



# SEXUAL HARASSMENT

## What it is:

Any UNWANTED sexual advance, request for sexual favors or any other verbal or physical conduct of a sexual nature, particularly when:

- submission to the conduct is either an explicit or implicit term of employment.
- submission to or rejection of the conduct is used as a basis for employment decisions affecting the person who did the submitting or rejecting.

## Or:

- the conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

## What is a hostile work environment:

- it is not necessary that the sexual harassment be so offensive that a reasonable person's psychological well-being could have been seriously affected
- generally must be more than one sexually offensive comment
- it is not necessary that the employee is injured economically

## What it can include:

- UNWANTED sexually directed behavior
- assault
- physical abuse (touching, pinching, cornering)

- verbal abuse (propositions, lewd comments, sexual insults)
- visual abuse (leering or display of pornographic material designed to embarrass or intimidate an employee)
- other conditions that lead to a sexually hostile work environment

## Sexual harassment is illegal

Sexual harassment is illegal discrimination covered by Title VII of the Civil Rights Act and Ohio's laws against discrimination. It subjects the worker to adverse employment conditions having nothing to do with job performance. Often it is accomplished by threats of adverse job actions or promises of raises or promotions.

Federal guidelines state that management is responsible and liable for the actions of its employees, or even non-employees (such as customers), if it knew or should have known of the problem. Management must take immediate and appropriate corrective action. Under Ohio law supervisors are responsible for their actions and a right of action can be brought directly against the supervisor as well as your employer.

## What to do if you are sexually harassed on the job:

- Don't think it is your fault.
- Object. Speak to the harasser and be specific about what behavior you find objectionable

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- Speak to your coworkers. Ask if anyone else has had a problem with the harasser.
- Keep a log. Write down what happened, exactly what was said, the names of any witnesses, the date, time and location of the incident. Save any letter, cards or notes in a secure place, preferably at home.
- Tell your harasser in writing that you object to the behavior. Be specific, and keep a copy of the letter.
- Speak to your supervisor. If the harasser is your supervisor, speak to his/her supervisor. Bring your log and any documentation that you have.
- Speak to your union steward, agency EEO officer, or labor relations or personnel official. Your union steward should be able to assist you with the above steps.
- File (within 30 days of the most recent incident) with:

*State EEO Division*  
Ohio Department of Administrative Services  
65 E. State Street, 8th Floor  
Columbus, Ohio 43215

- File (within six months of the alleged violation) at:

*Ohio Civil Rights Commission*  
Columbus (614) 466-5928  
Cleveland (216) 787-3150  
Cincinnati (513)-852-3344

- File (within 300 days from the date of the violation) with:

*Equal Employment Opportunity Commission*  
Cleveland (216) 522-2001  
Cincinnati (513) 684-2851

- File charges with the police if you were assaulted or raped.

If you file within six months with either OCRC or EEOC, it will be dual filed with both agencies at the same time.

# OCSEA

AFSCME Local 11 - AFL-CIO