



# Sexual Harassment Prevention

## Discussion Guide - Vermont

NATIONAL CONFERENCE of STATE LEGISLATURES

### Why are you here?

Let's zoom out and discuss the following questions:

1. Why did you decide to run or work for the legislature? What do you see as your purpose here?
2. What are your personal values?

### Segal's Four Categories

- Category 1: Uncivil behavior: disrespectful, not necessarily unlawful, but unacceptable, abusive behavior (the jerk)
- Category 2: Harassing behavior: perhaps not severe or pervasive or unlawful, but includes stereotyping jokes, comments on appearance.
- Category 3: Unlawful sexual harassment: quid pro quo
- Category 4: Criminal behavior: sexual assault

### Yes, No, Maybe

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

1. A group of legislators have worked together a long time and regularly socialize together in the halls of State House. They often tease each other and talk about their personal lives, including some graphic details of their married/dating lives. In the past, one member of the group has said he's not comfortable with such personal questions, yet the personal questions have been persistent.

Y                      N                      M                      Category:

2. A male legislator commented to a member of his staff, "How are we supposed to get any work done around here when people look like that?" about a female legislator. Later, the male legislator approached the female legislator and told her how flattering her dress was.

Y                      N                      M                      Category:

3. It's a very tense day on the floor and a male legislator can see his friendly colleague (a female legislator) is upset and stressed about some of the debate. He approaches her and starts to rub her shoulders in an effort to calm her down.

Y                      N                      M                      Category:

4. A male legislator gives "bear hugs" to everyone at work in the morning. Some females have made it clear they do not like to be touched in a hugging manner, but the legislator still approaches them every day.

Y                      N                      M                      Category:

5. After being told no, a male legislator repeatedly asks a female legislator for dates.

Y                      N                      M                      Category:

6. 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:

7. A newly elected female legislator regularly takes photos of male interns and posts them to her social media account saying how professional and good-looking they are. Some of the interns like this attention and "share" these posts. Others have asked to be deleted because they are uncomfortable with the posts (which hasn't happened).

Y                      N                      M                      Category:

8. A group of friendly legislators, who've been serving together for years, often discuss their personal lives and families. During a couple different, informal meetings in the caucus room, one person in the group starts to discuss how many women he saw and dated over the past few months, touting his "prowess." Several members of the group become quiet and visibly uncomfortable, while others laugh. The legislator continues to discuss, graphically, his dating habits and several women walk away from the group.

Y                      N                      M                      Category:

9. In the chamber and every day when session begins, a legislator opens his computer and visits Sports Illustrated to check the score of baseball games. When the homepage pops up, it's several women in bikinis. The legislators sitting behind him can clearly see this material.

Y                      N                      M                      Category:

## Takeaways:

Here is what we hope you take away from this program:

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 institution.