Can Anti-Harassment Programs Reduce Sexual Harassment?

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Do workplace sexual harassment programs help? We have now given training and grievance procedures a good two decades to work—most companies had them by 1998 when the Supreme Court endorsed them—and they don’t appear to have helped much. Surveys using probability samples showed that about 40 percent of women circa 1980 faced specific forms of “unwanted sexual attention” or “sexual coercion” at work, and recent surveys find similar rates (EEOC 2016). Workplaces with high gender equity are better, but they remain rare. Research on anti-harassment training shows mixed effects on both attitudes and knowledge about harassment. Research on sexual harassment grievance procedures is less equivocal—they seem to exacerbate the problem, in part because complaints often lead to retaliation.

Can complaint handling and anti-harassment training be improved?

Formal grievance systems are ubiquitous. They fail for four intertwined reasons. First, people rarely use them—between 2 and 13 percent of women who experience harassment file complaints (Cortina and Berdahl 2008). People don’t file because they don’t trust the process, don’t think it will be confidential, and expect retaliation. Second, indeed people who file complaints regularly face social and job-related retaliation—66 percent of them according to one survey of federal employees (Cortina and Magley 2003). Third, retaliation in turn results in adverse long-term career and health consequences (EEOC 2016). Fourth, formal complaints rarely lead to the removal of the harasser, leaving him or her in place to carry on.

The problem is our legalistic scheme for handling problems. We use an adversarial system modeled on union grievance procedures in which the two sides are pitted against one another in a win-or-lose battle at a quasi-judicial company hearing. Most employers have no other way to handle complaints, so if you don’t want to go this route, you’re out of luck. Procedures guarantee due process for harassers, and often set a higher bar than the “preponderance of evidence” standard that the courts use for workplace harassment suits. But studies show that most people who have been harassed don’t want to prosecute their harasser—they just want it to stop. We’re now in a feedback loop in which complaints harm those who bring them but don’t stop the harassment, and so people don’t bring complaints.

Two alternatives for handling complaints promise to solve some of these problems. One is the old-fashioned ombudsperson charged with seeking a resolution that satisfies the complainant. Many universities still have ombudspersons, although fewer companies do. The “open door policy” is a variant of this; encouragement to go to any higher-up who might be helpful. These systems have the potential to stop harassment at the first sign of trouble—employer standards for a formal hostile-workplace grievance usually specify “severe conduct” that is “pervasive” or “repeated.” So HR tells you, “come back to us after the third time.”

The other alternative process is the “escrow” system, now available from apps and online platforms (e.g., callisto.com). Grievances are embargoed for later release by the filer, usually when the harassment has escalated or the same person has targeted someone else (Ayres and
Unkovic 2012). People can use these to document harassment in real time and discover whether the harasser has done it to others. Escrow systems can thus overcome confidentiality rules that protect serial harassers.

Studies of harassment training show that it doesn’t do a lot of good, but point to some promising tweaks. Some studies show that typical training protocols can improve peoples’ ability to recognize harassment and knowledge of complaint procedures, but others show that training has no effect or that it can aggravate gender hostility. The worst news is probably that men who are hostile to women to begin with do not improve with training. Men who score high on “likely harasser” and “gender role conflict” scales are the most likely to have adverse reactions to training (Kearney, Rochlen, and King 2004; Robb and Doverspike 2001). This finding contradicts the mantra that the Neanderthals must be trained. In an unpublished paper on diversity training, we find that mandatory training reduces actual workforce diversity and voluntary training increases it. It looks like forcible training of people who are hostile to the training message may backfire. Maybe anti-harassment training should be voluntary. It rarely is. If voluntary, it probably has to be live — not online.

**What should training focus on?**

While the standard curriculum shows mixed effects, bystander training (“if you see something, say something”) only shows positive effects, albeit sometimes weak effects. In an Army study four months post-training, participants were significantly more likely than those in the control group to report having taken action to stop sexual assault and stalking (Potter & Moynihan 2011). Campus studies of bystander training have shown immediate post-training improvements in intent to intervene, and one showed sustained (12-month) increases in intent to intervene and confidence about intervening (Cares et al. 2015).

Academic employers use the same anti-harassment policies as other employers, so these lessons should apply there too. Our 2016 survey of 670 colleges and universities showed 93 percent with formal grievance procedures for faculty complaints, 93 percent with anti-harassment training for faculty, and 73 percent with mandatory training.

Workplace gender equity is still our best bet for reducing harassment, but progress on equity has stalled in the corporate world and on the faculty. We can’t wait for equity. We can improve the systems in place. Complaint handling systems that don’t blow back on the victims are a start. Bystander training that gives people tools for intervening, and labels participants as allies rather than as potential offenders, looks promising. One thing we have been sorely lacking is leadership, and the Armed Forces provide evidence that leadership matters. To counter alarming rates of harassment, the military instituted a multi-pronged strategy. In their own survey, women whose unit leaders made an honest effort to stop harassment reported less personal harassment and declines in overall harassment (Buchanan et al 2014). Company CEOs, college presidents, and professional associations need to follow the lead of those military officers and keep pressing the point that it is everyone’s job to stop harassment. They should also signal that they get that current procedures have problems, and commit to rethinking them. The ASA has been rethinking measures to address harassment at the annual meeting and will sponsor anti-harassment training workshops this coming summer.
References


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