



# **SEXUAL HARASSMENT AS THE WORKING ENVIRONMENT**

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# 2012 Senate report

- Erasmus forums
- existence of SH at university
- specificity because of the context
- Impunity

# French laws

## 1992 law

“obtaining favors of a sexual nature,” (a year in jail + € 15,000 fine)

## 2012 law

“**imposing** on someone, in a **repeated way**, words or actions that have a sexual connotation” and either “affecting the person’s **dignity** because of their degrading or humiliating nature” or putting him or her in an “**intimidating, hostile or offensive situation.**”

"even without repeated use, any form of **severe pressure** in order to obtain real or apparent act of a sexual nature, sought to benefit the perpetrator or a third party. "

# DefinitionS

SH is a multidimensional construct consisting of 3 distinct but related dimensions :

- Gender harassment
- Unwanted sexual attention
- Sexual coercion

\*Gelfand, Fitzgerald, Drasgow, 1995, *The Structure of Sexual Harassment*

# Dignity

sexual harassment as affecting the **dignity** of the victim or creating an **intimidating, hostile** or **offensive situation**.

Cambridge dictionary :

the importance and value that a person has, that makes other people respect them or makes them respect themselves:

*How could you wear something so indecent? Have you no dignity?*

Legal concept: Human Rights, interpersonal respect, individuals in their relationship to the society

# Definitions applied to the context

ENVEF 2000, VIRAGES in Nov

Some cases :

- Teacher asked his students to simulate sodomy and rape + sexual insults
- Student was insulted on facebook and expelled from a workgroup
- Teacher took thousands of photographs
- Unwanted sexual advances
- Video conferencing

# The court

Jan 2015 : 21 students + 1 teacher

Photographs from Facebook accounts to pornographic sites

sluts, whores

'which one would you fuck and how ?'

Impose on someone, sexual connotation, creating an intimidating environment

SH ? → Identity theft

# Disciplinary procedures

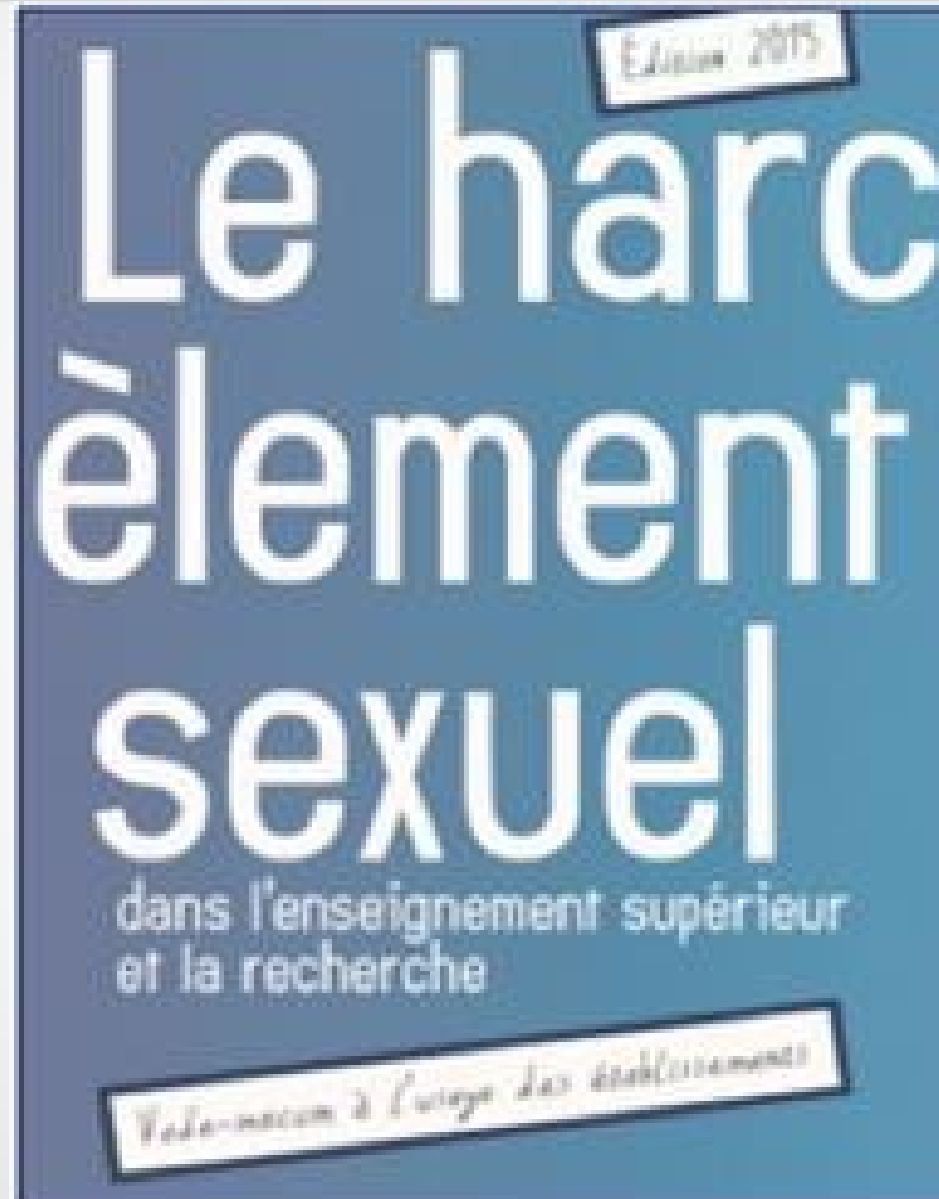
- ◆ SANCTIONS
  - censure
  - demotion or no promotion
  - expulsion
- ◆ APPEALS
- ◆ COMMUNICATION



# CLASCHES Guide – January 2015



Vademecum – ANEF, CLASCHES, CPED -  
Nov 2015



# Plan of the vade mecum

Foreword

Chap. 1. **Identifying** sexual harassment

Chap. 2. **Beginning to tackle** sexual harassment

Chap. 3. **Communication** to prevent and deal with sexual harassment

Chap. 4. **Implementing** a sexual harassment **policy**

Chap. 5. **Responsibilities** of the institution in case of complaint

Appendix 1. Examples of **existing procedures**

Appendix 2. Examples of **ongoing projects**

Bibliography and resources available online.

# Conclusion

- Social norm  $\neq$  peer norm
- Prevention
- Funding

# References

- Gelfand, Fitzgerald, Drasgow (1995), The Structure of Sexual Harassment : A Confirmatory Analysis across Cultures and Settings, *Journal of Vocational Behavior* 47
- Public Health England, *A review of evidence for bystander Intervention to prevent sexual and domestic violence in universities*, Public Health England, April 2016
- Rao, Three Concepts of Dignity in Constitutional Law (2011), *Notre Dame Law Review* Vol.86
- [https://clasches.fr/sites/clasches.fr/files/clasches\\_guide-harcelement-sexuel-2014\\_web-hd.pdf](https://clasches.fr/sites/clasches.fr/files/clasches_guide-harcelement-sexuel-2014_web-hd.pdf)
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