

# What keeps women from reporting sexual harassment?

December 8 2017, by Craig Chamberlain

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Sociology professor Anna-Maria Marshall wrote a book on sexual harassment and specializes in the sociology of law. Credit: L. Brian Stauffer

New accounts of sexual harassment by powerful men appear almost daily. So why now and not sooner? One reason might be the "miniature

legal systems" set up in business, government and other institutions to handle such complaints, says Anna-Maria Marshall, a sociology professor at Illinois and author of "[Confronting Sexual Harassment: The Law and Politics of Everyday Life](#)." Marshall spoke with News Bureau social sciences editor Craig Chamberlain.

## **Why doesn't a typical grievance procedure work for women in cases of sexual harassment?**

There are a number of reasons. First, the processes usually depend on [women](#) being willing to lodge written complaints about the harasser's behavior. Many women second-guess themselves before getting to that stage – they ask themselves whether the behavior is all that serious, whether they're right to feel uncomfortable.

For the women who do decide to come forward, they are often met with skepticism and discouragement. Supervisors and human resources managers may want to protect women from harassment, but they are also trying to protect the employer from liability. As a result, the process starts to take the shape of litigation defense, and women start to feel as though they were the ones to blame.

Finally, even if a woman gets past that and proceeds with a complaint, she may find that little or nothing happens to the harasser. Harassers are rarely fired; they might get a warning, or they might get moved to a different department. And the woman who filed the complaint runs the risk of being targeted for retaliation.

Women know this about grievance procedures. They learn about these shortcomings from their own experience and the experience of others. It's little wonder that women don't complain.

**You note that liability and protecting the employer often become central concerns in this process. Is that short-sighted?**

I think so. Sexual harassment is extremely costly to employers. Women may take sick days to avoid their harassers or to recover from the emotional cost of dealing with them on a daily basis. They may quit or request transfers, thus sacrificing the training and experience that they bring to their positions. We know that sexual harassment makes it harder for teams to work together, thus reducing the efficiency of operations.

We're also learning that sexual harassment has imposed an enormous societal burden on women. The #MeToo movement has demonstrated that an overwhelming number of adult working women have had some experience with [unwanted sexual attention](#) that set them back. Name the industry – women have to navigate this kind of conduct every day. At best, they can deflect or avoid negative consequences; at worst, they get excluded from the careers they want to pursue. As a society, we're just starting to reckon with the damage.

**You believe this recent and ongoing focus on sexual harassment is a positive thing, but are skeptical that real change will come in its wake. Why?**

I'm old enough to have lived through lots of sexual harassment scandals – Anita Hill and Clarence Thomas, Bob Packwood, the Navy Tailhook conference, the Aberdeen Proving Ground cases, Bill Clinton's workplace affairs, and more recently, the high-profile settlements involving Roger Ailes, Bill O'Reilly and others at Fox News.

In the wake of those high-profile cases, not much happened. We'd have a

national dialogue about how much of a problem sexual harassment was and how we defined it. Anti-discrimination agencies might see an uptick in the number of complaints. But we have yet to see the real structural changes that we need.

## **So is more sexual harassment prevention training the answer? New legal measures?**

The evidence about sexual harassment training is mixed. Recent research suggests that it does not do much to alter the underlying attitudes that give rise to sexual harassment and in fact may trigger harassing behaviors by bringing attention to them. And it's not entirely clear that legal measures will improve things. We know that when employers implement the law, they do so in ways that serve their own agendas.

## **Then what should we consider instead?**

Women should probably abandon the idea that existing institutions are going to protect their rights, and they should approach the grievance procedures knowing what to expect and how to strengthen their cases. First, women should be inspired by the #MeToo movement and share their stories with others – family, friends, colleagues. One important lesson is that women are not alone – this happens to most of us at some point in our working lives. (#MeToo, by the way, in law school, law firms and academia.) And we have nothing to be ashamed of when it does happen. Telling someone else also creates a contemporaneous account which bolsters the credibility of the complainant in any grievance process.

Women should also collectivize their complaints in their use of grievance procedures. Harassers rarely focus on a single person. Instead, they are often well-known in a workplace, usually targeting a number of

women. Such conduct should give rise to group complaints that are harder to discourage or ignore.

Finally, it would be wonderful if employers could be more proactive in their investigations of such conduct. For most of the cases in the news – Harvey Weinstein, Fox News, members of Congress – the stories of sexual [harassment](#) were "open secrets." Plenty of people knew about it, including people in authority, but there were no formal complaints so no one did anything.

Employers could instead treat [sexual harassment](#) in the way that they treated other workplace problems. Supervisors wouldn't tolerate an employee who was chronically late, did personal emailing at work or played the radio too loud at their work station. Why can't they intervene to stop harassing behaviors, too?

Provided by University of Illinois at Urbana-Champaign

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