



Professor Deborah Cobb-Clark
Professor of Economics
School of Economics

Re: Australian Human Rights Commission, Independent Review into Commonwealth Parliamentary Workplaces

25 June 2021

Dear Review Committee,

I am a Professor of Economics in the School of Economics at the University of Sydney. I have published several research articles (referenced below) on sexual harassment in the US military and the US Federal Government. It is in that capacity that I provide this submission.

I would particularly like to draw your attention to the important role that systematic, representative survey data can have in: i) measuring the extent of sexual harassment; ii) monitoring trends over time; and iii) identifying gaps in understanding of the issue.

In particular, the Merit Systems Protection Board (MSPB) has been conducting periodic surveys of US Federal Government employees since 1980, while the US Department of Defense began periodically surveying active-duty personnel in the US Armed Forces about sexual harassment in 1995. Survey questions have been specifically designed to capture a range of sexually-oriented and gender-biased behaviours affecting both women and men in the workplace. Over the years, analyses of these data have revealed, among other things, that:

- Employees' understanding of sexual harassment has grown over time;
- Sexual harassment training is associated with a higher probability that employees – particularly men – identify unwanted sexual behaviour as sexual harassment;
- Experiencing sexual harassment results in lower job satisfaction and intensifies intentions to quit; and
- There remains a gender gap in employees' understanding of what constitutes sexual harassment

Unfortunately, similar data do not exist for Australia. I urge you to include the development of a periodic sexual harassment survey among your recommendations. For your information, I have attached an overview of the sexual harassment data available for the US military and the US Federal Government along with the survey instruments themselves.

I would be very happy to answer any questions you might have.

Deborah Cobb-Clark
Professor of Economics, FASS
ARC Centre of Excellence for Children and Families over the Life Course



Relevant Publications:

Antecol, H. Barcus, V. and **Cobb-Clark, DA** (2009) “Gender-Biased Behavior at Work: What Can Surveys Tell Us About the Link Between Sexual Harassment and Gender Discrimination?” *Journal of Economic Psychology*, Vol. 30(5), October, pp. 782 – 792.

Antecol, H and **Cobb-Clark, DA** (2006) “The Sexual Harassment of Female Active-Duty Personnel: Effects on Job Satisfaction and Intentions to Remain in the Military, *Journal of Economic Behavior and Organization*, Vol .61(1), pp.55 – 80.

Antecol, H and **Cobb-Clark, DA** (2004) “The Changing Nature of Employment-Related Sexual Harassment: Evidence from the U.S. Federal Government (1978 – 1994) (with Heather Antecol), *Industrial and Labor Relations Review*, Vol. 57(3), April, pp. 443 – 461.

Antecol, H and **Cobb-Clark, DA** (2003) “Does Sexual Harassment Training Change Attitudes? A View from the Federal Level” *Social Science Quarterly*, Vol. 84(4), December, pp. 826 – 842.

Antecol H, and **Cobb-Clark DA** (2001) “Sexual Harassment and Job Satisfaction in the U.S. Military” (with Heather Antecol), *Gender Issues*, Vol. 19(1), Winter, pp. 3 – 18.



Update on Sexual Harassment in the Federal Workplace March 2018

Introduction

This research brief summarizes Federal employee perceptions of sexual harassment in the workplace, based on MSPB's 2016 Merit Principles Survey (MPS) and previous MSPB surveys. Agencies have a responsibility to take steps to eliminate sexual harassment, because it is both illegal and harmful to employee productivity, satisfaction, and retention.

Background

In 1979, a subcommittee of the U.S. House of Representatives asked MSPB, which has the statutory responsibility to evaluate adherence to the Federal merit system principles and avoidance of prohibited personnel practices, to conduct a thorough and scientific study on the prevalence of sexual harassment among Federal employees. In March 1981, MSPB issued the report *Sexual Harassment in the Federal Workplace: Is It a Problem?* and published follow up reports in 1988 and 1995.

Although some stakeholders might have assumed that sexual harassment had decreased to the point that it no longer warranted focused leadership attention or further research, sexual harassment continues to be a problem for both Federal employees and Federal agencies. Therefore, in 2015, MSPB included an update on sexual harassment in its Research Agenda for 2015-2018.

Research Approach

When MSPB conducted its first study of sexual harassment in 1981, there was little published research or data available. Accordingly, MSPB staff conducted independent research and consulted with experts to craft a detailed survey to measure Federal employees' views of and experiences with sexual harassment. That survey has provided baseline data and served as a model for subsequent research into sexual harassment.

To permit comparison over time, the MPS 2016 repeated numerous items from the preceding surveys (with revision to reflect new possibilities such as harassment through text messaging or social media). The survey also included new items to reflect a contemporary understanding of sexual harassment.

What is Sexual Harassment?

From a legal perspective, the U.S. Equal Employment Opportunity Commission notes that sexual harassment is a type of discrimination based on sex and therefore, a violation of Title VII of the Civil Rights Act of 1964.¹ Sexual harassment occurs when: (1) acceptance of the harassment is required (explicitly or implicitly) for continued employment; (2) acceptance or rejection of the harassment by an individual impacts his/her treatment by the harasser; or (3) the harassment unreasonably interferes with the individual's work performance or creates an intimidating, hostile, or offensive working environment for the target of the harassment or other observers.² Harassment may also include behaviors that are not overtly sexual in nature, but that reflect disparaging attitudes based on sex or gender.

Sexual harassment may involve sexual coercion or behaviors that create a hostile work environment, such as unwanted sexual attention, as well as harassment based on sex or gender.

¹ U.S. Equal Employment Opportunity Commission, <https://www.eeoc.gov/eeoc/publications/fs-sex.cfm>.

² Paraphrased from 29 C.F.R. §1604.11.

MSPB's 2016 survey covered a range of sexual harassment behaviors from an employee perspective, as displayed in Table 1. These behaviors are grouped into three broad categories—³

- **Gender Harassment:** Unwelcome behaviors that disparage or objectify others based on their sex or gender;
- **Unwanted Sexual Attention:** Unwelcome behaviors of a sexual nature that are directed toward a person; and
- **Sexual Coercion:** Pressure or force to engage in sexual behavior.

Table 1. Types of Sexual Harassment Behaviors Included on 1994 and 2016 Surveys⁴

<p>Gender Harassment</p> <p>Unwelcome behaviors that disparage or objectify others based on their sex or gender</p> <ul style="list-style-type: none"> • Derogatory or unprofessional terms related to sex or gender • Unwelcome sexual teasing, jokes, comments or questions* • Exposure to sexually oriented material (e.g., photos, videos, written material) • Exposure to sexually oriented conversations
<p>Unwanted Sexual Attention</p> <p>Unwelcome behaviors of a sexual nature that are directed toward a person</p> <ul style="list-style-type: none"> • Unwelcome invasion of personal space (e.g., touching, crowding, leaning over)* • Unwelcome communications (e.g., emails, phone calls, notes, text messages, social media contacts) of a sexual nature* • Unwelcome sexually suggestive looks or gestures*
<p>Sexual Coercion</p> <p>Pressure or force to engage in sexual behavior</p> <ul style="list-style-type: none"> • Offer of preferential treatment in the workplace in exchange for sexual favors (<i>quid pro quo</i>) • Pressure for sexual favors* • Pressure for dates* • Stalking (e.g., unwanted physical or electronic intrusion into your personal life)* • Sexual assault or attempted sexual assault*

The behaviors listed above were intended to provide survey respondents with concrete examples of behaviors that are potentially indicative of sexual harassment; the list is neither exhaustive nor legally definitive.⁵

Understanding What Constitutes Sexual Harassment

On the MPS 2016, MSPB asked respondents to indicate whether they considered each of the 12 behaviors (as listed in Table 1) to be sexual harassment. As shown in Table 2, for each behavior, the vast majority of employees agreed that these behaviors constituted sexual harassment. The behaviors with less consensus may be more likely to lead to workplace conflict, because one person may view the behavior as innocuous while others view it as sexual harassment.

³ These categories are based on the results of a statistical technique called factor analysis, which groups similar items based on patterns of response.

⁴ Items followed by an asterisk (*) were included on both the 1994 and 2016 surveys.

⁵ The determination of whether a particular behavior constitutes sexual harassment within the meaning of antidiscrimination law (e.g., Title VII) depends upon the behavior's circumstances and the context. Therefore, this list should not be construed as identifying behaviors that necessarily meet the legal criteria for sexual harassment or sex discrimination.

Table 2. Percentage of Respondents Who Agree That the Behavior Is Sexual Harassment

Sexual Coercion	Total	Men	Women
Pressure for sexual favors	96%	97%	96%
Offer of preferential treatment for sexual favors	96%	96%	96%
Stalking (unwanted intrusion into your personal life)	95%	95%	94%
Sexual assault or attempted sexual assault	95%	96%	94%
Pressure for dates	94%	94%	94%

Unwanted Sexual Attention	Total	Men	Women
Unwelcome communications of a sexual nature	94%	94%	94%
Unwelcome sexually suggestive looks or gestures	92%	92%	93%
Unwelcome invasion of personal space	90%	90%	90%

Gender Harassment	Total	Men	Women
Unwelcome sexual teasing, jokes, comments or questions	94%	94%	95%
Derogatory or unprofessional terms related to sex or gender	92%	92%	93%
Exposure to sexually oriented material	89%	89%	90%
Exposure to sexually oriented conversations	82%	83%	80%

The vast majority of men and women agree that these behaviors constitute sexual harassment.

Compared to 1994,⁶ the overall rate of agreement was higher (more people considered each of the behaviors to be sexual harassment), and the differences between women and men decreased (largely because more men now agree that each behavior is sexual harassment). These changes indicate that most Federal employees, regardless of sex, now understand that certain behaviors are inappropriate in the workplace. Nevertheless, such understanding does not necessarily mean that all employees will refrain from inappropriate behavior, or recognize it in themselves.

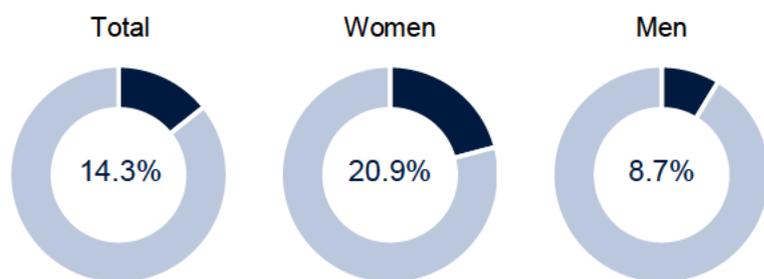
Prevalence of Sexual Harassment

Approximately 1 in 7 Federal employees experienced one or more of the sexual harassment behaviors during the preceding 2 years, as illustrated in **Figure 1**. Women were more than twice as likely as men to experience sexual harassment.⁷

⁶ The comparable items on MSPB's 1994 survey covered only six behaviors (i.e., unwelcome communications, invasion of personal space, looks or gestures, pressure for sexual favors, pressure for dates, and sexual teasing, jokes, comments or questions). The 1994 survey also distinguished between whether the respondent considered the behavior to be sexual harassment if done by a supervisor or a coworker. The MPS 2016 covered all 12 behaviors and did not distinguish between potential sources of the harassment.

⁷ For brevity, we characterize an employee who responded that they experienced any listed behaviors as having "experienced harassment." However, we note that the survey data reflect employees' perceptions of their experiences, which may or may not meet the legal criteria for harassment.

Figure 1. Employees Experiencing Sexual Harassment in the Previous 2 Years, 2016



Although sexual harassment of both men and women has decreased, women remain much more likely than men to experience harassment.

In MSPB's 1980, 1987, and 1994 surveys, the percentages of men and women who had experienced sexual harassment remained surprisingly stable, despite efforts to eliminate sexual harassment from Federal workplaces. MSPB attributed this, in part, to increases in employee awareness of what behaviors constitute sexual harassment outpacing improvements in employee conduct and workplace culture (such as universal understanding that sexual harassment is misconduct that should not be tolerated). In contrast, as shown in Table 3, the MPS 2016 results show that the percentage of Federal employees who experienced sexual harassment has decreased since 1994.

Table 3. Percentage of Employees Experiencing Sexual Harassment, 1994 and 2016

Year	Measure of Sexual Harassment	Employees	
		Women	Men
1994	Experienced any of 8 behaviors	44.3%	19.1%
2016	Experienced any of 8 behaviors	17.7%	5.5%
	Experienced any of 12 behaviors	20.9%	8.7%

Notably, the percentage of employees who experienced any of 12 behaviors in 2016 was lower than the percentage of employees who experienced any of 8 behaviors (a subset of the 12) in 1994.⁸ Nevertheless, approximately 1 out of 5 female Federal employees and approximately 1 out of 11 male Federal employees experienced any type of sexual harassment during the previous 2 years.

The percentages shown in Figure 1 represent Government-wide averages. Averaging results across Federal agencies with different rates of sexual harassment can obscure substantial and important agency differences. Figure 2 displays the percentages of men and women within each Department or large agency who have experienced sexual harassment within the past two years compared to the Government-wide average of 20.9 percent of women and 8.7 percent of men. A review of these agency-level results reveals that organizations vary in terms of the likelihood that women and/or men will experience harassment.

⁸ All subsequent survey results to be discussed in this research brief will be based on all 12 sexual harassment behaviors that were covered on the MPS 2016.

Figure 2. Percentage of Employees Experiencing Sexual Harassment, by Agency

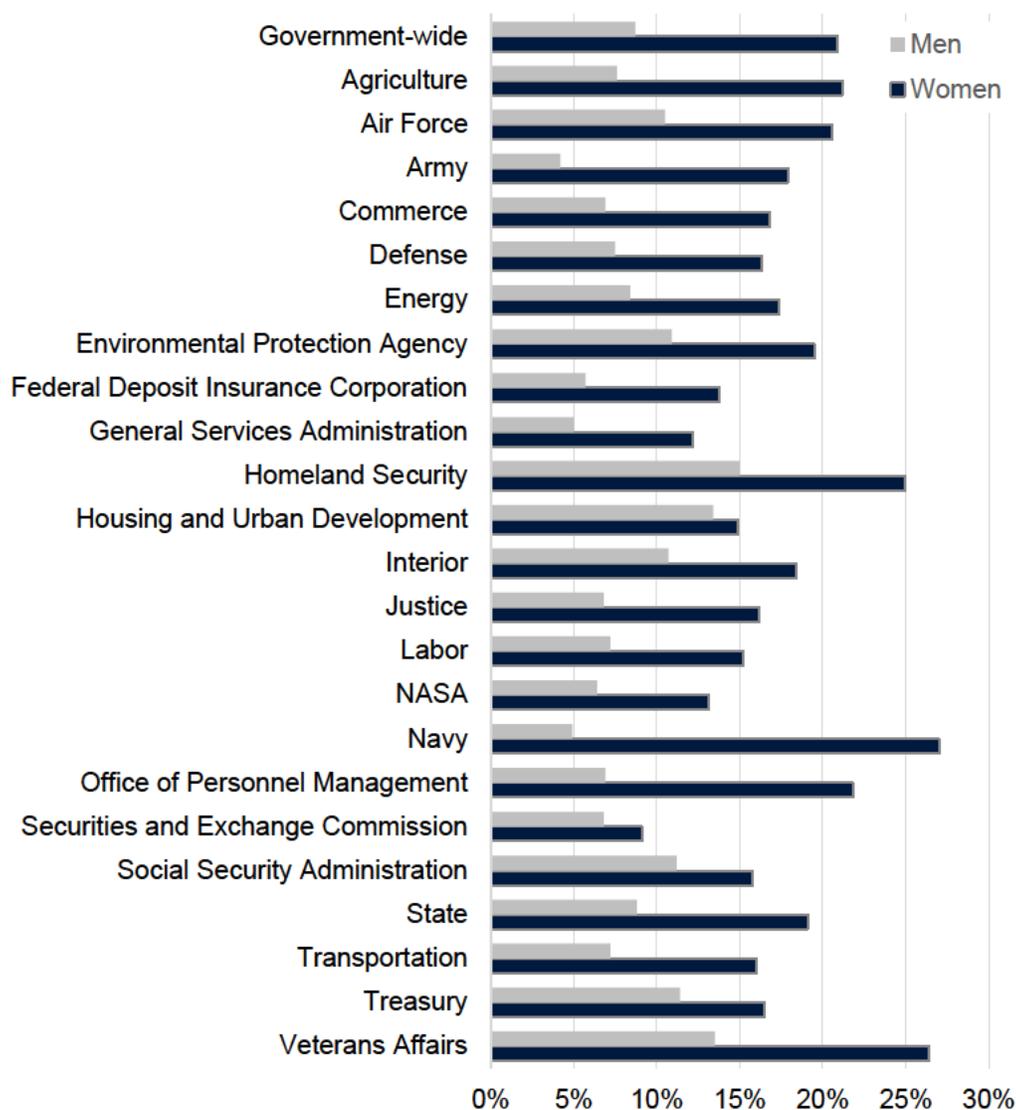


Table 4 demonstrates that women are more likely than men to experience every sexual harassment behavior included on the survey. In particular, the greatest disparity exists for behaviors that reflect unwanted sexual attention—behaviors such as unwelcome sexually suggestive looks or gestures; unwelcome invasion of personal space; and unwelcome communications of a sexual nature.

Table 4. Percentage of Employees Experiencing Sexual Harassment within the Previous Two Years, by Type of Behavior⁹

Behavior	Total	Women	Men	Ratio Women : Men
Any Type of Sexual Harassment Behavior	14.3%	20.9%	8.7%	2.4 : 1
Gender Harassment				
Exposure to sexually oriented conversations	7.3%	9.5%	5.4%	1.8 : 1
Unwelcome sexual teasing, jokes, comments, or questions	5.9%	9.4%	2.9%	3.2 : 1
Derogatory or unprofessional terms related to sex or gender	5.0%	7.1%	3.0%	2.4 : 1
Exposure to sexually oriented material	2.8%	3.6%	2.0%	1.8 : 1
Unwanted Sexual Attention				
Unwelcome invasion of personal space	7.2%	12.3%	2.9%	4.3 : 1
Unwelcome sexually suggestive looks or gestures	4.6%	8.5%	1.4%	6.0 : 1
Unwelcome communications of a sexual nature	3.2%	5.4%	1.5%	3.7 : 1
Sexual Coercion				
Pressure for dates	1.7%	2.5%	0.8%	3.1 : 1
Stalking (intrusion into your personal life)	1.7%	2.4%	1.1%	2.1 : 1
Offer of preferential treatment for sexual favors (quid pro quo)	1.1%	1.5%	0.7%	2.1 : 1
Pressure for sexual favors	0.9%	1.4%	0.6%	2.5 : 1
Sexual assault or attempted sexual assault	≤0.5%	≤0.5%	≤0.5%	*

In addition, Table 4 shows that behaviors associated with a hostile work environment—both gender harassment and unwanted sexual attention—are more common than overt sexual coercion or assault. This may be due in part to the greater agreement among employees that sexual coercion is egregious sexual harassment and therefore, misconduct that is likely to be punished.

Characteristics of Individuals Who Commit Sexual Harassment

Federal agencies are responsible for protecting all employees from sexual harassment, regardless of the source of the harassment. As stated in 29 CFR 1604.11(d), the agency can be held “responsible for acts of sexual harassment in the workplace where the employer (or its agents or supervisory employees) knows or should have known of the conduct, unless it can show that it took immediate and appropriate corrective action.” The agency may also be responsible for sexual harassment by “non-employees” (such as customers and contractors in the work space).

⁹ The descriptions of the behaviors have been paraphrased from the survey. The reported incidence of sexual assault was too low to yield a usable ratio.

Information about harassers can help employers identify risks, target training and education, and focus accountability. Accordingly, the MPS 2016 asked those employees who experienced sexual harassment to reflect on the one experience that had the greatest impact on them and to provide information about their harasser(s), including the role, number and sex.

As shown in Table 5, Federal employees most frequently said that the perpetrator was another agency employee, often a coworker within the same work unit. However, immediate and higher-level supervisors were also mentioned, which is not surprising given the influence that they can hold over an employee. Harassment by an employee in a position of authority may lead employees to believe that resisting or complaining would be futile or put the employee at risk for retaliation.

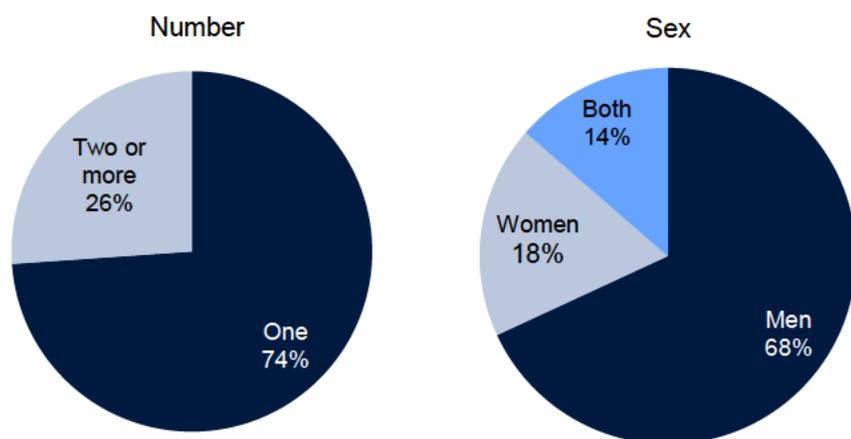
Table 5. Role of the Person Committing Sexual Harassment¹⁰

Category	Role	Percentage
Agency Official	Immediate supervisor	11%
	Higher level supervisor	12%
Agency Employee	Coworker	45%
	Subordinate	8%
	Other employee	27%
Other	Customer/member of the public	15%
	Contractor	5%
	Personal relationship	3%
	Criminal	1%
	Other	9%

Coworkers and other agency employees are the most frequent perpetrators of sexual harassment, but supervisors and members of the public were also frequently mentioned.

Overall, harassment by a single individual was most common, accounting for approximately three-fourths of the instances described, and the harasser was male in approximately two-thirds of the occurrences (see Figure 3). Harassment by a person or persons of the opposite sex from the person harassed was typical, although harassment by employees of the same sex or mixed groups also occurred.

Figure 3. Number and Sex of the Person(s) Committing Sexual Harassment



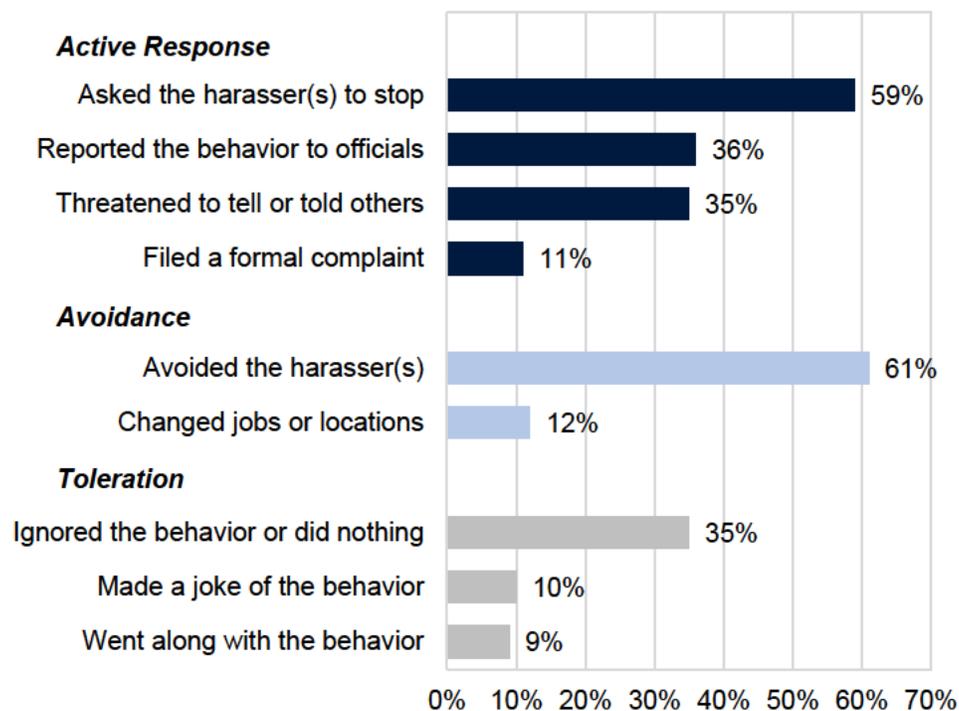
¹⁰ Respondents could indicate multiple harassers and roles. Therefore, totals can exceed 100 percent.

Actions Taken by Employees in Response to Sexual Harassment

Employees who experience sexual harassment must decide whether and how to respond, both when harassment occurs and after the harasser and/or organization have acted on the initial response. As shown in **Figure 4**, some common responses to sexual harassment include:

1. An active response, such as telling the harasser to stop; reporting the behavior to the supervisor or other officials; threatening to tell or telling others; or filing a formal complaint;
2. Avoidance, from avoiding the person in the workplace to changing jobs or locations; and
3. Passive toleration, such as ignoring the behavior; making a joke of the behavior; or going along with the behavior.

Figure 4. Actions Taken by Employees in Response to Sexual Harassment¹¹



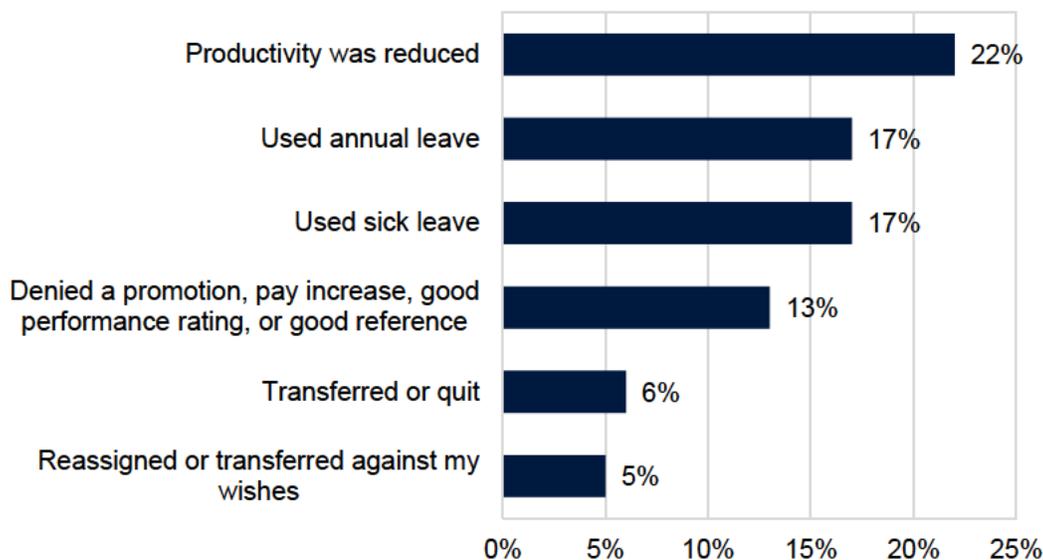
Effects of Sexual Harassment on Employees and Organizations

In choosing among potential responses to sexual harassment, one of the most important factors may be the employee's belief regarding the likely consequences of their actions. For each of the options listed above, employees who took each action in response to sexual harassment had mixed opinions regarding the outcomes. Some felt the action made their situation better; some felt it made things worse, while others said no change occurred. Further, only 8 percent of the employees believed that corrective action was taken against the harasser(s). Thus, employees may conclude that the risks of reporting harassment outweigh any potential personal or organizational benefits, and decide not to use agency procedures for addressing sexual harassment and holding the harasser(s) accountable for their misconduct.

As shown in **Figure 5**, some employees experienced other negative consequences of either the sexual harassment or the actions they took in response to it. Many of these consequences are costly not only to the employee, but also to the organization. Agencies that tolerate sexual harassment may incur broader costs beyond the more obvious legal expenses associated with resolving equal employment opportunity complaints.

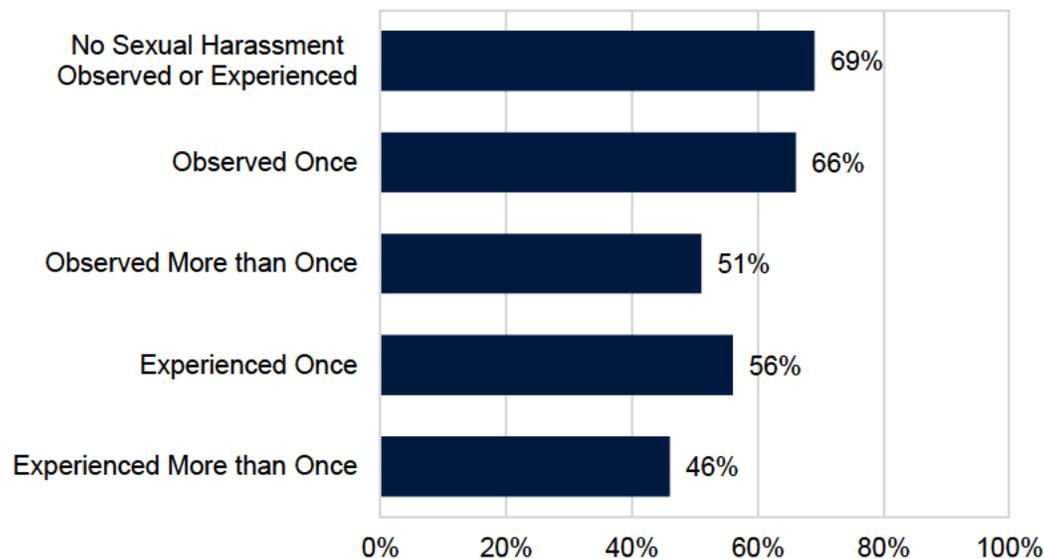
¹¹ Respondents could indicate multiple actions taken. Therefore, totals can exceed 100 percent.

Figure 5. Perceived Consequences of Sexual Harassment or the Actions Taken by the Employee in Response to the Sexual Harassment



Our survey data also revealed that the effects of sexual harassment are not limited to those employees who directly experience it. For example, as shown in **Figure 6**, employees who experience sexual harassment are less likely to recommend their agency as a place to work, but those who frequently observe harassment are also substantially less likely to encourage others to pursue employment at their agency.

Figure 6. Employees Who Would Recommend Their Agency as a Place to Work by Observation or Experience of Sexual Harassment



Similarly, **Table 6** shows that employees who have experienced or observed sexual harassment are much less likely to be satisfied with various aspects of the workplace such as their supervisor, managers, their organizational culture, and their level of job stress. Not surprisingly, such employees are also less inspired to do their best work. Considering that approximately 14 percent of Federal employees experienced sexual harassment within the past two years, and an additional 13 percent observed it (without personally experiencing it), it is clear that addressing sexual harassment has great potential to improve not only fairness, but also the efficiency and effectiveness of the Federal workforce.

Table 6. Effects of Observing or Experiencing Sexual Harassment on Employees

Survey Item (percentage satisfied/agreeing)	Sexual Harassment				
	None	Observed		Experienced	
		Once	More than Once	Once	More than Once
Satisfied with supervisor	77%	69%	61%	62%	59%
Satisfied with managers	60%	52%	45%	44%	40%
Satisfied with organizational culture	58%	43%	38%	44%	34%
Satisfied with level of work stress	55%	50%	39%	46%	36%
Inspired to do my best work	71%	60%	51%	63%	52%

Conclusion

Progress has been made since 1994 in reducing sexual harassment within the Federal Government. However, it is also clear that many employees, particularly women, continue to experience sexual harassment. Therefore, Federal agencies must improve their education of employees about their responsibilities and rights regarding workplace conduct and hold employees who commit sexual harassment accountable for their misconduct.

U.S. Merit Systems Protection Board
2016 Merit Principles Survey
Path 1

Engagement

Indicate your level of agreement or disagreement with each of the following statements.

- My agency is successful at accomplishing its mission.
- The work I do is meaningful to me.
- My work unit produces high quality products and services.
- Overall, I am satisfied with my supervisor.
- Overall, I am satisfied with managers above my immediate supervisor.
- I know what is expected of me on the job.
- My job makes good use of my skills and abilities.
- I have the resources to do my job well.
- I would recommend my agency as a place to work.
- I have sufficient opportunities (such as challenging assignments or projects) to earn a high performance rating.
- Recognition and rewards are based on performance in my work unit.
- I am satisfied with the recognition and rewards I receive for my work.
- I am given a real opportunity to improve my skills in my organization.
- I am treated with respect at work.
- My opinions count at work.
- A spirit of cooperation and teamwork exists in my work unit.
- At my job, I am inspired to do my best work.
- My supervisor provides constructive feedback on my performance.
- I have the opportunity to perform well at challenging work.
- I feel comfortable being myself at work.

Work Environment

Please indicate your level of satisfaction with the following aspects of your organization and work environment.

- Public support for your organization's mission and work
- Public perception of your organization's performance
- Your organization's stability
- Your organization's culture
- Clarity of your organization's goals and objectives
- Attainability of your organization's goals and objectives
- Working relationships with other organizations within your agency
- Working relationships with Federal Government organizations outside of your agency
- Your opportunity to do work that you find meaningful
- Your workload
- Your level of job stress
- Your geographic location
- Your work flexibility (e.g., telework, alternative work schedules, core hours)
- Your ability to meet your work and family responsibilities
- Your ability to take time off or "get away" from work

Career Entry

- Thinking back to when you applied for your first job with the Federal Government, did you encounter any of the following obstacles?
 - Finding out about job opportunities
 - Complexity of the hiring process

- Length of the hiring process
- Qualifying for a Federal position
- Obtaining a job offer with good pay and benefits

Career Interests: Importance of Job and Work Environment Factors

For the following questions, please indicate how important each of these is to you in a job or work environment.

- Interesting work that I enjoy
- Feeling respected by colleagues/supervisors/managers
- Opportunity to exercise job-related expertise and judgment
- Being included in important discussions/decisions
- Work that makes a positive contribution
- Job security
- Pay
- Performance-based bonuses (e.g., cash awards, time off awards)
- Benefits (e.g., leave, health insurance, retirement benefits)
- Opportunity to use innovative technology/tools
- Learning and development opportunities (e.g., training, continuing professional education)
- Opportunity for greater responsibility within my area of expertise
- Opportunity for advancement into supervisory/managerial roles
- Opportunity for work-life balance
- Work flexibility (e.g., telework, alternative work schedules, core hours)
- Working relationships with coworkers
- Working relationship with supervisor
- Working relationships with higher level managers

Career Interests: Satisfaction with Current Job and Work Environment

Please indicate your level of satisfaction or dissatisfaction with the following factors in your current job or work environment.

- Interesting work that I enjoy
- Feeling respected by colleagues/supervisors/managers
- Opportunity to exercise job-related expertise and judgment
- Being included in important discussions/decisions
- Work that makes a positive contribution
- Job security
- Pay
- Performance-based bonuses (e.g., cash awards, time off awards)
- Benefits (e.g., leave, health insurance, retirement benefits)
- Opportunity to use innovative technology/tools
- Learning and development opportunities (e.g., training, continuing professional education)
- Opportunity for greater responsibility within my area of expertise
- Opportunity for advancement into supervisory/managerial roles
- Opportunity for work-life balance
- Work flexibility (e.g., telework, alternative work schedules, core hours)
- Working relationships with coworkers
- Working relationship with supervisor
- Working relationships with higher level managers

- How likely is it that you will leave your agency in the next 12 months?

Career Interests: Where would you go?

- If you were to leave your current job, would you:
 - Leave your current job for another job within your current agency
 - Leave your current agency for a job with another Federal agency
 - Leave the Federal Government for a job elsewhere (i.e., resign)
 - Leave the Federal Government and not work elsewhere
 - Retire

Career Interests: Aspirations

- During your career, would you like to:
 - Continue in your current job and role at the same level of responsibility?
 - Take on new challenges, assignments, or roles in your current job?
 - Take on higher level technical responsibilities?
 - Take on supervisory or managerial responsibilities?
 - Take on senior executive responsibilities?
 - Move to a different occupation or line of work?
 - Move to different organization within your current agency?
 - Move to different agency within the Federal Government?
 - Obtain employment outside of the Federal Government?
 - Reduce your work hours or work responsibilities?

Fairness: Treatment

- In the past two years, have you been treated fairly in each of the areas listed below:
 - Career advancement
 - Awards
 - Training
 - Performance appraisals
 - Job assignments
 - Discipline
 - Pay

Fairness: Discrimination

- In the past 2 years, have you been denied a job, promotion, pay increase, or other job benefit because of unlawful discrimination based on the following factors?
 - Race
 - National origin
 - Sex
 - Age
 - Disability
 - Religion
 - Marital status
 - Political affiliation
 - Sexual orientation
 - Status as a parent or caregiver

Fairness: Equality

Indicate your level of agreement or disagreement with each of the following statements.

- In my organization, women and men are respected equally.
- In my organization, the opinions and insights of women are often ignored or devalued.
- In my organization, the opinions and insights of men are often ignored or devalued.
- In my organization, standards are higher for women than men.
- In my organization, standards are higher for men than women.
- My organization is reluctant to promote women to supervisory or managerial positions.

- My organization is reluctant to promote men to supervisory or managerial positions.
- In my organization, minorities and non-minorities are respected equally.
- In my organization, the opinions and insights of minority employees are often ignored or devalued.
- In my organization, the opinions and insights of non-minority employees are often ignored or devalued.
- In my organization, standards are higher for minorities than non-minorities.
- In my organization, standards are higher for non-minorities than minorities.
- My organization is reluctant to promote minorities to supervisory or managerial positions.
- My organization is reluctant to promote non-minorities to supervisory or managerial positions.
- In my organization, minority women face extra obstacles in their careers because they are both minority and female.
- My agency has been successful in recruiting a diverse workforce.
- My agency has been successful in retaining a diverse workforce.

Harassment: Prevention

- My agency takes sufficient steps to prevent...
 - Workplace violence from occurring.
 - Workplace aggression/bullying that is not related to legally protected bases.
 - Harassment based on legally protected bases other than sex (e.g., race, age, disability) from occurring at my workplace.
 - Sexual harassment.
- Does your agency have a policy prohibiting workplace violence?
- Does your agency have an official policy prohibiting sexual harassment?
- My work colleagues would stand up for someone who was experiencing...
 - Workplace violence.
 - Workplace aggression/bullying.
 - Nonsexual harassment.
 - Sexual harassment.
- Does your agency have a policy prohibiting...
 - Workplace violence.
 - Workplace aggression/bullying.
 - Nonsexual harassment.
 - Sexual harassment.

The Discrimination Complaint Process

- I am familiar with the formal complaint channels that are available to people who have experienced discrimination
- If I filed an action charging discrimination, I am confident that it would be resolved in a fair and just manner by my organization.
- If a supervisor or manager in my organization was found to have discriminated based on prohibited factors (e.g., race or sex), management would take appropriate action against that person.
- If I filed an action charging sexual harassment, I am confident that it would be resolved in a fair and just manner by my organization.
- If a supervisor or manager in my organization was found to have committed sexual harassment, management would take appropriate action against that person.

Workplace Violence: Observed

- In the past 2 years, have you observed any acts of workplace violence that were directed at another person in your workplace?
 - Physical assault that resulted in serious injury
 - Physical assault that did not result in serious injury
 - Threat of assault
 - Intentional damage to property in order to intimidate

Workplace Violence: Experienced

- In the past 2 years, have you experienced any acts of workplace violence (e.g., physical assault, threat of assault) that were directed at you?
 - Physical assault that resulted in serious injury
 - Physical assault that did not result in serious injury
 - Threat of assault
 - Intentional damage to property in order to intimidate

Workplace Violence: Offenders

If you have observed or experienced workplace violence within the past 2 years in the Federal Government, select the one act that had the greatest impact on you and answer this question in terms of that experience:

- Who committed the workplace violence?
 - Your immediate supervisor
 - Other higher level supervisors
 - Your coworkers
 - Your subordinates
 - Other employees
 - Contractors
 - Customers/members of the public (including clients, patients, inmates, or any others for whom your agency provides services)
 - Someone with a personal relationship with an employee (e.g., an abusive spouse or domestic partner)
 - Criminal who had no other connection with the workplace, but entered to commit a crime

Workplace Aggression/Harassment: Observed

- In the past two years, have you observed any of the following acts of workplace aggression/harassment that were directed at another person in your workplace?
 - Physical intimidation (e.g., intentionally making someone uncomfortable by getting in their way or too close without touching them)
 - Verbal intimidation (e.g., shouting, swearing, disrespectful name-calling)
 - Spreading rumors or negative comments about a person to undermine their status.
 - Persistent, undeserved criticism of work or effort
 - Assignment of tasks with unreasonable deadlines or demands with the intent of setting the targeted person up to fail
 - Undermining performance by sabotaging work or withholding cooperation
 - Excluding from work-related or social activities

Workplace Aggression/Harassment: Experienced

- In the past two years, have you experienced any of the following acts of workplace aggression/harassment that were directed at you in the workplace?
 - Physical intimidation (e.g., intentionally making someone uncomfortable by getting in their way or too close without touching them)
 - Verbal intimidation (e.g., shouting, swearing, disrespectful name-calling)
 - Spreading rumors or negative comments about you to undermine your status.
 - Persistent, undeserved criticism of your work or effort directed to you.
 - Assignment of tasks with unreasonable deadlines or demands with the intent of setting you up to fail
 - Undermining performance by sabotaging work or withholding cooperation
 - Excluding from work-related or social activities

Workplace Aggression: Context

If you have observed or experienced workplace aggression/harassment within the past two years in the Federal Government, select one experience that had the greatest impact on you and answer the remaining questions in the workplace aggression section in terms of that experience.

- Are you responding based on an experience where the workplace aggression was directed at:
 - You

- Another person/other people
- No one specifically

Workplace Aggression: Offenders

- Who committed the workplace aggression?
 - Your immediate supervisor
 - Other higher level supervisors
 - Your coworkers
 - Your subordinates
 - Other employees
 - Contractors
 - Customers/members of the public (including clients, patients, inmates, or any others for whom your agency provides services)
 - Someone with a personal relationship with an employee (e.g., an abusive spouse or domestic partner)
 - Criminal who had no other connection with the workplace, but entered to commit a crime

- Who committed the act of aggression/harassment?
 - Male
 - Female
 - Two or more males
 - Two or more females
 - Males and females
 - Not sure because harassers were anonymous

Workplace Aggression: Contributing Factors

- Did any of the following factors contribute to who was harassed?
 - Political affiliation
 - Race
 - Color
 - Religion
 - National origin
 - Sex
 - Marital status
 - Age
 - Disability
 - Sexual orientation
 - Status as a parent or caregiver
 - The target of the harassment was an above average performer
 - The target of the harassment was a below average performer
 - The person doing the harassment frequently harasses others

Workplace Aggression: Most Important Factor

- Which factor was the most important?
 - Political affiliation
 - Race
 - Color
 - Religion
 - National origin
 - Sex
 - Marital status
 - Age
 - Disability
 - Sexual orientation
 - Status as a parent or caregiver
 - The target of the harassment was an above average performer

- The target of the harassment was a below average performer
- The person doing the harassment frequently harasses others

Workplace Aggression: Actions Taken

Indicate whether you took a specific action and then indicate the effect your action had.

- I ignored the behavior or did nothing
- I avoided the person(s) doing the harassment
- I asked the person(s) doing the harassment to stop
- I threatened to tell or told others
- I reported the behavior to the supervisor or other officials, such as an EEO counselor
- I filed a formal complaint, such as an EEO complaint or grievance
- I made of joke of the behavior
- I went along with the behavior
- I changed jobs/locations

Workplace Aggression: Outcomes

- Did any of the following happen as a result of the workplace aggression or your response to it?
 - My work assignments or conditions got worse
 - I was denied a promotion, pay increase, good performance rating, or good reference
 - I was reassigned or transferred against my wishes
 - I transferred or quit to take another job
 - My work assignments or conditions got better
 - Corrective action was taken against the person doing the harassment
 - I used sick leave
 - I used annual leave
 - My productivity was reduced
 - No changes occurred

Sexual Harassment: Behaviors

- Do you consider the following behaviors to be sexual harassment in the workplace?
 - Unwelcome communications (e.g., emails, phone calls, notes, text messages, social media contacts) of a sexual nature
 - Unwelcome invasion of personal space (e.g., touching, crowding, leaning over)
 - Unwelcome sexually suggestive looks or gestures
 - Pressure for sexual favors
 - Pressure for dates
 - Unwelcome sexual teasing, jokes, comments or questions
 - The presence of sexually oriented material in any format (e.g., photos, videos, written material)
 - People having sexually oriented conversations in front of others
 - Someone offering preferential treatment in the workplace in exchange for sexual favors
 - Different treatment based on sex/gender (e.g., quality or nature of assignments)
 - Use of derogatory or unprofessional terms related to a person's sex/gender
 - Stalking (e.g., unwanted intrusion (physically or electronically) into your personal life).
 - Rape or sexual assault or attempted rape or sexual assault

Sexual Harassment: Effective Actions

- In most cases, which of the following do you think are the most effective actions for employees to take to make others stop sexually harassing them?
 - Ignore the behavior or do nothing
 - Avoid the person(s) doing the sexual harassment
 - Ask or tell the person(s) doing the sexual harassment to stop
 - Threaten to tell or tell others
 - Report the behavior to the supervisor or other officials
 - File a formal complaint, such as an EEO complaint or a grievance

- Make a joke of the behavior
- Go along with the behavior
- Change jobs/locations

Sexual Harassment: Observed

- In the past two years in your workplace, have you observed anyone being subjected to any of the following behaviors?
 - Unwelcome communications (e.g., emails, phone calls, notes, text messages, social media contacts) of a sexual nature
 - Unwelcome invasion of personal space (e.g., touching, crowding, leaning over)
 - Unwelcome sexually suggestive looks or gestures
 - Pressure for sexual favors
 - Pressure for dates
 - Unwelcome sexual teasing, jokes, comments or questions
 - The presence of sexually oriented material in any format (e.g., photos, videos, written material)
 - People having sexually oriented conversations in front of others
 - Someone offering preferential treatment in the workplace in exchange for sexual favors
 - Different treatment based on sex/gender (e.g., quality or nature of assignments)
 - Use of derogatory or unprofessional terms related to a person's sex/gender
 - Stalking (e.g., unwanted intrusion (physically or electronically) into your personal life).
 - Rape or sexual assault or attempted rape or sexual assault

Sexual Harassment: Experienced

- In the past two years in your workplace, have any of the following behaviors been directed at you?
 - Unwelcome communications (e.g., emails, phone calls, notes, text messages, social media contacts) of a sexual nature
 - Unwelcome invasion of personal space (e.g., touching, crowding, leaning over)
 - Unwelcome sexually suggestive looks or gestures
 - Pressure for sexual favors
 - Pressure for dates
 - Unwelcome sexual teasing, jokes, comments or questions
 - The presence of sexually oriented material in any format (e.g., photos, videos, written material)
 - People having sexually oriented conversations in front of others
 - Someone offering preferential treatment in the workplace in exchange for sexual favors
 - Different treatment based on sex/gender (e.g., quality or nature of assignments)
 - Use of derogatory or unprofessional terms related to a person's sex/gender
 - Stalking (e.g., unwanted intrusion (physically or electronically) into your personal life).
 - Rape or sexual assault or attempted rape or sexual assault

Sexual Harassment: Harasser Characteristics

If you have been sexually harassed within the past two years in the Federal Government, select one experience that had the greatest impact on you and answer the remaining questions in the sexual harassment section in terms of that experience.

- Who harassed you?
 - Your immediate supervisor
 - Other higher level supervisors
 - Your coworkers
 - Your subordinates
 - Other employees
 - Contractors
 - Customers/members of the public (including clients, patients, inmates, or any others for whom your agency provides services)
 - Someone with a personal relationship with an employee (e.g., an abusive spouse or domestic partner)
 - Criminal who had no other connection with the workplace, but entered to commit a crime
- Was the person (or persons) who harassed you...?
 - Male
 - Female
 - Two or more males

- Two or more females
 - Males and females
 - Not sure because harassers were anonymous
- Was the person (or persons) who harassed you...?
 - Older
 - Similar in age
 - Younger
 - Mixed ages
 - Don't know

Sexual Harassment: Actions Taken

Indicate whether you took a specific action and then the effect your action had.

- I avoided the person(s)
- I asked/told the person to stop
- I threatened to tell or told others
- I reported the behavior to the supervisor or other officials, such as an EEO counselor
- I filed a formal complaint, such as an EEO complaint or grievance
- I made of joke of the behavior
- I went along with the behavior
- I changed jobs/locations
- I ignored the behavior or did nothing

Sexual Harassment: Result of Actions

- Did any of the following happen as a result of the sexual harassment or your response to it?
 - My work assignments or conditions got worse
 - I was denied a promotion, pay increase, good performance rating, or good reference
 - I was reassigned or transferred against my wishes
 - I transferred or quit to take another job
 - My work assignments or conditions got better
 - Corrective action was taken against the person who harassed me
 - I used sick leave
 - I used annual leave
 - My productivity was reduced
 - No changes occurred

Demographics

- How many years have you been a Federal civil service employee?
- How many years have you been with your current agency?
- Please indicate your eligibility to retire from Federal service.
- What is your supervisory status?
- Have you ever served on active duty in the U.S. military?
- Did you use veterans' preference to obtain your first civilian job with the Federal Government?
- Are you a dues-paying member of a union?
- Where do you work?
 - Headquarters
 - Field
- What is your annual salary, including locality pay but excluding any awards or bonuses?
- Are you Hispanic or Latino?
- Which of the following racial or ethnic groups do you identify with?
- Are you male or female?
- Do you consider yourself to be:

- Heterosexual or Straight
- Lesbian or Gay
- Bisexual
- Other
- Prefer not to say
- Do you consider yourself to be transgender?
- What is your age group?
- What is your current education level?
- Do you have a physical or mental impairment, or disability?
- During the past year, how many days per week (on average), did you telework--work from home or from another location such as a telework center? (This does not include field work).
- Is your immediate work group (the employees who also report to your supervisor) composed of...
 - About the same number of males and females
 - Slightly more males than females
 - Substantially more males than females
 - Slightly more females than males
 - Substantially more females than males
- Is your immediate supervisor...?
 - Male
 - Female

Overview of US Sexual Harassment Data:

US Military

The US Military conducts a comprehensive survey on Sexual Harassment every three years. The most recent questionnaire is attached (DoD_SH_Overview&Questionnaire.pdf, Annex A, pp. 78-97). It is very detailed, too complex to replicate here, and well worth a read. It includes questions about:

- What behaviours the respondent has observed, and whether they regarded them as offensive.
- What specific behaviours have been directed at them.
- Who did them, where they happened.
- What they believe constitutes sexual harassment.

And digging into an “experience that particularly upset you”, it also asks about:

- The duration of the experience.
- The effect of the experience on the respondent’s mental state and comfort at work.
- The respondent’s beliefs as to why the experience happened.
- Their response to the behaviour.
- Any help they received.
- Any reasons they *didn’t* tell anyone.
- Any reasons they *didn’t* make a formal complaint.
- How the formal complaint was handled.
- How making the formal complaint affected the respondent’s mental state and comfort at work.

The most direct question about personal experiences is:

- How often over the past 12 months have you been in situations where male or female UK military personnel and/civil servants, around you have: (Never / Sometimes / A lot)
 - Made unwelcome comments (e.g. about your appearance, body or sexual activities)
 - Made unwelcome attempts to talk to you about sexual matters (e.g. used sexually explicit language, asked you about your own sex life, told sexual jokes and stories to you despite discouragement)
 - Sent you sexually explicit material (e.g. pornographic photos or other objects of a sexual nature)
 - Made unwelcome gestures or used body language of a sexual nature that embarrassed or offended you
 - Made unwelcome attempts to touch you
 - Touched you in a way that made you feel uncomfortable
 - Made unwelcome attempts to establish a romantic or sexual relationship despite your discouragement
 - Said or made you feel you would be treated better in return for having a sexual relationship with them (e.g. better job, good report, etc.)
 - Said or made you feel you would be treated worse if you did not have a sexual relationship with them (e.g. no promotion, a bad report, etc.)
 - Treated you badly for refusing to have sex with them
 - Intentionally touched you in a sexual way without your consent

- Attempted to sexually assault you
- Made a serious sexual assault on you
- Raped you

US Government

The Merit Systems Protection Board (MSPB) has conducted surveys of public servants at irregular intervals, most recently in 2016. Context and some key findings are discussed in the attached file, MSPB_SH_Overview.pdf. The key questions are:

Sexual Harassment: Behaviors

- Do you consider the following behaviors to be sexual harassment in the workplace?
 - Unwelcome communications (e.g., emails, phone calls, notes, text messages, social media contacts) of a sexual nature
 - Unwelcome invasion of personal space (e.g., touching, crowding, leaning over)
 - Unwelcome sexually suggestive looks or gestures
 - Pressure for sexual favors
 - Pressure for dates
 - Unwelcome sexual teasing, jokes, comments or questions
 - The presence of sexually oriented material in any format (e.g., photos, videos, written material)
 - People having sexually oriented conversations in front of others
 - Someone offering preferential treatment in the workplace in exchange for sexual favors
 - Different treatment based on sex/gender (e.g., quality or nature of assignments)
 - Use of derogatory or unprofessional terms related to a person's sex/gender
 - Stalking (e.g., unwanted intrusion (physically or electronically) into your personal life).
 - Rape or sexual assault or attempted rape or sexual assault

Sexual Harassment: Effective Actions

- In most cases, which of the following do you think are the most effective actions for employees to take to make others stop sexually harassing them?
 - Ignore the behavior or do nothing
 - Avoid the person(s) doing the sexual harassment
 - Ask or tell the person(s) doing the sexual harassment to stop
 - Threaten to tell or tell others
 - Report the behavior to the supervisor or other officials
 - File a formal complaint, such as an EEO complaint or a grievance
 - Make a joke of the behavior
 - Go along with the behavior
 - Change jobs/locations

Sexual Harassment: Observed

- In the past two years in your workplace, have you observed anyone being subjected to any of the following behaviors?
 - Same options as ***Sexual Harassment: Behaviors***

Sexual Harassment: Experienced

- In the past two years in your workplace, have any of the following behaviors been directed at you?
 - Same options as ***Sexual Harassment: Behaviors***

Sexual Harassment: Harasser Characteristics

If you have been sexually harassed within the past two years in the Federal Government, select one experience that had the greatest impact on you and answer the remaining questions in the sexual harassment section in terms of that experience...

- Who harassed you?
 - Your immediate supervisor
 - Other higher level supervisors
 - Your coworkers
 - Your subordinates
 - Other employees
 - Contractors
 - Customers/members of the public (including clients, patients, inmates, or any others for whom your agency provides services)
 - Someone with a personal relationship with an employee (e.g., an abusive spouse or domestic partner)
 - Criminal who had no other connection with the workplace, but entered to commit a crime
- Was the person (or persons) who harassed you...?
 - Male
 - Female
 - Two or more males
 - Two or more females
 - Males and females
 - Not sure because harassers were anonymous
- Was the person (or persons) who harassed you...?
 - Older
 - Similar in age
 - Younger
 - Mixed ages
 - Don't know

Sexual Harassment: Actions Taken

- Indicate whether you took a specific action and then the effect your action had.
 - I avoided the person(s)
 - I asked/told the person to stop
 - I threatened to tell or told others
 - I reported the behavior to the supervisor or other officials, such as an EEO counselor
 - I filed a formal complaint, such as an EEO complaint or grievance
 - I made of joke of the behavior
 - I went along with the behavior

- I changed jobs/locations
- I ignored the behavior or did nothing

The complete questionnaire is attached (MSPB_SH_Questionnaire.pdf).