

Red Light, Green Light:
A More Effective Approach
to Preventing and Responding Productively
to Workplace Harassment

Michael Kaufman, Ph.D.
www.michaelkaufman.com
@GenderEQ

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When it comes to the issue of workplace harassment, it seems that corporations, government departments, and professional firms often get stuck between two extremes. At the one end, they virtually ignore the problem until it is too late – doing little more than saying a few of the right things, adopting a policy, and, perhaps, letting employees and managers know that such a policy exists (which they can find, if they happen to have a degree in computer programming, somewhere on their intranet.) Perhaps they'll do some perfunctory training. At the other extreme (and often by the very same organizations) when harassment does occur, they will swoop down as if it were a police investigation of murder.

Lost at both extremes are effective forms of staff education to prevent harassment from occurring in the first place, effective training of managers on their role in preventing harassment or responding productively if it occurs,

effective ways of helping staff and managers learn from occurrences of harassment, and, finally, effective ways of restoring workplaces that are polarized by a charge of harassment and the subsequent investigation and punishment.

I have developed an approach that sets out to fill these gaps – an approach I’ve taken this into my work in the United Nations system (where I have designed the on-line training for 55,000 staff in UNICEF, UNDP, World Food Program, and others, and also developed the live training program for UNESCO, both in its Paris headquarters and field offices). I’ve taken this approach into government departments, professional firms, and corporations. (And although responses by managers, both in HR and others, have been uniformly positive, I should add that it has not been independently evaluated.)

This short article will highlight several features of this approach.

My focus in this article is on sexual harassment (including homophobic harassment) which is one of my major areas of work. However, most of these comments, and certainly this approach, can be used for the full range of harassment, including harassment based on race, ethnicity, religion, country of origin, mother tongue, physical and mental differences, and so forth.

Red Light, Green Light

Day in, day out at our work places, by far the most common form of sexual harassment is not harassment that borders on sexual assault nor *quid pro quo* harassment, that is offers (or threats) in exchange for sexual favors. Most is far more banal, often subtle, often open to interpretation. Is it harassment or is it friendly collegial behavior when I compliment a colleague on her new blouse or how fit she’s looking? When I ask someone out on a date? Flirt with someone? Tell a joke or make a comment with an extremely mild sexual innuendo or reference? Pat someone on the back or shoulder?

The answer is very clear: it depends. It depends on my tone of voice and body language, the context, the exact content (of a comment), on our reporting relationship, on our personal relationship, on who else is present and who might hear, and on the frequency of my action. Most of all, it depends not on my intent,

but on the impact of my words or actions, that is, on how they make someone else feel.

Of course, that list of possibly-inappropriate and harassing areas is not a list of things that are black-and-white (as is *quid pro quo* harassment.) Most actions that are experienced as harassment, to use one metaphor, are in the gray area. Unfortunately, the implicit assumption of most approaches to workplace harassment is that the matter is black and white.

By focusing on harassment as a set of absolutes, as a list of things you must not do, we set up a major disconnect with the very staff and managers that we, as those concerned about harassment, hope to reach. People know that many forms of behavior that end up on those endless lists of harassing behavior are simply part of human (including workplace) interaction. As a result, training (when it exists) is usually not credible and is easily dismissed. Rules and instructions to managers are, often, impossible to enact.

The metaphor or image that is the focus of my own training and policy work (both of managers and staff) is a traffic light.

The green light refers to things that are always acceptable at the workplace. Green light means keep going!

The red light are actions that are always inappropriate and always constitute harassment, no matter who is present. This includes certain words or derogatory comments about someone based on her/his sex, sexual orientation, race, religion, etc. It also includes *quid pro quo* harassment. It includes posting or distributing emails that show explicit sexual images. It includes jokes of an explicitly sexual nature. The list is actually rather small. The red light means stop! Don't proceed with that action or, if you're a manager, make sure it stops right away.

Where most staff get in trouble and managers feel unable to respond is not about those things. It's on the third light, the yellow, or orange or amber light (whatever you want to call the middle light.) These are things such as compliments, flirting, casual touching, and many forms of humor.

Just like in driving, what the amber light tells us is this: It doesn't mean stop, it doesn't mean go. It means proceed with caution and be prepared to stop.

In my training, a series of exercises helps participants identify these “amber zone” behaviors. It helps people identify the factors which might make that action harassing or not.

And what tells us we should stop? In some cases, it’s simply that we should know that a certain behavior is not appropriate, that it crosses a line from amber to red. In other cases, a realization that we should stop is based on the reaction of others – that is, the imagined or perceived impact. By raising awareness about the amber zone, the real area where most people get in trouble, people learn to keep their eyes open when they enter this zone, just like the driver learns to pay particular attention when the light turns from green to amber.

Start with the Managers

My work, following the lead of Charles Novogrodsky -- my partner for that portion of my work that is based in Canada -- is that it is critical to always start with the managers. If we want harassment-free workplaces, then we must ensure that managers have the knowledge, tools, and commitment to set an example, to do ongoing, often informal, education of their staff, and to respond quickly, fairly, and effectively when they receive a report of possible harassment or witness behavior that they think is inappropriate.

When it comes to managers, as important as understanding the issues and the policy, is teaching the practical skills and give them the tools for responding to harassment, for carrying out fact-finding, and for restoring the workplace.

In many cases, I’ve been asked to do training of managers and staff together. I say this is not the best first step. For one thing, it sets up a situation where many staff members will not feel comfortable speaking out about the issues they face. It may also prompt some managers to go out of their way to prove to their staff that they’re “one of the boys” and that they, too, think this is all nonsense. And it means that managers aren’t properly prepared for their own responsibilities once training is done.

Instead, I like to start with training of managers, and this can be anywhere from a half-day to a two-day session. Anything less than half day means that

managers will neither have the understanding nor the practical skills to prevent or respond to harassment. (And I do half-day sessions only under duress. One or, when possible, two days is really required.) Only then would we do staff training sessions, of anywhere from two hours to a day. In some cases we then bring staff and managers together for a final session, from two hours to a day. This is to reinforce the messages of the separate training, to focus on some of the problems that occur in that workplace (but not on individual cases or individual grievances), and to come up with group commitments and action plans.

An adult-education model

We're dealing here with some challenging, contentious, and, for some, even traumatic issues. It's a place where people often have preconceived ideas and a lot of feelings. We also know that people often use humor, compliments, and flirting to make their workplace tolerable. Any training that comes down on people like you're a drill sergeant is not going to work. Similarly, any training that hopes that staff will remember fifty powerpoint slides that recite the policy or lists of "dos and don'ts" is simply not going to work.

Mine is an adult education model. My approach to training is experiential, that is, it is based on people's actual experiences of workplace life. They *know* that a joke or casual touch can be just fine, but they also need to know when it isn't or at least *how* to figure out if it isn't. I use a lot of (appropriate) humor, focus on individual and group exercises and, in a phrase, make it fun. Managers and staff don't feel like they're being treated as recalcitrant children, nor as stupid. They're valued for what they know and challenged on what they haven't yet thought about.

Education must be ongoing

One of the things I stress in my approach is that education must be ongoing. It is not only the once-and-then-you're-done training, it is orientation of new staff, it is reminders from managers in the form of posters, emails, and very short items at staff meetings; it is a longer item at meetings or special

meetings if a problem has occurred; it is the repeat of training for all staff every few years. Whatever the financial cost of all this, it pales against the financial cost of investigations, settlements, lost work time, and from an office embittered and polarized over a harassment incident and its aftermath.

Often the most effective education is the everyday remarks by managers to those they supervise. A comment that is near the borderline (between amber light and red) might occasion a playful remark such as “I see an amber light flashing.” Done with a light touch and even (appropriate) humor, this can not only prevent a staff member from crossing a line, but it can be a form of ongoing education without making anyone feel put down or stupid.

Having the tools to respond to harassment

Stressed in my training for managers are the practical tools for responding to a report of possible harassment or a situation of harassment that a manager observes. What are the protocols and tools for fact-finding? How to be fair, non-judgmental, and impartial. How to be supportive of someone who makes a complaint without siding with them before you have the facts. When to get help or support from your own manager or HR. How to conduct yourself if an outside investigation is taking place.

A second thing I stress not only in my training, but in helping institutions develop more effective policies, is to explore alternatives to traditional forms of punishment. It is true: in the most serious cases, the most serious forms of redress are important, including suspensions without pay or dismissal. But in many cases, this form of punishment is not useful. It can be an overreaction. It can be rightly perceived as scapegoating the person who was caught, rather than changing a form of behavior that is endemic in the workplace. And, it is only punitive, doing nothing to change the individual who committed the harassment.

In terms of alternatives, some of the work that I do is one-on-one coaching (often, gender-sensitivity coaching) with the individual (or individuals) who've been found responsible for workplace harassment. In some cases, this is combined with or following a suspension, in others it's an alternative to a

suspension. Either way, the premise is to turn the situation of harassment into a learning opportunity. Employers are often quite startled by the changes this individual undergoes through the coaching process.

A third thing I stress is the importance of restoring the workplace. In the work I do, for example, with Charles Novogrodsky and Associates, we have people who specialize in working with management and staff to restore a fractured, embittered, polarized workplace to a productive and harmonious environment.

Gender Perspective

One thing that is curiously missing from much education on sexual harassment (including homophobic harassment) is a clear gender perspective. By this I mean not a fatuous “men are from Mars, women are from Venus” or “she says/he says” approach that assumes that much harassment is simply misunderstanding based on supposedly different male and female brains.

Rather, the focus which I believe is most useful is to look at the impact on male-female workplace behavior (that is, both male-male, male-female, and female-female relations) based on how we raise boys to be men and girls to be women in the context of male-dominated societies. It looks at the relationship of men and women to personal, institutional and social power. It looks at how we value domination. It looks at how our different gendered experiences *do* lead to differences in our brains and our (average) capacity to be empathetic, something which is critical if we are to *feel* how our words or actions affect a co-worker.

And lest we be worried that providing this perspective will alienate or scare those we work with, participants usually find that this aspect of one-on-one coaching and longer group training sessions is fascinating and illuminating about their own lives.