THE COLLEGE OF WOOSTER

Harassment & Bias in the Workplace

In the United States, the Equal Employment Opportunity Commission (EEOC) is the federal body responsible for enforcing laws related to discrimination, including gender-based discrimination. Sexual harassment is a form of gender-based discrimination.

The EEOC defines bias harassment as:
- Unwelcome conduct that is based on race, color, religion, sex (including sexual orientation, transgender status, or pregnancy), national origin, older age (beginning at age 40), disability, or genetic information (including family medical history).

To be considered sexual harassment by the EEOC, this conduct must be:
- Enduring and become a condition of continued employment
- Severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

It is illegal to engage in harassing behavior toward another individual or group.
Harassment can occur in a variety of circumstances, including, but not limited to, the following:
- The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but can be anyone affected by the offensive conduct.
- Unlawful harassment may occur without economic injury to, or discharge of, the victim.

The following are examples of workplace harassment. This list is not all-inclusive. Any behavior beyond those listed below that fits the above definition would be considered workplace harassment:
- Physical contact other than handshakes, e.g. suggestive touching or non-requested back/shoulder rubs
- Following a person, blocking a person's path, or engaging in other aggressive behaviors
- Referring to someone's gender, sexuality, race, religion, national origin, ethnic group, age, or disability in a derogatory or offensive manner
- Using stereotypes or telling demeaning jokes or stories
- Engaging in repeated, non-verbal behavior (e.g. repeated staring)
- Displaying sexually suggestive, demanding, or offensive visuals (pictures, calendars, desktop images)
- Making suggestive or offensive gestures or facial expressions
- Displaying or sending offensive images, emails, voicemails, or websites
- Any other behavior that has an intimidating, hostile, or offensive impact

What can you do about bias & harassment?
Though it may be difficult to confront the harasser, you may inform them directly that the conduct is unwelcome and must stop. Make sure to document any interactions you have or witness. Sometimes, one does not know the impact of their actions and will stop once made aware. If you choose this initial response, it is important to be clear about what specific behavior concerned you and the impact that that behavior had on you. In a case in which the harassment has been ongoing or in any case where physical contact has been a component of the harassment, it is not appropriate to begin the conversation directly with the harasser.

Report the Harassment
You could also report harassment to management at an early stage to prevent its escalation. In most organizations, you would first want to report any harassment to Human Resources. In smaller organizations without a dedicated Human Resources individual or department, it is appropriate to report to other individuals in the organization.

First, consider reporting to your supervisor. If your supervisor is the individual who is engaging in the harassment or appears to be sanctioning the harassment, you can report to their supervisor or a supervisor in another department. When reporting the harassment, you should be prepared to provide a copy of your documentation and to answer questions about your preferred outcome.

As a student at The College of Wooster, you should also feel empowered to report any harassment to APEX, a faculty mentor or advisor, and/or the Title IX Coordinator. While those departments do not have direct control over your external employer, you can receive support, guidance, and problem-solving from The College of Wooster.

If your employer is not responsive in stopping the harassment, you can contact your local EEOC (within the United States). When filing an EEOC complaint, you will be asked about how you have worked directly with the employer to reach a resolution. While you can always report any harassment to the EEOC, they may be more responsive if you have already attempted to reach a resolution using your employer's internal process first.

Your Behavior in the Workplace
It is possible for you to engage in harassing behavior toward others. Be attentive to the verbal and non-verbal signals of discomfort from those around you. Engage in respectful behavior toward others and remember that the work environment is a professional environment, even if your workplace is relatively casual.

Both intent and impact are important in making a determination of harassment. Even if you did not intend to harass someone, your words or actions may still have had a harassing impact on someone else.

It can be helpful to ask yourself a few questions:
- Would I do this in front of someone that I really respected and wanted to impress?
- How would I feel if this were happening to me or someone that I loved?
- Would I feel differently if this was not about my or someone's race, religion, sexual orientation, country or region of origin, etc.?

Seek Support and Discuss Options
You are still a student at the College during this experience and still have access to the resources and staff at the College. APEX staff as well as other support staff such as the Title IX Office and Dean of Student's Office are still operating during the summer and can help you navigate difficult situations.

Be mindful of your own safety.
If you are in an unsafe situation, remove yourself from that situation and make sure that your employer is aware of your concerns, including the concerns for your safety. If you are not able to continue in the workplace environment, provide documentation to your workplace as to why you are unable to continue as well as your preferred outcome. Be in touch with APEX to provide assistance to you when navigating those conversations.

I have read and understand the material and resources in the "Harassment & Bias in the Workplace" information sheet.

Print name: _____ Date: _____

Signature: _____