

bff: **make it work!**

**Protection against
sexualised harassment,
discrimination and violence
in the workplace -**

***a task for
management?***

**INFORMATION AND ASSISTANCE
FOR MANAGEMENT AND EXECUTIVES**

Strategies against sexualised harassment and violence will pay off for your company.

Are you a manager and wondering how you can professionally deal with transgressive behaviour occurring within the sphere of your responsibility? We would be pleased to support you in preventing sexualised harassment, discrimination and violence in your company or organisation.

A positive, respectful working atmosphere where all employees can realise their full potential: this is an important quality feature for your company or organisation.

Employees who know that

- their well-being matters;
- their mental and physical health is respected;
- their limits are respected,

are happier, more motivated and can play a more active role in their workplace.

Functioning structures for responding properly to transgressions in the company/organisation demonstrate a high level of professionalism in HR management. They benefit all employees, and are also a major advantage when it comes to recruiting skilled labour and young talent.



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The problem concerns every company/organisation: sexualised harassment is widespread in the world of work.

Scientific studies conducted in recent years and decades show that sexualised harassment in the workplace is no exception. The findings are clear:

- Harassment occurs in all areas of work, industries and in companies of all sizes.
- The numbers of people affected are very high: people who have already experienced harassment can be found everywhere.
- Harassment has massive consequences – for the individual and for your company/organisation.

A study published in 2019 by the Federal Anti-Discrimination Agency shows that one in 11 wage earners experienced sexualised harassment and violence at work in the previous three years. At 13%, women are affected significantly more often than men at 5%.

Employees who are highly dependent (e.g. trainees) and people who are exposed to intersectional discrimination are especially vulnerable and disproportionately affected by violence. They also have particular difficulty finding support.

This is also highlighted by studies as well as our many years of experience in training managers from various industries. However, the topic raises many questions and uncertainties.

You might be asking yourself for example:

- How are we supposed to manage all this? Is it really worth the effort?
- What am I obliged to do as a manager? What do we have to ensure as a company/organisation?
- Who needs to be involved in implementing measures?
- Who needs to know about what?
- How should we deal with possible complaints? How do we as a company/organisation want to deal with persons concerned, and how do we want to deal with a perpetrator?

All of these questions are comprehensible and important – asking and answering them is a precondition for dealing with sexualised harassment in the workplace in a sensitive and professional manner.

There is no one cookie cutter approach that fits all. It is important to look closely into the matter at hand: what does your company/organisation need? What can work out for you? Where do you stand and what can you realistically achieve?

The bff and its specialist counselling centres will be happy to support you with professional expertise and extensive experience in establishing and implementing measures.

Management personnel play a key role in providing effective protection against sexualised harassment in the workplace.

The General Act on Equal Treatment (AGG) defines sexual harassment as follows:

“Sexual harassment is [...] unwanted conduct of a sexual nature, including unwanted sexual acts and requests to carry out sexual acts, physical contact of a sexual nature, comments of a sexual nature, as well as the unwanted showing or public exhibition of pornographic images, [which] takes place with the purpose or effect of violating the dignity of the person concerned, in particular where it creates an intimidating, hostile, degrading, humiliating or offensive environment.”

Sexualised harassment can manifest itself in verbal, non-verbal and physical forms. It is not decisive whether the harassing person had the intention to harass. The decisive factor is whether a certain behaviour is objectively sexual in nature and whether the person concerned felt harassed as a result.

Subtle forms of harassment are often not recognised, although they can have serious consequences for those affected.

Sexualised harassment can be carried out in the following ways, for example, involving:

- **words**, e.g. a colleague making a sexist joke or a customer commenting on an employee's body;
- **looks**, e.g. the boss leering at a person in the team;
- **gestures**, e.g. a customer catcalling at an employee or a colleague exposing himself;

Sexualised harassment begins long before physical transgressions.

Sexualised harassment, discrimination and violence have massive consequences – for the employees affected, but also for colleagues and the company/organisation as a whole.

- **images**, e.g. an employee sending pornographic images via Messenger, or a nude calendar hanging in the office;
- **physical assault**, e.g. a colleague touching someone's bottom in the office kitchen seemingly without meaning to, or the boss hugging a co-worker goodbye against their will.

Studies show that transgressions committed by colleagues, superiors and third parties are very common in working life, but that many of those affected do not turn to their superiors. The most common reasons for this are shame and insecurity.

Those affected by sexualised harassment often suffer from psychological, psychosomatic and physical symptoms. Many of those affected withdraw; sick leave and days of absence increase, and performance at work decreases.

If incidents of sexualised harassment occur in the workplace, the entire staff suffers as well: teams get divided, colleagues are distracted and the mood sours. It becomes more difficult to work efficiently.

The lack of respectful, appreciative interactions is a major disruptive factor which hampers a smooth workflow. What is more, companies lose valuable employees and possibly their good reputation.

The AGG states that protection against sexualised harassment in the workplace is mandatory for employers. We can help you shoulder this responsibility.

The AGG states that employers are obliged to implement protection arrangements against sexualised harassment in the workplace by

- informing employees about their rights and contact persons within the workplace;
- protecting employees – preventively and in the event of an incident;
- ensuring that those affected can make an official complaint if they have been sexually harassed, i.e. setting up a complaints office in accordance with Section 13 AGG;
- taking appropriate measures to end the harassment.

As an employer, you have a duty to prevent, inform and act in accordance with the AGG. You are also obliged to set up a complaints office.

Employees, on the other hand, have the right to complain and refuse to work if you do not put an end to the harassment, and to claim compensation and damages if you have failed to fulfil your duty to protect them.



Early action against harassment mitigates these consequences and enhances satisfaction in the workplace. We know from our many years of professional work: dealing with sexualised harassment openly and professionally and adopting protective measures will significantly strengthen you and your team – and thus also increase the quality of work.

By taking a clear stance against sexualised harassment and

violence, you can be a role model and the one setting the rules. In this way, you convey the message that sexualised harassment is unwanted in your company or organisation, that you will sanction perpetrators and support those affected. This makes it easier for those concerned to speak up about the harassment they have experienced – and this is the only way to take sustainable action against it.

Efficient contact points and complaints offices, along with good information and support measures, will give you confidence in dealing with acute cases and strengthen your management skills.

You can make a big difference by taking a clear stance to promote respect.

This is what you can do in concrete terms:

Every measure helps: take preventive action, install complaint and support structures, train those responsible, break the taboo of the issue, and inform your staff about it. In doing so, think about all employees in the company or organisation, and make sure that the information and measures are designed in such a way that they reach everyone.

Important steps to protect employees from sexual harassment and violence:

1. Promote awareness and training for managers and executives;
2. Set up a first point of contact guaranteeing confidentiality;
3. Set up a complaints office in accordance with the AGG;
4. Publicise the AGG, internal processes as well as the contact point and complaints office;
5. Develop action guidelines for persons in charge: What should be done if the need arises? Who can I turn to?
6. Preventive measures, e.g. embedding the topic in job interviews and incorporating it in the service agreement etc.

The bff is the umbrella organisation of the drop-in specialist counselling centres in Germany that advise women and girls affected by violence. As a specialist and lobbying organisation, and thanks to our facilities throughout Germany, we bring together the relevant expertise and experience to work against sexualised harassment in the workplace and for a respectful corporate culture. We advise and support those affected as well as contact persons, and help companies to position themselves well against sexualised harassment, discrimination and violence. Get in touch – we will be happy to advise you nationwide, and offer you customised training courses.

Depending on the capacity of the specialist centre, we can help you with the following projects, for example:

- Raising awareness of executives and managers, and training contact persons;
- Counselling the executive leadership of companies/ organisations, and equal opportunities officers;
- Setting up and updating service agreements;
- Input for employees;
- Creating and revising information material;
- Setting up a complaints office;
- Organising confidential initial counselling;
- Public relations work on the topic;
- Advising on organisation development.

***You are not alone with these tasks.
This is how we can support you:***

Show your employees that you value them: offer them a safe and respectful workplace. We will be happy to give advice and support to you.

You will find the addresses of our counselling centres, further information on the topic and material that you may use on the bff's website.

We will assess the current and target situations in your company/organisation together with you in a face-to-face meeting, and you will receive a customised offer from our advice centre.

For further information: www.frauen-gegen-gewalt.de

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Find support near you:

