

# Five Key Reasons Why Workplace Harassment Still Exists

## By: Brian Gottheil

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Not only has it become a legal requirement for employers to develop policies and procedures to address harassment at work but also if it is left unaddressed, it can lead to significant business difficulties. These include, problems with employee turnover and retention, absenteeism, reduced productivity, impaired team relations, increased risk of constructive dismissal claims, WSIB claims and higher benefits costs from stress- and anxiety-related absences.

Although organizations are more aware than ever of the legal and business reasons for combatting harassment, and are actively working to address the issue, harassment still exists. The obvious question is: why?

From my experience as a legal advisor to employers and employees as well as a neutral workplace investigator, I have identified five key reasons why workplace harassment persists. These are discussed below along with tips for what you can do about them.

### **1. We mistakenly believed that sexual harassment had mostly gone away**

Many people, women as well as men, believe that sexism and sexual harassment are no longer real problems in Canada – even as scandals from Jian Ghomeshi to the Dalhousie School of Dentistry continue to prove otherwise. We’ve also seen erosion against feminism in some sectors of society. For example, women and girls have taken to social media to declare that they don’t need or want feminism, usually by posting photos of themselves with handwritten signs saying why they aren’t feminists, as part of a movement referred to as “*Women Against Feminism*”.

Unfortunately, sexual and gender based harassment, as well as discrimination against women, continue to exist. Education is necessary, but must be done in a way that opens discusses the issue in broader terms, such as by talking about equality for both sexes, while still identifying any ways in which women may still experience challenges because of their gender.

## **2. We are unconsciously affected by power**

Jian Ghomeshi was one of the CBC's brightest stars, hosting one of its most popular programs. We are now familiar with the very serious allegations against him, but had the same allegations been made against a less prominent employee, it seems likely that they might have been believed more readily, and therefore addressed sooner. Although it is usually an unconscious tendency, in my experience employers sometimes fall into the same trap of a bias in favour of a member of senior management or some other key employee. This often causes employees to believe there is no point bringing complaints against such employees forward, which makes harassment more difficult to address.

Combating this issue is a matter of awareness: before you conclude that the evidence isn't strong enough to establish harassment, ask yourself whether you would feel the same way if a lower-level employee were involved. Another option is to remove the bias by using an external investigator when the accusations are against someone in senior management.

## **3. Managers sometimes minimize concerns and assume it's a personality conflict**

Sometimes when individuals speak out about harassment, it is minimized as a personality conflict. In part that is because incidents of harassment don't always seem as significant after the fact. For example, gossip, innuendo and exclusion are very demoralizing and painful to experience, but when people report them they are sometimes viewed as "tattle talers" who blow things out of proportion. We also fail to appreciate that little things accumulate into big things over time.

Many of us heard the saying, "*sticks and stones may break my bones but names will never hurt me,*" with the message being that only physical abuse hurts. But we now know that's true. In many cases emotional abuse, which is what harassment is, has a longer lasting and greater impact than physical abuse, but because the wounds aren't visible, we overlook them.

As with the issue of unintentional bias, resolving this problem in large part rests with self-awareness. Ask yourself if you are taking the issues seriously enough or are fully appreciating the toll that harassment takes on those who experience it.

#### **4. Problems are sometimes allowed to fester and grow**

Many employers who are trying to combat harassment focus their attention on autocratic and dictatorial managers under the belief that they are the primary contributors to workplace harassment, but laissez-faire managers can be just as dangerous. Harassment thrives when bullies and victims believe that it won't be taken seriously and are left to fend for themselves.

The best way to prevent workplace harassment is to deal with it early and swiftly. Address interpersonal conflicts, gossip, inappropriate jokes and other unwanted behaviours before they escalate. Training and coaching can empower managers to take action, but they must also be *expected* to take action; consider making this an important part of their own performance evaluations.

#### **5. It can be hard to recognize when mental health issues are at play**

There is a significant interplay between harassment and mental health, which too often goes unrecognized. Sometimes mental health problems contribute to the harasser's behaviour, while other times the victim faces mental health barriers which increase their susceptibility to harassment and make it difficult to come forward and complain. Mental health issues may even lead the victim to react to harassment in a way that makes him or her appear to be the harasser!

Every person experiences mental health issues differently, so there is no blanket solution to these issues. Educate yourself about how to recognize mental health issues and avoid rushing to judgment against either party. You should also consider seeking legal or medical advice if you suspect that there might be a mental health issue at play.

#### **Conclusion**

Harassment remains a concern in many workplaces, but these strategies will help you avoid the most common pitfalls that allow harassment to persist. We look forward to helping you build more positive and respectful workplaces.