

National Report.

Research and Needs Analysis in Catalonia (Spain)

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Author

Alba Elvira Guiral, SURT – Spain

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1. THE PROJECT

The present report contains the research results for the TeamWork Project in Catalonia (Spain), an initiative co-funded by the European Union in the framework of the Rights, Equality and Citizenship Programme.

The objective of the TeamWork Project is to strengthen the fight against sexual harassment in the workplace in Spain, Greece, Bulgaria and Italy. It is being implemented by five partner organisations: Social Action and Innovation Centre - KMOP (Greece), as the coordinator; the company Adecco (Italy); the Centre for Sustainable Communities Development (Bulgaria); the Surt Foundation (Spain); and Oxfam Italia Onlus (Italy).

The first phase of the project consisted of conducting research with these aims:

- Find out the public and private sectors' capacity to prevent and handle sexual harassment in the workplace.
- Identify the difficulties and barriers that victims must face.
- Reveal the opportunities and challenges present in this fight.

To attain these objectives, this phase included desk research, as well as quantitative and qualitative research. The results are presented below. Firstly, a review was done of the legal framework at European, state and autonomous community levels and of the existing studies and publications. Subsequently, the results were presented of the quantitative analysis from a survey addressed to employers and managers and to employees/workers and the qualitative analysis of in-depth interviews with key agents. Finally, the conclusions chapter summarises the most noteworthy results in the fight against sexual harassment at work.

2. INTRODUCTION

Achieving gender equality in all areas of life is one of the great challenges that Catalan, Spanish and European society all have. Despite recent advances to achieve equality at the workplace, inequality and discrimination towards women persist. One example of this is the prevalence of sexual harassment at work and the fact that women are the main gender affected.

Sexual harassment in the workplace has been recognised in recent decades by international, state and autonomous community legislation as a type of gender discrimination and violence. It is a concrete manifestation of patriarchal violence that women suffer in public places. It is based on the sexist premises that women are the 'property' of men, as well as their bodies and their sexuality, and that the public space is not where women belong, so that they can be the target of harassment and violence.

The feminist perspective lets us identify the instrumental role of sexual violence, as a means to reflect and reinforce hierarchical and unequal power relationships between genders. This approach also focuses on the causes and structural impact of this type of violence. And it recognises that sexual harassment at work represents an obstacle to obtaining real gender equality in the workplace and women's free personal and professional development.

Sexual harassment at work represents a behaviour that is offensive on multiple fronts, as it violates a series of basic rights, including equality, non-discrimination, sexual freedom, privacy, dignity, physical and moral integrity, and workplace health.

While sexual harassment is never neutral in terms of gender and the majority of these types of behaviour are done by men against women, there are other core areas of inequality that play a role in perpetuating harassment: social class, age, ethnicity, gender identity, sexual orientation... Thus, the fact of being trans, lesbian, a migrant or young, among other factors, can increase the risk of being the recipient of these types of behaviour.

3. DESK RESEARCH

3.1 THE LEGAL AND REGULATORY FRAMEWORK

The publication in 1988 of the Rubenstein report *The Dignity of Women at Work*¹ entailed a turning point in how sexual harassment is handled in the European Union. It enabled the adoption of EEC Council Directive of 12 December 1991, the EEC Commission Recommendation of November 1991 on the protection of the dignity of men and women at work, along with the Code of Conduct to combat sexual harassment, which remains in force today.

Today and at a European level, regulations on sexual and gender-based harassment have been incorporated into Directive 2006/54/ EC², later modified by Directive 2002/73/EC. This directive adds the definitions of harassment and sexual harassment and explicitly prohibits them. Section 6 states that: 'gender harassment and sexual harassment are contrary to the principle of equal treatment between men and women and constitute discrimination on grounds of sex for the purposes of this directive'.

Recent international advances that are taking on significant relevance are two instruments by the International Labour Organisation (ILO): one on violence and harassment³ and the other, a recommendation on violence and harassment⁴. However, as to the publication date of this report, the agreement has yet to enter into force, so that its impact cannot be evaluated.

As pointed out by Gil Ruiz (2013), European regulations have been one of the sources that have inspired the legal changes on sexual and gender harassment at companies in Catalonia and in Spain.

¹ The Dignity of Women at Work. <https://op.europa.eu/en/publication-detail/-/publication/db562ac1-7ad0-4b57-92e1-6b48f5982cfc>

² Directive 2006/54 EC by the European Parliament and Council of 5 July on the application of the principle of equal opportunities and gender equality between men and women to work and employment issues. https://eur-lex.europa.eu/legalcontent/ES/TXT/?uri=uriserv:OJ.L_.2006.204.01.0023.01.SPA&toc=OJ:L:2006:204:TOC

³ C190 – Violence and Harassment Convention, 2019 (num. 190). https://www.ilo.org/dyn/normlex/es/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190

⁴ R206 - Violence and Harassment Recommendation, 2019 (num. 206). https://www.ilo.org/dyn/normlex/es/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R206

At a state level, the approval of Organic Law 3/2007 of 22 March, for effective equality between women and men⁵ (hereinafter LOIEDH), let sexual and gender harassment be prohibited expressly. The law defines sexual harassment as: '(...) any verbal or physical behaviour of a sexual nature made with the aim or effect of violating a person's dignity, especially if an intimidating, degrading, humiliating or offensive environment is created for the person (...)'

In its definition of sexual harassment, article 7 of the LOIEDH eliminates the reference to the behaviour being 'undesired' that was included in Directive 2006/54/EC of 5 July 2006. In other words, it now focuses on the intent and effect of the behaviour, instead of putting the onus on the victim rejecting it.

In line with European legislation, the LOIEDH considers harassment as a problem of discrimination, as set out in its article 7.3: 'sexual harassment and gender harassment are always considered discriminatory'.

The LOIEDH reforms some of the articles of the Workers' Statute. Concretely, it adds that workers' basic rights include protection from sexual and gender harassment and includes harassment among the possible causes for disciplinary dismissal.

The law also regulates companies' obligation to prevent and respond to these behaviours and states that public powers and companies must adopt the measures required to eradicate them. Specifically, article 48 of the LOIEDH on 'Specific measures to prevent sexual harassment and gender harassment at work' states that companies must:

- a) 'promote working conditions that prevent sexual harassment;
- b) mediate specific procedures for its prevention and have a channel for complaints and reports;
- c) establish measures that must be negotiated with workers' union representatives, such as writing and dissemination of codes of good practices, conducting informational campaigns and training actions'.

⁵ Organic Law 3/2007 of 22 March, for real equality between men and women.
http://justicia.gencat.cat/web/.content/documents/arxiu/llei_igualtat_homes_dones_75.pdf

This means that corporate responsibility includes the preventive angle, but also the reactive angle, which is specified by the effective resolving of the complaints and reports received. Companies' responsibility is strengthened by the fact that sexual harassment is also recognised as a workplace risk of a psychosocial nature. Further, the LOIEDH also establishes the prevention of sexual and gender harassment as one of the contents of equality plans.

This means that nonfulfillment of these obligations by companies, by action or omission, can entail penalties and compensations, as companies must guarantee that their employees can fully exercise their basic rights in their labour relations. If specific procedures are not established to prevent sexual harassment, they can be doubly-fined, with a labour violation and a violation of workplace health and safety, even when a case of harassment has not occurred.

In Catalonia, there are two particularly relevant laws on this matter: Law 5/2008 of 24 April on women's right to eradicate sexist violence⁶, and Law 17/2015 of 21 July for effective equality between men and women⁷. Law 5/2008 defines the specific form of chauvinist violence in the workplace and sets out that it can involve two types: sexual harassment and sex-based harassment.

'Article 5. Scopes of sexist violence

Three. Workplace violence: consists of physical, sexual or psychological violence that can occur at the workplace during the workday, or outside the workplace or working hours if related to work, and can be of two different types:

- a) Sex-based harassment.
- b) Sexual harassment.

⁶ Law 5/2008 of 24 April of women's right to eradicate sexist violence.

<http://portaldogc.gencat.cat/utillsEADOP/PDF/5123/969239.pdf>

⁷ Law 17/2015 of 21 July for effective equality between men and women.

https://portaljuridic.gencat.cat/ca/pjur_ocults/pjur_resultats_fitxa/?action=fitxa&documentId=698967

Article 28 of this law establishes that the Catalan government must drive companies to create concrete measures and procedures to prevent, repair and penalise cases of sexual and/or sex-based harassment.

Finally, Law 17/2015 establishes measures to guarantee equality between women and men in access to work, in training and in professional promotion and working conditions, setting out measures on workplace health and safety and protection actions for sexual harassment and sex-based harassment.

3.2 STATUS OF THE ISSUE

Types of harassment

The definition of sexual harassment includes a wide range of behaviours that encompass from minor and everyday actions (offensive comments or jokes) to very serious actions that can represent a criminal offense (sexual assaults). This behaviour can be verbal (comments on the body or physical appearance), non-verbal (lewd looks) or physical (excessive physical touching).

Two types of sexual harassment are normally defined:

- **Sextortion or sexual blackmail (*quid pro quo*):** this occurs when the harassed person is forced to pick between submitting to the sexual demands of the harasser or losing certain benefits or conditions at work. These benefits can be access to training, work, a promotion, a wage rise or any other improvement in the workplace. This type involves an abuse of authority, as the harasser has the ability to decide on the working conditions of the harassed person.
- **Hostile work environment harassment:** consists of behaviour that causes an intimidating, humiliating or offensive work environment for the harassed person. Normally, these behaviours occur insistently and repeatedly, depending on the severity of the behaviour. This type of harassment may be done by people at the same level or even by people outside the organisation.

Depending on the connection between the harasser and the harassed person, it is further broken down into:

- **Horizontal harassment:** between colleagues or workmates.
- **Downward vertical harassment:** manager – subordinate.
- **Upward vertical harassment:** subordinate – manager.

Prevalence

First, it merits mention that there are no complete or up-to-date data that can provide a complete snapshot of the prevalence and evolution of sexual harassment at work in Catalonia and Spain in recent years.

However, studies on this matter show that it is a problem that affects a highly significant number of women. At a European Union level, the study by the Fundamental Rights Agency (FRA, 2014) states that, among women who have reported being victims of sexual harassment at least once in the last 15 years, 32% claim that the perpetrator was someone in the work environment (a customer, a superior or a workmate).

In Spain, according to the Macro-survey on Violence against Women (Government Office against Gender-based Violence, 2019), 17.3% of women who have been sexually harassed state that the perpetrator was someone at work. In Catalonia, according to the 2nd Survey on Sexist Violence in Catalonia (Department of Home Affairs, 2016), nearly 12% of the cases of violence against women not from their partners take place in the work environment. In absolute numbers, this would mean that 20,393 cases of sexual or sex-based harassment occur in the workplace each year in Catalonia.

Other studies have revealed the normalisation of sexual harassment and the difficulties in identifying it, even by the victims themselves. According to the Inmark study (2006), 14.9% of female employees in Spain have experienced sexual harassment (*technically*, as defined), although only 9.9% perceive that they have been victims of it (*reported harassment*). The lack of perception is more accentuated in minor cases, which prevents them from being reported and handled.

The majority of harassment situations, whether or not they are identified by victims, are not reported or claimed. The same study reveals female harassment victims' mistrust of the business structure, as only in some of the most serious cases do women turn to a superior: only two out of every 10 women who are victims of unwanted touching and one of every 10 who have been cornered. In cases of minor harassment, like verbal harassment, this option is even less frequent.

Moreover, at a state-wide level, the results of the Macro-survey on Violence against Women (Government Office against Gender-based Violence, 2019) state that only 8% of women victims of sexual violence outside the couple have reported it to the police or judicial bodies.

One of the particularities of sexual harassment as a specific type of sexual violence is the tendency to blame the women, considering them responsible for the abuse (Pineda & Toledo, 2016).

The study *Social Perception of Sexual Violence* (Government Office against Gender-based Violence, 2018) proves that almost one of every two men (40.9%) and one of every three women (33.4%) agree at least somewhat with the statement: 'Almost all types of sexual harassment at work would end if the woman simply told the man to stop'. This means that an alarming percentage of women and, especially, men believe that the responsibility to control harassment rests with the harassed woman.

This blaming coexists with a high degree of normalisation of these types of behaviours. The previous study also shows the legitimisation of sexual harassment at work and the prevalence of sexist myths, especially among men. One out of every four men (25.8%) and a bit more than one of every six women (17.7%) express some agreement with the statement: 'Women who say they have been sexually harassed at work normally tend to exaggerate'.

Harassment is supported by formal and informal power structures, rooted in existing structural inequalities. Along this line, the results of the second Survey on Sexist Violence in Catalonia (Department of Home Affairs, 2016) state that in the majority of cases, the perpetrators of harassment have a higher position than the harassed person. More concretely, in 66.8% of cases the perpetrator is a boss; in 33.5% a workmate; and in 8.4%, a customer or user.

Other studies and reports deal with the risk factors of women who are harassed. Although there is no single profile of victims, not all women are exposed to sexual harassment in the same way. Thus, there is a higher prevalence of sexual and gender harassment among women in unstable working conditions, as this increases the level of inequality with the harasser (Catalan, C., 2014).

Along this line, analysing the data from the Survey on Sexist Violence in Catalonia (Department of Home Affairs, 2016) reveals that the contract type affects the risk of being harassed. The majority of assaults⁸ registered in 2016 happened to women without a job contract (2.6%), followed by women with temporary contracts (1.2%). Thus, women without job contracts register over double the assaults of women with temporary contracts. Finally, self-employed women and with permanent contracts are those who register the fewest cases of harassment (1%).

The study *Hidden Violence: Sexual harassment of migrant domestic workers and caregivers* (Bofill & Véliz, 2019) delves deeper into one of the most ignored actualities. The authors denounce the special status of legal vulnerability and the lack of recognition of the rights of migrant women working in homes and in care. The defencelessness they suffer limits their reaction ability (also at a social level) and contributes to the normalisation, perpetuation and invisibility of the harassment they experience.

Prevention and management mechanisms

Legislation clearly sets out companies' responsibility to provide reporting channels. If a case of sexual harassment is detected at a company or organisation, there are two resolution routes: internal (company) and external (administrative and legal).

The internal channel is based on companies' obligation to have a procedure to handle harassment situations and external entails working with the Labour Inspectorate and the legal channel. This means that companies and administrations must establish an internal protocol and also notify employees of the possibility of turning to other complementary channels: legal

⁸ Not including sexual comments or gestures, or exhibition.

and administrative. Using one resolution procedure never excludes the possibility of also employing the other.

In general, the largest companies tend to implement measures to a larger degree to prevent and manage sexual and gender harassment. The reasons that could explain this trend include: a larger economic capacity to invest in equality policies; a longer tradition of equality policies at multinationals with central offices in other countries; and, finally, the greater influence and collective bargaining powers of the workers' legal representation (Institute of Women, 2019).

However, the majority of companies in Catalonia are small and medium sized and do not have specific prevention and management measures. Further, when they are obligated to respond to specific cases, measures are not always executed with the guarantees necessary, placing the focus on the victims' rights and their reparation.

The study *Workplace risk prevention management at companies in Catalonia* (Fondevilla & Molinero, 2016) warns that only 2.9% of companies have a protocol against sexual and gender harassment. And it reveals that when measures are taken, they are inadequate and end up harming the victims in a significant number of these cases. Out of the companies that have had to handle a sexual or gender harassment case in the last two years, 42.5% transferred the harassed person to another job post.

The fact of providing an insufficient and unsuitable response may cause the affected person to have a secondary victimisation, or re-victimisation. In other words, damage in addition to the harassment itself caused by the poor praxis or lack of responsibility taken by the involved company or administration.

The publication *Sexual and gender harassment: the action of public administrations and companies* (Gil Ruiz, 2013) sets out the results of the assessment of the legal application of the LOIEDH in the specific area of sexual and gender harassment in the workplace and in public offices.

The report points out that victims' rights and their protection are not always the main focus of the procedures established by companies. The fact is paradoxical that only 58.9% of the

protocols studied include the objective of eradicating harassment, and only 23.2% seek to guarantee the rights of the affected parties (Bodelon & Gala, 2013).

The insufficient conceptualisation of the phenomenon in protocols against sexual harassment is also problematic. Only 57.1% of the company protocols analysed in the aforesaid study include a specific definition. Bearing in mind that one of the major barriers in handling harassment is that penalizable conducts are not identified, the fact that protocols are defined incorrectly or incompletely feeds this lack of detection and handling even more (ibídem).

Another of the matters that seems most controversial in handling sexual harassment is the fact that companies establish an informal procedure prior to the formal procedure that leads to reporting, and not always only for the minor cases. Despite the fact that Spanish and Catalan regulations do not mention that informal procedures must be established, they appear in 44.6% of the company protocols studied (ibídem).

These types of procedures tend to include negotiation between the parties to reach an agreement that can resolve less serious conflicts and situations. As the authors state, the problem with these types of procedures is that they do not offer full guarantees for protecting the rights of the abused people and this type of harassment also starts from a false premise: an alleged position of equality between the harassed party and the harasser. Further, the solution to discrimination/assault is handled privately, which does not happen with other offences in the field of labour relations.

Information that is quite revealing is that the majority of protocols do not specify that sexual harassment is a problem mainly affecting women and, further, they employ sexist and masculinised language, referring only to 'employee' as gender-neutral. This spotlights the lack of gender perspective in handling the matter (ibídem).

As the authors state, companies' protocol appears or is related to developing equality plan in only a bit more than one-third of the cases studied (35.7%) (ibídem). This means that most companies do not have a more comprehensive focus on handling sexual harassment, as the mechanisms they do have are not part of a more global strategy developed to eradicate discrimination and promote effective gender equality in the workplace.

Along this line, the companies and public administrations that do have protocols hardly detail the preventive part, or measures for monitoring and evaluation. Despite establishing means to notify the parties about the existence of a protocol in the cases that are reported, actions are lacking that have a direct influence on the factors that cause harassment, such as power relationships at work, the attribution of roles to men and women, the methods for organising work or the relationships between people (ibídem).

This means that when measures are designed, they do so to respond to concrete cases, although there are few cases in which measures are drafted and applied to prevent the conditions that enable harassment. These types of measures are essential if there is to be true progress made in eradicating harassment and discrimination at work.

Collective bargaining

While it is true that sexual harassment is often mentioned in collective bargaining, these behaviours are rarely detailed and concrete procedures rarely established to resolve the cases and help the victims recover.

According to a study by the Secretary for Women and Equality at the Workers' Commissions Union (García, Sandalinas, & Morreres, 2014) on sector agreements in force to November 2014, based on Ceres' records, 77.8% of agreements refer in some way to sexual harassment. Of these agreements, 86.9% present harassment as an offense and propose a fine for the perpetrator, while only a bit more than half, 56% include a definition and detail the behaviours that represent harassment.

The above mentioned study by Bodelón and Gala (2013) also highlights that workers' and union representatives are rarely given roles in processing and resolving harassment reports. Thus, in the majority of cases, the representatives' right to be notified is recognised, although their active participation is foreseen in very few cases.

In short, although regulations and evidence show that negotiation is essential for ensuring the correct implementation of prevention measures and the handling of sexual harassment, in the framework of health and safety at work, in practice and, especially, in the scope of companies, their role seems to be insufficient and indecisive.

Training and awareness raising

The importance of training as a way of preventing sexual harassment behaviours is the fourth measure set out in the European Commission Code of Conduct. Article 48 of the LOIEDH also foresees the active participation of the workers' representatives in preventing sexual harassment. It concretely establishes that: 'Workers' representatives must contribute to preventing sexual and gender harassment by raising the workers' awareness about it and the information provided to company senior management on the conducts and behaviours they have knowledge of and can provide to it'.

In general, both for companies and for public administrations, little relevance is placed on training and raising awareness on sexual harassment for the entire staff. And when this issue is set out in protocols, it is often done as a recommendation – instead of an obligation – specifically for the content of these protocols. An introduction to gender perspective is rarely established in training courses, and more detailed training on gender policies is scarce (Gil Ruiz, 2013).

4. QUANTITATIVE AND QUALITATIVE RESEARCH

4.1 METHODOLOGICAL FRAMEWORK AND SAMPLE

Data collection for the quantitative and qualitative research was conducted via an online survey and in-depth interviews, respectively.

For the survey, two questionnaires were designed specifically: one for employers, managers and human resources (HR) managers, and another for employees. Survey respondents participated via a virtual platform and it was then disseminated via social media and emails sent to companies and the public administration.

The questionnaire for employees was divided into three blocks of questions: the size and scope of sexual harassment; the prevalence of sexual harassment; and knowledge of prevention and management measures. The questionnaire for employers, managers and HR managers was divided into five blocks of questions: awareness raising, impact, management measures, prevention measures and training.

The in-depth interviews were semi-structured, using a script of questions divided into these blocks:

- The prevalence of sexual harassment
- Its social and economic impact
- The mechanisms for handling harassment
- Prevention measures
- Training
- Legal framework
- Social dialogue

Fieldwork was executed from June to September 2020. The in-depth interviews were conducted and recorded through video-calls and lasted from one to two hours. Four interviews were conducted of key agents specialising in this field:

- Elena Mora, Office for Labour Risk Prevention of Barcelona Provincial Council.
- Aurora Pulido, Office for Women and LGTBI of Barcelona Provincial Council.

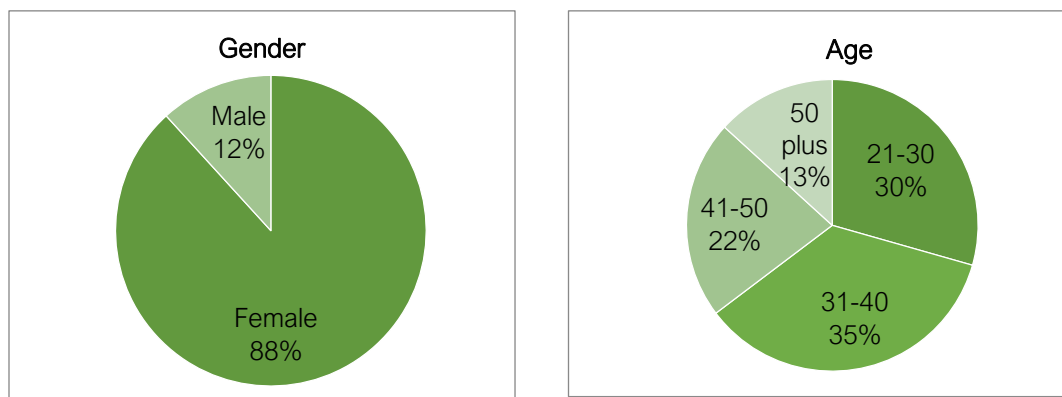
- Itziar Rueda, responsible for Equality Policy within PIMEC (small and medium-sized enterprises employers' association of Catalonia).
- Neus Moreno, Secretariat for Women, Diversity and LGTBI Policies, CCOO of Catalonia.

A total of 141 people participated in the survey: 26 representatives of employers, management posts and HR managers, and 115 employees. A part of the questionnaires were incomplete, so that we needed to discard it for analysis purposes. Thus, in the end, the analysis of answers is based on the responses of 18 representatives of employers, management posts and HR managers, and 68 employees.

Low survey participation, especially from the employers, managers and HR managers, can partly be explained by difficulties in the context in which the fieldwork was done. Summer 2020 was beset by the Covid-19 pandemic and its severe social and economic consequences that affected companies and society as a whole. Direct contact with the companies and administrations revealed the everyday challenges posed by this exceptional situation that made it hard for them to focus their attention on other matters.

4.2 RESULTS OF QUESTIONNAIRES FOR EMPLOYEES

Firstly, it is noteworthy that 88% of the employees who participated in the survey are women and the remaining 12% are men. Nobody identifies as a non-binary gender. With regard to age, 30% are between 21 and 30; 35% from 31-40 years old; 22% from 41-50 and 13% are older than 50. Despite representation being quite diverse, the absence of women younger than 21 and the low representation of women over 50 merit mention.



Little more than half the respondents, 56%, work in the private sector. The public sector and mixed private-public ownership companies each represent 22%. The majority of companies are in Barcelona (city); 21% in a large city; 19% in a mid-sized or small city; and 4% in a town.

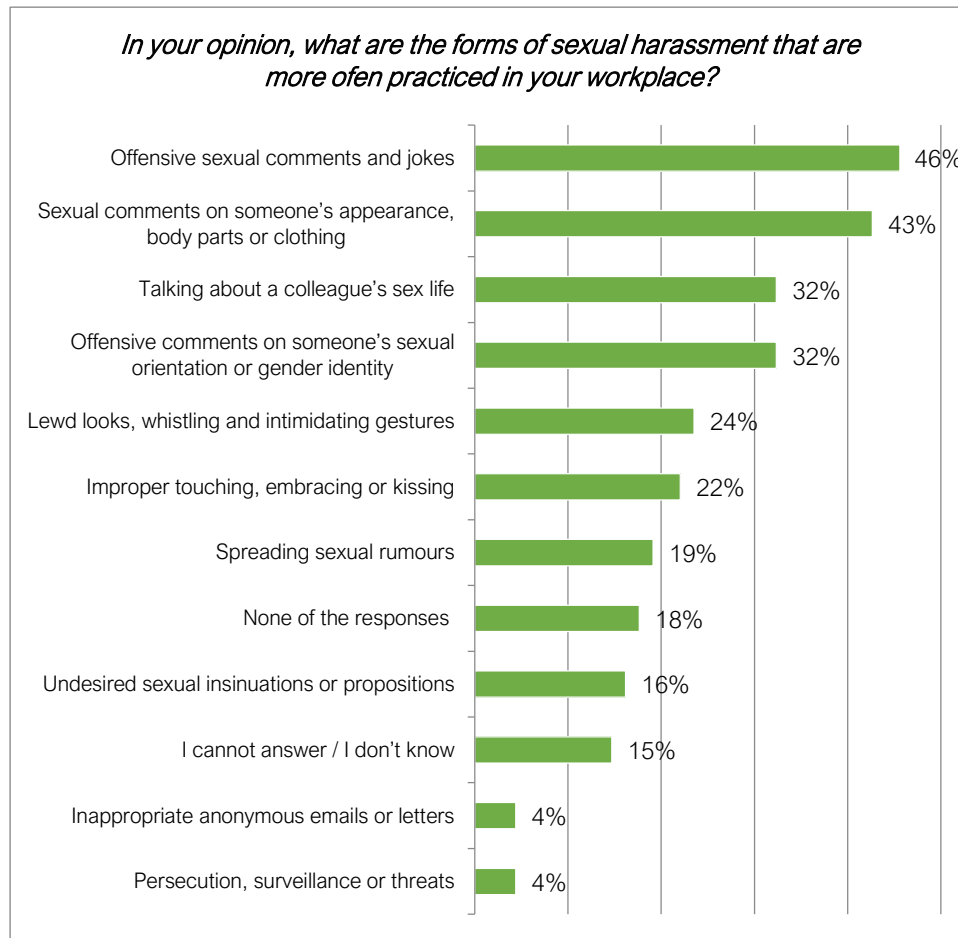
The representation of economic activity is varied. The sectors with the highest representation are healthcare and social services, public administration, defence and obligatory social security, and education.

Type of Economic Activity (NACE Rev. 2 – Statistical classification of economic activities in the European Community)	%
Section A: Agriculture, Forestry and Fisheries	1%
Section C: Manufacturing	1%
Section G: Trade; repair of motor vehicles and motorcycles	1%
Section I: Accommodation and Catering	1%
Section K: Financial and insurance activities	3%
Section L: Real Estate	1%
Section M: Professional activities and research	4%
Section N: Administrative and support activities	1%
Section O: Public administration and defence	13%
Section P: Education	10%
Section Q: Human health and social work	28%
Section R: Culture, sports and entertainment	1%
Section S: Other activities	31%

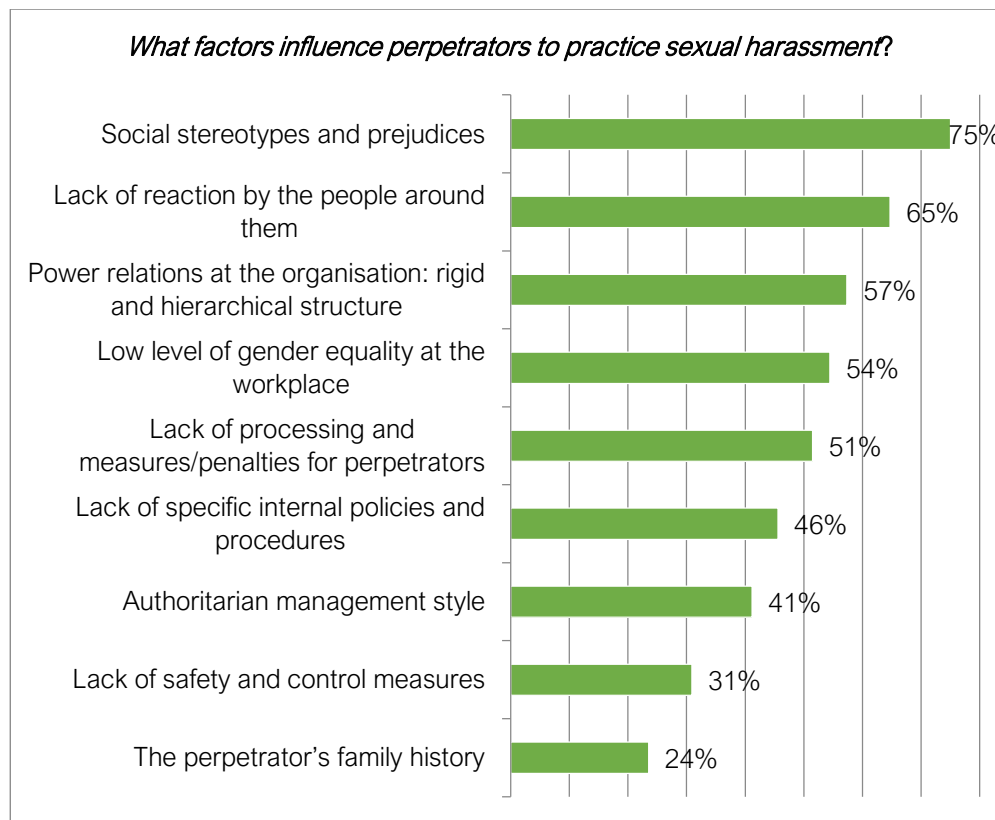
Practically all participants believe that the most common type of violence in the workplace is psychological violence (91%), the second most common is sexual harassment (84%), and, in last place, physical violence (85% claim it never occurs). They were also asked about the frequency of these types of violence at their own organisation or company. Almost half of the participants think that psychological violence and sexual harassment occur rarely (44%, respectively). It is also alarming that 26% consider psychological violence common at their organisation or company.

<i>In your opinion, how frequently do situations of violence occur at your organisation / company / institution?</i>			
	Psychological violence	Sexual harassment	Physical violence
Daily	3%	0%	0%
Often	26%	7%	0%
Rarely	44%	44%	15%
Never	26%	49%	85%

Now focusing on sexual harassment, the results show that the most common types at the represented companies and organisations are also the most subtle: sexual comments and jokes (46%), sexual comments about someone's appearance, body parts or clothing (43%), talking about the sex life of a colleague (32%) and offensive comments about someone's sexual orientation or gender identity (32%).



The most decisive factor in the propagation of harassment is stereotypes and social prejudices (75%). In second place, there is the lack of reaction from the people in the environment (65%) and, third, the organisation's power relations, such as having a rigid and hierarchical structure (57%). It would seem that the majority of responses recognise the social and cultural nature of sexual harassment.



One of the most significant details is that over one-third of the people surveyed (38%) claim to have suffered some type of harassment during their working life. All of these responses were made by women. That means that out of all the women surveyed, 43% have been victims of this type of violence. And, in all cases, they said the perpetrator was a man.

A significant percentage of these participants state that they felt impotent and guilty after the incident (46%). They also say it caused stress and pressure to work (35%) and that they remember the incident from time to time and that it causes them unpleasant memories (35%).

Practically half the people who answered the questionnaire (43%) state that they have witnessed a situation of sexual harassment at work. This means that according to these results and the previous ones, this type of violence directly or indirectly affects an important number of employees who participated in the survey.

The large majority point to people in management posts as the most common perpetrators of sexual harassment (82%), followed by colleagues (57%), customers, users or providers

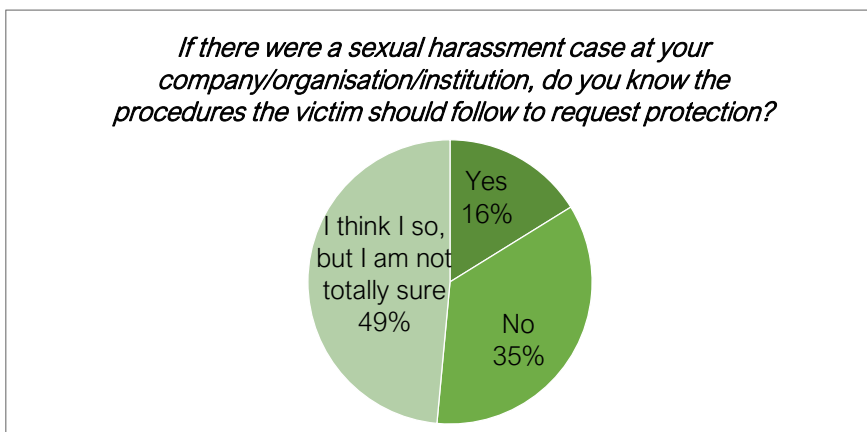
(38%) and, to a much lesser degree, representatives from external institutions (9%). Moreover, broad consensus is seen in that women are much more exposed to harassment than men, specifically, in 97% of responses.

According to participants, fear of losing their jobs seems to be the most determining factor in people's reactions after experiencing harassment (84%), as well as shame/lack of understanding from their workmates (79%), and fear of reprisals (68%), among other issues.

<i>Which factors do you believe may influence victims' reactions?</i>	<i>%</i>
Fear of losing their jobs	84%
Feeling of shame/lack of understanding of workmates	79%
Fear of reprisals	68%
Victim-blaming	56%
Lack of effective protection procedures and measures	53%
Normalisation of sexual harassment: it is not considered a problem	51%
Lack of knowledge of the protection procedures and measures	44%
Expectations of a wage rise or other improvements	15%

Likewise, when they are specifically asked about the reprisals at their organisation or company, 44% of respondents believe there wouldn't be negative consequences for the person who reports being a victim of sexual harassment and 34% don't know. Conversely, one of every five believes that there would be psychological violence and/or that a hostile environment would be created (21% and 19%, respectively). And 16% say there would be a risk of dismissal.

One of the most eye-opening figures is that only 16% of the employees surveyed say that they know the procedures that the victims must follow to request protection. Half (49%) do believe that they know them, but not with full confidence, and one-third say they do not know them (35%).

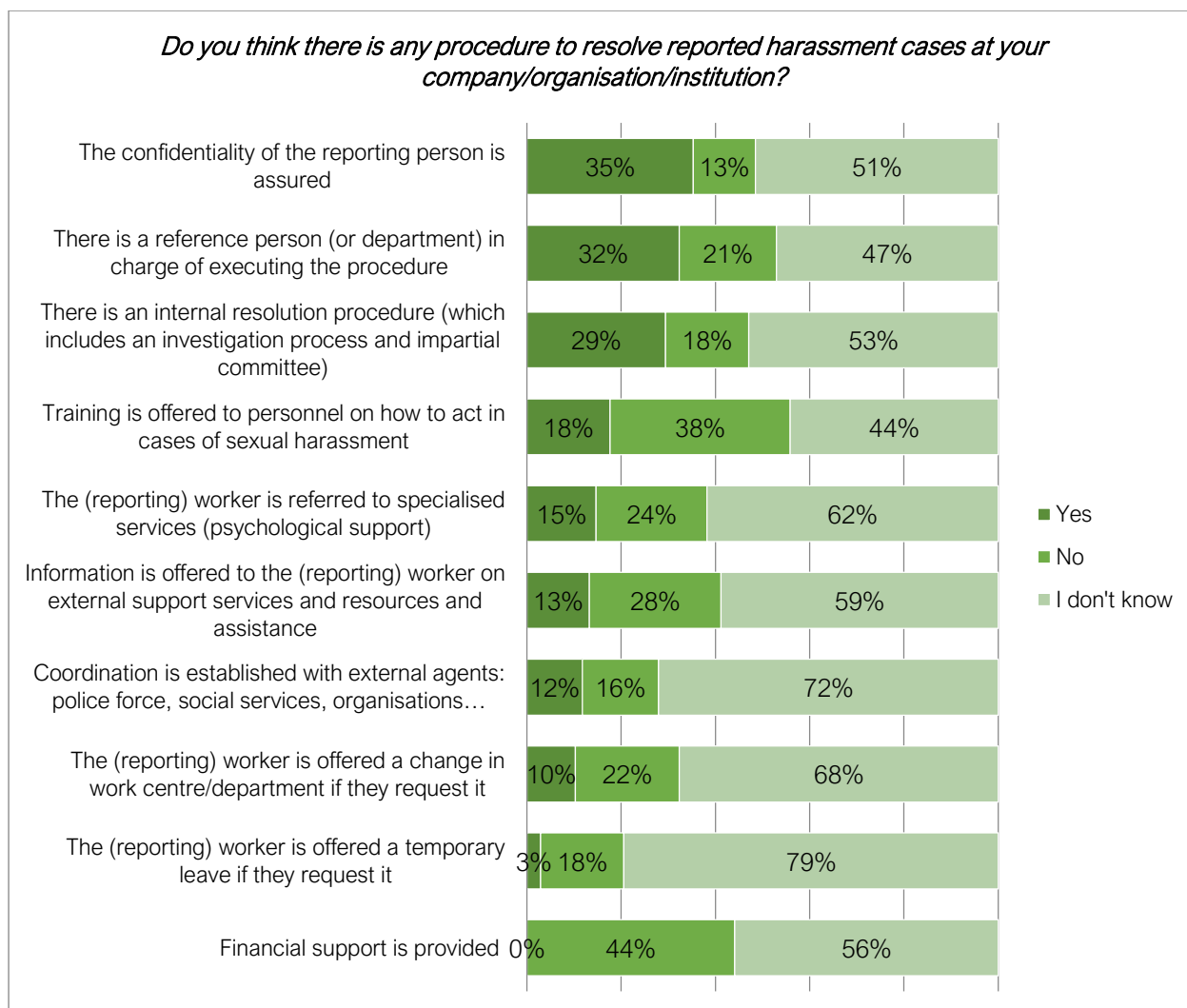


Exactly half of those surveyed do not know if there are any documents with clauses prohibiting sexual harassment at their company or organisation. Only 26% state that there are clauses in internal regulations, and 18% state that this prohibition is not detailed in any document.

With regard to internal resolution for cases of harassment, only one-third (35%) state that the confidentiality of the reporting party is guaranteed, 51% of participants do not know, and 13% say it is not assured. The same thing occurs with the existence of a reference person or department with the responsibility of executing the resolution procedure: 32% say that this party does exist, 21% say it does not, and 47% do not know. It also merits mention that only 15% of respondents claim that the reporting person is referred to specialised services, while 13% say this person is given information about the support and assistance resources in place.

In general, widespread unfamiliarity about resolution measures is revealed, as well as the lack of referrals to and/or coordination with specialised resources or external agents.

On the other hand, 26% say their company has a box for collecting complaints and reports anonymously, while another 25% don't know.



In cases of harassment, a good part of the respondents would go or recommend going to the human resources department (44%), then to a superior (35%), the police force (34%), and to the company's union representatives (31%).

With regard to the field of prevention, there is also widespread ignorance of the measures at the company or organisation itself, as well as little activity by the companies and organisations. 44% of participants say they are unaware of the prevention measures, 24% say that the company has policies and measures in official documents, and 22% say there are no prevention measures at their company. Only 10% state that there is a reference person or department with these functions.

This paucity of prevention measures is also revealed by the fact that the majority of respondents receive information on sexual harassment via the internet (53%) and media (46%). Only 6% receive this information at the company, from managers or the human resources department.

Training, as a key prevention tool, also seems to have an insufficient weight, despite verifying that there is interest in it. Only one of four surveyed (24%) state that their company or organisation offers training for the staff. Conversely, three of every four (75%) would like to attend training on this subject.

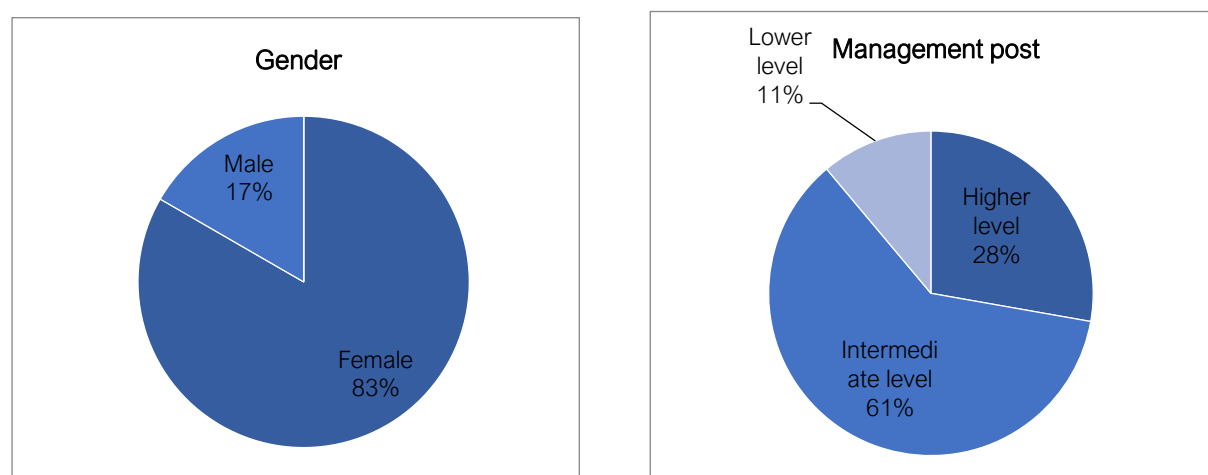
Some of the training contents picked in descending order are: raising awareness of sexual violence and harassment at work and its impact; communication and reporting procedures at the company and the measures to guarantee confidentiality; and, third, specific services for victims (legal advice, on health, among others...).

<i>Which contents do you think training should include?</i>	% of total participants
Raising awareness about sexual violence and harassment at the workplace and its impact	66%
Internal communication, complaint and reporting procedures; confidentiality measures	65%
Specialized support services for the survivors (legal, medical advice, other)	62%
Protection clauses in Collective bargaining agreement	44%
Information about specialized NGOs offering support and assistance	43%
The legal framework	41%
Measures and punishment of perpetrators	40%
Statistics and analyses of such cases in the company (confidentiality is guaranteed)	34%

Finally, proposals were also collected to improve preventing sexual harassment at their own company or organisation. The option with the most support is that there should be a clearer and more committed company policy (60%). To a lesser degree, respondents also suggest holding more training courses (38%) and participative workshops/seminars (37%).

4.3 RESULTS OF THE QUESTIONNAIRES FOR EMPLOYERS, MANAGERS AND HUMAN RESOURCES MANAGERS

In line with the previous results, 83% of the people who participated in the survey for employers, managers and human resources (HR) managers were women, while men represent 17% of respondents. Nobody identified with being a non-binary gender.



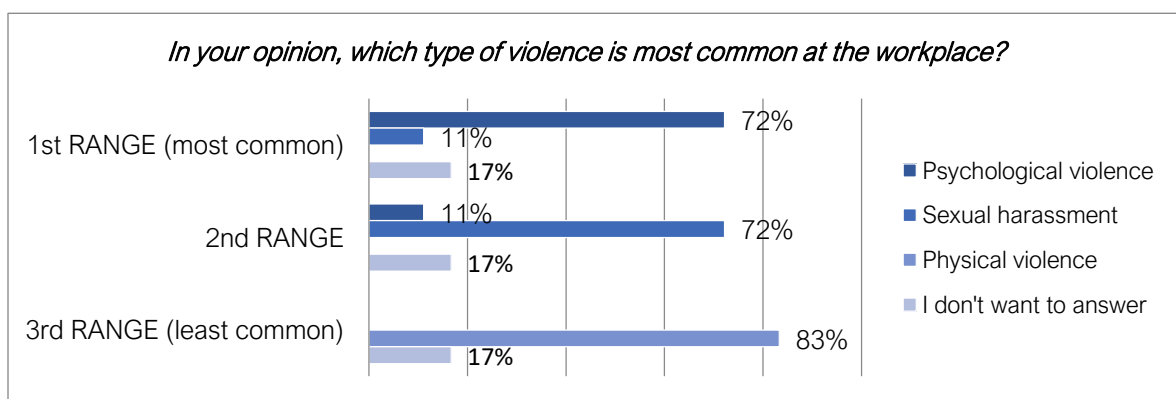
28% hold senior management posts; 61%, middle management; and 11%, junior management posts. The large majority work in the private sector, 94%, and mixed companies represent the remaining 6%. Thus, there is a lack of participation of public sector representatives.

While there is no economic activity with clear predominance, healthcare and social services; wholesale and retail commerce and motor vehicle and motorbike repair; and education are most represented in the survey.

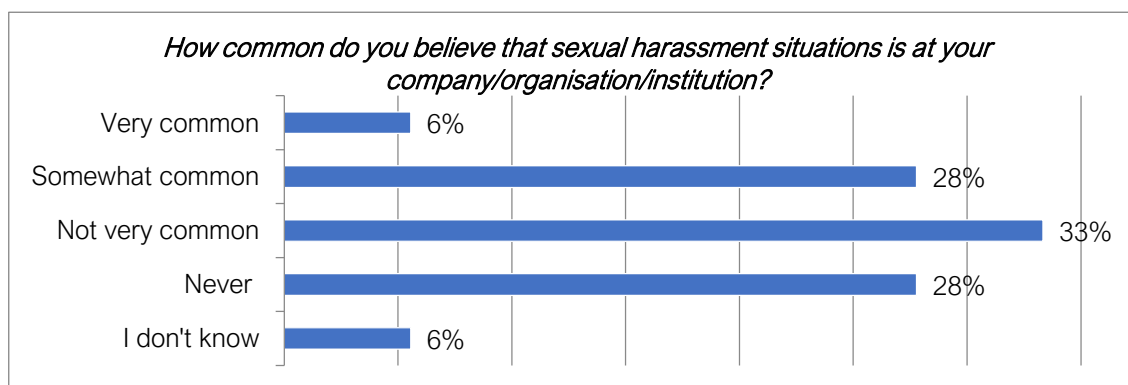
Type of Economic Activity (NACE Rev. 2 – Statistical classification of economic activities in the European Community)	%
Section G: Trade; repair of motor vehicles and motorcycles	11%
Section I: Accommodation and Catering	6%
Section M: Professional activities and research	6%
Section P: Education	11%
Section Q: Human health and social work	17%
Section R: Culture, sports and entertainment	11%
Section S: Other activities	39%

The size of the companies represented is diverse, although there is a prevalence of medium and large enterprises. There are 10-49 employees at 17% of the companies; 44% have between 50 and 249; and 39% over 250 employees. The majority of companies have a quite feminised staff. At one-third of the companies, women represent over two-thirds of the staff (representation greater than 66%). And at another third, women hold between 40% and 60% of the jobs, so there is parity of representation.

The majority of participants believe that the most common type of violence in the workplace is psychological violence (72%), followed by sexual harassment (72%), and, as least common, physical violence (83%).



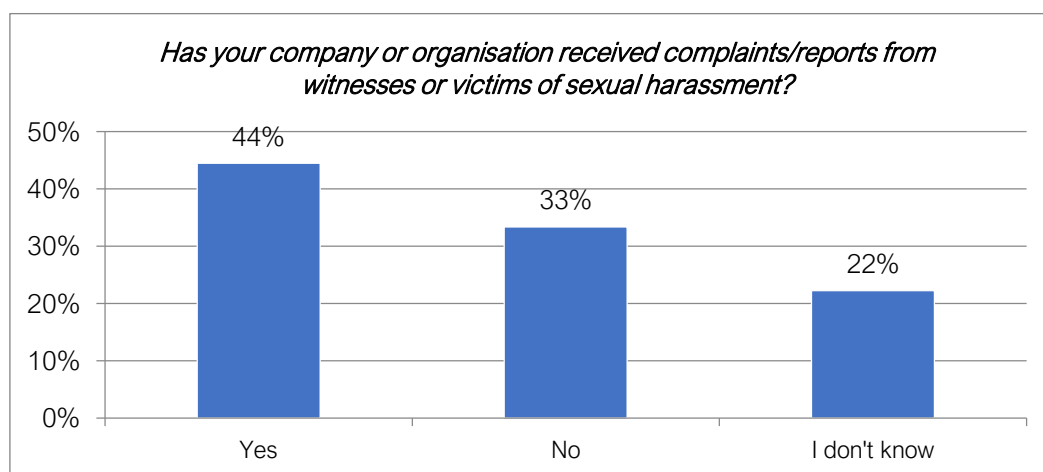
The large majority of participants, 89%, consider the problem of sexual harassment at work extremely serious, and the remaining 11% assess it as serious. For the question of the frequency of sexual harassment at their own company or organisation, the responses are diverse, but reveal that it is not an alien phenomenon in most cases. So, 28% of respondents think that sexual harassment is common at their organisation or company; 33% not very common; and 28% never. And 6% state that this type of violence is very common.



A bit more than one-fourth of participants, 28%, think that the measures taken at their company or organisation to prevent and manage this type of harassment are completely enough. While 33% and 22% consider them to be partially or barely enough, respectively. Conversely, the percentage that believes that the measures are insufficient is 17%.

A large number of participants (82%) agree that management style can contribute a lot or little to normalising discrimination, particularly sexual harassment (61% and 22%, respectively). And the remaining 17% do not think this factor has any influence.

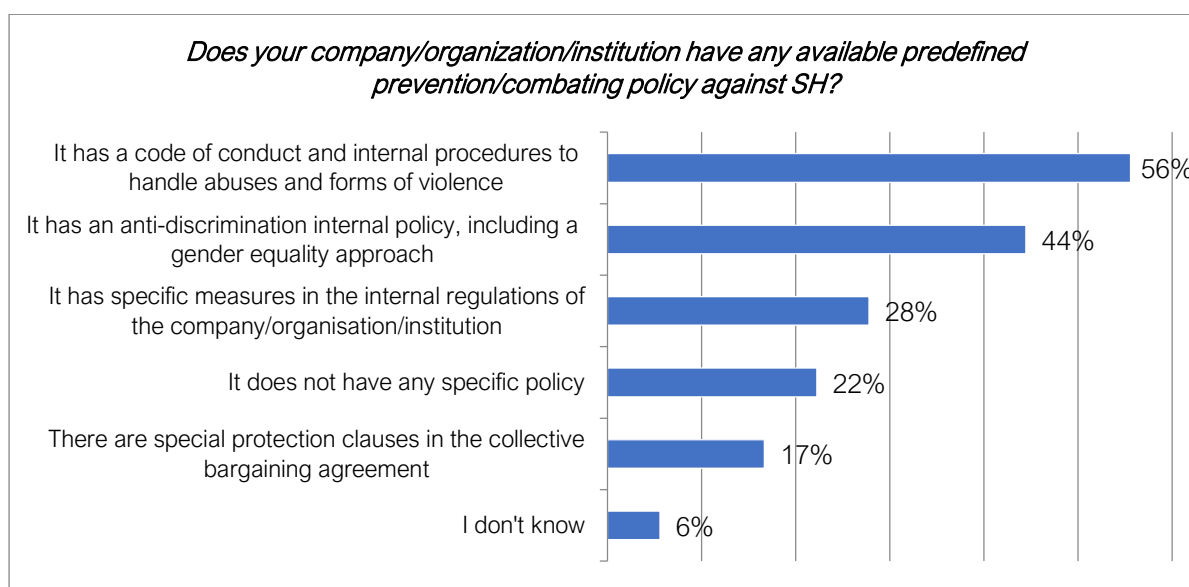
It is remarkable that nearly half of the respondents (44%) acknowledge that their company or organisation has received complaints/reports from witnesses or victims of sexual harassment. One-third of respondents (33%) say they have not, and almost one-quarter do not know (22%).



When asking about what their reaction would be if a co-worker told them that they had suffered sexual harassment, it is quite alarming that 22% of participants say that it is a personal problem that should be resolved between the two parties. However, in turn, practically all respondents also state that the problem would have to be handled by following a specific internal procedure (94%) and that it would be a management function, in the framework of workplace health and safety measures that must be employed (78%). Only 17% believe that unions should handle it.

With regard to prevention policies and resolving cases, according to the responses, over half of the companies and organisations represented have a code of conduct or internal

procedures for handling abuses and forms of violence (56%) and/or, to a lesser degree, an in-house gender equality plan (44%). 28% claim that they have specific measures in internal regulations and 22% acknowledge that there is no specific policy to prevent or manage sexual harassment.

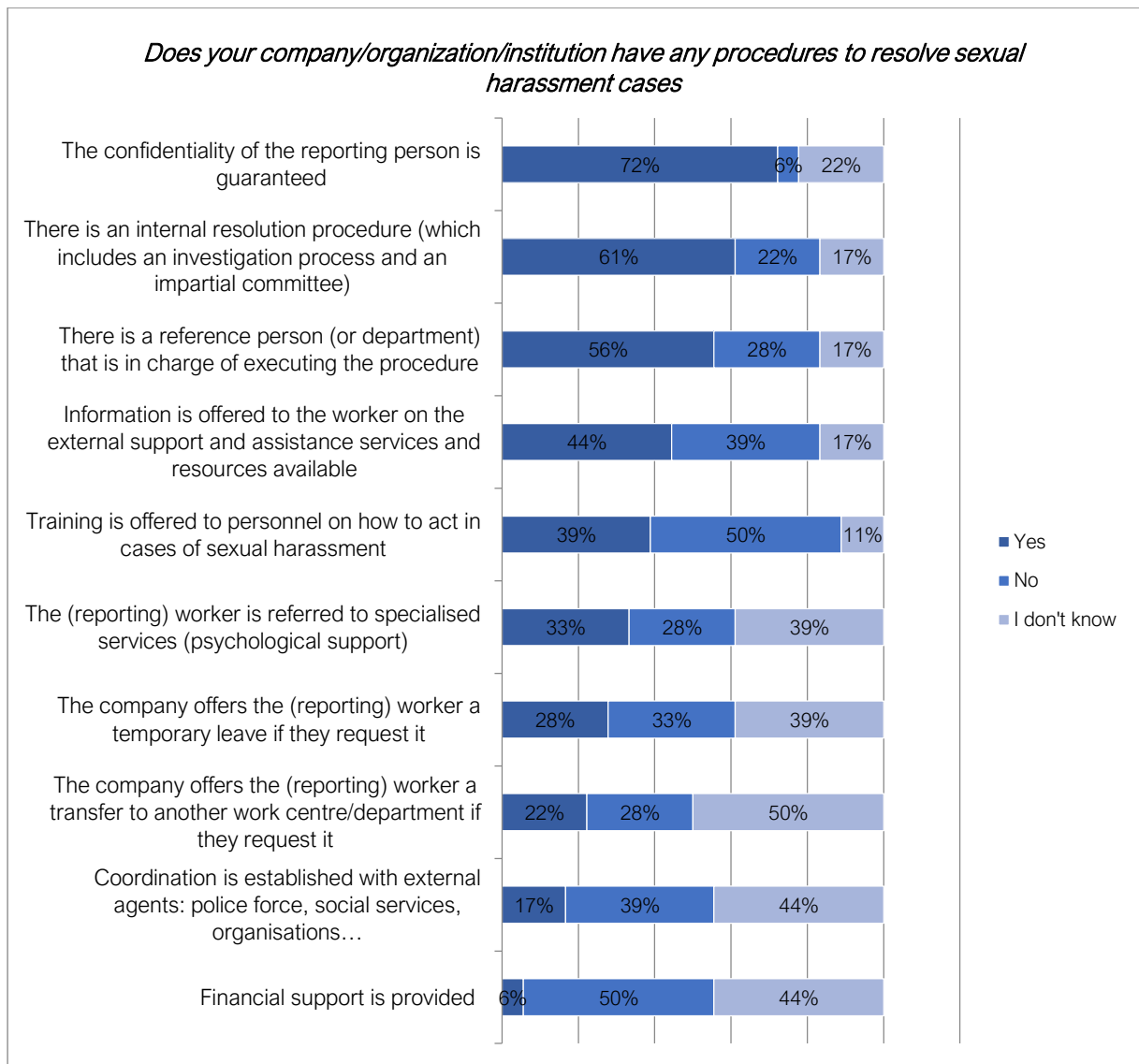


With regard to the channels in place to make complaints/reports of harassment, in 39% of cases, the human resources department is notified, while in 22% the supervisor is notified. 22% state that there is an anonymous reporting system that is periodically reviewed.

Resolution mechanisms are also handled. Pursuant to the responses received, nearly three-fourths (72%) say that the confidentiality of the reporting person is guaranteed in procedures for resolving notified cases, while 6% say it is not, and 22% do not know. Almost two-thirds, 61%, say there is an internal resolution procedure that includes an investigation and an impartial committee, while 22% say there is not one, and 17% do not know. Along a similar line, only half of participants (56%) confirm that the company has a reference person or department with functions to execute these procedures, while 28% say this party does not exist, and 17% do not know.

Another matter that merits mention is that in less than half of the cases (44%) is the reporting person provided with information on external services and resources, and only one-third (33%) are referred to specialised services, such as psychological support. This shows the

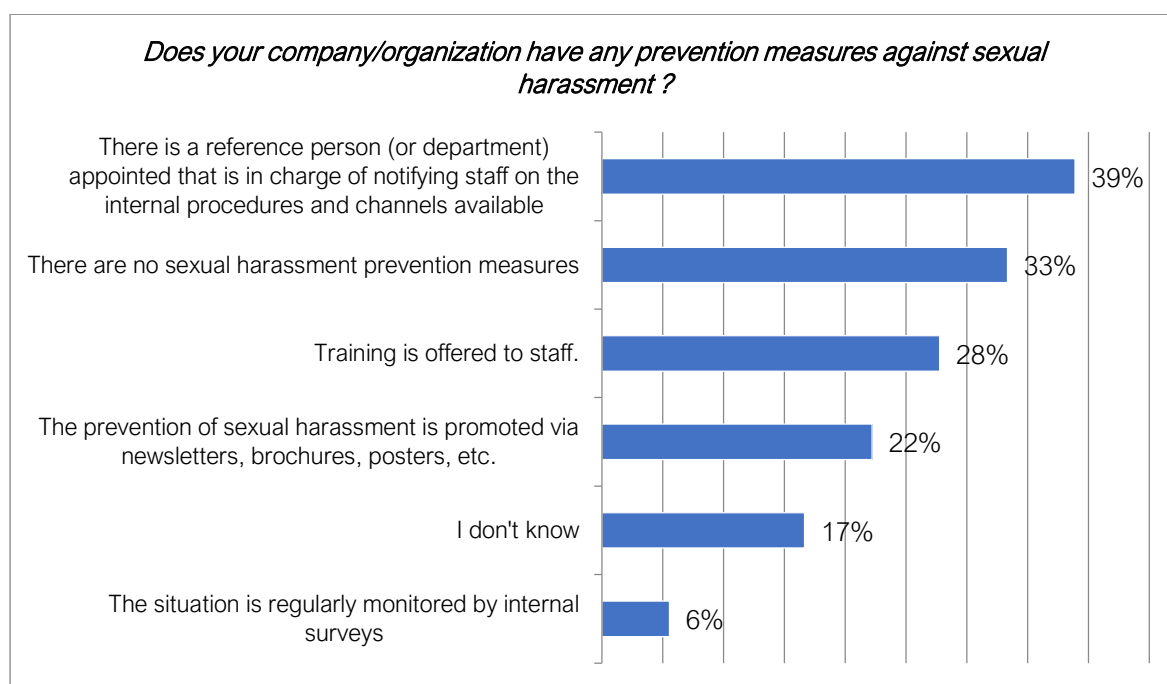
lack of centrality that is often given to victims' recovery and reparation in resolving harassment cases.



Case monitoring systems seem less widespread: 44% say they have an internal information system, and 28% acknowledge that there is no system available. Further, there are zero cases in monitoring results in which victims are asked for their opinions.

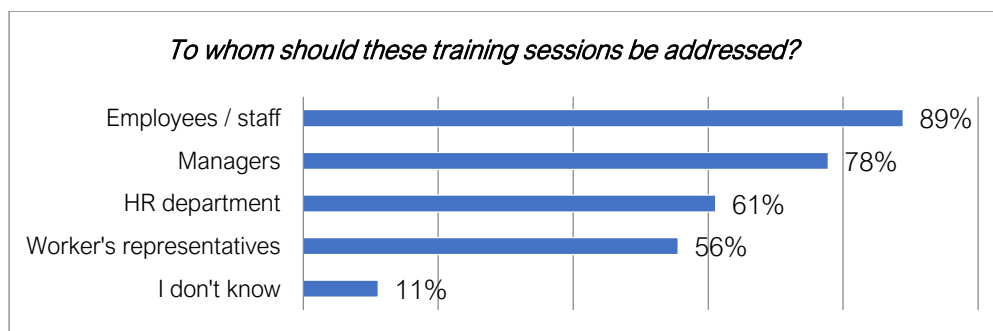
Prevention measures for sexual harassment are also revealed as not being a central matter. Of all the prevention measures listed, not one measure was selected by even 40% of all

respondents, and they do not mention there being any others. It is concerning that one-third of participants (33%) state that there are no prevention measures for sexual harassment. Training is only offered and prevention done via newsletters, brochures and other materials, in 28% and 22% of cases, respectively.



One of the questions specifically asks about the participation of unions and workers' representation bodies, asking whether they seek their support and advice in harassment cases. Although it is significant that 39% say that there are no workers' representatives or unions at their companies, only 6% admit working jointly with unions in all directions. Moreover, 28% declare that the union follows its own policies. Thus, in the cases analysed, joint work between company and unions and workers' representatives on preventing and handling sexual harassment is practically non-existent.

Finally, in the area of training, 55% of respondents say that their company offers awareness-raising training occasionally (every year). And 33% do not know whether they have training. The groups they think should receive training on this issue are, from highest to lowest: staff (89%), managers (78%), the HR department (61%) and the workers' representative (56%).



Respondents also identified the contents that should be covered in training. The table below summarises the subjects chosen, in descending order:

<i>Which contents do you think training should include?</i>	% of total participants
Raising awareness about sexual violence and harassment at the workplace and its impact	100%
The company's rights and duties	100%
Employees' rights and duties	100%
Internal reporting and complaint channels	100%
Drafting of protocols for handling harassment	94%
The legal framework	89%
Specialised support and assistance for people who have suffered harassment (legal, medical, other)	89%
Awareness-raising campaigns that promote a culture of zero-tolerance for sexual violence and harassment as part of corporate policy	89%
Gender equality, diversity and inclusion; managing power relations	83%
Periodic evaluations to identify cases of harassment that were not reported	72%
Alliance (between the employer and staff) against sexual violence and harassment in the framework of gender equality policies at work	72%
Writing and conducting of internal and external reports and research	61%
Filing and statistics, regular reports and charts	56%

Finally, 94% of those surveyed say they would like their company or organisation to participate in activities to raise awareness about sexual harassment addressed to personnel, a fact that proves there is extensive interest in improving how these behaviours are managed and prevented in the workplace.

4.4 RESULTS OF THE IN-DEPTH INTERVIEWS

The conceptualisation of sexual harassment at work

In the interviews, sexual harassment is defined as a concrete expression of sexist violence, or a manifestation of male power over females. Interviewees stress that it can take extremely diverse forms and give – as examples – comments about a person's body parts, their appearance or sexual ability, approaching or touching, insisting on meeting the person outside of work, sending sexual images or an ornament with explicit sexual or erotic content. These behaviours can take place in the normal work setting, but also outside, like on a business trip.

They explain that, unlike workplace harassment, in sexual harassment the conduct does not need to be repeated to be considered as such, since each behaviour is framed in a power relationship and entails an act of discrimination.

Harassment can have aggravating factors, such as holding a position of hierarchical superiority or using one's post as blackmail. This means imposing it as a way to achieve an improvement at work, promotion or any other social benefit offered by the organisation or enterprise. According to their statements, in some cases the fact that the harassed person resists or rejects the sexual request can lead to sexual harassment converting into workplace harassment, adding labour-related reprisals.

As they comment, labour precariousness and poor working conditions are factors that contribute to them possibly suffering from harassment. Thus, women in situations of poverty, job instability, who work in the informal labour market (such as domestic workers and caregivers), single mothers and female migrants all have a higher risk of experiencing sexual harassment. The capacity or possibility of organising into groups, for example via a union, and the formal recognition of rights are considered decisive factors to be able to report and stop the violence experienced.

They share a concern about these conducts being ingrained and the difficulties in identifying them as serious or damaging, not only at companies or administrations, but in society as a whole. Verbal and more subtle types are often justified or played down because they are not outside what is considered normal behaviour.

Despite the fact that the cases identified are very diverse and that they claim they can occur in all sectors, greater prevalence is detected in more masculinised sectors. In this regard, interviewees stress the need to accompany measures with positive actions to try to have women hired in masculinised sectors, with more comprehensive measures that have a bearing on the values and dynamics in these sectors. Not doing so may expose female workers to a greater risk of finding themselves in sexist and hostile environments.

They also regret the lack of reliable and complete data. There are studies that provide data but, in general, they undervalue the problem because they do not include verbal and more minor conducts; or because they are based on the number of reports or complaints, which only represent a small sample of the actual real cases. As they state, very few women turn to unions or the Labour Inspectorate, compared to the estimated number of cases.

They express that sexual harassment continues to be treated as an individual problem instead of attributing it an origin with collective and structured consequences. Like what happens with other types of sexist violence, it is considered a private matter and, therefore, harassment often remains in the shadows.

Reporting that one has suffered harassment is not an easy or automatic step, as it involves having done a previous process of identification and verbalisation, as well as recognising that one has enough energy to deal with such a process.

Nonetheless, interviewees believe there has been an increase in the number of reports received in recent years. This increase is related to greater social awareness and efforts aimed at prevention and training. There are also cases in which a first report has led to other cases flourishing that name the same perpetrator.

The impact of sexual harassment

The interviewees agree in pointing out the disastrous consequences of sexual harassment for victims, especially on their health. The consequences they mention are stress, depression, low self-esteem, insomnia, feelings of insecurity, isolation...

Victims' performance also drops and they can exhibit evasive behaviours, absenteeism and, even, request a leave of absence. Indeed, as pointed out, sexual harassment is one of the reasons for the loss of female talent in companies and in the labour market in general. The lack or inefficacy of specific measures contributes to women deciding to leave their workplace.

Secondly, harassment also has negative effects for the company or organisation, as it causes a decrease in productivity and a deterioration of the working environment. The most important consequences in this area are related to corporate social responsibility, as it reveals the organisation's inability to avoid violating rights.

Assessing the application of prevention and management measures

One of the first barriers in handling harassment is the lack of recognition and detection by companies. Interviewees confirm that it is a topic they don't talk about and there is often resistance in accepting it, even among the staff itself. This not only happens among the management team, but often the staff itself seems reticent to consider the possibility.

The majority of companies and administrations do not have a protocol for managing sexual harassment. According to the interviewees, the main reason is lack of knowledge of their obligation to establish a specific procedure. Even so, they also identify a positive upward trend in the number of companies that have defined one in recent years, as a result of greater awareness. In this regard, the specific work and materials created by the Labour Relations Council merit mention, in which unions, business associations and the Government of Catalonia all participate jointly⁹.

⁹ The tools against harassment in the working area of the Labour Relations Council include:

- Protocol to prevent and manage sexual and gender harassment at enterprises
- Guide for drafting a protocol to prevent and manage sexual and gender harassment at enterprises
- 10 Commandments of zero tolerance of sexual and gender harassment at the workplace
- Guidelines for the person in charge of protocols
- Training programme for the reference person for protocols

Available online here (in Catalan/Spanish): https://treball.gencat.cat/ca/consell_relacions_laborals/ci/eines-prevencio-assetjament-sexual-empresa/

Having a protocol is not enough in and of itself, as it is essential to publicise it and make it accessible to all employees. Further, the protocol must create trust among the staff and clearly define the route and the reference people who the victims or witnesses must address, something that does not always happen.

Often, the internal protocols for handling sexual harassment are not a priority for companies and organisations, which means the resources allocated to this topic are limited and insufficient for correct implementation, simply adjusting to strict compliance with the law to avoid fines.

Another overriding matter is the lack of internal reports. Victims face significant obstacles when communicating what they experience to the company. Three main factors are pointed out that make women hesitate: fear, guilt and shame. In the first place, the harassed women may be afraid they will not be believed, that an objective process that ends favourably will not be undertaken, and fear receiving reprisals. This is because of lacking trust in the company and procedures.

Secondly, there is guilt. While female victims may blame themselves for the situation, those around them also often do so, especially if the women consented or initiated some type of relationship at first and then decided to stop it at a certain time. Third, there is also shame, associated with the taboo of sexuality, especially for women.

The interviewees state that, effectively, when a case of harassment is uncovered, it is questioned, as is the woman's story, thus causing their revictimization. They decry the persistence of sexist stereotypes and prejudices towards women, such as the fact that women invent that they have been harassed in order to obtain privileges.

The generalised lack of training and awareness means that there is little knowledge about how to act in these cases. Thus, when companies receive an internal notification or report on sexual harassment, they often seek advisory services from external specialised agents who guide them through resolving the case, something which is viewed positively.

With regard to the victims, they sometimes also seek support or outside advice. Although the advice given by unions is open to everyone who requests it, female members tend to turn more often to their reference union. When companies have union representation that

is aware and trained, this facilitates handling and resolving cases more favourably, even, in the most difficult scenarios, when a change of job post or leaving is negotiated.

One of the challenges revealed is handling harassment at micro, small and medium enterprises with an objective and guaranteed process. A small company size may make it harder for people to report cases, or to be unaware of the procedure, or even that there is no protocol established. Faced with this, the affected person may feel the need to turn directly to the Labour Inspectorate. However, it is better not to generalise with small and medium enterprises, as cases were also set out that were successfully resolved, when there was a clear commitment from the organisation.

Interviewees also state that in the public sector the procedures tend to be more bureaucratic, slow and long than in the private sector. This can create a false perception of impunity among perpetrators, as they feel it will be more difficult for the procedure to conclude with dismissal. There are other situations that can complicate handling it even more, such as the involvement of political offices or when it occurs between employees of subcontracted companies.

Addressing cases of harassment among civil servants merits special attention. In this case, when no internal procedure has been opened or it has been done unsatisfactorily, the victims must then go to contentious-administrative court, as the social jurisdiction channel is closed. This leads to greater defencelessness and burden on the harassed people, as it means they must file an appeal against the entire administration and they are obliged to assume the expenses for the process.

Despite the fact that the application of the reversal of the burden of proof is outlined for cases of sexual harassment, this principle is often – unfortunately – not put into practice. This means that when a case is investigated, the respondent accused of harassment has the onus of proof.

Regrettably, according to the interviewees' experiences, harassment cases often end with the harassed person losing their job, especially when the organisation or company does not have a protocol. Other times they are offered a change in the job post. Whatever the case, the measures often arrive too late, when the affected person's health and emotional

state have already worsened significantly. Interviewees call for the need to focus on the victims and their recovery from the impact caused by their experience.

The worst-case scenario is when impunity prevails for the perpetrators of harassment. While the victims receive the most severe consequences, the perpetrators too often are not punished or removed from their jobs. This gives a dangerous message to the rest of the staff and contributes to spreading tolerance of these types of behaviours.

Fortunately, they believe that the way in which companies and organisations are handling these cases may be improving. For example, there is progressively less emphasis on false claims. Another area that has improved is the application of the protocol. While before protocols were applied only to the staff of the organisation or company, progressively greater coverage is identified that also encompasses the personnel of collaborating companies, the self-employed and people doing work experience.

Experience also proves that there is a clear pathway defined for cases, an assured investigation process and the organisation's commitment, where the measure that is normally taken is the dismissal of the perpetrator of harassment. In prevention terms, when companies have a clear commitment to gender equality policies and well-established positive dynamics, harassment occurs much less.

Recommendations and principles for prevention and handling

First, the interviewees feel that the commitment of the company or organisation is decisive in detecting and eradicating sexual harassment. This is when companies publish and apply a zero-tolerance policy of these types of conducts. Giving a clear and forceful message to the entire staff prevents these behaviours both from occurring and from repeating.

Prevention is the area where they believe the most effort must be made. Prevention measures would have to be aimed at modifying the conditions and structures that make harassment behaviours possible. Here is where both internal and external communication is essential. Besides a statement of zero tolerance, they recommend making informational materials and conducting campaigns, raising awareness and training on sexual harassment, as well as activities during which the entire staff can reflect on and exchange

experiences on this topic. In addition to informing both new and old employees of the protocols, it is also important to make them accessible to all people linked to the organisation or company, such as users and subcontracted companies.

A second issue on which greater attention must be placed is early detection. An assessment of psychosocial risks in the framework of workplace risk prevention with a gender perspective can be a fundamental tool to prevent and identify new cases or situations of risk. And when harassment is detected, the organisation or company itself can initiate an investigation process on its own initiative.

The people interviewed warn of the need to separate the protocols for handling workplace harassment and sexual harassment. The causes are different and, thus, the pathways should also be differentiated. Conversely, as done in some administrations, it can be advisable to draft protocols that encompass sexual and gender harassment, harassment due to sexual orientation, sexual identity and gender expression.

They point out that the process of writing the protocol can be a means in and of itself of raising awareness and generating debate in the heart of the organisation. It is also a good opportunity to plan short- and long-term prevention actions. It is extremely important for the protocol to be specifically adapted to the operations and structure of each company or organisation, instead of limiting it to reproducing generalist instructions.

They assess as highly positive the fact that protocols against sexual harassment are deemed to be a subject for collective bargaining, as this would allow different agents to be involved and imbue the matter with a cross-cutting nature. Unity between the unions, enterprises and the administration in taking action makes the protocol stronger and more coherent.

Its scope of application must be as broad as possible, including – in addition to the staff – the employees at provider companies, users and clientele, among others. Further, encouraging the staff to play a proactive and collaborative role may help to identify risk dynamics and cases more quickly, as well as providing support to the victims.

Support for victims of harassment is crucial. Indeed, the resolution process must be cross-cutting, as well as the design of measures to ensure the women's compensation

and recovery. Emotional and psychological support must be included, but advice must also be provided in legal and regulatory terms for dealing with the resolution process.

Management from a feminist perspective means valuing the story and experience of the affected person, via active listening, and promoting her empowerment and autonomy. To prevent the harassed person from being revictimized, they claim that it is important for the length of the investigation processes to be as short as possible.

Another of the considerations made to resolve cases is to eliminate informal procedures, as mediation and negotiation cannot be applied in situations of inequality and abuse of power. Conversely, formal paths must be defined that clearly identify the names of the reference parties and those on the investigation committees.

The reference person or persons should be in charge of collecting the claims and reports from the harassed person or a third-party witness, as well as notifying and providing support to the victim throughout the procedure, among other functions. They recommend that these reference people should be employees and have specific training and, if they are part of a committee, that it is mixed. These people should always be selected according to the size and organisation of the company.

Finally, they also stress the need to monitor and assess internal protocols regularly in order to review how they work and ensure that their application is effective.

Recommendations for raising awareness and training

The interviewees agree that training is essential to make advances in eradicating sexual harassment at the workplace. They reveal that there is a clear paucity of awareness and training at all levels and in all types of enterprises and in the administration. Although training is necessary for everybody, they believe it is particularly important to train managers and senior management.

They also deem it crucial for training contents to be designed specifically for the group to whom the training is addressed. For example, leadership types and power relations are matters that should be handled with management posts.

Moreover, they also comment that information must be provided on the rights of victims of harassment, as well as the resources and procedures in place that they can activate. They point out that it is advisable to do this from an empowerment perspective that helps women feel stronger when dealing with these situations. Similarly, training is required so that men learn to identify risky and abusive behaviours and to involve them in the fight against harassment and sexist violence in general.

Training must also contribute to increasing the visibility of harassment, in order to help increase the number of claims and reports. Presenting concrete examples and experiences of sexual harassment can help raise awareness of the phenomenon and the need to detect and eradicate these behaviours.

With regard to contents, they emphasise the need for basic gender training, as well as on sexist violence and, later, delve into the specific dynamics of sexual harassment in the workplace. Knowing the structural causes of harassment is essential for knowing how to detect and respond to it.

Finally, the interviewees state that what happens in enterprises and the administration is a reflection of society. Thus, to fight against sexual harassment at work, the patriarchal and sexist culture must be eradicated in society as a whole and involve all citizens.

5. CONCLUSIONS

The results of the research conducted seem to indicate that sexual harassment is a reality in very diverse working environments. Almost half of the female employees surveyed claim to have been victims of harassment at some point during their work life, and almost half of the employees surveyed (men and women) have witnessed it. Further, nearly half of the companies surveyed have received sexual harassment complaints and reports.

The types of sexual harassment that seem to be most common are the most subtle and verbal, which are also the cases that go unnoticed more and are often minimised, or down-played. The normalisation of sexual harassment appears as one of the main obstacles for its early detection and handling.

Most cases are never reported. The responses and reactions of victims of sexual harassment may be mainly determined by fear of reprisals, especially losing their jobs, but also shame at being judged and not being understood by the people around them and, even, being blamed. In this sense, raising staff awareness can be crucial for preventing revictimization and increasing the number of complaints/reports. Another challenge stemming from this is for companies to establish and put into practice objective and guaranteed procedures, as well as creating trust among employees.

The conditioning factors for harassment identified are: social stereotypes and prejudices, the lack of reaction from people around them and power relations in the organisation (having a rigid and hierarchical structure). Management style is also pointed out as an issue that can contribute, to a greater or lesser degree, to normalising sexual harassment. In this regard, addressing power dynamics and relations at organisations, fostering positive and inclusive leadership and, in parallel, improving women's working conditions can all minimise the risk of sexist and harassment behaviours being repeated.

While it is good news that increasingly more companies do have some type of policy for preventing and handling sexual harassment, there is still a significant number of companies that do not have any policy at all. Publicising the obligation of companies and the administration to have specific procedures and measures to prevent these behaviours and resolve them in the cases detected, pursuant to the legal framework in force, is still a pending task.

The existence of specific channels for complaints/reports, appointing a specialised person or department in charge of conducting the procedures and initiating formal and impartial investigation processes are suggested as the best formula for resolving cases. Despite this, a good part of the companies and organisations surveyed do not seem to comply with all of these requirements. Regular monitoring and assessment systems for these processes are also revealed as insufficient.

Both in the results of the survey and the interviews, the scarce centrality placed on the measures for victims' recovery and reparation is shown. To counteract this shortcoming, applying a feminist perspective to resolving cases is proposed, promoting the individual and collective empowerment of victims and the social responsibility of companies and organisations for the damages caused at an individual and group level.

Another factor that must be strengthened is the joint work between companies and unions in handling cases. Not only is a complete absence of coordination proven in most cases, but it is also not considered a support and advice resource by the majority of employees surveyed. Moreover, being able to rely on the support of a union or workers' representative increases the response capacity of harassment victims and minimises reprisals.

One of the clearest results is employees' widespread lack of knowledge of the procedures and measures taken at their own company or organisation. Thus, only one of six staff members surveyed claim to definitely know the channels victims have to request protection.

This unfamiliarity reveals the need to strengthen and diversify prevention measures. Although there is extensive agreement on the need and interest in training and awareness raising, both among management posts and among personnel, only a minority of the companies represented offer specific training on a regular basis to their staff. In general, neither is there proof that alternative or complementary prevention measures are carried out. In other words, a widespread prevention strategy is required that has an impact on the causes of harassment.

The need is clarified of strengthening the awareness and training of employees and companies on gender inequalities, gender-based violence and sexual harassment, in

particular, as well as the reporting/notification channels and protocols to handle them. The importance of publicising the rights and duties of companies and staff, respectively, is also detected, as well as providing information about the services and support available specifically for victims.

Finally, they point out the need for companies and organisations to have a clearer and more committed internal policy for eradicating sexual harassment. Involvement and dedication, in terms of personnel and resources, are essential items for effective prevention and fair and satisfactory handling for both for victims and the organisation as a whole.

6. REFERENCES

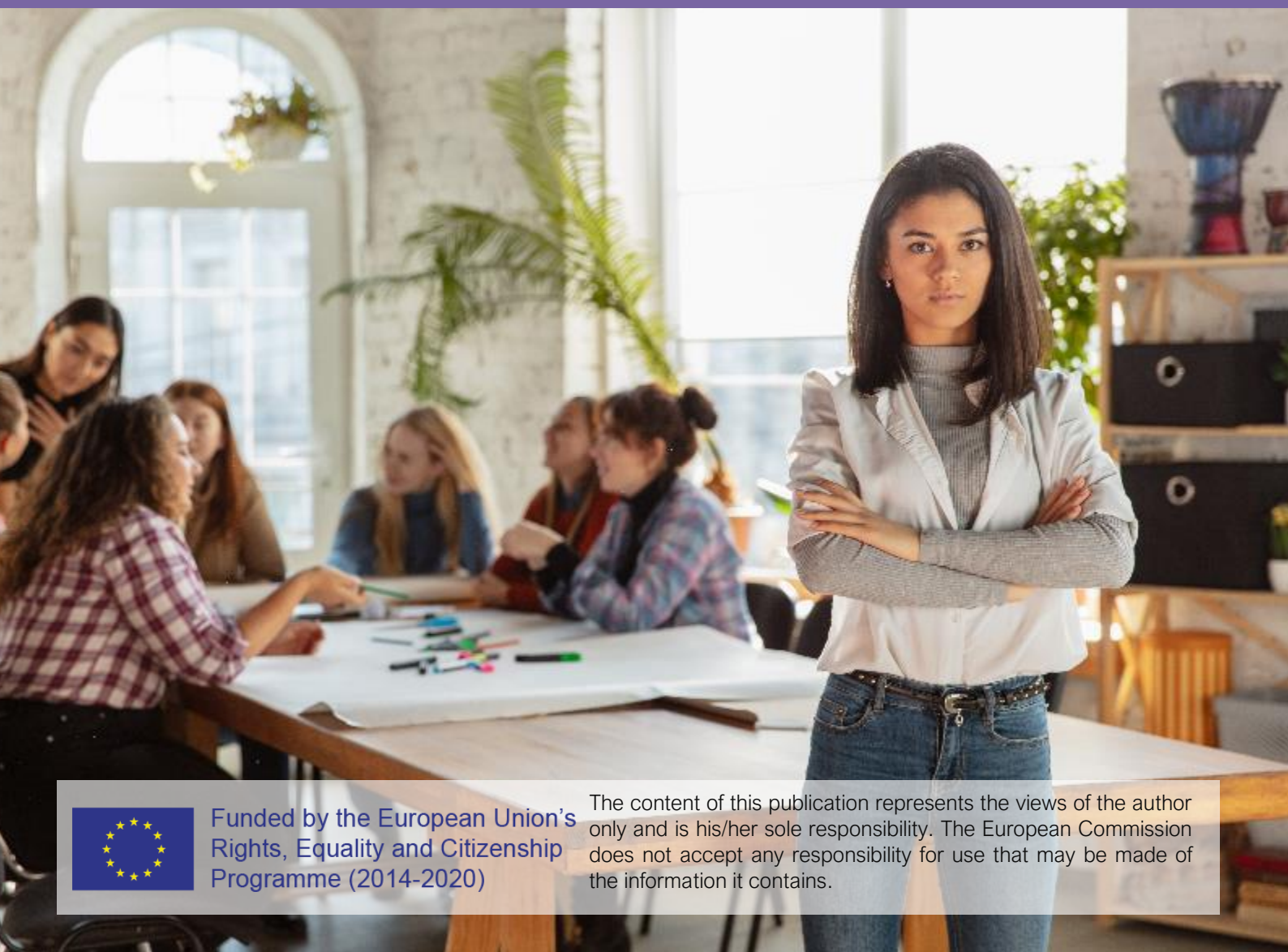
- Bodelon, E.; Gala, C. (2013). Protocols contra l'assetjament sexual i per raó de sexe en l'àmbit de les empreses. A: Gil Ruiz, J.M. (coord.) *Assetjament sexual i assetjament per raó de sexe: actuació de les administracions públiques i de les empreses*, 133-261. Col·lecció: Justícia i societat; 36. Barcelona: Centre for Legal Studies and Specialized Training, Government of Catalonia.
- Bofill, S.; Véliz, N. (2019). *Una violència oculta: assetjament sexual en dones migrades treballadores de la llar i les cures*. Fundació Josep Irla.
- Catalan, C. (2014). La perspectiva de gènere en la prevenció dels riscos laborals. El cas de les Administracions Públiques Catalanes. *Materials CiP. Articles Feministes*. Número 15 / 2014. Political and Social Science Institute of Barcelona.
- Labor Relations Council (2015). *Protocol per a la prevenció i abordatge de l'assetjament sexual i per raó de sexe a l'empresa*. Department of Business and Employment, Government of Catalonia.
- Government Office against Gender-based Violence (2018). *Percepció social de la violència sexual*. Ministry of Presidency, Relations with the Cortes and Equality, Government of Spain.
- Government Office against Gender-based Violence (2019). *Macroencuesta de Violencia contra la Mujer*. Ministry of Equality, Government of Spain.
- Department of Home Affairs (2016). *Enquesta de Violència Masclista a Catalunya. Edició 2016*. Department of Home Affairs, Government of Catalonia.
- School of Public Administration of Catalonia (2010). *Guia per a l'eradicació de l'assetjament sexual, per raó de sexe i/orientació sexual de la Generalitat de Catalunya*. Eines per als Recursos Humans; 4. Departament of Governance and Public Administration, Government of Catalonia.
- Fondevilla, Y.; Molinero, E. (2017). *Gestió de la prevenció de riscos laborals a les empreses de Catalunya, 2016*. Department of Labor, Social Affairs and Families, Government of Catalonia.

- FRA (2014). *Violencia de género contra las mujeres: una encuesta a escala de la UE*. European Union Agency for Fundamental Rights.
- Garcia, A.; Sandalinas, L.; Morrerres, S. (2014). *Guia sindical sobre violències masclistes a la feina*. Secretaria de les dones, diversitats i LGTBI de Comissions Obreres de Catalunya, Barcelona.
- Garcia, A.; Sandalinas, L.; Morrerres, S. (2017). *Guia sindical sobre violències masclistes a la feina*. Secretaria de les dones, diversitats i LGTBI de Comissions Obreres de Catalunya, Barcelona.
- Gil Ruiz, J.M. (coord) (2013). *Assetjament sexual i assetjament per raó de sexe: actuació de les administracions públiques i de les empreses*. Col·lecció: Justícia i societat; 36. Barcelona: Centre for Legal Studies and Specialized Training, Government of Catalonia.
- INMARK Estudios y Estrategias S.A.-IM, (2006). *El acoso sexual a las mujeres en el ámbito laboral*. Instituto de la Mujer. Ministry of Labor and Social Affairs, Government of Spain.
- Catalan Women's Institute (2020). *Dones en el treball*. Dossier estadístic elaborat per l'Observatori de la igualtat de gènere. Government of Catalonia.
- Institute of Women (2015). *Buenas prácticas en acciones positivas o promocionales de igualdad*. Ministry of Health, Social Services and Equality, Government of Spain.
- Institute of Women (2019). *La gestión de la prevención del acoso sexual y acoso por razón de sexo en las empresas de la Red DIE. Análisis sectorial y por tamaño de empresa*. Ministry of Equality, Government of Spain.
- Pineda, M.; Toledo, P. (2016). Part 1. Marc Conceptual sobre les Violències Sexuals
Violències sexuals: un marc conceptual, teòric i ètic. *L'abordatge de les violències sexuals a Catalunya*. Antígona research Group i Creación Positiva.



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info@teamworkprojec.eu



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