

Sexual Harassment Prevention

DISCUSSION GUIDE

WHY ARE YOU HERE?

1. Why did you run or why do you work for the Vermont General Assembly? What do you see as your purpose here?
2. What are your personal values?
3. Holding elected office is not easy, sacrifices are necessary. But what will you not sacrifice?

SEGAL'S FOUR CATEGORIES

- Category 1:** Uncivil behavior: disrespectful, not necessarily unlawful, but unacceptable, abusive behavior (the jerk).
- Category 2:** Harassing behavior: includes stereotyping jokes or comments on appearance. Creating a hostile work environment. Potentially unlawful (anything above a petty slight or trivial inconvenience).
- Category 3:** Unlawful sexual harassment; quid pro quo.
- Category 4:** Criminal behavior: sexual assault.

**Please note that the above categories are being offered for discussion purposes only and do not constitute a legal framework or legal advice on harassment in the workplace. Should you have any questions on legal issues after today's training, please contact HR.*

YES, NO, MAYBE

Are these examples of sexual harassment? Yes, No, Maybe – and what category do they fall into?

1. A legislator shakes a staffer's hand and says good morning. The staffer files a claim of sexual harassment. They do not like to be touched in any manner.

Y N M Category:

(YES, NO, MAYBE CONTINUED ON THE 2ND PAGE)

2. A staffer has filed a complaint of sexual harassment against another staffer that serves as a committee assistant to a committee (after they left their committee assistant role to work in another staff office). The committee assistant and committee chair (legislator) think the claim is bogus and have instructed the committee members and other committee assistants not to communicate with the staffer or with anyone in the office they now work in.

Y N M *Category:*

3. A legislator sends several sexually inappropriate text messages to a lobbyist, who welcomes these messages. The lobbyist forwards the text messages to other lobbyists and one of them complains to the media.

Y N M *Category:*

4. A Representative tells a sexually explicit joke to a Senator in front of other legislators.

Y N M *Category:*

5. A legislative staffer is expecting a baby! A legislator stops her in the hall to congratulate her and the following conversation ensues:

Legislator: “Congratulations! How far along are you?”

Staffer: “Thank you. I’m seven months.”

Legislator: “Wow! That baby must be huge – my daughter was much smaller than you at seven months.”

Y N M *Category:*

6. A legislator sends flowers to a staffer.

Y N M *Category:*

TAKEAWAYS:

1. The legislature must be a workplace of respect. While it is a unique workplace, it is a workplace none the less.
2. A better work environment/culture = better productivity.
3. Welcome vs. unwelcome behavior is at the discretion of the receiver. Always err on the side of “no.”
4. No one wants to take humanity out of the workplace but be aware that others have different thresholds for acceptable behavior.
5. Most situations are gray and contextual. That might be frustrating to hear, but what is clear is to err on the side of something being unwelcome.
6. You are all here to serve the institution of the legislature. You are part of something bigger than yourself. Protect the integrity institution.