The Role of EEOC Factors in Determining Perceptions of Hostile Work Environment Sexual Harassment

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THE ROLE OF EEOC FACTORS IN DETERMINING PERCEPTIONS OF HOSTILE WORK ENVIRONMENT SEXUAL HARASSMENT

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Presented to the Faculty of the Department of Psychology
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Master of Arts

By
Libby Miller

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THE ROLE OF EEOC FACTORS IN DETERMINING PERCEPTIONS OF HOSTILE WORK ENVIRONMENT SEXUAL HARASSMENT

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The Equal Employment Opportunity Guidelines on Sexual Harassment identify six factors that are relevant in determinations of sexual harassment. This study attempted to determine if three of these factors (i.e., frequency of harassment, number of victims and number of perpetrators) drive perceptions of what constitutes sexual harassment.

Participants role-playing jurors on an hostile environment sexual harassment case demonstrated no differences in perceptions as a function of number of victims or number of perpetrators. The significant effect for frequency of harassment was not in the hypothesized direction, with less frequent harassment being perceived as more likely to constitute sexual harassment. The well-documented gender difference in perceptions of sexual harassment was observed in this study. However, analyses indicated that women are more likely to perceive a situation as sexually harassing because they are more feminine, not simply because of their gender.
Introduction and Review of Literature

Sexual harassment, first described in 1976 (MacKinnon, 1979), was not specifically included as a category of gender discrimination until 1986 when the U.S. Supreme Court ruled sexual harassment illegal (Paludi & Barickman, 1991). Consequently, substantial awareness about sexual harassment and its illegality has yet to be developed. Women may not yet identify some illegal, unpleasant experiences as sexual harassment. This lack of awareness is unfortunate because sexual harassment in the workplace has become a problem, damaging a woman’s prospects for gaining employment, advancement, and wages (Turban et al., 1996). In fact, researchers estimate the proportion of women in the workplace experiencing some form of sexual harassment at over 50% (Gervasio & Ruckdeschel, 1992).

The Equal Employment Opportunity Commission (EEOC) issued interpretive guidelines on sexual harassment in 1980. Their position is that sexual harassment is an unlawful employment practice under Title VII of the Civil rights Act of 1964. The EEOC defines sexual harassment as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that takes place under any of the following circumstances:

1. When submission to the sexual advance is a condition of keeping or getting a job, whether expressed in implicit or explicit terms (quid pro quo).
2. When a supervisor or boss makes personnel decisions based on an employee’s submission to or rejection of sexual advances (quid pro quo).
3. When conduct unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment (hostile work environment).

Quid pro quo harassment is relatively straightforward. Public opinion and the law agree that propositioning an employee for sex is inappropriate. However, it is more difficult to agree on what behaviors create a hostile work environment.

The United States Supreme Court first recognized hostile environment sexual harassment as a separate type of sexual harassment protected under Title VII in the 1986 Meritor Savings Bank v. Vinson case. The court held that a plaintiff may recover on a hostile environment claim by showing that the conduct resulted in a "sufficiently severe or pervasive," "hostile or abusive" work environment (Darmer, 1992). Hostile work environment is often a matter of debate because it is based on an interpretation of another's behavior. Popovich, Gehlauf, Jolton, Somers, and Godinho (1992) claim that a major problem with sexual harassment interpretations is their perceptual nature. For example, some people consider telling a sexual joke to be harassing, while others consider it a normal and accepted part of the environment at work.

In addition, it is widely argued that the problems in understanding and addressing sexual harassment stem from the lack of a clear, concise, universally accepted definition of sexual harassment (Barr, 1993). In fact, the Court has even been criticized for its failure to clearly define the language or test for hostile work environment (Darmer, 1992). The lack of agreement among researchers on what constitutes sexual harassment is reflective of the lack of agreement from one person to another in the general population. What one person defines as sexual harassment, another person may not, and thus it is not
surprising that a vast amount of the research conducted in this area has concentrated on determining what factors affect a person's perception of sexual harassment (Barr, 1993). The use of differing definitions of sexual harassment makes it difficult for researchers to reach a consensus on the type of behavior perceived as sexual harassment and the reasons for this perception (Barr, 1993).

There is a wealth of research investigating gender differences in interpreting sexual harassment. In general, most research indicates that females hold lower thresholds for perceiving sexual misconduct in the workplace (Ford & Donis, 1996; Garlick, 1994; Gowan & Zimmerman, 1996; Shotland & Craig, 1988). In other words, females are more likely than males to view behaviors as sexual harassment. For example, Tata (1993) reported that females were more likely to label sexual remarks and offensive jokes that occurred in the workplace as sexual harassment than were males. Differences were also found in perceptions of the underlying source of harassment. For example, males generally perceive harassment to be based on attraction, as opposed to females who perceive it to be more power based (Popovich et al., 1992). Differences were also found between the genders in sexual harassment attitudes, with males finding it less troublesome (Foulis & McCabe, 1997).

Some researchers have found moderators of sexual harassment besides gender. For example, Powell (1986) reported that participants who scored high on the trait of femininity perceived more sexual harassment regardless of their gender. Bartling and Eisenmann (1993) found that participants who scored high on femininity were less tolerant of sexual harassment. Research such as this has serious implications for court cases based on hostile environment sexual harassment because of the definite lack of
agreement between the genders. For instance, males who score high on femininity and
generally females will tend to see more incidents as sexually harassing while on a jury
than will other males. Thus, the composition of the jury as regards femininity scores
could determine the outcome of a sexual harassment case.

The Reasonable Person

Traditionally, a hostile work environment sexual harassment case was evaluated
from the objective standpoint of a "reasonable person." This standard was initially
utilized to prevent hypersensitive employees from flooding the workplace and the courts
with complaints. For instance, if a charging party alleges that her co-worker made
repeated unwelcome sexual advances toward her, and an investigation revealed that the
alleged advances consisted of invitations to join a group of employees who regularly
socialized at dinner after work, then a reasonable person would not consider the co-
worker's invitations sexual in nature (EEOC, 1990b). It is worthy to note, however, that
examination of the context is necessary. For example, the sixth court stated that the
person evaluating the case should "adopt the perspective of a reasonable person's
reaction to a similar environment under similar or like circumstances" (EEOC, 1990b, p.
13). The EEOC also cautions that it is the victim's perspective that should be considered,
and not stereotyped notions of acceptable behavior.

The Reasonable Woman

Women may be more concerned about displays of sexual behavior at work because
they are disproportionately victims of sexual assault. Because women often face sexual
violence in society that men do not, even the mildest forms of harassment might be
viewed as threatening to them (Wolkinson, 1996). Some courts have upheld the
"reasonable woman" standard in order to evaluate hostile work environment harassment reasoning that a sex-blind reasonable person standard might ignore the experiences of women (Abrams, 1995). The "reasonable person" standard has been criticized as being prejudicial to women because when applying this standard the courts may adopt societal norms reflecting sexual behavior that is acceptable to men but offensive to women (Wolkinson, 1996). For example, utilizing a "reasonable person" standard in circumstances where harassment is the prevailing norm would perpetrate the discrimination because the offensive conduct would be considered acceptable (Almony, 1992).

However, there is also a variety of reasons for the reluctance to adopt the "reasonable woman" standard as well (Maue, 1998). For example, it may cause problems for the traditional jury system in that male jurors and judges may not have the ability to apply a "reasonable woman" standard (Almony, 1992; Gedrose, 1991). These men may have difficulty in determining harassing behavior from a woman’s point of view. In addition, Gedrose (1991) questions why female plaintiffs in sexual harassment cases should be treated differently than other distinct groups whose cases are judged under the "reasonable person" standard. Also, the "reasonable woman" standard may perpetuate rather than diminish discrimination (Wolkinson, 1996). For example, judges/jurors may impart their own personal biases concerning the types of women who work in traditionally male dominated jobs. Also, the standard may suggest that women are delicate and less capable than men, and it may be used to reinforce stereotypes of intuitive or irrational women. Finally, the perspective taken when employing the
"reasonable woman" standard will be that of the privileged white middle class woman, ignoring the experiences of other races, ethnicities, and religions.

The debate about whether to use a reasonable person or a reasonable woman standard has not been resolved. One author believes that the "reasonable woman" standard will eventually be applied nationwide (Starr, 1994 as cited in Maue, 1998) and the EEOC continues its’ support for the application. The Supreme Court and the lower courts, however, have rendered divergent responses as to the appropriateness of standard (Baird, Bensko, Bell, Viney, & Woody, 1995).

Can jurors actually change their perspectives when given different standards? In Wiener, Watts, Goldkamp, and Gasper’s (1995) study to determine if the particular standard adopted (person vs. woman) would have any influence on judgements of harassment, there was no evidence that final judgements were different as a function of the standard adopted. In addition, a study by Maue (1998) found that men and women were equally likely to find hostile environment sexual harassment under either standard. Women still perceived more incidents as sexually harassing than did men. These results provide interesting legal implications: it is unlikely that jurors will change their perceptions of sexual harassment as the result of the court’s invoking a particular standard; that is, either the reasonable person or reasonable woman standard.

Another Explanation

Court standard utilized (i.e. reasonable person vs. reasonable woman) fails to explain the gender differences in the perceptions of hostile environment sexual harassment. Women more readily perceive incidents as sexually harassing than men do regardless of the invocation of the “reasonable person” or “reasonable woman” standard. What, then,
accounts for this gender difference? The present research is an extension of Maue’s (1998) research and attempts to answer this question from a legal perspective.

In order for an environment to be considered hostile, according to the EEOC, it must “alter the conditions of (the victim’s) employment and create an abusive working environment” (EEOC, 1990b, p. 10). As previously stated, the main problem is that men and women often disagree about the kind of behavior that creates an intimidating, hostile or offensive work environment. Since “hostile environment” harassment may take a variety of forms, the EEOC asserts that many factors may affect this determination: including (a) whether the conduct was verbal or physical or both; (b) how frequently it was repeated; (c) whether the conduct was hostile and patently offensive; (d) whether the alleged harasser was a coworker or a supervisor; (e) whether others joined in perpetrating the harassment; and (f) whether the harassment was directed at more than one individual (EEOC, 1990b). No single factor should control the outcome of a sexual harassment case. The assessment should be based upon the totality of the circumstances.

The present research attempts to use these factors set forth by the EEOC to determine where the gender differences may lie in relation to sexual harassment perceptions. The present research will not address the third factor -- that is, whether the conduct was hostile and patently offensive -- because previous research (Thacker & Gohman, 1993; Terpstra & Baker, 1986; Fitzgerald & Hesson-McInnis, 1989; Kenig & Ryan, 1986; Collins & Blodgett, 1981) has indicated that gender differences are present only for ambiguous situations. Men and women typically agree in their perceptions of the existence of sexual harassment when the behavior is blatant and patently offensive, as well as when the behavior clearly is harmless and not sexual harassment (e.g., a casual
invitation to join a group of co-workers for dinner). A review of past research on these five factors follows.

**Verbal Harassment, Physical Harassment, or Both**

One particular variable outlined by the EEOC as a factor that could affect perceptions of sexual harassment is whether the behavior is verbally harassing, physically harassing or both. Popovich et al. (1996) found that a physical vignette was rated as more definitely sexual harassment than a verbal vignette. The relationship between the male and female was seen as more friendly in the verbal as opposed to the physical vignette. Terpstra and Baker (1988) found that more women than men found foul language to be sexually harassing. For instance, they determined that 25% of women, but only 12% of men, consider coarse language to be sexually harassing.

Other studies addressing verbal incidents of sexual harassment relate to sexual humor. For instance, Brodzinsky, Barnet, and Aiello (1981) found that men tended to prefer sexual and aggressive humor to absurd humor, whereas women showed the opposite pattern. Smeltzer and Leap (1988) found that females in the workplace considered sexist jokes towards females to be more inappropriate than did males. The authors suggested this difference could lead women to feel offended or harassed when men told sexual jokes, whereas men would not see anything wrong with their conduct. While Hemmasi et al. (1994) found that frequent use of sexist humor by a coworker of the opposite sex was no more problematic for women than for men, although there was a marginal trend for women to view such behavior as more sexually harassing when jokes told by a coworker of the opposite sex were of a sexual nature.
The harasser’s status in the organization also can affect whether or not the verbal behavior is perceived as harassing. For instance, women were more likely than men to consider sexual humor by a superior of the opposite sex as sexual harassment. Frequent use of sexist humor by a superior of the opposite sex, however, was more likely to be viewed as sexual harassment not only by women but also by managers and by those with higher levels of education. Gender-related jokes told by a superior are more likely to be construed by both sexes as sexual harassment than when told by a coworker.

Physical harassment, on the other hand, seems to be agreed upon by both genders to be more sexually harassing than verbal incidents. For example, Kenig and Ryan (1986) found that while males in general were more prone to agree with attitude statements reflective of a more tolerant attitude toward sexual harassment for subtle forms of harassment, such as jokes, there was general interpretive agreement between genders for the blatant forms, such as touching. Respondents exhibit most agreement on direct, personally invasive nonverbal communication behaviors (e.g., grabbing and pinching; Collins & Blodgett, 1981; Reilly et al., 1982).

Contextual Variables (Superior versus Coworker)

Contextual variables, such as the extent to which there is a power equality or inequality between the harasser and the person being harassed, also may affect the perception of sexual harassment according to the EEOC. Lester, Banta, Barton, Elian, Mackiewicz, and Winkelried (1986) found that both male and female students perceived behaviors performed by instructors as more harassing than similar actions from peers. Others have reported similar findings when comparing the perceptions of professor-student vs. student-student examples of harassment (Pryor, 1985; Pryor & Day, 1988).
Differential effects of power on responses to incidents in the workplace have yielded similar results (Collins & Blodgett, 1981).

Other studies indicated that gender of respondent interacts with the power of the harasser. For example, Popovich et al. (1986) found that women, compared to men, perceived many more behaviors as sexual harassment when the behaviors were attributed to a supervisor (unequal power). Gender differences were weaker when the rated behaviors were ascribed to a coworker (equal power). However, Kenig and Ryan (1986) found that power was not a factor as men and women differed in their perceptions of harassment when power and authority were held constant.

Many other studies have found that higher harasser status yields stronger perceptions of sexual harassment. For example, Bremer et al. (1991) found that situations were judged to be more serious when the perpetrator of sexual harassment was in a position of authority. Ellis et al. (1991) found that women tended to perceive actual sexual harassment incidents as more harassing when relatively high status harassers were involved; that is, the higher the status of the harasser the higher the sexual harassment perceptions. In addition, Tata (1993) found that perceptions of sexual harassment are influenced by the hierarchical level of the initiator relative to the recipient, although this perception applied only to some categories of sexually harassing behavior (gender harassment and seductive behavior) and not to others (sexual bribery, sexual coercion, and sexual assault).

In sum, harasser status has been positively related to various measurements of sexual harassment; that is, the higher the organizational status of the harassers the greater the likelihood that the behavior would be reported and/or labeled as sexual harassment.
This outcome is likely due to attributions of usage of formal social power by harassers (Coles, 1986; Fitzgerald et al., 1988; Lester et al., 1986; Maypole & Skaine, 1982). Interactions between individuals of equal status are perceived as less threatening than those with unequal power, perhaps due to the more equalitarian and reciprocal nature of these interactions (Collins & Blodgett, 1981; Lafontaine & Tredeau, 1986; Popovich, Licata, Novovich & Martella, 1986).

**Frequency**

Another factor identified by the EEOC in hostile environment sexual harassment is frequency of the harassment; that is, the length of time the target has been experiencing the harassment. Although research on this variable focusing on perceptions of outsiders has not been found, it has been demonstrated that targets, after initially displaying avoidance behaviors, gave up and became passive to the harasser (Thacker, 1992). The longer the harassment continued, the less effort the target made to eliminate sexual harassment from the work environment.

**When Others Join In, and When Harassment is Directed at More Than One Individual**

Two other variables identified by the EEOC in hostile environment sexual harassment are when others join in perpetrating sexual harassment and when sexual harassment is directed at more than one individual. Thus far, research examining these two variables has not been found. It is believed by the author that when others join in perpetrating harassment, people will perceive it as more sexually harassing because the target is seen more as a victim than as having brought on the behavior. Also, when harassment is directed at more than one individual, the harasser is seen more as a
perpetrator (as having a social problem) than as a person who is simply sexually interested in the target.

The Present Study

To date no research has addressed the five factors set forth by the EEOC as contributing to hostile environment sexual harassment. Five of the situations identified in the EEOC guidelines were addressed in the present study: (a) whether the conduct was physical, verbal, or both (b) how frequently the sexual harassment was repeated (c) whether the alleged harasser was a coworker or a supervisor (d) whether others joined in perpetrating the harassment and, (e) whether the harassment was directed at more than one individual. One factor, “whether the conduct was hostile or patently offensive,” will not be addressed as there are few gender differences in perceptions of blatant sexual harassment. The present research manipulated the five identified variables in a series of vignettes to determine the underlying factors driving gender differences in the perceptions of hostile work environment sexual harassment. The study was focused on these factors in order to take an organizational perspective with an eye toward the factors identified by the EEOC guidelines as relevant in determining hostile environment sexual harassment. I attempted to answer the following questions: (a) Among the legal factors set forth by the EEOC, what determines perceptions of hostile work environment sexual harassment? and (b) Where do men and women differ in their perceptions?

Hypotheses

According to past research (Collins & Blodgett, 1981; Reilly, et al., 1982) physical incidents of sexual harassment produce the most agreement among participants that the behaviors constitute hostile work environment sexual harassment.
Hypothesis One: Verbal incidents will be perceived as less sexually harassing than either physical incidents alone, or both verbal and physical incidents together.

In addition, prior research has found that the higher the status of the harasser, the more likely participants are to rate his behavior as sexually harassing (Collins & Blodgett, 1981; Lafontaine & Tredeau, 1986; Popovich, Licata, Novovich, Martelli, & Zoloty, 1986).

Hypothesis Two: Power of the harasser will predict differences in the perception of sexual harassment: More subjects will perceive interactions involving power inequality as harassment as compared to equal-power interactions.

While past research focusing on frequency of harassment has not been found, it seems logical that participants would rate more frequent harassment as more sexually harassing than a single behavior.

Hypothesis Three: Frequent harassment will be perceived as more sexually harassing than an isolated incident.

While research was not found on two other variables (whether others join in perpetrating the harassment and whether the harassment is directed at more than one individual), it seems logical that when others join in perpetrating sexual harassment, outsiders (as in a jury) would be more apt to believe that the victim was being sexually harassed.

Hypothesis Four: Harassment with others joining in will be perceived as more sexually harassing than harassment by a single individual.
Again, it seems logical that when a perpetrator of harassment targets more than one victim, participants (jurors) would be more apt to believe that the target was being sexually harassed.

Hypothesis Five: Harassment directed at more than one individual will be perceived as more sexually harassing than harassment directed at only one individual.

Previous literature reports high scores on the trait of femininity to be a better predictor of perceived sexual harassment than gender (Powell, 1986; Bartling & Eisenmann, 1993). Although no formal hypotheses are offered, the relationship between femininity, gender, and perceived sexual harassment will also be explored. It might be noted that other factors may affect a jury’s determination of hostile work environment sexual harassment (such as attractiveness of the victim or perpetrator, clothing of the victim, etc.) (Johnson & Workman, 1994; Popovich et al., 1996). However, the present study will focus on the factors set forth by the EEOC guidelines.
Pilot Study

A pilot study was conducted to provide the basis for narrowing the scope of the thesis. While there is relatively sparse research on three of the independent variables of interest in the present study (i.e., frequency, whether others joined in perpetrating the harassment, and whether the harassment was directed at more than one person), there is an abundance of research (Terpstra & Baker, 1988; Popovich et al., 1996; Smeltzer and Leap, 1988; Collins & Blodgett, 1981; Reilly et al., 1982; Bremer et al., 1991; Tata, 1993; Fitzgerald et al., 1988; Maypole & Skaine, 1982;) on the other two independent variables (i.e., physical versus verbal harassment and supervisor versus coworker status) that suggests a clear relationship between these two variables and sexual harassment. A pilot study was conducted to confirm these relationships; that is, that there is relative agreement that physical harassment whether alone or combined with verbal harassment and harassment by a supervisor (both variables set forth by the EEOC as contributing factors in sexual harassment cases) constitute sexual harassment. For the pilot study, frequency of harassment, whether others joined in perpetrating the harassment, and whether the harassment was directed at more than one person were not included. The pilot study was conducted to narrow the focus of the present study by eliminating from the focus of the study two of the variables identified by the EEOC: supervisor harassment and physical harassment.

In the pilot study 84 participants (28 males and 56 females) were presented with a court case manipulating only the supervisor/coworker status and the physical/verbal/both type of harassment (see Appendix B). Prior research shows that individuals agree blatant
offenses constitute sexual harassment while more ambiguous scenarios produce the least agreement in what constitutes sexual harassment and may result in gender differences in perceptions. It was believed that the scenarios containing a supervisor perpetrating the harassment would constitute blatant sexual harassment while scenarios containing a coworker perpetrating the harassment would be more ambiguous. It was also believed that the scenarios containing both physical and verbal harassment combined were blatant sexual harassment. Therefore, more ambiguous scenarios would be the coworker scenarios with verbal harassment which should produce the least agreement in perception of sexual harassment. It was believed that the supervisor vignettes and the vignettes combining physical and verbal harassment would be agreed upon by most participants to constitute hostile work environment sexual harassment. Because the ultimate goal was to uncover the factors that drive perceptions of sexual harassment from a legal perspective, I was interested in the scenarios that produce variance in the perceptions (i.e., the coworker/verbal scenarios).

Hypotheses for the pilot study were not confirmed. Chi-square tests performed on the data indicated no significant differences as a function of either variable. \( X^2 = .57 \ p > .05 \) for status; \( X^2 = 2.33 \ p > .05 \) for type). While the differences were not significant, the small differences that did exist were in the opposite direction of the stated hypotheses.

The results of the pilot study were inconsistent with the literature and may be unreliable because the number of participants within each cell was quite small. The pilot did bring to light two potential confounds in the scenarios. For instance, the pilot scenarios stated that the woman in the scenario was fired for taking excessive medical leave, and consequently sued the organization for sexual harassment. It also stated that
she failed to report any harassment through the company’s formal complaint procedures. These were two potentially confounding variables that may have brought about the somewhat confusing results and thus were removed from the vignettes for the actual experiment. Based on the empirical literature previously reviewed rather than the results of this pilot study, only coworker harassment (rather than supervisor and coworker harassment) and verbal harassment (rather than verbal and physical harassment) were used in the vignettes for the actual study. Therefore, the three other variables set forth by the EEOC, frequency of harassment (either an isolated incident or something that has happened several times), whether others joined in the harassment (yes they did, or no they did not), and whether the harassment was directed at more than one individual (yes it was, or no it was not), were manipulated in the vignettes and used in the actual study.
Method

Participants

Participants were 233 undergraduate students at a mid-sized southeastern university who received extra credit toward a course requirement for taking part in the study. There were 143 female respondents (61.4%) and 85 male respondents (36.5%). Five participants did not indicate their gender. The mean age of participants was 20 years (SD = 3.65), with a range from 18 to 42.

Materials

Measure of Femininity. Participants completed the Bem Sex Role Inventory that includes masculine, feminine and neutral items. Table 1 presents the items organized by category. The instrument as it was actually administered appears in Appendix F. Femininity has been shown by some researchers (Powell, 1986; Bartling & Eisenmann, 1993) to moderate the relationship between gender and perceptions of hostile work environment sexual harassment. The researcher in the present study was interested in determining whether individuals who score high on this dimension would be more likely to perceive behaviors as more sexually harassing than those who score low, regardless of gender.

Demographic questionnaire. Participants completed a demographic questionnaire taken from Maue’s (1998) research (see Appendix C) asking them to indicate (a) gender, (b) age, (c) race, (d) extent to which his or her work (or school) environment is sexually harassing (as indicated by posters, jokes, etc.), (e) whether she or he has ever experienced negative consequences of sexual harassment (directly or indirectly), and (f) whether she or he has ever been a victim of sexual harassment.
Table 1

<table>
<thead>
<tr>
<th>Masculine Items</th>
<th>Feminine Items</th>
<th>Neutral Items</th>
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<tbody>
<tr>
<td>22. Analytical</td>
<td>32. Compassionate</td>
<td>60. Conventional</td>
</tr>
<tr>
<td>10. Athletic</td>
<td>35. Eager to soothe hurt feelings</td>
<td>15. Happy</td>
</tr>
<tr>
<td>19. Forceful</td>
<td>47. Gullible</td>
<td>39. Likable</td>
</tr>
<tr>
<td>25. Has leadership abilities</td>
<td>56. Loves children</td>
<td>1. Moody</td>
</tr>
<tr>
<td>52. Individualistic</td>
<td>26. Sensitive to the needs of others</td>
<td>30. Secretive</td>
</tr>
<tr>
<td>40. Masculine</td>
<td>38. Soft spoken</td>
<td>42. Solemn</td>
</tr>
<tr>
<td>34. Self-sufficient</td>
<td>44. Tender</td>
<td>12. Theatrical</td>
</tr>
<tr>
<td>16. Strong personality</td>
<td>29. Understanding</td>
<td>27. Truthful</td>
</tr>
<tr>
<td>43. Willing to take a stand</td>
<td>41. Warm</td>
<td>18. Unpredictable</td>
</tr>
<tr>
<td>28. Willing to take risks</td>
<td>2. Yielding</td>
<td>54. Unsystematic</td>
</tr>
</tbody>
</table>

Note. The number preceding each item reflects the number of each adjective as it actually appears on the inventory.
**Scenarios.** In order to provide as much fidelity as possible, scenarios were based on an actual court case (i.e., Vinson v Meritor Savings Bank). The participants had information similar to that which would be known to an actual jury. The scenarios were variations of an ambiguous court case in which a woman filed a sexual harassment lawsuit (see Appendix D). The independent variables manipulated in the scenarios were frequency of harassment (either an isolated incident or something that happened several times), whether others joined in the harassment (yes they did, or no they did not), and whether the harassment was directed at more than one individual (yes it was, or no it was not). In order to explore the underlying dynamics of sexual harassment, it is necessary to utilize at least somewhat ambiguous cases. If the cases clearly are or clearly are not sexual harassment there is no variance in the perceptions. Therefore in all vignettes the harasser was a coworker rather than a supervisor, and the harassment was always verbal rather than physical.

**Dependent Measure.** After reading the scenario, participants answered five yes/no questions about the case based on the EEOC definition for determining hostile work environment sexual harassment. The items were taken from Maue’s (1998) research (see Appendix E). The yes/no response options were used because in an actual court case jurors must make a yes/no decision about the guilt of the defendant. In addition participants rated their confidence for each yes/no response on a five-point scale. The dependent variable was computed by multiplying the “yes”/”no” (i.e., 1/-1) response by the confidence rating for that response (i.e., 1 to 5), thus creating a variable that ranged from −5 to +5. Therefore the dependent variable consisted of a continuous rating for each item (Maue, 1998).
Procedure

When subjects arrived, they were presented with the EEOC definition of sexual harassment and given a brief (10 minute) overview of sexual harassment (See Appendix A for the script). Subjects were then randomly presented with one of eight versions of the ambiguous court case along with the dependent measure. They were also given Bem’s BSRI and the demographic questionnaire to complete.
Results

A 2 (gender: male, female) X 2 (sexual harassment frequency: infrequent versus frequent) X 2 (number of women to whom sexual harassment is directed: single woman versus multiple women) X 2 (number of sexual harassers: single harasser versus multiple harassers) Analysis of Variance (ANOVA) was conducted with the continuous measure of perception of sexual harassment as the dependent variable. The dependent variable ranged from -5 to +5 where negative values indicated a perception that the scenario was not sexual harassment and a positive value indicated that it was sexual harassment. Significant main effects were found for both gender (F = 6.12, p<.05) and sexual harassment frequency (F = 4.62, p<.05) (see Table 2).

Main effects for gender were in the hypothesized direction (male M = -0.76, SD = 3.36; female M = 0.35, SD = 3.42). This outcome supports previous literature findings that males perceive potentially sexually harassing situations as less harassing than do females. However, the main effect for frequency of sexual harassment was not in the hypothesized direction. Across all vignettes, infrequent sexual harassment was perceived as more likely to be sexually harassing than was frequent harassment (infrequent M = 0.36, SD = 3.25; frequent M = -0.49, SD = 3.56). Therefore, hypothesis 3 was not supported. In addition, results from this study failed to support hypothesis 4 and 5. There was no significant main effect for either the number of harassers or the number of victims toward whom sexual harassment was directed.

None of the interactions were significant. Thus, the gender differences in perceptions of sexual harassment were not dependent upon the frequency of the
harassment, the number of victims toward whom the harassment was directed, or the number of harassers.

Table 2
Perception of Sexual Harassment ANOVA Table

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<tr>
<th>Source</th>
<th>df</th>
<th>MS</th>
<th>F</th>
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<td><strong>Main Effects</strong></td>
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<tr>
<td>Gender</td>
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<td>.17</td>
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<td>Frequency x Num Directed x Num Harassers</td>
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<td>23.18</td>
<td>1.99</td>
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Note. N = 228. *p < .05
Bem’s Masculinity/ Femininity Scale

A reliability analysis was performed on Bem’s BSRI. The mean inter-item correlation for the Masculinity scale was \( M = .25 \), with alpha = .86. The mean inter-item correlation for the Femininity scale was \( M = .23 \), with alpha = .82. However, for this sample, the corrected item-total correlations on the Femininity scale were extremely low for items 8, 38, 50, and 53 (Shy = -.05, Soft spoken = -.01, Childlike = .07, and Does not use harsh language = .18, respectively). Therefore, for the purposes of this study, those items were deleted. This deletion brought the mean inter-item correlation for Femininity up to \( M = .35 \), with and alpha of .88. As would be expected, masculinity and femininity were both correlated with gender (see Table 3). The correlation between gender and masculinity was significant \( (r = -.25, p < .01) \), as was the correlation between gender and femininity \( (r = .43, p < .01) \). In addition, there was a significant correlation between the dependent variable (whether or not an individual perceives sexual harassment) and femininity \( (r = .19, p < .01) \), which is consistent with previous literature findings. There was no significant correlation between the dependent variable and masculinity \( (r = -.08, p > .05) \).

Next, a stepwise regression using masculinity, femininity and gender was performed on the dependent variable (see Table 4). The results indicated that after taking femininity into account, gender no longer contributed any unique variance \( (t = 2.38, p < .05) \) in the perception of sexual harassment. Gender contributed a partial correlation of \( r = .10, p > .05 \) which was no longer included in the model. Masculinity contributed a partial correlation of \( r = -.07, p > .05 \) which was nonsignificant.
The results of the analysis of the BSRI suggested it would be of interest to combine all of the independent variables into a single analysis. Accordingly, a stepwise regression was conducted with perceived sexual harassment as the dependent variable. The results indicated two significant variables in the model, femininity and frequency of sexual harassment, as seen in Table 5.

The results of the analysis suggest that femininity and not gender seems to be the crucial factor in predicting whether or not an individual perceives a situation as sexually harassing. This model would predict that women have higher scores on the dependent variable because they are more feminine, not because they are women.
Table 4

Results of Stepwise Regression Entering Masculinity, Femininity and Gender to Predict Perceived Sexual Harassment

<table>
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<tr>
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<th>B</th>
<th>SE B</th>
<th>Beta</th>
<th>B In</th>
<th>Partial Correlation</th>
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<tr>
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<td></td>
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<td></td>
</tr>
<tr>
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</tr>
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Note. * p < .05
Table 5  
Summary of Stepwise Regression for Variables Predicting Perceived Sexual Harassment

<table>
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<tr>
<th>Variable</th>
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<th>SE B</th>
<th>Beta</th>
<th>( R^2 )</th>
<th>Adjusted ( R^2 )</th>
<th>( R^2 ) Change</th>
<th>( B ) In Partial Correlation</th>
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Note. *p < .05
Discussion

While an underlying gender difference was found in the perception of sexual harassment, the present study failed to support the five hypotheses. This lack of support is interesting to note because the hypotheses were based on the EEOC guidelines and on what the legal system sets forth as contributing to perceptions of sexual harassment. Hypothesis 1 (i.e., verbal incidents will be perceived as less sexually harassing than either physical incidents alone, or verbal and physical incidents together) and hypothesis 2 (i.e., power of the harasser will predict differences in the perception of sexual harassment: more subjects will perceive interactions involving power inequality as harassment as compared to equal-power interactions) were addressed in the pilot study. No definite conclusions could be drawn due to small sample sizes within each cell. In addition, some potential confounds were discovered that led the researcher to change the scenarios for further research. To proceed with the present study and explore the underlying dynamics of perceptions of sexual harassment, the researcher relied on empirical literature and used ambiguous cases. If the cases were clearly or clearly not sexual harassment then there would be no variance in perceptions.

Analyses did not support Hypotheses 3, 4 or 5. The results for Hypothesis 3 (i.e., that frequent harassment will be perceived as more sexually harassing than an isolated incident) were significant, but not in the hypothesized direction. Frequent harassment was perceived as less sexually harassing than an isolated incident. Although there is no data to explain the result, one possible explanation could be that one who harasses frequently may be perceived by the victim as having a sexual personality. In other words, harassment may be seen as an integral part of that person’s personality and is thus
discounted. The harassment may be seen as playful and non-threatening, and therefore the person is less credible as a harasser. On the other hand, an isolated incident is taken seriously because the harasser has not demonstrated a pattern of harassing others. His behavior is perceived as being out of character and is taken as a threat. Another possible explanation for this effect could be that subjects thought if the harassment was occurring frequently then the victim should have done something to stop it sooner (e.g., report it or quit). In other words, the participants may think that if the harassment is happening often, the victim may be doing something to encourage it. Furthermore the victim may be seen as having a playful relationship with the harasser, or at least has some warning that the harasser is interested in her. A single harassing behavior may be seen as a violation rather than an act in which the harasser gives the victim some forewarning of his intent.

This study failed to support hypothesis 4 (i.e., that other harassers joining in harassment would be perceived as more sexually harassing than harassment conducted by a single individual) and failed to support hypothesis 5 (i.e., that harassment directed at more than one individual would be perceived as more sexually harassing than harassment directed at only one individual). One possible explanation for the lack of support for Hypothesis 4 is that when others join in harassing a single victim, the victim may be perceived as having elicited the harassment. Participants may assume she has a flirtatious, sexual personality that encourages sexual comments and behaviors from men. Therefore, there is a lack of credibility when she claims she has been sexually harassed. While jurors may know that the behaviors the harassers performed were unprofessional, they also may believe that the woman was not an innocent victim in the harassment. A
possible explanation for the lack of support for Hypothesis 5 is that a harasser who harasses multiple victims may be seen as having a very sexual, flirty personality, and for that reason is never really taken seriously. The harasser is merely seen as flirtatious and harmless. His behavior may be annoying, but it is not perceived as threatening.

There are some limitations of the present study that should be acknowledged. First, a manipulation check was not done to determine whether or not participants were paying ample attention to the scenarios. Anecdotal evidence suggests undergraduates may be somewhat careless when participating in research such as this and may not attend to the details of the scenarios. The response of inattentive participants adds error variance to the data. It is possible that the results may have been different had any inattentive participants been deleted from the data set.

In addition, although not a factor identified in the EEOC guidelines, another variable that could impact perceptions of hostile environment sexual harassment is the student versus worker status of the participants. Overall, it has been found that full-time workers are more likely to perceive sexual harassment than are full-time students (Booth-Butterfield, 1989; Terpstra & Baker, 1987). These studies report that professional versus student status is a stronger predictor than gender of how individuals define sexual harassment. Terpstra and Baker (1987) found that differences in perceptions of sexual harassment exist between students and workers, not between men and women. Specific differences between these two populations have not been established.

Because much of the past research has used undergraduates to determine that gender differences exist in perceptions of hostile work environment sexual harassment, it would be useful to determine whether being full-time professionally employed versus
being a full-time college student moderates the gender difference. After a person has been in the work force for several years, perceptions of what is salient in the work environment and how much control one has over career events may alter. While there is ample indication that harassment is prevalent on college campuses (Dziech & Weiner, 1984; FitzGerald, 1986; McCormack, 1985; Pope, Levenson, & Schover, 1979; Popovich, et al., 1986; Reilly, et al., 1982; Somers, 1982), students may see the phenomenon somewhat differently than individuals who have been in the “real world” work force longer. Cues that would be overlooked by the inexperienced employee may be warning signs for the veteran (Booth-Butterfield, 1989).

In summary, while the present study failed to give support to the EEOC guideline variables as determinants of perceptions of sexual harassment, sexual harassment is still of great concern to both individuals and employers. The consequences of sexual harassment, both individually and organizationally, are profound. Victims of sexual harassment may experience physical and emotional symptoms including nausea, headaches, tiredness, lack of motivation, difficulty concentrating, and lowered sense of self-esteem (Crull, 1982). Organizations may suffer in both financial and non-financial ways. In fact, the U. S. Merit Systems Protection Board (1981, cited in Blakely, Blakely, & Moorman, 1998) study of sexual harassment in the federal government estimated that over a two-year period, the costs in lost productivity, absenteeism, turnover, and insurance claims were in excess of $180 million. It was also estimated that sexual harassment costs Fortune 500 companies an average of $6.7 million annually (Sandroff, 1988, cited in Blakely, Blakely, & Moorman, 1998). Therefore, if we can determine the factors that drive differences in perceptions of sexual harassment, we can better train
individuals and organizations to prevent sexual harassment. Both of these should be done in order to avoid organizational liability as well as the physical and emotional strain on the victim.
References


Appendix A

Script
SCRIPT FOR RUNNING SUBJECTS

Thank you for agreeing to participate in our research study. The research in which you are participating in today is studying sexual harassment. In particular, we are looking at how individuals serving on a jury make decisions about the facts in a case to determine whether or not sexual harassment has occurred. We will first provide a brief training session in how sexual harassment is defined legally by both the courts and the Equal Employment Opportunity Commission (EEOC). The EEOC is the official body that provides guidelines to businesses and organizations on how to comply with the laws concerning fair employment practices, such as providing a work place that is free of sexual harassment.

After the brief training session, you will be asked to assume the role of an individual serving as a juror on a sexual harassment case. You will be asked to read a court case that will present the facts concerning the case. After you have read the case, you will be asked to make a number of judgments about that case. You will be given specific questions to answer. This case is based on an actual court record and may contain quoted passages that contain what some may find to be offensive language. If you believe you may be offended and prefer not to participate in the study, you may withdraw from the study at any time. You will also be given a survey asking for demographic information such as your age, sex, and race. We are asking this information so that we can see if, for example, males and females or older versus younger individuals view situations differently. You will not be identified by name at any time in this study. An arbitrary identification number that will be on the materials you complete will identify your materials.

Since our training program is brief, it may not answer all of the questions you have about sexual harassment. The training will, however, focus on the key points you will need to know if you were a juror serving in a sexual harassment trial. After we have finished the research session, we can answer other questions you may have about sexual harassment and we can direct you to other resources on campus that can also answer any further questions you may have.

Are there any questions at this time?

Now we will begin our training session on Sexual Harassment.

If you would like to do so, you may take notes.

WHAT IS SEXUAL HARASSMENT?

DEFINITION OF SEXUAL HARASSMENT

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment such that:

1. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual (quid pro quo harassment); or

2. such conduct has the purpose or effect of unreasonable interfering with an individual’s work performance experience or creating an intimidating, hostile or offensive working environment (hostile environment).

The line between the two types of sexual harassment is not always clear and the two forms often occur together.

Sexual harassment most often occurs in situations where one person has power over another, but it can also occur between persons of the same status. Both men and women can be sexually harassed, although women are most often victimized (90+% of victims).

In both types of sexual harassment, there are three key features that must be present for the behavior to constitute sexual harassment:

1. The behavior must be 
   **unwelcome**. Sexual conduct is unlawful only when it is unwelcome. By unwelcome the law means that (a) the employee did not solicit the behavior and (b) the employee regarded the conduct as undesirable and offensive.

   Sexual harassment is “unwelcome...verbal or physical conduct of a sexual nature...” Because sexual attraction may play a role in the day-to-day social exchange between employees, the distinction between invited, uninvited-but-welcome, offensive-but-tolerated, and flatly rejected sexual advances may be difficult to discern. However, this distinction is essential because sexual conduct becomes unlawful only when it is unwelcome.

   The Supreme Court has stated that the proper inquiry focuses on the “welcomeness” of the conduct rather than the “voluntariness” of the victim’s participation. (Did the employee by her conduct indicate that the alleged sexual advances were unwelcome, not whether her actual participation was voluntary?) Giving in to sexual conduct at the workplace may not mean that the conduct is welcome to the individual.

2. The behavior must be 
   **sexual in nature**. This may at times be difficult to determine. However, these questions may provide some guidance.

   Would most people consider the behavior sexual in a similar environment under similar circumstances?
Ask yourself if the individual does the same behavior in the same way to males. If the answer is no, his behavior may constitute sexual harassment.

3. The conduct must be a **term or condition of employment**. This would include:
   - If the behavior is a “requirement” of the job
   - If, in order to appropriately perform her job, the individual must work near or with the person performing the offensive behavior
   - If, in order to appropriately perform her job, the individual must work in a place where the offensive conduct is present.

The basic point to remember is that sexual harassment is unwelcome, unsolicited, or undesired attention of a sexual nature. It should be remembered that **“unwelcome” is determined by the person at whom the behavior is directed and/or by third parties – not by one’s intent.**

**Today’s Research**

Our research today is focusing on the second form of sexual harassment, that is, what is called hostile environment sexual harassment. Hostile environment sexual harassment occurs when the harassment creates an intimidating, hostile, or offensive working environment. Recognizing subtle sexual harassment can be difficult.

One of the most important questions facing a juror is how to determine if the situation constitutes hostile environment sexual harassment.

Fortunately, the EEOC guidelines provide guidance for us.

The courts have ruled that the conduct must be “sufficiently severe or pervasive to alter the conditions of the victim’s employment and create an abusive working environment.” Hostile environment harassment can take a variety of forms.

No one factor controls. An assessment is made based upon the totality of the circumstances.

A hostile environment claim usually requires a showing of a pattern of offensive conduct. However, a single, unusually severe incident of harassment may be sufficient to constitute a violation of the sexual harassment law; the more severe the harassment, the less need to show a repetitive series of incidents. This is particularly true when the harassment is physical.

For example, the EEOC will presume that the unwanted touching of an individual’s intimate body areas is sufficiently offensive to alter the condition of his/her working environment and constitutes a violation of the law.
Verbal remarks can constitute hostile environment sexual harassment. You must evaluate the totality of the circumstances to ascertain the nature, frequency, and intended target of the remarks.

The EEOC guidelines further state that “In general, a woman does not forfeit her right to be free from sexual harassment by choosing to work in an atmosphere that has traditionally included vulgar, anti-female language” or to work in a job that traditionally has been filled by males.

Remember, the central inquiry is whether the conduct “unreasonably interferes with an individual’s work performance” or creates “an intimidating, hostile, or offensive working environment.”

The Reasonable Person
In order to make the determination whether the total situation constitutes hostile environment sexual harassment, the EEOC Guidelines state that the standard to use is a “reasonable person.” That is, the harasser’s conduct should be evaluated from the objective standpoint of a “reasonable person.” Would a reasonable person in a similar situation under similar circumstances find this to interfere with their work performance or to create an intimidating, hostile, or offensive environment?

The Reasonable Woman
Some courts, however, have used the standard of “reasonable woman.” There is an abundance of social science research that suggests that men and women view the same situation differently. Conduct that may offend many women is deemed unobjectionable to most men. Therefore, some courts have used the standard of a “reasonable woman” to determine hostile environment sexual harassment.

That is, the harasser’s conduct should be evaluated from the objective standpoint of a “reasonable woman.” Would a reasonable woman in a similar situation under similar circumstances find this to interfere with her work performance or to create an intimidating, hostile, or offensive environment?

Overall
The EEOC guidelines state that the law does not serve “as a vehicle for vindicating the petty slights suffered by the hypersensitive.” If the challenged conduct would not substantially affect the work environment of a reasonable person, no violation should be found. Thus, sexual flirtation or innuendo or even vulgar language that is trivial or merely annoying would probably not constitute a hostile environment.

The EEOC guidelines further state that the reasonable person standard should consider the victim’s perspective and not stereotyped notions of acceptable behavior. A workplace in which sexual slurs, displays of “girlie” pictures, and other offensive conduct can constitute a hostile environment even if many people deem it to be harmless or insignificant.
You will now evaluate a summary of a court case found in the envelope. Please carefully read the facts of each case, and then answer the questions following the case on the Case Questions form. Please do not put your name on any of the materials so that your responses will be completely confidential. After you have answered the Case Questions, we would then like you to give us some demographic and additional information for research purposes. When you have finished, please place the materials back in the envelope and return them to me.

What questions do you have at this time?
Appendix B

Pilot Study Scenarios
Pilot Study Scenarios

Case A  Supervisor/Physical Harassment
Case B  Coworker/Verbal Harassment
Case C  Coworker/Physical Harassment
Case D  Coworker/Verbal and Physical Harassment
Case E  Supervisor/Verbal and Physical Harassment
Case F  Supervisor/Verbal Harassment
CASE FACTS

A

In 1994 Sarah Anderson met Tony Smith, a vice president of Meritor Savings Bank. When Anderson asked whether she might obtain employment at the bank, Smith gave her an application, which she completed and returned the next day. Later that same day Smith called her to say that she had been hired. With Smith as her supervisor, Anderson started as teller-trainee, and thereafter was promoted to teller, head teller, and assistant branch manager. She worked at the same branch for four years and it was undisputed that her advancement there was based on merit alone. In September 1998, Anderson notified Smith that she was taking sick leave for an indefinite period. On November 1, 1998, the bank discharged her for excessive use of that leave.

Anderson brought action against Smith and the bank, claiming that during her four years at the bank she had “been subjected to sexual harassment” by Smith. She sought injunctive relief, compensatory and punitive damages against Smith and the bank, and attorney’s fees.

Anderson testified that during her probationary period as a teller-trainee, Smith treated her in a fatherly way and made no sexual advances. Shortly thereafter, however, he invited her out to dinner and, during the course of the meal put his hand on her upper thigh and massaged her leg. According to Anderson, Smith thereafter repeated this sort of behavior.

Smith denied Anderson’s allegations of sexual activity. He contended instead that Anderson made her accusations in response to a business-related dispute. The bank also denied Anderson’s allegations.

Sarah Anderson filed action against Smith and the bank, asserting charges of sexual harassment in violation of Title VII of the Civil Rights Act of 1964.
CASE FACTS

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Appendix C

Demographic Questionnaire
Background Information

Please do NOT put your name on this sheet!

Gender: Male  Female  (circle one)
Race: Age

1. Please indicate the extent to which you believe your present job (or school) environment is sexually harassing (e.g., as indicated by posters, jokes, sexual remarks or behaviors, etc.):
   1  2  3
   Not at all harassing  Somewhat harassing  Extremely harassing

2. Do you believe you have ever been a victim of sexual harassment?
   1  2  3
   No  Uncertain  Yes

3. If you answered yes to the previous question, indicate by circling yes or no with regard to any of the following behavior(s) that accurately represent your experience:

   Letters/call from supervisors  Yes No  Pressure for dates from supervisor  Yes
   No

   Letters/calls from co-worker  Yes No  Pressure for dates from co-worker  Yes
   No

   Touching by supervisor  Yes No  Sexual remarks by supervisor  Yes
   No

   Touching by co-worker  Yes No  Sexual remarks by co-worker  Yes
   No

   Suggestive looks by supervisor  Yes No  Suggestive posters, pictures, etc.  Yes
   No

   Suggestive looks by co-workers  Yes No

4. Have you ever experienced negative consequences of sexual harassment?
   1  2  3
   No  Uncertain  Yes
Appendix D

Scenarios for the Present Study
Present Study Scenarios

Case A  Frequent Harassment
Harassment conducted by more than one person
Harassment directed at only one woman

Case B  Infrequent Harassment
Harassment conducted by more than one person
Harassment directed at only one woman

Case C  Frequent Harassment
Harassment conducted by more than one person
Harassment directed at more than one woman

Case D  Infrequent Harassment
Harassment conducted by more than one person
Harassment directed at more than one woman

Case E  Frequent Harassment
Harassment conducted by a single harasser
Harassment directed at only one woman

Case F  Infrequent Harassment
Harassment conducted by a single harasser
Harassment directed at only one woman

Case G  Frequent Harassment
Harassment conducted by a single harasser
Harassment directed at more than one woman

Case H  Infrequent Harassment
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CASE FACTS

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In addition, Andersen testified that other employees joined in similar harassing behavior toward her. These activities ceased after 1997, Anderson stated, when she started going with a serious boyfriend. Anderson also testified that Smith directed this sort of harassing behavior only towards her.

Smith denied Anderson’s allegations of sexual activity. He contended instead that Anderson made her accusations in response to a business-related dispute. The bank also denied Anderson’s allegations.

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Appendix E

Dependent Measure
CASE QUESTIONS

Based on the scenario you just read, answer the following questions for determining hostile work environment sexual harassment. Respond as though you are serving as a juror and have just heard these facts presented in court.

Circle “Yes” or “No” on the odd-numbered items.

Use the following scale to answer all even-numbered questions – 2,4,6,8,10:

RESPONSE SCALE: (for even numbered items)

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<td></td>
<td>Not at all Confident</td>
<td>Somewhat Confident</td>
<td>Confident</td>
<td>Very Confident</td>
<td>Completely Confident</td>
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1. Does this have the effect of unreasonably interfering with the individual’s work performance?

2. How confident are you in the accuracy of your above answer? (That is, that it did/did not unreasonably interfere with the individual’s work performance.)

3. Does the incident described create an intimidating environment?

4. How confident are you in the accuracy of your above answer? (That is, that it did/did not create an intimidating environment.)

5. Does the incident described create a hostile environment?

6. How confident are you in the accuracy of your above answer? (That is, that it did/did not create a hostile environment.)

7. Does the incident described create an offensive environment?

8. How confident are you in the accuracy of your above answer? (That is, that it did/did not create an offensive environment.)

9. Does this constitute hostile work environment sexual harassment?

10. How confident are you in the accuracy of your above answer? (That is, that it does/does not constitute hostile work environment sexual harassment.)
Appendix F

Bem Sex-Role Inventory
BSRI

How well does each of the following characteristics describe you? Please respond to each item on a scale from 1 to 7. 1 = Never true; 7 = Always true.

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1. Self-reliant
2. Yielding
3. Helpful
4. Defend own beliefs
5. Cheerful
6. Moody
7. Independent
8. Shy
9. Conscientious
10. Athletic
11. Affectionate
12. Theatrical
13. Assertive
14. Flatterable
15. Happy
16. Strong Personality
17. Loyal
18. Unpredictable
19. Forceful
20. Feminine
21. Reliable
22. Analytical
23. Sympathetic
24. Jealous
25. Have leadership abilities
26. Sensitive to the needs of others
27. Truthful
28. Willing to take risks
29. Understanding
30. Secretive
31. Makes decisions easily
32. Compassionate
33. Sincere
34. Self-sufficient
35. Eagar to soothe hurt feelings
36. Conceited
37. Dominant
38. Soft spoken
39. Likable
40. Masculine
41. Warm
42. Solemn
43. Willing to take a stand
44. Tender
45. Friendly
46. Aggressive
47. Gullible
48. Inefficient
1234567 49. Act as a leader
1234567 50. Childlike
1234567 51. Adaptable
1234567 52. Individualistic
1234567 53. Do not use harsh language
1234567 54. Unsympathetic
1234567 55. Competitive
1234567 56. Love children
1234567 57. Tactful
1234567 58. Ambitious
1234567 59. Gentle
1234567 60. Conventional