

Interview with Alexandra Kalev

# Why sexual harassment programs backfire

Alexandra Kalev is professor aan de Universiteit van Tel Aviv en verbonden aan de faculteit sociologie en antropologie. Samen met Harvard-collega Frank Dobbin publiceerde ze het artikel 'Why Sexual Harassment Programs Backfire' op basis van onderzoek naar de effecten van programma's tegen seksueel grensoverschrijdend gedrag op de werkvloer in de Verenigde Staten.<sup>1</sup> Hun onderzoek toonde aan dat dit soort programma's (trainingen) een beperkt en zelfs averechts effect heeft. De positie van vrouwen verbetert er niet door en mensen die toch al neigden naar seksueel grensoverschrijdend gedrag, bleken na de trainingen gesterkt in dat gedrag. Via Zoom voerden Sanne Schreurs en Maurits Jan Vink een gesprek met Kalev en legden ze haar een aantal vragen voor naar aanleiding van haar onderzoek. Dit interview is weergegeven in het Engels, de taal waarin ook het gesprek plaatsvond.

BY SANNE SCHREURS AND MAURITS JAN VINK

**In your publication *Why Sexual Harassment Programs Backfire and What to do About It* you describe why harassment training does not work. The problem is how the training is presented. Can you explain that?**

For most employers in the US and Israel – the countries in which my research takes place – these kind of harassment trainings are the most common programs that employers put in place to fight harassment. These trainings are focused on pointing to forbidden behavior, explaining behavior that will not be tolerated, and informing participants on their rights as victims. The problem with these trainings is that they are mandatory and individualizing. They send a clear message of controlling and blaming: 'You have to go through training and if you don't, you will be punished', and training tells participants: 'You are a potential harasser, we don't trust you, you are a category. These are the things that you shouldn't do at work.' For example: I was late doing my harassment training this year at university and I was delayed in my access to the computer system until I completed the training. This is a message of control, finger pointing and blaming. There is a lot

of psychological research showing that this kind of message, especially when it comes to changing your attitude towards a group, triggers a reaction of anger, resistance and backlash. It leads to the experience that you are the victim. In sociology we know that for example job controlling has the same effect: when people are monitored closely and followed, it affects their autonomy and their motivation and they start to sabotage in the long run. The same with parenting; if we want our kids to do what we want them to do we have to create a situation where they think that they can choose. But training programs that send a message of blame and control create exactly the opposite effects.

Research shows that people who score high on being a likely harasser, are more likely not to see the problem with harassment after a training. Generally, people even come out of training alienated and cynically, full of resentment and are less likely to believe victims. So I tell HR managers that the harassment trainings as they are currently designed are part of the problem, not the solution. Our research shows that



**Sanne Schreurs** and **Maurits Jan Vink** are editor of this magazine.



women are *less* likely to thrive at work and get into management jobs after such training is put in place.

**What conditions need to be met for the training to be more effective?**

It helps if the trainings are not mandatory, that high level managers are present, and it helps when the content is not accusatory and punitive in tone, but rather focusing and understanding how to recognize harassment and conditions for harassment and intervene.

**You also mention that bystander-intervention training and training for managers do work. Why is that?**

Bystander training has been quite common in universities and militaries and have proved to be an effective intervention. Bystander training focuses on intervention by colleagues who are neither victims nor harassers. It focuses on collaboration. The message is that people all need to work together to solve the organizational problem of harassment. Training participants are perceived as potential saviors. That makes a big psychological difference, because we all want to think about ourselves as good doers. The same is the effect when managers are trained to help remedy the problem of harassment. The professional identity of managers is doing, leading, designing change and bringing results. When you talk with managers as being bystanders and you give them tools to intervene and change, you talk in a way that is in accordance with their professional identity. You treat managers as managers. That is why these kinds of trainings do work. Our studies show that bystander training has a positive effect on the diversity of management. We need more study on how this effect can further grow.

We all know that harassment is not about attraction or sex, but about power. Part of the problem is contextual, it is about the organizational and work culture. We know that there is more harassment and bullying in organizations where work is more stressful, where control is more rigid and timelines are more unpredictable. There are many ways to reduce the potential for harassment and the broader you look, at context and culture, the more tools you can offer.

**What do you see as the explanation that it took so long to include the bystanders as crucial part of the problem and the solution?**

The legalistic mindset. Executives and HR managers want to show in court that they have told the employee not to act like he or she did. They want to get themselves off the hook. A mandatory harassment training lends itself perfect for a court situation, where an organization needs to defend itself. It fits perfectly with an individual vis-à-vis the problem of harassment: the idea that harassment represents not an organizational problem, but has to do with a 'bad apple'. So we know that this training perfectly works in court, not in organizations. With the bystanders approach, it is different.

**You describe why grievance procedures in the US do not work. Can you explain?**

It is not just a waste of time; these procedures also cause damage. People try to bring a court system into an organiza-

tion, but that is not how it works. An organization is not a democracy, with a separation of powers, it is a hierarchical system with power structures and where some workers are more dependent on their work and income than others, like managers. In that relationship and power structure, 'a court of justice' internally does not work and even causes harm.

There is book called *Rights on trial. How Workplace Discrimination Law Perpetuates Inequality*,<sup>2</sup> based on interviews with people that filed complaints with their employer or the state, were vindicated, but end up as losers anyway. Virtually all companies have antidiscrimination policies in place, and there are laws designed to protect these rights across marginalized groups, but this progressive vision of the law falls far short in practice. In our research we show that after putting in place grievance procedure women and people of color are significantly less likely to get into management jobs. The toxic environment and retaliation make people leave their jobs and definitely not thrive in their jobs.

Research that compares victims who filed complaints to victims who did not finds that the ones that filed complaints were in worse mental health and physical health.

For the record, I am talking here about company grievance procedures as they work in the US: court-like procedures, created in a system that favors the employer. The employer judges himself; there is no real independence. I hear that in the Netherlands grievance committees often also consist (partly) of independent members. Of course, that does make it different.

**How would a grievance procedure ideally look like?**

Let's think how we can create a complaint system that is more neutral. Primarily you want the 'judge' not be part of the system of the employer, but to be independent. Another thing is, you want the victim to be in control. Very often the victims just want harassment to stop, but in a grievance procedure it goes out of hand. It becomes formal and adversarial, and it takes away the power from the victim because their employers fight to prove that there is nothing wrong. In the fight they do everything to silence the victim. That sends a signal to other people not to complain.

Mediation is another option. Big companies employ mediators or hire external mediators. The latter is better, although also external mediators are paid by the organization; you get more business from the businesses than from victims. You want to place the mediator in an independent position outside of the organization. With outside mediation, the victim can have more influence on the result and the mediator is outside of the hierarchy of the organization. It is more flexible.

Having an ombudsperson is probably the best way to go. This is an entity that sits outside the organizational chain of command and works independently to resolve sexual harassment complaints. An ombuds system is informal, neutral, and confidential. This approach has two advantages over the current system: it allows accusers to determine whether to make their complaints known to the accused, and it avoids legalistic hearings entirely.

So bottom line, you want to have different systems for the victims to choose from and keep it informal.

But the most important thing is that employers understand that they want to hear complaints, that complaints are a good thing, they are a sign that people believe that they can be helped and things can change. This way top management can fix things and get better productivity and better diversity. Executives are often happy that there are no complaints. This is the wrong approach.

### **What can you do to prevent a harassment claim to be framed as a conflict?**

That's an important risk. Sometimes what happened is clearly harassment, but it is not so serious as to give an employer grounds for dismissal. So people have to continue working together. Also often the accuser just wants the harassment to stop. They don't want conflict. As long as the employer does not give the message to the harasser that he has to change his behavior, even grounded complaints can end in a conflict. That sends a message to the whole organization to not file complaints. This is a problem of the culture of the organization and stresses the need to change the culture in the organization. So what is really important is that in all situations the organization gives a clear signal about unacceptable behavior that needs to be changed to fit with the organizations values.

### **What can help to change the culture in an organization and create a more safe environment?**

When it comes to diversity and harassment, management uses hardly any data. In any other fields, we use data all the time. Targets, kpi's etc. You can use data about informal complaints, for instance data from ombudspersons. Numbers have a big effect on management decisions. With data managers can find out where the red spots are. It does not always help the individual case immediately, but it can help to change the culture. Even if there is no formal complaint, it is important to gather data.

There are examples of companies like Uber showing this kind of numbers. That helps to create transparency. If companies continue to publish detailed numbers, that will give power to victims and it gives evidence that can be used by management to intervene. This way you can deal with harassment in a more concrete way.

First you have to get management to agree and understand that this can help to address harassment. The more detailed and the more public the numbers are, the more management can take responsibility to act. Some companies have started to report diversity numbers, informal harassment complaints could be added. For example, all informal complaints that were substantiated in an informal inquiry with both sides. You could add these kinds of numbers (anonymously) to reports on corporate social responsibility. You can also add the numbers on alternative dispute resolution. Yet it is a bit more difficult to gather this information.

### **How did #MeToo help to raise awareness?**

#MeToo, or at least the way the media treated it, created a lot of damage to the issue of harassment. It showed harassment



as an individual problem, it was more finger pointing than helping to change the culture in organizations. Culture was sometimes mentioned, yet the focus was on the individuals who did something wrong. This does not help to create safe workplaces for women and other minorities. #MeToo has shifted the attention to the bad apples, instead of helping to draw attention to solving the real problem.

### **How does the train the trainer approach help?**

You want to create engagement. When you ask your own workers to participate, it sends the message that you see harassment as a shared problem. The message is: 'It is not the law that forces us, it is not a bad apple, it is that we understand that harassment is a problem and our organization needs to make sure we don't have this problem.' It presents the problem as our problem, we take responsibility and frame it as something we can help change. You don't frame it as a legal problem that has nothing to do with the organization and the way we work with each other.

It is also not only a HR problem, we train the managers. While you engage in this train the trainer program, your attitudes will change toward your behavior. It increases your commitment and your ownership.

My conclusion is that organizations and managers need to publicly take responsibility for the problem and try to solve it in their teams, with the teams' collaboration. Increasing the numbers of female managers and executives will also help. Women are less likely to react negatively to training and more likely to believe victims. Combined with the bystander training programs and the data we spoke about, I am optimistic we can change the culture and influence the safety in organizations. ■

### **NOTES**

1. Dobbin Frank & Kalev Alexandra, *Harvard Business Review*, May-June 2020. Kalev en Dobbin publiceerden onlangs bij Harvard University Press het boek *Getting to Diversity: What Works and What Doesn't*. In andere projecten bestudeert Kalev betekenisgeving in reactie op ervaringen van discriminatie.
2. By Ellen Berrey, Robert L. Nelson and Laura Beth Nielsen.