

FLEX CEUs



Sexual Harassment Prevention Training

A top-down view of a desk setup. On the left, a portion of a white keyboard is visible. In the center, a black clipboard holds a white sheet of paper titled 'SEXUAL HARASSMENT COMPLAINT FORM'. To the right of the clipboard, a black pen lies horizontally. In the upper right corner, a white computer mouse is partially visible. The desk surface is a light-colored wood grain.

SEXUAL HARASSMENT
COMPLAINT FORM

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Introduction

Physical therapists and physical therapist assistants should always foster a safe, respectful, and inclusive working environment. The course equips participants with the knowledge, skills, and tools necessary to identify, prevent, and respond effectively to incidents of sexual harassment within the context of physical therapy practice. It will cover different forms of sexual harassment, prevalence, legislation, responsibilities, awareness, recognition, reporting, prevention, and corrective measures regarding sexual harassment in the workplace. In this course, we frequently reference the state of Illinois in connection with the requirement for licensed physical therapists to undertake sexual harassment prevention training as part of their continuing education. While the material is tailored to meet the specific state regulations and standards in Illinois, the principles and guidelines discussed are universally applicable to physical therapists and physical therapy assistants nationwide. Therefore, professionals practicing in other states are encouraged to participate in this course, as the content remains relevant and valuable for fostering a safe and respectful environment within the broader physical therapy community.

Background on Sexual Harassment

Sexual harassment is a form of discrimination that involves unwelcome sexual advances, requests for sexual favors, or other verbal, non-verbal, or physical conduct of a sexual nature. This behavior creates a hostile, intimidating, or offensive environment for the victim. It is important to note that laws and definitions may vary by jurisdiction, but many legal systems and organizations adopt similar principles in defining sexual harassment. This section will discuss the definition, forms, prevalence, and legislation regarding sexual harassment.

Definition¹

Sexual harassment is a form of discrimination characterized by unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature that interferes with an individual's work or educational performance or creates an intimidating, hostile, or offensive environment.

Unwelcome behavior is defined as behavior that the recipient did not invite, request, or consent to the behavior. It's important to note that what might be welcomed behavior in one context or with one person might be unwelcome in another.

There are two main types of sexual harassment, including quid pro quo and hostile environment. Quid pro quo occurs when an individual with authority (such as a supervisor or manager) conditions a job benefit (like a promotion, raise, or continued employment) on the victim's submission to unwelcome sexual conduct. For example, implying that a promotion is contingent on engaging in a sexual relationship. Hostile environment sexual harassment involves creating an intimidating, hostile, or offensive environment through unwelcome sexual conduct. This can be perpetrated by anyone in the workplace or educational environment, not just those in positions of authority.

The harassment behavior must have a detrimental effect on the victim's work or educational environment. This can manifest in emotional distress, anxiety, depression, reduced job or academic performance, or other negative consequences. The assessment of whether behavior constitutes sexual harassment can depend on the context and the perceptions of those involved. What might be harmless banter between friends in one context can be deeply offensive and harassing in a professional setting.

Forms of Sexual Harassment

Sexual harassment takes many forms, ranging from verbal to non-verbal behavior to physical contact and online harassment. This section will detail each to help physical therapists and assistants understand forms as a basis of recognizing these behaviors.

Verbal Sexual Harassment

Verbal sexual harassment involves making sexually suggestive comments, innuendos, or jokes. These remarks may be explicit or implicit, and they are aimed at making the victim uncomfortable or creating a hostile environment. Another form of verbal sexual harassment is sexual propositions. This includes unwelcome requests for sexual favors, advances, or propositions. It often involves pressuring the victim to engage in sexual activities against their will. In addition, sexualized language, such as the use of sexually explicit language, including explicit compliments or explicit language about a person's appearance, body, or clothing occurs as a form of sexual harassment. Using derogatory or offensive terms of a sexual nature to demean, humiliate, or intimidate the victim, such as sexual slurs or insults, are a form of sexual harassment as well. Quid pro quo sexual harassment occurs when an employee or employer in a position of power offers a promotion, job benefit, or raise in exchange for a sexual favor of some sort. Terms and conditions sexual harassment refers to a form of sexual harassment that involves unwelcome behavior or conduct of a sexual nature that affects the terms, conditions, or privileges of a person's employment or educational experience. Examples of this are assigning a specific task to an employee based on gender, paying an employee less based on gender and not merit, and excluding an employee from meetings or social gatherings based on gender.

Non-Verbal Sexual Harassment

Sexual harassment occurs non-verbally in many ways as well. One form is prolonged, intense, or suggestive staring at a person's body, which can be sexually objectifying and make the victim feel uncomfortable or unsafe. In addition, using sexually suggestive gestures like body language or hand gestures to convey sexual messages or intentions, can create an unwelcome and inappropriate environment. Showing or sharing explicit images, videos, or written material without the recipient's consent, which can be highly inappropriate and offensive, are also forms of non-verbal sexual harassment. Another form of non-verbal sexual harassment is exhibitionism. This involves deliberately exposing one's genitals or sexual organs in a public or semi-public place without consent, often with the intention of causing distress or fear.

Physical Sexual Harassment

Physical sexual harassment can also occur in the workplace. Unwanted touching or groping is engaging in any form of physical contact that is sexual in nature and against the recipient's wishes. This can range from inappropriate touching to more explicit forms of physical contact, like groping, hugging, or kissing. Sexual assault is the most severe form of harassment and involves non-consensual sexual acts, which may include penetration, intercourse, or any form of sexual contact. As mentioned previously, quid pro quo sexual coercion involves pressure from an employee in a position of power who conditions employment benefits, promotions, or other benefits to the victim in exchange for sexual favors.

Online Harassment

Online sexual harassment involves sending explicit or inappropriate messages, images, or videos through digital means such as email, social media, or text

messages. In the workplace, this could occur from a peer, a manager, or any other employee in the facility. Additionally, non-consensual sharing of intimate images, with or without the intent to humiliate someone, is a form of online sexual harassment that can occur within the workplace.

Sexual harassment can be a one-time occurrence or a series of incidents. It can range from subtle, persistent behaviors to overt and severe acts. Sexual harassment can occur regardless of gender, and it is not limited to male perpetrators and female victims. It can also involve same-sex harassment. However, it often occurs in situations where there is a power imbalance, such as a supervisor harassing an employee.

Prevalence²

There is limited evidence on sexual harassment prevalence in the workplace in strictly the physical therapy field itself. However, a systematic review and meta-analysis including a total of over 300,000 participants extrapolates the rates of healthcare workers as a whole experiencing abuse and harassment in the workplace. The study concluded that around 57% of healthcare workers experience verbal abuse and around 12% of healthcare workers have experienced sexual harassment in their workplace in the past year.² It is important to note that sexual harassment is often underreported, both in healthcare and in other industries. Factors such as fear of retaliation, concerns about career advancement, and stigma can contribute to underreporting. Healthcare settings, including hospitals, clinics, and long-term care facilities, can sometimes be particularly vulnerable to incidents of sexual harassment due to the close physical proximity of workers and patients, power dynamics, and high-stress environments. Sexual harassment can have serious consequences for patient care. It can lead to reduced job satisfaction, increased burnout, decreased productivity, and even impact

patient safety and quality of care. While both male and female healthcare workers can experience sexual harassment, research often highlights women, who make up a significant portion of the healthcare workforce, are disproportionately affected. Between 2018 and 2021, just over 78% of sexual harassment charges in the workplace were filed by women. The five most common sexual harassment charges from 2018 to 2021 were employment discharge, harassment, terms/condition harassment, constructive discharge, and discipline.

Legislation

Legislation regarding sexual harassment in the workplace varies by state but is uniform federally. This section will discuss both the United States legislative documents and legislation regarding sexual harassment in the state of Illinois.

Federal Legislation Regarding Sexual Harassment^{3,4}

Title VII of the Civil Rights Act of 1964

This federal law prohibits discrimination based on race, color, religion, sex, or national origin. It covers employers with 15 or more employees, including federal, state, and local governments. In 1986, the U.S. Supreme Court ruled that sexual harassment is a form of sex discrimination prohibited by Title VII, which was added in a sexual harassment provision of the Act. This includes both quid pro quo (tangible employment actions based on submission to or rejection of unwelcome sexual advances) and hostile work environment (conduct that unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment) harassment. Employers are responsible for preventing and promptly addressing sexual harassment in the workplace. They can be held liable for the actions of their employees and may be required to take corrective measures. The EEOC (Equal Employment Opportunity Commission) is

the federal agency responsible for enforcing Title VII. It provides guidelines and investigates complaints of workplace discrimination, including sexual harassment.

Civil Rights Act of 1991

This Act amended Title VII to provide additional remedies for victims of discrimination and sexual harassment. It allows for compensatory and punitive damages in cases of intentional discrimination. Compensation for sexual harassment cases can include payment for out-of-pocket expenses and emotional distress. Punitive damages are intended to punish and prevent the employer from repeating the harassment.

Equal Pay Act of 1963

The Equal Pay Act prohibits sex-based wage discrimination between men and women performing substantially equal work.

Pregnancy Discrimination Act of 1978

This Act amends Title VII to prohibit discrimination on the basis of pregnancy, childbirth, or related medical conditions. It provided protections to employees needing leave for pregnancy and for those who need accommodations at work.

Title IX of the Education Amendments of 1972

This Act prohibits sex-based discrimination in education programs or activities, including sexual harassment, at institutions that receive federal financial assistance.

Federal Employees Anti-Discrimination and Retaliation (No FEAR) Act of 2002

This act requires federal agencies to provide training to employees and managers about their rights and responsibilities under anti-discrimination and whistleblower protection laws.

Federal Employees' Compensation Act (FECA)

FECA is a federal law in the United States that provides benefits to federal employees who sustain work-related injuries or illnesses. Enacted in 1916, FECA is administered by the Office of Workers' Compensation Programs within the U.S. Department of Labor. To be eligible for benefits under FECA, an employee must have sustained a work-related injury or illness. This includes injuries that occur while performing assigned duties or illnesses that arise from conditions in the workplace, including psychological conditions.

If a federal employee experiences physical or psychological harm as a direct result of sexual harassment in the workplace, it may be possible to pursue a claim under FECA if the conditions meet the eligibility criteria. If a federal employee believes they have suffered physical or psychological harm due to workplace sexual harassment, it's crucial to report the incident to their supervisor or employer promptly. Additionally, they should seek appropriate medical attention and document any physical or psychological injuries.

Illinois State Legislation Regarding Sexual Harassment

Illinois has comprehensive legislation addressing sexual harassment in the workplace. The state's laws are designed to protect employees from all forms of harassment, including sexual harassment.

Illinois Human Rights Act (IHRA)⁵

The Illinois Human Rights Act is the primary state law addressing workplace discrimination and harassment, including sexual harassment. Although this is specific to Illinois, it can apply to other states with the goal of recognition and response to cases of sexual harassment in the healthcare workplace. IHRA applies to employers with one or more employees, which means it covers nearly all

employers in the state. It prohibits discrimination and harassment based on various protected categories, including sex. This encompasses both quid pro quo and hostile work environment harassment. In 2019, the state of Illinois made significant amendments to the IHRA to expand protections for employees. These changes include requiring annual sexual harassment training for employees and mandating employers to provide a sexual harassment prevention policy. Employers are required to annually report the number of adverse judgments or administrative rulings against them related to workplace harassment or discrimination. The Illinois Human Rights Act mandates employers to provide annual sexual harassment prevention training for all employees. This training is designed to educate employees about what constitutes harassment, how to report it, and what protections they have under the law. Employers are required to have a written sexual harassment prevention policy in place. The policy must be distributed to employees, posted in the workplace, and included in any employee handbook.

Illinois law prohibits retaliation against employees who report sexual harassment or participate in an investigation of such complaints. The amendments to the IHRA extended the time period for filing a charge of discrimination or harassment with the Illinois Department of Human Rights (IDHR) from 180 to 300 days.

Some cities in Illinois, such as Chicago, have additional ordinances related to sexual harassment and discrimination in the workplace. Employers should be aware of and comply with any local laws in addition to state laws.

Section 1 Key Words

Title VII of the Civil Rights Act of 1964 – A legislative act that prohibits discrimination on the basis of race, color, religion, sex, or national origin by employers

Illinois Human Rights Act - A state law in Illinois that is designed to protect individuals from discrimination and harassment in various aspects of life, including employment, housing, public accommodations, and access to credit

Section 1 Summary

Sexual harassment is a type of discrimination that may include unwanted sexual advances, solicitation for sexual favors, or any other form of verbal, non-verbal, or physical behavior with a sexual undertone. Such conduct fosters an environment that is hostile, intimidating, or distressing for the person subjected to it. It is crucial for physical therapists and assistants to understand background information on sexual harassment and legislation to prevent it as a foundation of combating sexual harassment in the workplace.

Role of PTs and PTAs with Sexual Harassment in Workplace⁶

Physical therapists, like other healthcare professionals, play an important role in recognizing and addressing sexual harassment, especially in clinical settings. These roles include a few areas: fostering a respectful work environment, recognizing sexual harassment, responding appropriately, documentation for records of sexual harassment, reporting, and advocacy for preventing sexual harassment.

Sexual harassment can take many forms and it is important for physical therapists to recognize, have awareness of, and know their role regarding cases of sexual harassment. This section will detail each so course participants understand and can help prevent sexual harassment in the workplace.

Recognition⁶

Recognizing sexual harassment in healthcare employment is crucial to maintain a safe and respectful work environment for all staff members. Given the sensitive nature of healthcare settings, it's important to be vigilant and responsive. This section details types of sexual harassment and ways recognize it in healthcare.

Unwelcome Comments or Advances

Comments and advances are forms of verbal sexual harassment. Offenders may use inappropriate language, such as sexually suggestive, explicit, or offensive terms to sexually harass colleagues, supervisors, or patients. In addition to this, sexual harassment can take the form of unwanted touching or contact. Providers should work on noticing any unwelcome physical contact, gestures, or advances made toward oneself or others in the workplace.

Observation of Interactions

Providers working in physical therapy settings should observe interactions between colleagues. Concerning behavior for sexual harassment could be behavior that seems overly familiar, inappropriate, or aggressive. If colleagues seem uncomfortable around certain individuals, it could be concerning as well. If there is suspicion of sexual harassment, it is important to report concerns immediately.

Changes in Behavior or Mood

Recognition of sexual harassment can involve sudden changes in behavior, demeanor, or attitude of a colleague. Emotional distress like anxiety, fear, and depression are also linked to harassment.

Physical Cues

Physical cues, such as body language and physical signs of discomfort are signs of harassment. Non-verbal cues like avoiding eye contact, crossed arms, or signs of tension, may indicate discomfort or distress. Also, if a colleague seems uncomfortable around certain individuals or in specific situations, they could be experiencing sexual harassment.

Inconsistent Work Patterns

A coworker who has changes in work habits, like altered schedules or avoidance of certain areas or colleagues, could be experiencing harassment. In addition, requests for changes in assignments or work locations may signal discomfort or concerns related to harassment.

Verbal Expressions of Discomfort

Colleagues may express direct statements of feeling uncomfortable, threatened, or harassed. These statements should always be taken seriously, especially because colleagues may express this to peers first and not management. Everyone in a healthcare workplace should listen for requests or indications from colleagues seeking intervention or support in handling a difficult situation.

It is crucial to maintain a culture of respect and professionalism throughout recognizing and responding to sexual harassment in healthcare environments. Management should encourage staff to be vigilant and supportive of one another and ensure that policies and procedures are in place to address harassment promptly and effectively.

Awareness⁷

Awareness of sexual harassment in the workplace is crucial for fostering a safe, respectful, and inclusive work environment. It helps prevent harassment, supports victims, and holds perpetrators accountable. This section will detail strategies for healthcare workplaces to increase awareness of sexual harassment.

Education and Training

Employers should provide regular, mandatory training on sexual harassment prevention and reporting for all employees, including supervisors and managers. Training should cover what constitutes sexual harassment, different forms it can take, reporting procedures, and the consequences for engaging in such behavior.

Clear Policies and Procedures

Employers should have clear, written policies outlining the organization's stance on sexual harassment, along with the steps for reporting and the investigation process. Employers should also ensure that policies and reporting procedures are easily accessible to all employees, whether through employee handbooks, company intranet, or other means. This increases awareness of what sexual harassment is and whether it is happening to oneself or a colleague. Promoting a Culture of Respect and Dignity

Management and leadership should set a positive tone by demonstrating respectful behavior and promptly addressing any reports of harassment. Leadership and employees should create an atmosphere where employees feel comfortable reporting incidents of harassment without fear of retaliation. In addition, the workplace should foster inclusive language and

behaviors, promote mutual respect, diversity, and equal treatment for all employees.

Addressing Power Dynamics

To increase awareness of the potential for harassment, additional training for managers and supervisors should take place. This should include how to handle reports of harassment and the importance of avoiding behavior that could be perceived as harassment. In addition, training and awareness strategies should make it clear that retaliation against anyone who reports harassment is strictly prohibited.

Clear Reporting Mechanisms

Employees should have multiple avenues for reporting harassment, including direct supervisors, HR, and, if necessary, an anonymous hotline. Employees should be assured that their reports will be treated with confidentiality to the extent possible.

Promoting Bystander Intervention

Awareness training on bystander intervention should be provided to employees. Employees should be trained to speak up if they witness inappropriate behavior and provide training on how to effectively intervene. In addition, ensuring that bystanders who report harassment or intervene are protected from any potential retaliation will help more cases of harassment get reported.

Regular Communication

Employees should be regularly reminded of the organization's anti-harassment policies and procedures through newsletters, meetings, and training refreshers. Employers and employees should recognize and celebrate efforts to maintain a respectful and harassment-free workplace.

Consequences for Violations

Employers should ensure that allegations of harassment are thoroughly investigated, and that appropriate disciplinary action is taken if misconduct is substantiated. Consistent consequences provide awareness of a no tolerance policy to ensure that sexual harassment is as limited as possible in the workplace. In addition, management should communicate the outcomes of investigations as appropriate, while maintaining confidentiality and privacy.

By prioritizing awareness and prevention, organizations can create a workplace culture where all employees feel respected, valued, and free from harassment. This, in turn, contributes to a more productive and positive work environment for everyone involved.

Responsibilities⁸

Everyone in a workplace has responsibilities regarding sexual harassment observation and response. It requires a systematic, empathetic, and supportive approach which is outlined below.

Maintain Professionalism and Boundaries

Establishing clear professional boundaries with colleagues, superiors, and patients can help to prevent any behavior that could be perceived as harassment. In

addition, avoiding inappropriate language and behavior is a responsibility for all in a workplace.

Recognize and Report Harassment

To maintain workplace safety, all workers should recognize and report any observed or suspected harassment. Healthcare workers should be vigilant to any behavior that is indicative of harassment and acknowledge discomfort in colleagues. In addition, they should follow their organization's reporting and confidentiality procedures.

Provide Support to Victims

When a colleague reports sexual harassment to another colleague, the listener should believe and validate them and offer support. They should encourage the victim to report and reassure them it will be taken seriously. Advocating against retaliation to the victim is also a form of support. Colleagues should speak out against anyone who victim-blames or retaliates in response to reporting incidents of sexual harassment.

Participation in Training and Education

Providers should engage in any mandatory or recommended training programs provided by their healthcare facility on recognizing, preventing, and addressing sexual harassment. They should stay updated on policies, procedures, and legal requirements related to sexual harassment prevention.

Promote a Culture of Respect and Dignity

Providers should demonstrate respectful behavior and foster a workplace culture that values diversity, equality, and inclusion. They should intervene if they witness behavior that could potentially lead to harassment.

Section 2 Key Words

Unwelcome Advances - Refers to any unwarranted, unwanted, or unsolicited actions, gestures, or behaviors of a sexual nature directed towards someone

Bystander Intervention - The act of individuals who are not directly involved in a situation, but who choose to take action to prevent harm or assist those who may be at risk

Section 2 Summary

Physical therapists and physical therapist assistants play an important role in recognizing and addressing sexual harassment in the workplace. All healthcare workers must foster a respectful work environment, recognize sexual harassment, respond appropriately, document for records of sexual harassment, and advocate to prevent sexual harassment.

Response to Sexual Harassment Incidents

Responding to sexual harassment involving healthcare workers is a critical responsibility for healthcare organizations and their leadership. It requires a systematic, empathetic, and supportive approach.

Reporting⁶

Reporting sexual harassment is a critical step towards maintaining a safe and respectful workplace. Establishing a clear and effective reporting protocol is essential in ensuring that incidents are taken seriously, investigated thoroughly, and appropriate action is taken. This section outlines the detailed steps involved in reporting sexual harassment.

Be Familiar with Organization Reporting Policies

Employees should be familiar with their organization's policies and procedures regarding sexual harassment. This may include reviewing the employee handbook, attending training sessions, or consulting with Human Resources. If unsure, employees may ask management to discover reporting policies. Many companies have a designated harassment officer, email, online portal, or a hotline to call and report.

Prepare to Provide Details

When reporting, providers should be prepared to provide specific details about the incident. This may include dates, times, locations, individuals involved, and a description of the behavior.

Maintain Confidentiality

If desired, providers may make completely anonymous and confidential reports if they communicate this to the designated contact. While confidentiality may be honored to the extent allowed by law, it's important to understand the limitations based on the organization's policies and legal requirements.

Report Promptly and Document

It is most beneficial to report the incident as soon as possible after it occurs. Timely reporting can help ensure that evidence is preserved, witnesses are available, and appropriate action can be taken swiftly. Providers should keep a personal record of the incident, including dates, times, locations, and any relevant details. This can serve as a reference in case further documentation is required during the investigation process.

Cooperate with the Investigation

If an investigation is initiated, the provider who reported the incident should cooperate fully with the designated authorities. They will need to provide any additional information or evidence that may be requested.

Seek Support

If the provider who reports the incident feels emotionally affected by the incident, they should consider seeking support from a trusted colleague, supervisor, Employee Assistance Program (EAP), or a counselor. In addition, the provider who reported should encourage the victim to seek support if needed.

Follow-Up and Resolution

Providers should stay informed about the progress of the investigation and any subsequent actions taken by the organization. This includes both internal and external investigation with law enforcement. It may include disciplinary measures, counseling for the parties involved, or changes in policies or procedures.

Corrective Measures⁹

It is crucial for an organization and employees to implement corrective measures during and after a case of sexual harassment has occurred. The ultimate purpose of this is to prevent sexual harassment from happening again in the organization.

Immediate Action

If appropriate, management should consider temporarily separating the individuals involved in the sexual harassment report to prevent further contact and potential harm while the investigation is ongoing.

Investigation and Response

Employers should conduct a thorough investigation and take accusations of sexual harassment seriously. They should assign a designated investigator or team to conduct a fair, unbiased, and comprehensive investigation into the allegations. This investigation should be initiated promptly, and all parties involved should be interviewed as part of the process. The process should be neutral and avoid any form of bias during the investigation process. This allows all parties involved to be treated with fairness and respect.

Disciplinary Action

Depending on the severity of the harassment and the organization policy, discipline may range from mandatory sexual harassment training to employment termination. Employers should consider employment termination in the following cases: persistent and severe harassment, sexual assault or physical contact, quid pro quo harassment, hostile work environments, a refusal of the perpetrator to comply with corrective measures, retaliation, prior incidents by the perpetrator,

and if the victim may experience harm continuing to interact with the perpetrator. Employers should discuss potential courses of action with the victim and respect their decision on how they would like to proceed.

Provide Support for All Parties

The victim should have access to resources, counseling, and any necessary accommodations. They should receive ongoing support and follow-up as needed. In addition, employers should maintain the rights of the accused, ensure they receive fair treatment, including legal representation if necessary.

Training and Education

All employees, including the parties involved, should receive additional training on sexual harassment prevention, workplace behavior, and diversity and inclusion. The company should review existing policies and procedures related to sexual harassment prevention and reporting.

Prevention⁶

Creating a workplace environment free from sexual harassment is crucial for the well-being and productivity of employees. Preventing sexual harassment involves a multi-faceted approach that includes policies, education, and fostering a culture of respect and accountability.

Establish Clear Anti-Harassment Policies

Developing and disseminating a comprehensive anti-harassment policy that defines prohibited behavior, outlines reporting procedures, and emphasizes the organization's commitment to a harassment-free workplace is a first step towards

sexual harassment prevention. The policy should be easily accessible to all employees through employee handbooks, intranet, or posted notices.

Provide Comprehensive Training

To prevent sexual harassment, employers should provide regular, interactive, and mandatory training sessions on sexual harassment prevention for all employees, including managers and supervisors. Content of the training should cover topics such as identifying harassment, reporting procedures, bystander intervention, and the consequences of engaging in harassment.

Review and Revise Policies Regularly

Employers should periodically review and update harassment prevention policies to ensure they remain effective and in compliance with relevant laws and regulations. Staff should be continuously educated about policies and procedures for reporting and responding to harassment. Anti-retaliation policies should be established to ensure that individuals are protected against retaliation after reporting incidents of harassment.

Encourage Reporting and Provide Multiple Avenues

A key to preventing sexual harassment is to have clear reporting avenues. Employees are much more likely to report sexual harassment if they have confidentiality and anonymity guaranteed by their employer and throughout the investigation (as much as is possible). In addition to encouraging reporting, managers and employers should communicate progress and hold offenders accountable. This will go far in exemplifying a no-tolerance policy to sexual and other types of harassment in the workplace.

Resources^{10,11}

There are several resources available, dependent on the employer, for victims and reporters of sexual harassment. This ranges from Human Resources to external sources.

Human Resources (HR)

The HR department is typically the first point of contact in sexual harassment cases. Providers may report to their supervisor, who may direct them to HR. HR is able to provide guidance on company policies and procedures. They are trained to provide a safe and confidential environment to help guide employees through the reporting process.

Employee Assistance Programs (EAPs)

The benefit of utilizing EAPs is confidential counseling services to employees who need emotional support. These services can be used by anyone in the company, and in this context, for those who are victims of or who have reported sexual harassment. The counselors in employee assistance programs can also provide referrals to external therapists, counselors, and support groups for those dealing with the emotional impact of harassment.

Occupational Safety and Health Administration (OSHA)

OSHA provides guidelines for filing workplace safety and health complaints, which can include sexual harassment issues that create an unsafe work environment.

Equal Employment Opportunity Commission (EEOC)

Employees can file a complaint with the EEOC if they believe they have been subjected to sexual harassment. The EEOC investigates complaints and can take legal action if necessary.

Legal Resources

Non-profit legal aid organizations or pro bono services may be available to assist employees in understanding their legal rights and options. Employees can consult with employment lawyers if they are available to pursue legal action. These options would be specific to the employer and state. HR departments should be able to direct employees in pursuing these options.

Nonprofit Organizations and Advocacy Groups

Organizations like RAINN (Rape, Abuse & Incest National Network) and other advocacy groups offer resources, support, and educational materials on sexual harassment prevention. The national hotline for reporting sexual violence is 800.656.HOPE (4673). There are also live chat options on the website below.

<https://www.rainn.org>

Impact on Victims^{12,13}

Depending on the severity of sexual harassment, impact can be tremendous on victims. It is important for providers to realize the impact to make effort on reporting, recognizing, and preventing sexual harassment.

Emotional Distress

Victims often experience heightened levels of anxiety, depression, and stress. The constant fear of encountering the harasser or future incidents can lead to chronic emotional distress. Victims may feel powerless in the face of harassment, leading to a sense of helplessness and a loss of control over their own environment. They may unfairly blame themselves for the harassment, leading to feelings of guilt and shame.

Psychological Effects

Some victims may develop post-traumatic stress disorder (PTSD), characterized by flashbacks, nightmares, and severe anxiety related to the harassment. Insomnia, nightmares, and sleep disturbances are common, affecting their overall well-being and cognitive functioning. Victims may struggle with trust issues, especially in professional settings, which can hinder their ability to form healthy working relationships. This may last for months to years after the harassment occurred.

Physical Health Impact

Victims may experience physical symptoms such as headaches, stomachaches, muscle tension, and fatigue due to the stress and anxiety associated with harassment. Chronic stress from harassment can weaken the immune system, making victims more susceptible to illness.

Professional Consequences

Victims may experience career setbacks, such as reduced productivity, missed promotions, or even job loss if they feel compelled to leave their position. The

emotional toll of harassment can erode self-esteem and confidence, impacting performance and professional advancement.

Personal Relationships

Victims may find it challenging to maintain healthy personal relationships due to the emotional toll of the harassment. They may withdraw from social activities and isolate themselves as a means of self-protection.

Financial Impact

If victims are forced to leave their job due to harassment, they may experience financial strain, potentially leading to economic hardship.

Legal and Professional Repercussions

Pursuing legal action can be a lengthy and emotionally draining process, further compounding the victim's distress.

As evident, sexual harassment can have a profound impact on the victim. Physical therapists and assistants should do all they can to utilize the information in this course to prevent and respond to sexual harassment.

Section 3 Key Words

Rape, Abuse & Incest National Network – RAINN; a nonprofit organization that focuses on supporting survivors of sexual assault and abuse

Post-Traumatic Stress Disorder – PTSD; a mental health condition that can develop in individuals who have experienced or witnessed a traumatic event

Section 3 Summary

Physical therapists and physical therapist assistants should know how to respond appropriately to sexual harassment to reduce the impact on victims. There are several helpful employer, state, and national resources to utilize in the instance of harassment.

Case Study

Sarah, a physical therapist assistant, reported an incident of sexual harassment involving a colleague, Mark, a licensed physical therapist. According to Sarah, Mark had been making unwelcome comments about her appearance and using inappropriate language during their interactions. She felt uncomfortable and distressed, which started to affect her work performance. Mark's behavior constituted verbal sexual harassment, involving explicit comments and unwelcome advances towards Sarah. The clinic is a fast-paced outpatient environment, and Sarah and Mark often worked closely together in treating patients. The close proximity exacerbated the discomfort for Sarah.

Reflection Questions

1. What action should a colleague of Sarah's take after observing Mark's behavior toward Sarah?
2. What is an appropriate response of the clinic manager when hearing about the nature of Mark's sexual harassment toward Sarah?
3. What type of disciplinary action should Mark receive assuming the investigation revealed verbal sexual harassment against Sarah?

Responses

1. A colleague should report this behavior to management to ensure that it stops as soon as possible. Sarah may also report it, but it is often more difficult to do this as the victim of sexual harassment.
2. The manager should take many steps to ensure that Sarah feels comfortable, and that Mark receives corrective action. First, the manager should assure that Sarah feels comfortable discussing in a private space. The manager should document every detail thoroughly, such as dates, times, and content of comments made by Mark. The manager should contact Human Resources to conduct an impartial investigation of the matter. In addition, Sarah should be reassigned to a different clinic or area so that she is separated from Mark during the investigation. Sarah should receive information on counseling services to cope with the impact of the harassment.
3. At a minimum, Mark should receive a formal written warning and should have to attend mandatory sexual harassment prevention training. He should be monitored for a time period at work, especially around female colleagues. If the nature of the sexual harassment was threatening or severe, Mark may be terminated from employment. The clinic should reinforce and educate all staff members on sexual harassment and its consequences after discovering a case like this.

Conclusion

Physical therapists and physical therapist assistants should strive to foster a safe, respectful, and inclusive working environment. The course has prepared participants with the knowledge, skills, and tools necessary to identify, prevent,

and respond effectively to incidents of sexual harassment within the context of healthcare settings of employment. It overviewed different forms of sexual harassment, prevalence, legislation, response, prevention, and corrective measures regarding sexual harassment in the workplace.

References

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