (including sexual harassment) and disability.

The question remains, what contributes to the culture of harassment in the workplace? There are many factors, but one’s culture plays an important part. For example, if one believes that certain races of people are inferior to the dominant group, that part of his or her culture brings this attitude into the workplace. This also applies to women if men feel that they are superior to

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women. Biases brought into the workplace are also directed to someone's disability, religion, sexual orientation/gender identity, national origin, age, etc. Therefore, when addressing harassment in the workplace, it is important to ensure that those in charge or in positions of power and authority do not bring their cultural biases with them. In reality, workplace culture "establishes the behavior and values of the organization." If the workplace culture is tolerant of unacceptable discriminatory behavior, then the environment will be reflective of that behavior and those employees in less powerful positions will bear the results of harassment. As the workplace becomes more diverse with employees of all protected groups, the workplace environment will often have to change to meet the needs of the diverse workforce by ensuring that the organizational culture does not create a hostile work environment.

This study, therefore, will explore the workplace culture and how it contributes to harassment, and the strategies needed to combat harassment in the workplace.

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