Case Example 1

A 21-year-old Adelaide woman accused her boss, Wayne Jeffrey Jaye, managing director of Studio Silva Photography, of sexually harassing her in 2003. When the employee refused to respond to the boss's advances, he allegedly fired her from her job. The victim filed a suit against Jaye, but he ignored her complaint and made no effort to defend himself in court. The tribunal, however, found that he persistently harassed his female employee. The employee won the case in September 2006 and was awarded more than $20,000 in compensation.

Case Example 2

The radio dispatcher at the Arkansas State Police Department accused a police sergeant of sexually harassing her. The sergeant had made derogatory comments about her physical appearance. The dispatcher reported the sergeant's behavior to the duty officer, who in turn informed a lieutenant. Investigations confirmed the allegations about the sergeant's behavior. Eventually, the sergeant was demoted and transferred.

Case Example 3

An adult neighbor of a shy, reclusive teenage girl pretended to be a teenage boy attracted to her in e-mails and instant messaging conversations. Once the young victim became attached, the cyberbullying neighbor started denigrating and criticizing the victim, causing her to go into a depression and eventually commit suicide. Cyberbullying is the use of information technology to tease or intimidate individuals, usually minors, causing them harm. The neighbor was indicted by a federal grand jury on three counts of accessing protected computers without authorization to obtain information to inflict emotional distress, and one count of criminal conspiracy. She was found guilty on three lesser charges (reduced from felonies to misdemeanors by the jury).

Introduction to Investigating Sexual Harassment Incidents

Sexual harassment is a kind of sexual behavior that is offensive to the victim and may cause harm to the victim physically, psychologically, and materially because such behavior is against the consent of the victim. Such behavior includes unwanted sexual advances, requests for sexual favors linked to implied threats or promises about career prospects, sexual attacks, unwanted physical conduct, visual displays of degrading sexual images, and offensive remarks of a sexual nature. This is an unwelcomed, unsolicited, and offensive act that creates a hostile or intimidating environment and affects an individual's employment implicitly or explicitly. Sexual harassment may occur in the following circumstances:

- It may occur between the opposite sex or the same sex.
- The harasser may be a supervisor, coworker, client, vendor, contractor, or nonemployee.
- The incident may include a group of persons or a particular person.
- It may occur when a harasser uses obscene language toward a victim.
- It may occur when a harasser invites the victim for social activities even though the victim is not interested.
- It may occur when a person makes sexually offensive remarks or exhibits sexually explicit materials at the workplace.

The remainder of this chapter delves further into sexual harassment and how to investigate it and prevent it. It also covers laws concerning sexual harassment.

Types of Sexual Harassment

Sexual harassment is broadly classified into the following two categories:

1. Quid pro quo harassment
2. Hostile work environment harassment