

Preventing unwelcome behaviour

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Sexual harassment is a violation of human rights and a prohibited form of violence against women in many countries. A study published by the European Union Agency for Fundamental Rights (FRA) confirmed that sexual harassment is a pervasive and common experience for many women in the EU. This study carried out among women from the 28 EU Member States shows that violence (domestic violence) and specifically gender-based violence disproportionately affects women.

Minister for Social Dialogue, Consumer Affairs and Civil Liberties, Dr Helena Dalli, participated as main speaker in the conference held in March to launch this FRA study of violence against women. During the panel discussion, Minister Dalli announced the first reading in Parliament of the Bill to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

An area of concern studied in this research is sexual harassment at the workplace which includes any unwelcome physical contact, staring or leering, sexually explicit pictures, emails or SMS messages and the access of sexually explicit internet sites. Suggestive comments or jokes, unwanted invitations to go out on dates or requests for sexual interaction, insults or taunts based on someone's sex as well as unnecessary familiarity can also constitute sexual harassment.

Whether the behaviour is unwelcome is a subjective question and will depend on the particular person against whom it is directed. It is irrelevant that the behaviour may not offend others or that it has been accepted in the work environment in the past. This is because different individuals will often perceive and react to behaviour in different ways.

Harassment directed against women or men in the workplace by their supervisors, fellow employees or third parties interferes with the integration of employees in the workplace, reinforces the subordination of victims of harassment to perpetrators, violates the victims' dignity and creates a health and safety hazard at work.

The FRA survey found that in Malta one in every five women respondents (20%) who participated in the survey experienced sexual harassment in the 12 months before the interview, while 19% of the Maltese respondents went through unwelcome touching, hugging or kissing since the age of 15. Moreover, 8% of the respondents from Malta have gone through cyberharassment since the age of 15.

According to the survey, professional women in management and in other top positions are also at risk of sexual harassment. Particularly, one in three (75%) women in top management jobs across Europe and 74% of women in a professional occupation across Europe experienced sexual harassment in their lifetime, and one in four of these women have been confronted with sexual harassment in the 12 months prior to the survey.

A picture of extensive abuse that affects many women's lives is highlighted in the Fra Survey. However, this abuse is systematically under-reported to the authorities. In fact, NCPE recognises that sexual harassment tends to be under-reported to responsible bodies, as confirmed by a study that NCPE carried out in this regard. In view of this situation, NCPE highly encourages victims of sexual harassment and discrimination to report their cases to the relevant authorities, including to NCPE itself, to seek redress and to further safeguard their rights.

NCPE assists persons who are sexually harassed at the workplace and when accessing goods or services from shops or other establishments, for example when someone feels sexually harassed by a joke or comment by a salesperson in a shop or the bartender when purchasing a drink from a bar.

In the context of the prevalence of sexual harassment cases, NCPE encourages employers and other organisations to raise awareness and take practical initiatives to recognise and address the reality of sexual harassment experienced by employees. In effect, NCPE is awarding the Equality Mark Certification to those companies or organisations that safeguard gender equality at the workplace and take measures to prevent sexual harassment.

NCPE also assists organisations to draft their equality and sexual harassment policies, and provides training to various groups of individuals or organisations during which it raises awareness on various issues related to equality, including sexual harassment. Through these training sessions NCPE disseminates more information on rights and responsibilities related to sexual harassment and empowers participants to take action to curb violence. The promotion of the prevention of violence contributes to combat violence and NCPE deems that this should start from as an early age as possible by educating and working with children, promoting respectful relationships and gender equality.

For more information on the initiatives carried out by NCPE or to report a case of sexual harassment, please contact NCPE on 2590 3850, equality@gov.mt or on our Facebook page: National Commission for the Promotion of Equality.

Examples of sexual harassment in the workplace

I got into the car driven by the man who was my new boss at the new dream job in television. My new boss turned to me. "So you live with your boyfriend, right?" I blushed. "I'd like to meet him sometime". And then my new boss leaned over and reached for my hand, and held it. I was petrified with fear and embarrassment. I had no idea what to do. I needed and wanted this job. So I did nothing. No protest, no pulling away. Over the next weeks and months, his actions continued with sexually implicit words when speaking to me several times and when he invited me to go out with him for a drink after work and tried to make certain advances. At the time, I didn't recognise that what my boss did is actually sexual harassment. It never occurred to me to talk to anyone about it or complain. It was until over a decade later that I realised suddenly that I had been sexually harassed.

I am 28 and work as a telecommunications technician in a male-dominated environment. My executive manager came to the office and asked for my number and I gave it to him. I did not ask him why he wanted my number as he is a senior person and respected by all in the company because of his position. He then started touching me. I felt very uncomfortable and stopped him. I then walked out of the office and told him that I was going to report this to my supervisor. I felt violated and scared.

I did inform my HR representative but the harassment did not stop. It was when I reported him to the relevant authority which intervened in the case that he stopped his actions being afraid of a bad reputation.

My message for those who are being sexually harassed is to tell your friends, family, supervisors and administration. Find out who is the most appropriate contact for the situation you've been put into and report it for action to be taken.