

# Joking apart...

Has the recent fine of €2,000 over a case of verbal harassment jolted Malta out of an apparent complacency regarding this complex and emotive issue? Raphael Vassallo on the less amusing side of sexist 'jokes' at the workplace

TO say that sexual harassment is no laughing matter may well be an understatement.

According to one US-based support group for victims, the effects of sexual harassment at the workplace are sometimes comparable even to the emotional scars left by war – in particular, PTSD (post-traumatic stress disorder). "Sexual harassment... can manifest quickly and be short term, or occur as a series of events over a long period of time," the Sexual Harassment Support Group observes.

"Also, many harassment targets experience backlash and retaliation if they speak out about the abuse, which can add to the damage... Because of this, many sexual harassment victims may suffer traumatic stress from the harassment, or even PTSD in the aftermath..."

Under scrutiny, it turns out that sexual harassment is a leading cause of depression, anxiety and a wide range of other serious physical and psychological health issues... sometimes resulting in

attempted or actual suicide.

But for all this, awareness of what actually constitutes sexual harassment – and in particular of the fact that this is illegal – appears to be significantly low in Malta.

"From information and complaints received by National Commission for the Promotion of Equality, it seems that verbal harassment occurs frequently, often with the perpetrators not realising that this is nowadays unlawful," NCPE commissioner Dr Romina Bartolo told Maltatoday this week.

"NCPE has found some companies to have internal procedures and mechanisms in place which effectively address abuse at the place of work, however some companies do lag behind in this regard."

"Therefore, the need for awareness is highly important since there is a general lack of awareness among companies and employees on the need for sexual harassment policies."

From this point of view, the re-

cent sentence handed down by the criminal court – in which a female employee was awarded €2,000 in damages in a case of verbal harassment – is particularly significant: if not in terms of the actual penalty incurred, at least in terms of the message it sent out to companies and employees alike.

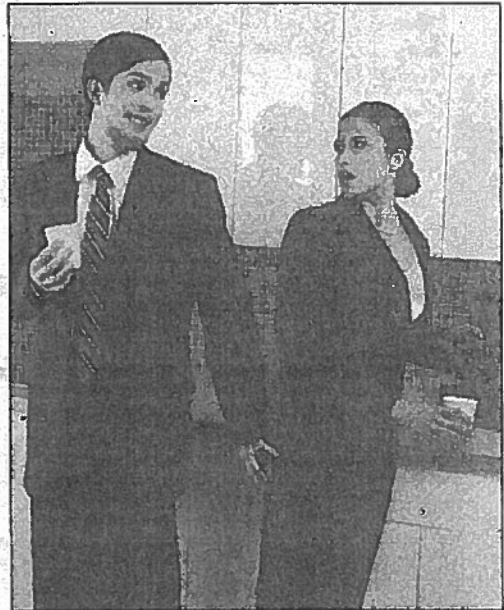
According to Dr Bartolo, this message may have been necessary because of the widespread (and false) perception that verbal 'jokes' do not constitute harassment.

"One must keep in mind that unwelcome jokes of a sexual nature may amount to sexual harassment," she warns. "Once that joke has the effect, even if not the purpose, of violating the dignity of a person or of creating an intimidating, hostile, degrading, humiliating or offensive environment, then that joke has gone too far."

For this reason the NCPE reiterates the importance for each employer to have a formal and effective policy indicating that sexual harassment is not allowed at the workplace. "Furthermore, employers are also expected to have an internal procedure to deal with incidences of harassment that occur at their place of work. The same is expected of service providers."

At present, Maltese law does not oblige companies to have a sexual harassment policy. "However, it places the onus of responsibility on employers to make sure that such incidents do not occur and therefore it pays them to have policies in place since the company would be held responsible for not protecting staff from harassment."

For all this, such crimes remain notoriously hard to bring to justice, in part because of difficulties in proving the allegations, and in part also because of popular perceptions (sometimes justified) that there may be ulterior motives behind the complaint. This in itself discourages vic-



tims of sexual harassment to come forward with their complaints. In the UK, a phone survey indicated that while 32% of female employees had been harassed at work, 62% of victims took no action.

"From concluded complaints that NCPE handled, it seems that occasions of verbal harassment do occur in front of other persons and therefore the evidence of such other persons would assist in proving its occurrence," Bartolo continues. "It is important to show that the victim did not accept or participate in such behaviour. Where there are no other persons who have witnessed the incident, then it is still possible for the victim to provide evidence and it is then up to the adjudicators or investigators to determine whether the words uttered amount to verbal

harassment."

It is worth pointing out also that sexual harassment complaints are by no means limited to women. Recent statistics indicate that two out of five reported cases in the UK involve male victims, with 8% percent of all sexual harassment complaints to the Equal Opportunities Commission (Britain) coming from men.

Corresponding statistics for the local scenario are not known, but given the far lower incidence of women occupying managerial roles, the number of males harassed by females is likely to be lower.

Still, the consequences of harassment are understood to be the same regardless of gender.

And like the crime that causes them, they're not exactly amusing.

## Known health repercussions

- Depression
- Anxiety and/or panic attacks
- Traumatic stress; post-traumatic stress disorder (PTSD)
- Sleeplessness and/or nightmares
- Shame and guilt; self-blame
- Difficulties in concentrating
- Fatigue or loss of motivation
- Stomach problems; gastrointestinal disorders
- Eating disorders (weight loss or gain)
- Increased blood pressure
- Loss of confidence and self-esteem
- Overall loss of trust in people; problems with intimacy
- Problems with sex (sexual dysfunction)
- Withdrawal and isolation
- Suicidal thoughts or attempts; suicide

## Effects of sexual harassment at work

- Decreased performance as the victim must focus on dealing with the harassment instead of getting on with the job
- Ignored absenteeism to avoid harassment, or because of illness from resulting stress
- Having one's personal life opened up for public scrutiny – the victim becomes the 'accused', and their dress, lifestyle, and private life will often come under attack
- Being objectified and humiliated by scrutiny and gossip
- Defamation of character and reputation
- Loss of trust in environments similar to where the harassment occurred
- Loss of trust in the types of people that occupy similar positions as the harasser or their colleagues
- Extreme stress upon relationships with significant others, sometimes resulting in marriage break-down
- Being ostracised from professional or academic circles
- Loss of job and income
- Loss of references/recommendations
- Weakening of support network: colleagues, friends, and even family may distance themselves from the victim or abandon them altogether.