

HISAR SCHOOL

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“Globalization: Creating a Common Language”



## Human Rights Council

*The Issue of Sexual Harassment in Workplace*



**RESEARCH  
REPORT**

Recommended by:



İpek Sayiner

# RESEARCH REPORT

**Forum: Human Rights Council**  
**Issue: Sexual Harassment in Workplace**

**Student Officer: İpek Sayiner**

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## Introduction

Sexual harassment is defined as any unwelcomed sexual behavior that might be perceived or expected as humiliating, discomforting or offensive, and it can be verbal or physical. When such conduct takes place in a work environment or interferes with work, it is damaging for the victim, and for some cases the harasser or the company. This type of harassment which occurs in a professional industry and is caused by the sex of an employer violates several human rights on the articles 7, 12 and 23 which are regarding equal protection, privacy for family and home of an individual and the rights to work under favorable conditions. Although this may occur between opposite or same sex, 23% of working women but only 4% of laboring men are victims of sexual harassment. There are two reasons for this gender gap. First is lack of gender equality and second is the stereotypical thoughts against men that they are “tougher” and “more dominant” in the industry. Although 50 countries have prohibited sexual harassment in the workplace, more than 1/3 of the world does not assure protection for either male and female workers. Harassment in the workplace is much more effortless to cover up as misunderstandings since employees in the same environment aren't like strangers in the street. These thoughts differ from region to region as it does from country to country. While some have detailed forms of circumstances, some just take into account the physical violence. Creating a common language and understanding is crucial at this point to ensure the safety and continuation of every citizen's human rights.

## Definition of Key Terms

**ILO:** The ILO brings together member states to discuss labor standards, conduct programs and improve policies.

**EEOC:** The US Equal Employment and Opportunity Commission, aims to provide a safe, equal and non-discriminatory place for US citizens by organizing trainings for companies, presentations for employers and employees by working with other federal agencies.

**Quid Pro Quo Harassment:** When the employment status of a worker is based on the acceptance or refusal of sexual behavior.

**Hostile Work Environment:** When the capability of a worker to do it's job is interrupted by sexual favors and harassment.

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## General Overview

The term sexual harassment has long roots in recorded history. Both women and men were subjected to verbal, physical and written harassment directed toward their gender for a long time. Until the 1970s, sexual harassment was also covered for cases which occurred in work-related places or people. However, a woman from the USA demanded the action to be included as sex discrimination under anti-discrimination legislation. Women all around the world started to relate and embody their experiences as it was their right. Although both genders are victims of harassment in the workplace, women are in an overwhelming majority because the workplace was considered as a male domain for years. Women were more vulnerable because of their low salary and positions which kept them silent and bear their discomfort. This stereotypical thought has evolved through decades, even now as women make up one-third of CEO positions –according to a research conducted by the Global Executive Search Partners. Nearly a decade ago Tarana Burke from the United States came up with a social media campaign called the “#MeToo” movement. It started as a hashtag which encouraged women to stand up against mistreatment in workplaces. A local effort became a global voice for women who backed up each other, bringing sexual harassment in the workplace back into the agenda. In recent years, same-sex harassment cases have also risen with men getting harassed. The harasser often chooses its male victim from a minority, an employee with a low income, or homosexual men because of the perception that they are more vulnerable. Harassing an employee directed to their gender not only depresses them psychologically but also leads to the reduction of productivity and creates an uneasy environment. Victims of sexual assault often remain silent because of two reasons. Either the employer is not liable, or the victim is dependent on their salary and can't take the risk of being fired because he/she did not get along with a superior. Countries have different approaches towards the issue as we could understand by their legislation. These differences are mainly caused by cultural and historical backgrounds of the region.

## Major Parties Involved and Their Views,

### USA

The Civil Rights Act signed in 1964 banned segregation in public areas and discrimination in the workplace based on race, gender, color, and origin. After the Congress passed the act, an Equal Employment Opportunity Commission was created by the US Government. The world became aware of the sexual harassment women faced in the workplace by their bosses or colleagues after a woman from the US reported it to be considered as sex discrimination. Today almost 20% of the American citizens have experienced any kind of sexual harassment according to the EEOC database. After the Harvey Weinstein incident in Hollywood, the Americans have become more sensitive on the issue. Many female Hollywood actresses have protested in the red carpet and other galas to raise awareness on the matter like Reese Witherspoon, Emma Stone and Natalie Portman.

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### European Union

The European Union expressed its concerns in 1989 during a Resolution for Violence Against Women. Today 55% of working women in the European Union revealed that they have experienced sexual harassment in the workplace. The current definition of the terms in EU is “where any form of unwanted verbal, non-verbal or physical conduct of a sexual nature occurs, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment”. In the United Kingdom, sexual Harassment in work has been prohibited by the Equality Act in 2010, in Italy with the Code of Equal Opportunities and in Denmark with The Danish Act on Equal Treatment of Men and Women as some example countries.

### India

India has accelerated over the years on its development goals and more women started participating in labor. However, nearly 60% of women in workforce face sexual harassment in India, therefore, the government has taken with the POSH Act in 2013 designed for training, raising awareness and educating employers, employees and companies on sexual harassment.

### Timeline of Events

<b>1964</b>	<i>Civil Rights Act in the USA was the first time that discrimination based on sex, race, and color in the workplace was forbidden.</i>
<b>1992</b>	<i>Convention on Eliminating All Kinds of Discrimination Against Women decided that sexual harassment was a form of sex discrimination.</i>
<b>1993</b>	<i>World Conference on Human Rights Held in Vienna identified sexual harassment in the workplace as a violation of the human rights.</i>
<b>1989</b>	<i>The Indigenous and Tribal Peoples Convention was an international platform that urged governments to prohibit any form of sexual harassment in the workplace.</i>
<b>1998</b>	<i>Executive Board of the International Confederation of Free Trade Unions (ICFTU) adopted an Action Programme (1998) aimed to combat sexual harassment in trade union movement. The ICFTU also suggested several options to tackle the issue such as employee training programs, supervisions and awareness programs to make sure all workplaces are following policies.</i>
<b>2006</b>	<i>#MeToo movement started by Tarana Burke started a local campaign to encourage women on sharing their stories of sexual harassment in workplaces which ended up as a massive global platform and raised awareness for governments regarding the loopholes on policies.</i>
<b>2013</b>	<i>Sexual Harassment of Women at Workplace (Prevention, Harassment, and Redressal) Act is a legislative act in India which</i>

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## Treaties and Events

In 1991 The Caribbean Community (CARICOM) held a Protection Against Sexual Harassment Act which prohibited sexual harassment in the workplace, as well as education for all of its member states. At the same year European Union, held a Commission Recommendation to raise awareness on the harassment women and men faced in workplaces and urged member states to implement legislation as outlined in the Code of Practice.

## Evaluation of Previous Attempts to Resolve the Issue

Starting in the mid 20<sup>th</sup> century, sexual harassment started being more paid attention at due to the empowerment and courage of women. Many solution ways have been proposed by governments, UN bodies, and activists. However, in the 21<sup>st</sup> century, we still face sexual harassment in workplaces. When there are still a critical amount of victims on the issue this shows that something is overseen. The harassment caused by employers and superiors are effortless to cover up and oppress those who earn a much lower salary. Workers who face Quid Pro Quo Harassment are silent because of fear of getting fired, men are embarrassed because of the prejudice for being stiff. In the base of the issue lies equality and courage for victims to stand up for themselves and value their human rights.

## Possible Solutions

In most cases of sexual harassment in the workplace, research has shown that many employees have been silent for a long period while still continuing their jobs and being harassed because either the employer or the company was not liable for reporting these unwanted actions. In order to assure accountability in the workforce, the government needs to get involved by inspectors and research personnel. During this process, to escape the doubt of being humiliated and ashamed, the application of anonymous forms may detect victims of sexual harassment.

Men often find the power of their superior positions in work to harass women working in a less powerful position. In many regions of the world (mostly developing countries) wage gap between genders is a highly acquainted problem waiting to be resolved. The oppression caused by this gap damages both male and female workers, however more often women. Prejudice against women empowerment also leads the way to harassment from their fellow colleagues or employers. Therefore fixing the loopholes in government policies is crucial.

## Bibliography

Swenson, Kyle. "Who came up with the term 'sexual harassment'?" Washingtonpost.com. 22 Nov.2017.10Jul.2018 < [https://www.washingtonpost.com/news/morning-mix/wp/2017/11/22/who-came-up-with-the-term-sexual-harassment/?noredirect=on&utm\\_term=.c5c0836705e2](https://www.washingtonpost.com/news/morning-mix/wp/2017/11/22/who-came-up-with-the-term-sexual-harassment/?noredirect=on&utm_term=.c5c0836705e2) >

## RESEARCH REPORT

McCann, Deidre. "Conditions of Work and Employment Programme". International Labor Organization. 2005

History.com Staff. "Civil Rights Act of 1964". History.com. 2010. 12 Jul.2018.

<https://www.history.com/topics/black-history/civil-rights-act>

Harris, Alice. "The Long History of Workplace Sexual Harassment". Jacobinmag.com. 23 Mar. 2018. 12 Jul.2018. <https://www.jacobinmag.com/2018/03/metoo-workplace-discrimination-sexual-harassment-feminism>

Hora, Gurdeep. "Where are the Women CEO's. A Global Study: Myths and Reality".

Ircsearchpartners.com. Jan 13. Jul 14. 2018. <https://www.ircsearchpartners.com/thought-leadership/where-are-women-ceos-myths-and-reality/> .

"The History of Sexual Harassment at Work". Nov 24. 2017. Jul 14. 2018.

<http://www.wbur.org/hereandnow/2017/11/24/history-sexual-harassment-work> .

Kearl, Holly. "The Fact Behind The MeToo Movement". Feb. 2018. Jul.2018.

A Brief History on The Battle Against Sexual Harassment At The Workplace. Hrln.org. Jul 14. 2018.

Siegel, Reva. "A Short History of Sexual Harassment". Law.yale.edu. 2003. 13. Jul 2018.

"What Is Sexual Harassment". Un.org. Jul 13.2018

Sabbati, Giulio. "Sexual Harassment of Women in EU." European Parliament Think Tank. Mar 01.2018.

