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THERE'S A POLICY FOR THAT: A COMPARISON OF THE ORGANIZATIONAL CULTURE OF WORKPLACES REPORTING INCIDENTS OF SEXUAL HARASSMENT

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ABSTRACT: It has been more than 25 years since the Equal Employment Opportunity Council first published guidelines on sexual harassment. In response, many companies developed policies and procedures for dealing with harassment in their workplaces. The impact of sexual harassment policies on changing workplace culture has been met with mixed findings. The current study investigates the environmental differences or organizational cultures of companies holding formal sexual harassment policies using organizational level data (2002 National Organization Survey). Logistic regressions compared organizations with and without formal complaints on organizational structure, worker power, and interpersonal climate variables. Findings indicated the importance of negative interpersonal climate variables (threatening, bullying, and incivility) in differentiating companies who experience formal complaints of sexual harassment from those that do not.

KEYWORDS: sexual harassment; policy; organizational culture

It has been more than 25 years since the Equal Employment Opportunity Council (EEOC) first published guidelines on sexual harassment. These guidelines have been instrumental in clarifying the behaviors constituting the two forms of sexual harassment under Title VII, namely, *quid pro quo* (occurring between a superior and a subordinate where sexual favors are demanded in exchange for promotions, reviews, or continued retention) and *hostile environment* (where nonverbal, verbal or physical conduct of a sexual nature interferes with an individual's work performance and creates an intimidating, offensive, or hostile work environment) (Bell et al. 2002; EEOC 1990; Welsh 1999). The guidelines also advise organizations to take action by developing explicit policies and procedures for addressing sexual harassment in the workplace, a necessary step in avoiding legal liability (Clardy, 2003; Daniel, 2003; EEOC, 1990, Sherwyn and Tracey, 1998). Considering sexual harassment lawsuits can cost companies tens of thousands to millions of dollars per case

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(EEOC, 2006), many organizations have taken the EEOC's advice to heart. Empirical findings are mixed, however, as to whether having a policy is enough to deter incidents of sexual harassment in and of itself (Bergman, Langhout, Palmieri, Cortina, & Fitzgerald, 2002; Bond, 1995; Gruber, 1998; Pierce, Rosen, & Hiller, 1997; Reese & Lindenberg, 2004). As behavior analysts are well aware, "behavior is a function of interactions between a person and that person's environment" (Brethower, 2002). Building upon existing research, the current study compares the environmental culture of companies holding formal sexual harassment policies in order to explore what organizational-level factors may contribute to the occurrence of formal incidents of sexual harassment.

While definitions of organizational culture vary, Denison's (1996) theoretical review proposes that "culture refers to the deep structure of organizations, which is rooted in the values, beliefs, and assumptions held by organizational members" (p. 624). Taking this definition one step further, Bumstead and Boyce (2005), suggested that a behavioral operationalization of organizational culture should include "the interaction between environmental variables, organizational practices, and the consequences of those practices" (p. 45). Over the years, sexual harassment researchers have given increasing attention to organizational culture through their investigation of the structural risk factors, or contingency-specifying stimuli (Myers, 1995; Signal & Taylor, 2008), related to the experience of sexual harassment. Such research may help contextualize the findings that despite a nine-fold increase in the sexual harassment charges filed with the EEOC from the late 1980s thru 2003 (EEOC 2004), most targets of sexual harassment do not file any formal charges (Bell et al. 2002; Peirce et al. 1997; Welsh 1999). The next section of this paper will briefly review some of the organizational dynamics that have been identified as potential risk factors for sexual harassment.

One of the most prominent characteristics researched to date is the sex ratio of the occupation and/or work place (DeCoster, Estes, & Mueller, 1999; Fitzgerald, Drasgow, Hulin, Gelfand, & Magley, 1997; Gruber, 1998; Mueller, DeCoster, & Estes, 2001; O'Hare & O'Donohue, 1998). In fact, feminist theory suggests a core objective of sexual harassment has been to illustrate to women that they are not wanted in certain workplaces and that they are not respected as members of particular work groups (O'Hare & O'Donohue, 1998; Reskin & Padavic 1994). In line with this assumption, qualitative research findings affirm that the sex-ratio of an organization may actually be a barrier to labeling certain behaviors as sexual harassment (Collinson & Collinson 1996; Dougherty & Smythe 2004; Folgero & Fjeldstad 1995; Welsh, 1999). For instance, women who are employed in typically masculine work cultures have been found to avoid formally defining their experiences as sexual harassment in order to be "part of

the team,” to be considered competent workers, or because of other perceived risks to their career (Collinson & Collinson 1996; Peirce et al. 1997; Welsh 1999; Williams 1997). Thus, work cultures that are permissive towards degrading and sexual behaviors have been found to institutionalize such behavior as a normal component of work, therefore those behaviors are not seen as harassment (Folgero & Fjeldstad 1995; Williams 1997; Welsh 1999).

Quantitative research on skewed sex ratios suggests mixed findings. O’Hare and O’Donohue (1998) reported that contrary to their expectation, a skewed sex ratio did not lead to higher incidence of sexual harassment within an academic setting. However, both Fitzgerald et al. (1997) and Mueller et al. (2001) found that women working in utility companies were more likely to perceive sexual harassment as a problem if they were employed in a male-dominated work group or occupation. Similarly, Gruber (1998) found that “women are most apt to be targets of sexual harassment when their visibility in their work environment centers on gender-based status differences, that is, they have a nontraditional job in a male-dominated work environment..., or their traditionally female job is located in a work environment that involves a high degree of contact with men...” (p. 311).

In addition to sex-ratio, previous research including organizational factors explored the link between sexual harassment and characteristics of employment such as job status (Gruber & Bjorn, 1982; O’Hare & O’Donohue, 1998), job autonomy and opportunities for promotion (Mueller et al., 2001), formalization of rules (Mueller et al., 2001) or bureaucratic procedures (Timmerman & Bajema, 2000), and organizational size (DeCoster et al., 1999), which may all act as proxy measures for power dynamics in the workplace (Bond, 1995; Timmerman & Bajema, 2000; Welsh, 1999). According to Mueller et al. (2001), “work contexts that exhibit coworker support, supervisor support, promotion opportunities, and formalization produce less sexual harassment for both sexes” (p. 428). Similarly, Timmerman and Bajeman (2000) found that employees who reported that their workplaces showed concern for them as people (which the authors defined as a positive social climate) were less likely to report observing unwanted sexual behavior at work.

In line with these findings, increasing attention is being directed to the link between sexual harassment and what O’Hare and O’Donohue (1998) call “unprofessional work environments.” In fact, as the American workplace became viewed as more casual (Andersson & Pearson 1999), organizational scholars have become more interested in exploring a range of “bad behaviors” (Griffin & Lopez, 2005) that may be related to a generally hostile working environment including incivility between coworkers (Andersson & Pearson 1999; Lim &

Cortina 2005; Montgomery, Kane, & Vance, 2004; Welsh, 1999) and workplace bullying (Bowling & Beehr, 2006; Crawford, 1997; Hodson, Roscigno, & Lopez, 2006; Salin 2003). While Lim and Cortina (2005) found one in five of the women in their study experienced workplace incivility (defined as disrespect, rudeness, or condescending comments) in addition to at least one form of sexual harassment, few other studies include measures of incivility or bullying as dimensions in their organizational models of sexual harassment. One exception is O'Hare and O'Donohue (1998) who found that an unprofessional atmosphere was positively correlated with experiences of gender harassment, unwanted sexual attention, and sexual coercion.

A final dimension of organizational culture that has been previously explored is the workplace's response to sexual harassment. To date, there are no federal mandates that workplaces provide sexual harassment prevention training (Clardy, 2003). Prior scholarship suggests, however, that workplaces trying to modify their organizational culture by proactively enforcing sexual harassment policies, strengthening their prohibitions and sanctions for engaging in harassing behavior, and providing training and official complaint procedures may reduce hostile environment forms of sexual harassment (Bell et al. 2002; Gruber 1998; Gruber & Smith, 1995; Mueller et al., 2001; O'Hare & O'Donohue 1998; Reese & Lindberg, 2003). For instance, Gruber (1998) found that "proactive methods" (i.e., having official complaint procedures and/or offering training) strongly predicts a reduction in "environmental" forms of harassment (such as displaying sexually explicit materials), but is less effective in reducing personally directed experiences of sexual harassment. Likewise, Pierce et al. (1997) found that the majority of women experiencing an incident of sexual harassment in their study did not report the incident due to a lack of confidence that their concerns would be taken seriously and the perpetrator would be punished, or due to fear of retaliation and/or concerns about future employment within the company. In contrast, O'Hare and O'Donohue (1998) found a significant positive correlation between self-reported incidents of both gender harassment and unwanted sexual attention and having knowledge of sexual harassment grievance procedures.

In summary, previous research indicates models of sexual harassment are incomplete if they do not include organizational environmental factors. To date, organizational investigations, whether from behavioral or social science perspectives, tend to be narrowly focused on a single organization or industry. In addition, prior research has tended to narrowly define organizational culture by focusing on job characteristics and structures without including measures of other forms of unprofessional behavior that may inform the general relational climate of a workplace. Finally, existing research tends to utilize individual level data to

assess organizational level dynamics. Given these gaps, the current study uses organizational level data to compare the culture of companies holding formal sexual harassment policies. Of specific interest are the organizational factors that differentiate companies that have reported formal complaints of sexual harassment to those who have not. We expanded the existing body of research by including multiple measures of organizational structure along with three additional workplace culture characteristics, namely: threatening, bullying, and incivility. Gaining a better understanding of multiple environmental factors is an important step for developing more effective behavior interventions.

METHODS

Data

Data for this paper comes from the 2002 National Organization Survey (NOS), a national probability survey of workplace establishments in the United States (Smith, 2002). The National Opinion Research Center (NORC) conducted interviews with employers and personnel managers to acquire organizational-level data on workplace measures. Since this paper was concerned with the effects of sexual harassment policies, only companies with a formal sexual harassment policy were selected, reducing the original sample size from 516 to 303 organizations.

Measures

The dependent variable for this study was a binary (0,1) measure indicating whether the organization had a formal complaint of sexual harassment filed (1=yes). Four behavioral variables (sexual harassment, threatening, bullying, incivility) measured the level (1=never, 2=rarely, 3=sometimes, 4=often) of negative climate behaviors observed at the organization by the employers or personnel managers. Sexual harassment behavior measures focused on the “hostile environment” category including story telling about sexual attributes or behavior, repeated unwanted requests for someone to go out socially or on a date, and trying to touch someone in a sexual way when not encouraged. Threatening behavior included verbal and written threats and shouting, swearing, threatening emails or attempts to provoke arguments. Bullying behavior included repeated intimidation, slander, social isolation and humiliation. Incivility behavior included acting rudely or discourteously. A composite measure denoting the level of negative behavior was created by adding the four above variables and dividing by 4 to generate a similar 1 to 4 scale. In addition, five binary (1=yes) variables

denoted whether training workshops (sexual harassment, diversity, workplace violence, conflict resolution, negative behavioral constraint) for behavior were provided in the organization. The training workshops offered by the organizations in the sample targeted different levels of the organizational structure. Sexual harassment training and training in diversity were offered only to managers, whereas workshops on workplace violence, conflict resolution, and restraining negative behavior were offered to all workers.

In addition to variables on workplace behavior, a set of control variables were created to capture organizational dynamics and worker power. Organizational dynamics were measured by total number of employees (interval count of employees in organization) and a binary denoting whether the organization participated in national markets (beyond state boundaries, 1=yes) for their product or service. Worker power variables included four measures that attempt to capture the extent to which core workers (workers who provide a service or produce a product, distinct from managers) have organizational power and control. Organizations with high rates of part-time employees provide few power enabling options for workers so a percent part-time variable was included. A five-level ordinal measure (1=none, 2=small amount, 3=moderate, 4=large amount, 5=complete) indicates the degree of autonomy a worker has in decision making and level of self-supervision. A binary (1=yes) variable indicated whether workers were promoted from within the organization, an internal labor market (ILM). Finally, the percent of women workers was an interval variable denoting the percent of all employees within the organization which were women.

RESULTS

Table 1 provides the univariate and bivariate analysis of workplace behavioral dynamics and their association with whether or not a sexual harassment complaint had been filed. Of the 303 organizations which had a formal sexual harassment policy, 29% reported a formal sexual harassment complaint being filed indicating that even in the presence of an organizational policy, behavior which contradicts the policy commonly occurred. In conjunction with the complaint and perhaps contributing to it, a clear pattern of negative workplace behavior occurs in organizations with a formal complaint versus organizations without a formal complaint. Organizations in which a formal complaint has been filed are more likely than organizations with no formal complaint filed to experience sexual harassment behaviors (80.7% vs 11.6%; $t = -5.82$, $p \leq .0001$), threatening behaviors (72.7% vs 32.1%; $t = -7.06$, $p \leq .0001$), bullying (60.2% vs 23.3%; $t = -6.57$, $p \leq .0001$) and acts of incivility (85.2% vs 65.1%; $t = -4.02$, $p \leq .0001$).

TABLE 1

Effect of an Harassment Environment Among Companies with a Formal Sexual Harassment Policy

(n=303)		Formal sexual harassment complaint filed				t-value	sig (2-tail)
		no complaint		complaint filed			
Complaint status:		215		88			
		71%		29%			
Behavior:							
Sexual harassment ¹	once or more	25	11.6%	71	80.7%	-15.82	0.000
	never	190	88.4%	17	19.3%		
			100%		100%		
Threatening ²	once or more	69	32.1%	64	72.7%	-7.08	0.000
	never	146	67.9%	24	27.3%		
			100%		100%		
Bullying ³	once or more	50	23.3%	53	60.2%	-6.57	0.000
	never	165	76.7%	35	39.8%		
			100%		100%		
Incivility ⁴	once or more	140	65.1%	75	85.2%	-4.02	0.000
	never	75	34.9%	13	14.8%		
			100%		100%		
% providing workshop on:							
Workshop on sexual harassment (mgrs only)			73%		98%	-7.31	0.000
Workshop on diversity (mgrs only)			64%		82%	-3.43	0.001
Workshop on workplace violence			56%		74%	-3.03	0.003
Workshop on conflict resolution			60%		77%	-3.08	0.002
Workshop on negative behavioral constraint			47%		58%	-2.98	0.004

¹ Sexual harassment: includes story telling about sexual attributes or behavior, repeated unwanted request for someone to go out socially or on a date, trying to touch someone in a sexual way when not encouraged.

² Threatening: includes verbal or written threats, shouting, swearing, threatening emails or attempts to provoke arguments.

³ Bullying: includes repeated intimidation, slandering, social isolation, or humiliation.

⁴ Incivility: includes acting rudely or discourteously.

SEXUAL HARASSMENT REPORTING

Previous research has suggested the importance of organizational training in minimizing negative behavior in the workplace. The majority of the 303 organizations with and without filed complaints offered training to managers and/or to workers. However, organizations in which a formal complaint had been filed, were more likely than organizations with no complaint to offer workshops on sexual harassment (98% vs 73%; $t = -7.31$, $p \leq .0001$), diversity (82% vs 64%; $t = -3.43$, $p \leq .001$), workplace violence (74% vs 56%; $t = -3.03$, $p \leq .01$), conflict resolution (77% vs 60%; $t = -3.08$, $p \leq .01$) and workshops on restraining negative workplace behaviors (58% vs 47%; $t = -2.98$, $p \leq .01$). A limitation of the data, however, is assessing whether more training was available due to incidents occurring or whether more incidents were reported due to increased knowledge through training. Given the overall organizational climate differences between organizations with filed complaints and those without, the findings suggest that training is perhaps more an issue of liability than organizational culture modification.

Table 2 presents a logistic regression analysis for predicting the occurrence of a formal sexual harassment complaint being filed. Net of other factors, increases

TABLE 2

Logistic Regression results for Filing a Sexual Harassment Complaint

Variables	beta	SE	Odds	¹
Organization factors:				
Total employees	.090	.034	1.094	***
National market	.681	.333	1.976	*
Worker power factors:				
Percent part time workers	.520	.757	1.682	
Percent women workers	-.908	.581	0.403	
Level of core worker's autonomy	-.072	.229	0.931	
Core workers have ILM	.297	.344	1.345	
Behavioral factors:				
Level of negative behavior	.430	.076	1.538	***
Number of Workshops	.260	.111	1.297	**
constant	-4.868	1.022	0.008	***
-2 Log likelihood	266.418			
Cox & Snell R Sq.	0.278			
Chi sq.	98.719			

¹ * $p < .05$ ** $p < .01$ *** $p < .001$

in negative workplace climate behaviors as a whole increased the odds for filing of a complaint by 1.5. Interestingly, none of the worker power variables in this study, including part-time status, worker's autonomy, internal labor market status, and percent of women core workers, had a statistically significant effect in predicting whether a formal complaint was filed net of other factors. Other organizational structure factors, however, did play a role such that organizations with a national market for their products/services were more likely to experience a formal complaint (1.9 odds) and increases in organizational size (number of employees) provided a slight increase in the odds (1.09) of filing or not filing a formal sexual harassment complaint.

DISCUSSION

The development of sexual harassment policies is an important first step in the elimination of sexual harassment in the workplace. Our research implies, however, that organizational policies are not enough to deter sexual harassment behavior on their own. Nonetheless, sexual harassment complaints were filed in just under one-third of organizations with formal sexual harassment policies in place. While commonsense may suggest that fewer reports are analogous with low incidents of sexual harassment, prevention specialists know that lower rates of reporting may actually indicate a more tolerant workplace. Thus, behavioral interventions should ultimately have two target goals: (1) increasing reporting behaviors; and (2) reducing sexual harassment behaviors. From an organizational standpoint, however, increased reporting may be seen as an antithetical goal. Therefore, some organizational cultures may take the stance that simply having a policy gives the appearance of being proactive while masking the underlying goal of protecting the organization from liability rather than actually changing the organizational culture itself.

As stated previously, the current study found that organizations reporting formal sexual harassment complaints were more likely than organizations with no complaints to also report other negative behavior incidents (i.e., generally threatening behavior, bullying, and acts of incivility) contributing to an overarching hostile work environment. Specifically, organizations with higher levels of negative relational climate variables were one and a half times more likely to have a formal sexual harassment complaint filed against them. This finding is consistent with other research, such as Lim and Cortina (2005), suggesting patterns of unprofessional behavior may often co-occur with sexual harassment in the workplace. In order to address the behavioral contingencies related to sexual harassment, then, one must also work to change contingency-specifying stimuli in the larger environmental context (Myers, 1995). In other

words, organizations wanting to make real changes may be best advised to target several types of negative behavior in their training programs in addition to sexual harassment and that such training should be geared toward every level of the organization.

In addition, existing theory suggests organizational change requires intervention at multiple levels from altering organizational structures (rules, regulations, and systems of rewards) to changing the underlying contingency patterns that drive negative behavioral patterns (Bond 1995; O'Hare & O'Donohue 1998; Salin 2003). As Bumstead and Boyce (2005) point out, "the survival of an organizational culture depends on the interaction between many cultural practices and their consequences" (p. 45). In addressing possible underlying mechanisms of sexual harassment, future research on organizational culture may want to investigate how hostile behavioral patterns such as those addressed in the current study may be related to the androcentric nature of workplace structure overall (Myers, 1995). For instance, if aggressiveness is rewarded within capitalistic establishments, it may act to also reinforce a negative relational climate between coworkers. Working toward gaining a more complete understanding of the various cultural interlocks operating within an organizational system, then, is necessary for intervening within those practices (Mattaini, 2006).

Future research would also benefit from being able to contextualize negative behavioral incidents in regard to more micro factors such as the sex of the perpetrator and the target, a limitation of the current data. Previous research has shown that workers often tolerate same-sex harassment (Welsh 1999), and that organizational cultural predictors of sexual harassment may be sex neutral, predicting harassment against both male and female targets (Mueller et al. 2001). Unfortunately, it is outside the scope of this study to differentiate whether behavioral contingencies operate similarly or differently within same-sex harassment incidents and opposite-sex incidents. An increased understanding of these processes, however, is needed before effective training programs can be designed.

Finally, the current research found that organizations with generally hostile cultures were more likely to offer workshops on sexual harassment, diversity, workplace violence, conflict resolution and workshops on restraining negative workplace behaviors in general. By and large, such workshops often focus on reducing individual behavioral patterns in isolation of changing the larger organizational culture. Given the cross-sectional nature of our data, the question remains as to whether these programs are offered as pro-active or reactive, punitive or instructive measures. While we are unable to answer these questions, our research does indicate that providing workshops on negative behavior may

result in formalized sexual harassment complaints in some instances. Longitudinal organizational research is needed, however, to investigate the actual effects unprofessional behavior awareness programs have on invoking larger institutional changes. One possible indicator of an organization's resolve to end negative workplace behavior is whether the organization offers continuing education or a one-time training. Program evaluation research often finds one-time trainings are less effective in initiating long-term behavioral changes. While the existing literature provides suggestions for developing proactive sexual harassment procedures (Bell et al., 2002; Daniel, 2003; Reese & Lindenberg, 2004), less attention has been given to evaluating effective training practices themselves (see Reese & Lindberg, 2003 as an exception). This appears to be an area in which behavior and cultural analysts could lend their great expertise.

Taken together, the findings of this study suggest the importance of continuing to expand current organizational models of sexual harassment. Future research may do well to include measures of both interpersonal relations, such as general incivility, and organizational structure, such as organizational size and industry. We propose that the continued investigation of multiple dimensions of organizational culture is key to understanding the underlying mechanisms that perpetuate sexual harassment in the workplace which can ultimately lead to more effective prevention efforts in the future.

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SEXUAL HARASSMENT REPORTING

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